



A HABITAT CONSERVATION PLAN

for private forests

The Private Forest Accord is a compromise agreement signed in 2021 by 13 conservation and fisheries groups, 11 timber companies and the Oregon Small Woodlands Association, to change parts of the Oregon Forest Practices Act in a way that expands protections for fish and amphibians. These changes should allow Oregon to receive federal approval for a Habitat Conservation Plan for private forestlands, as well as an accompanying incidental-take permit for federally listed threatened and endangered species of fish and amphibians.

WHAT IS A HABITAT CONSERVATION PLAN?

A Habitat Conservation Plan (HCP) is a planning document designed to accommodate economic development to the extent possible, by authorizing the limited and unintentional harm or killing of federally listed threatened or endangered species when it occurs incidentally to otherwise lawful activity. Under the Endangered Species Act, this is known as “incidental take.” HCPs describe the anticipated effects of the proposed taking, how those impacts will be minimized and mitigated, and how the conservation measures included in the plan will be funded. If the National Marine Fisheries Service and U.S. Fish and Wildlife Service finds an HCP meets specified criteria, it issues an incidental-take permit. This allows the permit holder to proceed with an activity that could otherwise result in the unlawful take of a listed species.

Why seek a habitat conservation plan?

The signatories of the Private Forest Accord agree there are a number of advantages for Oregon to seek federal approval for a Habitat Conservation plan for private forestlands:

Provide business certainty. Provide a greater level of certainty for forestland owners and industries that depend on Oregon's privately managed forests for wood products and revenue.

Provide greater environmental certainty. Provide a greater level of certainty for the survival and recovery of threatened and endangered species, and the protection of aquatic resources.

Provide greater regulatory certainty. A Habitat Conservation Plan and accompanying incidental-take permit for all privately owned Oregon forestlands will enhance habitat for the species covered by the plan, while offering assurances to landowners that there will be no additional restrictions to ongoing and planned forest management activities as defined under the Oregon Forest Practices Act and the Habitat Conservation Plan.

PRIVATE FOREST ACCORD AND HABITAT CONSERVATION



SPECIES COVERED BY THE PLAN

The Private Forest Accord signatories agreed to support a private-forests Habitat Conservation Plan for the following aquatic wildlife species:

- all native salmon and trout
- bull trout
- mountain whitefish
- Pacific eulachon/smelt
- green sturgeon
- Columbia torrent salamander
- southern torrent salamander
- coastal giant salamander
- Cope's giant salamander
- coastal tailed frog

If approved, the term of the Habitat Conservation Plan will be 50 years for the fish species and 25 years for the amphibian species.

EXPANDED PROTECTIONS FOR BEAVERS

Although beavers are not covered in the proposed Habitat Conservation Plan for private forestlands, the Private Forest Accord recommended additional protections for these mammals because of the important role they play in helping enhance fish habitat. The recommendations included more reporting requirements to the Oregon Department of Fish and Wildlife for managing beaver activity and resolving the issues beavers cause to forestland owners. These requirements were part of Senate Bill 1501, which passed in 2022.

Learn more

[2022-odf-private-forest-accord-report.pdf](#)

oregon.gov/odf/pages/private-forest-accord.aspx

OregonForests.org/private-forest-accord

For more information about Habitat Conservation Plans and incidental-take permits, visit the U.S. Fish and Wildlife website at: fws.gov/node/265320

For an example of an existing statewide Habitat Conservation Plan for private forests, check out the state of Washington's plan, which was completed in 2006:

dnr.wa.gov/programs-and-services/forest-practices/forest-practices-habitat-conservation-plan

You can also learn more about balancing managing for fish and wildlife habitat with timber production by reading the Oregon Forest Resources Institute's *Wildlife in Managed Forests* series of educational publications for forestland owners, including booklets covering fish passage, forest amphibians and beavers. Download these free publications and find more information about wildlife and habitat management at: KnowYourForest.org

The Oregon Forest Resources Institute (OFRI) supports and enhances Oregon's forest products industry by advancing public understanding of forests, forest management and forest products.

OFRI produced this fact sheet in collaboration with the Partnership for Forestry Education. Learn more about OFRI at OregonForests.org, and the Partnership at KnowYourForest.org.



Oregon Forest
Resources Institute



Partnership
for Forestry
Education

Proposed timeline

The Oregon Department of Forestry (ODF) plans to submit a draft Habitat Conservation Plan for private forestlands in Oregon to the National Marine Fisheries Service and US Fish and Wildlife Service by Dec. 31, 2022. This will start a long-term process where ODF will develop a final Habitat Conservation Plan and work with the federal agencies as they review the plan and decide whether to approve it and issue an incidental-take permit. During this time, the public will be given opportunities to comment on the plan.

As proposed through the Private Forest Accord agreement, the process is scheduled to be completed on Dec. 31, 2027. By this date, the federal agencies will either approve the plan, or the new Oregon Forest Practices Act rules passed by the Oregon Legislature in 2022 may sunset.