

“A Short History of OSWA and the PFA Process”

Since July 2020, the Oregon Small Woodlands Association has faced a series of natural and political challenges beginning with the Labor Day fires in September. Simultaneously, a tsunami of catastrophic new taxes and constricting new laws were proposed in the Oregon Legislature as it was gearing up for its bi-annual long session in January of 2021. A wide variety of bills detrimental to family landowners and our partners in the Oregon Forest Industries Council (OFIC), the Oregon Department of Forestry (ODF), and even the Oregon Forest Resources Institute (OFRI) were proposed. These bills did everything from eliminating OFRI, imposing a new severance tax on harvesting, eliminating herbicide spraying and clearcut harvesting, and shifting the burden of wildfire-fighting costs even more onto the backs of landowners. Several of our long-time political allies in the legislature had retired and been replaced by new legislators lacking the background, experience, and understanding of how these new bills would negatively impact our community. At the same time the environmental lobby community was gathering signatures to place extreme initiative petitions to constrain the management options for landowners on the November 2021 ballot using emotionally charged, non-scientific arguments to sell their ideas. OSWA faced the dual challenge of seeking assistance to recover from the fires and simultaneously ward off the negative impacts of the proposed legislation.

In October of 2020, while the embers of the Labor Day fires still smoldered, our industrial forest landowner partners agreed to meet with the more reasonable environmental community leaders in a discussion facilitated by the Governor’s office on ways to extend protection for several inland stream fish species and a half-dozen riparian dependent species under a Habitat Conservation Plan (HCP). The intent of this agreement was to develop streamside management legislation to promote creating more available habitat for these species to inhabit. It is a “field of dreams” concept, where “if you build it, they will come”. In exchange for creating these habitat conditions on private lands, the state of Oregon will receive a blanket incidental take permit from the federal government under the Endangered Species Act which allows landowners who follow these new rules to have assurances they would not incur additional regulation of their management activities. In a strategic political move to stop the impending costly and acrimonious course facing the landowning community, the large industrial forest landowners began the process of developing legislation to implement the HCP in Oregon with the assurance that the environmental community would back away from its initiatives. OSWA was invited to become part of the thirteen landowner representatives negotiating the deal.

In November 2020, the OSWA Board of Directors voted to sign on to the Private Forest Memorandum of Understanding (MOU) as a private forest landowner negotiation representative. The Board of Directors approved hiring Jim James as a contractor to represent OSWA in the negotiations once he retired in January of 2021. Over time, an agreement was reached that later became known as the Private Forest Accord (PFA). In September 2021, Jim James outlined the final key points and special considerations for Small Forest Landowners (SFO) contained in the PFA to the Board of Directors and received guidance to sign the final agreement. On October 31, 2021, the PFA was signed by all negotiation team representatives. Then began the detailed process of writing the legislation to bring before legislature in the 2022 session.