

Understanding the Private Forest Accord

Mitigation

Importance: Under an HCP, mitigation can be used as an additional tool to off-set regulatory take of the covered species from the permitted activities. According to the HCP handbook, mitigation measures “must be based on the biological needs of covered species and should be designed to offset the impacts of the take from the covered activities to the maximum extent practicable.”

Current Law/System: Currently, no mitigation is required under the Forest Practices Act, although various state agencies invest in the conservation and recovery of aquatic species through a variety of mechanisms.

Proposed Change: Under the new agreement, the timber industry will be obligated to contribute \$5 million of funding annually for the life of the HCP to be administered through the Oregon Conservation and Recreation Fund, and the State of Oregon agrees to contribute an additional \$10 million annually. Mitigation will include both permittee-implementation on industrial timber lands, as well as in-lieu fee mitigation. Eligible activities will include aquatic organism passage, wood augmentation, beaver conservation and reintroduction, wildfire resiliency efforts through riparian restoration, land preservation, instream flow augmentation, and grazing management. Mitigation funding may also be used to conduct active outreach to secure priority projects.

Discussion: The mitigation funding should be allocated through the technical review of project quality and evaluated to assure that the desired level of uplift is achieved. The parties agreed that annual tracking of mitigation implementation for both in-lieu free and permittee implementation should be completed, with assessments of progress completed in coordination with the jurisdictional agencies every 5 years.