

**Committee for Family Forestlands
Minutes
March 27, 2008**

A meeting of the Committee for Family Forestlands (CFF) was held in the Santiam Room at ODF's Salem compound.

Committee members present:

Gary Springer	Greg Miller
Bill Arsenault	Rex Storm
Sarah Deumling	

Committee members absent:

Mike Cloughesy	Craig Shinn
Ned Livingston	Brad Withrow-Robinson

Staff present:

Peter Daugherty	Lanny Quackenbush
Julie Welp	Ted Lorensen
Kevin Weeks	

Guests present:

Mike Gaudern, OSWA	Derek Johnson, The Nature Conservancy
Owen Wozniak, Trust for Public Lands	

Agenda Items:

1. Review of Agenda
2. Approval of Minutes
3. Consensus Decision Process
4. Conservation Easements.
5. Forward Agenda
6. Communication Plan
7. Communications/Other Business

Introductions

Craig Shinn was unable to attend so vice-chair Gary Springer led the meeting. Derek Johnson, from The Nature Conservancy, and Owen Wozniak, from the Trust for Public Land were later introduced. They were invited to make a presentation on conservation easements.

Approve minutes from February 28, 2008

The minutes were approved as written.

Consensus Decision Process

Some members of the committee wondered what prompted the formalization of the decision-making process, since the committee has usually worked well and reached a consensus. Peter explained that it's good to have a process in place for a future time when there is disagreement. We don't want to water down an issue just to reach agreement. It's important to present both majority and minority opinions. A minority opinion should be included in final reports to the Board. We likely won't use

a continuum of agreement, but it's good to have it available as a backup. A veto will not be allowed. It should be listed as "no support" instead. It was suggested to clarify "silence is golden" as meaning "no opinion" rather than tacit agreement, but the group decided to leave it as written.

Conservation Easements

Derek Johnson, from The Nature Conservancy, and Owen Wozniak, from the Trust for Public Land gave a presentation on conservation easements. Easements are legally binding and voluntary, and can be held by a variety of organizations, public agencies, and tribes. Landowners give up certain rights in the property, while retaining ownership of other rights. Easements are designed to meet specific objectives and are almost always permanent term. Limited terms are rare, and not encouraged. Tax breaks on easements are permanent. Easements are a critical, necessary conservation strategy, but are not a panacea. They are growing in use and complexity. They are an issue to be tested in years to come when the lands transfer to outside parties, who may not want to continue an easement. Successful easements include careful planning and crafting, a clear understanding of roles and responsibilities, constant communication between parties, and the capacity for longevity. Also, they are not all one size; they should be tailored to each specific property. They're flexible, and the objectives must be important for wildlife, birds, and fish, and they must be spelled out.

There are some negative aspects to easements. It's hard to predict the future and unforeseen needs of the land. There are monitoring and effectiveness responsibilities. Also, there are negative vs. prescriptive rights. Instead of stopping bad things from happening, you might need affirmative rights to accomplish the goals of the easements.

It's a good policy to set aside a long-term endowment for an easement. The Nature Conservancy recommends 25% of market value of the easement. Be prepared to go to court, if necessary, over various matters. It's a good idea for the easement holder and landowner to get to know each other, so each understand where the other is coming from. A level of consistency among easement entities is important to share lessons learned and to prevent landowners from "shopping" for the best easement deal.

There are tools to help with the development and administration of easements: Land trust standards and practices, higher IRS and public scrutiny and accountability, and appraisal standards. The ultimate success of an easement is up to the holders.

Owen Wozniak spoke about the Trust for Public Lands. They are a non-profit conservation organization that works to put land in public ownership or conserve land for public benefit. They help government agencies acquire land for a fee. They also work to help put conservation easements on working land and to put land in private ownership if there is some public benefit. Owen also spoke a little about the Forest Legacy Program in Oregon. There is currently only one project in the state and that's with the city of Eugene. Peter said that at the federal level, the Forest Legacy Program will take an 83% budget cut. There will only be three projects funded nationwide.

Private Forests Program

Ted Lorensen gave a presentation on the Private Forests Program role in Oregon. The committee discussed the connections and responsibilities between ODF, the FPA, family forestland owners, urban/rural residential interfaces, and urban growth boundaries.

Possible outcomes of what we want to accomplish in urban, interface rural residential areas, and wood production: Urban: sustain the ability of landowners to manage their forestland, help local governments adopt reasonable ordinances; Interface rural residential: sustain and enhance timber and biomass production, reduce/manage risks of fire/insects/disease; and similar types of outcomes with wood production.

Types of service we might provide include: on-site visits, education, financial, planning, marketing, effectiveness monitoring, etc.

Performance standards examples (what is not being done now): stream and site data layers up-to-date, “high” risk operations receive pre-op inspections, “high” risk operations receive at least two inspections, and “medium” risk operations receive at least one inspection. Also, notify landowners of reforestation or hazards obligations within two months of harvest, and all reforestation units checked for planting with 24 months of harvest. Rules should be enforced when violated and civil penalties should be issued. Peter commented that the State wants our key performance measures to be outcome-based.

The committee wrapped up this discussion with the group agreeing to provide feedback to the department on what contributions Oregon wants from its range of forestlands to sustain forest cover and the role of ODF/Private Forests. Greg commented that Jim Cathcart should be scheduled for upcoming meeting to discuss carbon.

Communications Plan

Tabled for a future meeting.

Next Meeting

The next CFF meeting is scheduled for April 24. That is the same day as OSWA’s annual meeting in Florence and several CFF members will be attending that. Mike Gaudern invited the CFF to attend the OSWA meeting. It was decided to hold a brief CFF meeting in the morning of April 24, then attend the OSWA session in the afternoon. The May 22 meeting is currently scheduled to be held at Bill Arsenault’s ranch.