

Agenda Item No.:	A
Work Plan:	Forest Resources Division
Topic:	Implementing Legislative Direction
Presentation Title:	Legislative Report on Private Forest Accord Implementation
Date of Presentation:	January 8, 2025
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SUMMARY

Senate Bill 1501 (2022) requires the Board to submit annual progress reports regarding the implementation of the Private Forest Accord to the legislative committees related to forestry. This agenda item seeks board approval to submit the report included as Attachment 1 as the statutorily required report.

BACKGROUND

In 2020, conservation and forest industry groups offered to revise the Forest Practices Act (FPA) and the forest practice rules through a memorandum of understanding to include mediated discussions, known as the Private Forest Accord (PFA). Later that year, the Legislature passed Senate Bill [\(SB\) 1602](#) which set helicopter pesticide application requirements and required the Governor to facilitate mediated sessions between conservation and forest industry groups. As a product of this collaborative process, the [2022 PFA Report](#) was drafted and released by an author group comprised of representatives from those discussions. During the 2022 Legislative Session, [SB 1501](#) and [SB 1502](#) passed making substantial changes to the FPA and requiring the Board to incorporate the recommendations of the PFA Report into the forest practice rules through the adoption of a single rule package to support the development of a habitat conservation plan and prescribed two additional rulemaking efforts.

ANALYSIS

The report in Attachment 1 captures the Board's implementation obligations in SB 1501(2022), the status of each, and any related 2024 activities. While the report only captures 2024 activities, the Department intends to assist the Board in completing the remaining statutory obligations by:

- Proposing an agenda item for March 2025 to initiate tethered logging;
- Returning to the Board for a decision regarding the proposed post-disturbance rules as work on the draft PFA HCP with the federal services is completed and prior to November 30th, 2025 deadline;
- Continuing to draft the annual implementation progress reports for the Board's approval; and
- Preparing the required report regarding incidental take permits and petitions for the Board's consideration and approval, once the outcomes are known.

RECOMMENDATION

The Department recommends the Board direct staff to submit the report in Attachment 1 to the relevant legislative committees in the manner prescribed by law.

ATTACHMENTS

- 1) Private Forest Accord Implementation: 2024 Progress Report



Private Forest Accord Implementation: 2024 Progress Report

Background

In February 2020, conservation and forest industry groups offered to revise the Forest Practices Act (FPA) and forest practice rules through a memorandum of understanding known as the Private Forest Accord (PFA). In June 2020, the Legislature adopted Senate Bill ([SB](#)) [1602](#) which increased helicopter spray buffers; directed rulemaking for salmon, steelhead, and bull trout streams in the Siskiyou Region; and set communication laws for spraying pesticides by helicopter. The bill set the accord timeline and led to mediated sessions between representatives of the forest industry and representatives of environmental interest resulting in the [PFA Report](#).

In March 2022, the Legislature adopted the PFA Report recommendations through [SBs 1501](#) and [1502](#), and [House Bill 4055](#). SB 1501 (2022) amongst other things, made substantial changes to the FPA, required the recommendations of the PFA Report be incorporated into the forest practice rules, requires the pursuit of incidental take permits (ITPs) through a habitat conservation plan (HCP) and requires the Board of Forestry (BOF) to undertake rulemaking related to tethered logging and post-disturbance harvest.

Additionally, SB 1501 (2022) requires the BOF to submit annual progress reports regarding PFA implementation to the legislative committees related to forestry. This report captures the BOF’s implementation obligations, the status of each, and any related 2024 activities.

Implementation Activities

Statutory Requirement	Status	Deadline	2024 Activities
Adopt a single rule package consistent with the PFA Report	Complete	11/30/2022	
First appoint Adaptive Management Program Committee members	Complete	11/30/2022	
Submit a proposed draft HCP	Complete	12/31/2022	
If needed, make minor amendments to single rule package	Complete	7/1/2023	
Appoint the first voting members of the Independent Research and Science Team	Complete	Not Specified	
Report implementation progress to legislative committees	Complete	Annually	A report was submitted on 2023 activities in Sept. 2024.
Initiate tethered logging rulemaking	Not Started	3/17/2025	
Complete post-disturbance harvest rulemaking	Started	11/30/2025	On Feb. 23, 2024, the BOF considered proposed rules, made required determinations and directed the filing of a rulemaking notice.
Report to the legislative committees whether ITPs were issued by 12/31/2027 & if a petition was received from a PFA Report author	Not Started	2/1/2028 or earlier	

For more information contact: [Nicole Stapp](#), Forest Resources Division Policy Advisor or [Derrick Wheeler](#), ODF Legislative Coordinator.

