

INSTRUCTIONS

Determination for Eligibility of Financial Assistance For Timber Salvage Operations

Background: Oregon Administrative Rule (OAR) 629-610-070 of the Oregon Forest Practices Act provides for a plan for alternate practice to suspend the reforestation rules for a harvest that would otherwise trigger the reforestation obligations. The harvests could be for the conversion of underproductive lands or salvage of forest stands that are dead and dying due to wildland fires, insects, diseases or other factors beyond the landowner's control.

Purpose: of the suspension of the reforestation rule is to provide an incentive to restore poorly stocked forestland to healthy, productive forest by allowing the suspension in cases where the harvest value is insufficient to cover the cost of reforestation.

Eligibility:

- ✓ In the case where the request for suspension of reforestation rules is approved, reforestation is no longer a landowner obligation under the Forest Practices Act, but rather a tool for restoring the site to healthy, productive forest that is eligible for financial assistance.
- ✓ The plan for alternate practice to suspend the reforestation rules is necessary for the landowner to become eligible for available financial assistance.
- ✓ The plan for alternate practice to suspend the reforestation rules cannot be approved if the landowner is not approved for financial assistance to help with the reforestation costs.
- ✓ Suitable lands are conversion harvest areas that are poorly stocked and do not contain a manageable stand; or the merchantable trees in the salvage harvest area are dead or dying due to factors beyond the landowner's control.

Factors which would **not** qualify a landowner:

- ❑ If the net harvest revenues **are sufficient** to cover reforestation cost.
- ❑ If the landowner doesn't meet the definition of Family Forests (5,000 acres or less in Western Oregon and 10,000 acres or less in Eastern Oregon).
- ❑ If the harvest conversion operation has started, and the Stewardship Forester determines one or more of the following is true:
 - The harvest conversion operation was not identified on the Notification of Operations.
 - The specific areas of the operation have a reforestation requirement.
 - Funding is not available for financial forestry assistance on these areas.
 - The landowner and conversion area do not meet the criteria for available funds.
 - The harvest revenue and cost information cannot be reconstructed based on actual values.
- ❑ If the Conversion Operation is completed.

Definitions: Reforestation costs means all costs associated with timber harvesting, taxes, and reforestation to an adequately stocked and free to grow condition.

PROCEDURES TO COMPLETE THE FORM

PART A: Procedure for Determination of Eligibility:

The following steps must be accomplished **before** completion of the harvest operation.

- Landowner is interested in converting poorly stocked forestland to healthy forests.
- Landowner completes **Part A, Landowner Request for Suspension of Reforestation Rules** and shows Verification of Financial Assistance.
- Landowner completes **Conversion Harvest Worksheet** with help from either a Stewardship Forester or a Consulting Forester.
- Landowner signs **Part A**.

PART B: Confirmation of Eligibility for Reforestation Incentive Funding:

The Stewardship Forester will confirm or deny that the landowner has qualified for a Financial Assistance Program or is eligible for the Suspension of Reforestation Rules.

- The landowner is approved for funding through a State Forester administered assistance program for reforestation.
- The net harvest revenues are insufficient to cover the reforestation cost.
- A Consulting Forester or Stewardship Forester performs a site visit, gathers all information, completes and signs a **Conversion Harvest Worksheet** (see attached).
- Stewardship Forester – Reviews **Conversion Harvest Worksheet** (if submitted by a consulting forester). If accepted, signs **Part M** on the worksheet.
- Stewardship Forester verifies landowner eligibility for financial assistance **Part B, Confirmation of Eligibility for Reforestation Incentive Funding**.
- Stewardship Forester chooses one of the two confirmation/denial choices in **Part B**, based upon the information supplied by the Landowner and signs **Part B**.

PART C: Final Documentation and Approvals- Roles and Responsibilities

- Landowner submits to the District Office a Notification of Operations and signed **Part A, Landowner Request for Suspension of Reforestation Rules**, preferably **prior** to commencing harvest.
- Landowner Assistance Program Authority – Signs **Part C, Final Approval of the Plan for an Alternate Practice for Suspension of Reforestation Rules** and provides a copy to the landowner and Stewardship Forester.
- Operations can begin or continue after obtaining required signatures.

Conversion Harvest Worksheet

- Log prices and logging costs are gathered based on a site visit and current timber markets.
- Conversion Harvest Worksheet (see attached) is prepared, signed and submitted.
Watch for:
 1. Outdated market information – need to make estimates based on current markets.
 2. Estimate or construct net harvest revenues from the harvest conversion operation even in the case of “Harvest for Value” contracts (e.g., no revenues to landowner).

3. Do not accept inflated logging costs due to cost inefficiencies, poor logging practices, etc.
4. Do not accept unreasonably high reforestation costs.

Burden of Proof:

- Conversion Operation has Not Begun – *Estimated Values Accepted by Stewardship Forester*
 - Site Visit by Stewardship Forester to estimate harvest volume (species, grade)
 - Estimated gross harvest value (based on current markets)
 - Estimated harvest costs and applicable harvest-related taxes
 - Estimated reforestation cost from initial site preparation through free-to-grow
- Conversion Operation has Begun – *Actual Values Supplied by the Landowner*
 - Site Visit by Stewardship Forester to estimate removals (species, grade)
 - Landowner supplies information on actual removals (logging contract, receipts)
 - Landowner supplies information on actual costs (logging contract, receipts)
 - Estimated applicable harvest-related taxes
 - Estimated reforestation cost from initial site preparation through free-to-grow

FRT Qualified Projects – Forest Resource Trust Forest Establishment Program Projects

- Forest Resource Trust Administrative Specialist – Provides landowner a copy of the Request for Approval of a Plan for Alternate Practice to Suspend the Reforestation Rules form.
- Landowner fill our and signs Part A on the Request for Suspension of Reforestation Rules form at the same time the Forest Resource Trust contract and supporting documents are signed.
- Forest Resource Trust Manager – Signs **Part C** on the Request for Suspension of Reforestation Rules form.

Financial Assistance that may be available for some woodland owners impacted by wildfire:

Federal Income Tax on Timber

- A Quick Guide for Woodland [Owners](#) who have had losses to their forest land due to conditions beyond their control.
 - Reforestation Costs- pg 15
 - Timber Losses- Pg 12

Farm Service Agency (FSA)

- Emergency Forest Restoration Program ([EFRP](#)) - applicable to Family Forestland Owners whose forest is damaged by natural disaster. Landowners should check with their local Farm Service Agency office regarding sign-up periods after a natural disaster has occurred. While there is no immediate assurance of funding, those who apply early have the best chance for funding if/when it becomes available.

Natural Resource Conservation Service (NRCS)

- EQIP program funding- There are two steps to securing the funding for this program. The first would be to have Stewardship Foresters survey private lands to be salvaged or planted which a list of potential landowners identify with their projects. Second, the list of potential landowners can then be taken to the yearly NRCS basin meetings. This list will leverage the funds needed to conduct the reforestation projects.

Oregon Watershed Enhancement Board

- Watershed restoration grants can be applied for to help with the impacts of wildland fires.

Oregon Department of Forestry

- **Forest Resource Trust** has funds that may be used to purchase or grow seedlings at local nurseries for affected landowners.
- There are **Fuels Reduction Programs** available Statewide.

**DETERMINATION FOR ELIGIBILITY OF FINANCIAL ASSISTANCE
FOR TIMBER SALVAGE OPERATIONS
OAR 629-610-0000 TO 0090**

A. Landowner Request for Suspension of Reforestation Rules

_____ (landowner) requests an approval of a Plan for an Alternate Practice to Suspend the Reforestation Rules as described under OAR 629-610-0070 for _____ acres, located in Section _____, Township _____, Range _____, _____ County.

The Purpose for my request is due to _____ (underproductive lands; wildfire, insects, diseases, or other factors beyond my control).

Verification of Financial Assistance Program

I have applied for the following reforestation incentive funding programs:

Name of Program	Date of application	Approval date

- I further realize the Suspension of Reforestation Rules has not been granted until ODF has confirmed my eligibility for funding with a certified incentives or assistance program.
- I understand that the State Forester shall revoke the Suspension of the Reforestation Rules at any time within six years of completing the operation if I fail to establish a forest stand according to the specifications and timelines required under the applicable reforestation incentive program.

Landowner Signature

Date

B. Confirmation of Eligibility for Reforestation Incentive Funding

The landowner, _____ has provided proof of eligibility and appropriate funding for the lands, based on this review, the landowner is eligible for reforestation funding and is therefore eligible for the Suspension of the Reforestation Rules upon confirmation of approved funding.

The landowner, _____ was unable to secure an approval of a financial assistance program for reforestation or the conversion operation is complete; the Suspension of the Reforestation Rules is not granted. The landowner is required to follow the reforestation rules set forth in ORS 629-610-0000 to 0090.

Stewardship Forester, for State Forester

Date

*****This Notice of Suspension of the Reforestation Rule is to be attached to the Notification of Operation*****

cc: Landowner
Stewardship Forester

CONVERSION HARVEST WORKSHEET				
				acres
A	Gross Volume	(A)		
	Merchantable			MBF
	Firewood			loads
B	Pond Value	(B)		
	Merchantable			/MBF
	Firewood			/load
C	Gross Revenues	(C)		/acre
D	Harvest Costs	(D)		
	Harvest Planning			
	Road Construction & Maintenance			
	Logging			
	Taxes (Severance and Income)			
	Administration (Included in each activity @ 10% / activity)			
E	Total Harvest Costs	(E)		/acre
F	Net Harvest Revenues	(F)		/acre
G	Forest Stand Establishment Costs to Free-to-Grow			
	Site Preparation			/acre
	Seedling and Planting			/acre
	Fertilization			/acre
	Seedling Protection			/acre
	Moisture Conservation			/acre
	Release from Vegetative Competition			/acre
	Resource Management Professional Fee			/acre
	Other			/acre
H	Total Forest Stand Establishment Costs	(H)		/acre
I	Eligible for Funding if < \$0 <i>(Subtract Line H from Line F)</i>	(I)		/acre
J	Harvest Revenues Reinvested	(J)		/acre
K	Costs to Incentive Program <i>(Subtract Line J from Line H)</i>			0
L	Percentage of Revenues Reinvested to Total Forest Stand Establishment Cost <i>(Divide Line J by Line H & Multiply by 100)</i>	(L)		
M	Signatures			
	Completed by _____	Date:		
	Consultant or Approved Landowner			
	Completed by _____	Date:		
	State Forester			
	MBF - Thousand board feet			

State Forester Approval of the Suspension of Reforestation Rules OAR 629-610-0000 TO 0090

C. Final Approval of the Plan for an Alternate Practice for Suspension of the Reforestation Rules

Approval for the Suspension of the Reforestation Rules is granted for the land and landowner,
_____, consisting of ___ acres located in Section _____, Township _____,
Range _____, _____ County.

Notification #: _____ Purpose for Suspension: _____

The State Forester has determined that the estimated net harvest revenues from the parcel described above will not cover the estimated reforestation costs to establish an adequately stocked and free-to-grow forest stand.

The State Forester has further determined the Landowner has secured a reforestation incentive funding program to complete the required reforestation on the lands motioned above.

State Forester's Signature

Date

cc: Landowner
Stewardship Forester