



# Department of Forestry History

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## Introduction

The Oregon Department of Forestry (ODF) performs a number of duties under its mission to "provide stewardship for Oregon's forests." These obligations range from fire protection to overseeing forest products and reforestation practices. ODF oversees the management and protection of the state forest system throughout Oregon as well as the management of forest product harvesting on federal and private lands.

ODF is divided into three local operation districts (Northwest, Southern, and Eastern Oregon), which allows for autonomy under the general supervision of the Department. The responsibilities and needs of the ODF have grown since its inception in the early 20th century requiring local control (i.e., quick decision making) while maintaining control over general forestry practices in the state. Other than administrative restructuring, ODF's main obligations of forest management and fire prevention have changed little.

ODF is responsible for giving equal attention to environmental and business (logging, paper production) concerns. This is often a volatile and tenuous relationship with difficult choices and decisions made on behalf of the forested lands in Oregon. In response to many of these public concerns over the management and use of state forest lands, the Department of Forestry has made great strides in public affairs management and public awareness programs. These efforts have allowed the public to educate themselves on the differing perspectives concerning forest lands and activities in Oregon.

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## 1907-1960

The need to manage the seemingly inexhaustible forests of Oregon was recognized in 1907 when a temporary advisory board was established (Oregon Laws, Chapter 131). The Board of Forestry was a centralization of authority in response to a 1905 law (Oregon Laws, Chapter 227) that allowed local fire rangers to patrol counties and enforce the newly created fire protection laws. The Board had little power and was mainly intended to provide advice and direction to the Legislative Assembly on matters of Forestry in Oregon.

In 1911, the Legislative Assembly enacted a law creating a new seven member Board of Forestry, a State Forester, and a Deputy Forester for the appointment of fire wardens. The responsibilities of the State Forester included the improvement and protection of state forest lands, prevention of forest fires, enforcing forest laws and prosecuting violators, encouraging reforestation, and publishing forestry information. Chapter 278 of the 1911 General Laws of Oregon also succeeded in consolidating the county fire wardens under the central authority of the State Forester (they had previously answered to the county courts).

The federal Weeks Law of 1911 gave Oregon increased financial assistance for watershed and forest protection. By 1913, the state was also contributing to forestry efforts through the passage of the Forest Patrol Act, which funded firefighting activities. The Forest Patrol Act was financed through the assessment of landowners for the protection of their lands. In 1925, the Forest Patrol Act was amended to create protection districts that were patrolled by a local association and overseen by the Department of Forestry.

1925 also saw the Clarke-McNary Law supersede the Weeks Law. This federal funding law allowed the Department of Forestry to expand their operations and contract work to non-state employees. The State Forest Nursery at Elkton (later to become the Phipps Forest Nursery after former State Forester Dwight Phipps) was funded in large part by money provided by the Clarke-McNary Law.

1929 brought about an unprecedented show of the Department of Forestry's authority. It set aside 70,000 acres in Douglas and Coos Counties to be preserved as the first State Forest in Oregon. Elliot State Forest was named in honor of the first State Forester, F.A. Elliot. In the same year, the Legislative Assembly passed the Oregon Reforestation Tax Law that required the Department of Forestry to classify lands for reforestation. Owners of land classified for reforestation were exempted from "ad valorem" (Latin for "According to value") property taxes, and instead paid an annual forest fee and surtax on harvested forest products. This practice was facilitated in 1937 with the creation of County Classification Committees to designate lands for reforestation.

The Board of Forest Conservation was created in 1935 to ease the incorporation of Oregon forestlands into the system of national forests administered by the United States Forest Service. The Board was given the final say on the transfer of lands to federal control. The Civilian Conservation Corps (CCC) work camps were created at this time as part of the nationwide New Deal program. By 1936, the State Forester supervised over 4,300 men working in these forestry camps. The Works Projects Administration also began construction of the Department of

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Forestry's Salem headquarters in 1936; the building is now on the National Register of Historic Places. However, by 1942 enlistment and funding difficulties coupled with the beginning of World War II to cause the dissolution of the CCC.

The 1937 Legislative Assembly authorized the creation of County Forest Land Classification Committees. These committees were given the responsibility of classifying all county forestlands into three categories: timber, timber and grazing, or agricultural. The State Forester was given authority to classify lands in the event that county committees were not formed or did not reach a consensus. An experimental field laboratory was also established in 1937. The 1,000 acre Hamlet State Experimental Forest in Clatsop County was formed to study silviculture (growing and cultivation of trees), rodent control, planting costs, thinning, utilization of and returns from forest crops, and fire protection/control.

Until 1939, the Board of Forestry and the Highway Commission shared the administrative responsibilities for Oregon state parks. The reorganization of the Highway Commission in 1939 gave complete jurisdiction of the parks to the Commission. To compensate for this removal of duties, the Legislative Assembly added administration of the Forest Development Fund to the Department of Forestry.

In 1940 the Keep Oregon Green Association was established to promote fire safety and forest fire prevention. The Association was established independently from the Department of Forestry, but served as a publicity agency and received much of their operating budget from the department. 1941 brought passage of the Oregon Forest Conservation Act that required loggers to reforest harvested lands. The act also gave the State Forester additional authority to conserve forest resources. Meanwhile, research projects related to the need to rehabilitate the areas damaged by the Tillamook Burn forest fires led to the establishment of a forestlands research program in Salem in 1941.

World War II brought a change in responsibilities to the Department of Forestry. Forty-six Aircraft Warning Service observation posts were manned by department personnel from 1942 to 1943. The Forest Defense Council was also established to serve adjunct to the Oregon Defense Council and advise on matters concerning incendiary forest fires. World War II also caused the Department of Forestry with a manpower problem due to the dissolution of the Civilian Conservation Corps and the military wartime requirements for individuals who might have been otherwise employed by the department.

In 1951, the Department of Forestry began to utilize convict labor in forest work camps. A coalition including the State Forester, State Penitentiary Superintendent, and the State Director of Parole and Probation oversaw the administration of this program. The Forest Protection and Conservation Committee was created in 1953. The Committee's duties included the supervision and coordination of state agencies engaged in forest management; supervision of the Forest Products Research Laboratory; and the supervision of research concerning the rehabilitation, protection, and management of forestlands.

The Common School Forestlands Act in 1957, brought all indemnity lands, school lands, and escheated lands under a common administration. Authority of the Common School Forestlands

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(including Elliot State Forest) was held jointly between the Board of Forestry and the United States Forest Service, although the managerial duties were assumed by the Department of Forestry. All revenue from the sale of forest products from these lands was to be deposited into the Common School Fund.

The Klamath Tribal Reservation terminated in 1959. Public Law 587, passed by the United States Congress, ended the government's involvement in the tribal reservation. This action allowed the tribal members to liquidate their lands. While a number of Klamath members chose to keep their right of property, many members sold to private timber companies. The state Board of Forestry assumed responsibility for the protection of these forest lands, setting up a new protection unit consisting of over 600,000 acres in what had been the reservation. Land not purchased by private concerns became national forest property.

## **1961 – Present**

The Western Oregon Small Tract Optional Tax Law of 1961 gave tax breaks to owners of under-productive forestlands. In 1964, the Rural Fire Defense Program linked the Department of Forestry and the State Fire Marshal's Office to encourage rural fire fighting programs. A year later, the Legislative Assembly consolidated the laws administering the Department of Forestry and made many of its programs more efficient (Oregon Laws, Chapter 253).

The Legislative Assembly saw fit in 1963 to incorporate the functions of the State Land Board, in matters related to forest resources, into the Department of Forestry. One year later the State Forest Nursery at Corvallis was closed after 39 years. The facility was converted into a laboratory to study forest genetics.

In 1971, the Legislative Assembly passed resolutions forming a Western States Forestry Task Force to operate as a clearinghouse for information concerning western forests. The Task Force was also to serve as an informational body to the legislatures and administrations of the respective states. Also passed was the Oregon Forest Conservation Practices Act (FPA) that administered road construction, logging practices, slash disposal, and chemical use on state lands. This first in the nation program was administered by a Forest Practices Commission, which managed operations in the three forest regions designated by the act (Northwest, Southern, and Eastern).

With industry support, Oregon legislature approved the nation's first Forest Practices Act. New law set minimum standards for reforestation, road construction and maintenance, timber harvesting, chemical application and slash disposal. Legislation governed private and state lands; federal officials subsequently agreed to meet or exceed terms of the Oregon Act. Emphasis is on prevention of problems and abuses. Law became a model for other states adopting similar legislation. Law became effective July 1, 1972. Initial adoption of Forest Practices Rules. Rules set specific standards for reforestation, road construction and maintenance, and streamside buffer strips. Though many rules were advisory in nature, the majority were specific and enforceable. More than 6,800 people from industry, the Department of Forestry, and cooperating state and federal agencies completed Forest Practices Act training program.

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The Woodlands Management Act was passed in 1979 to encourage long-term forestry investments and promote better management of Oregon forestlands. The act provided tax relief to forestland owners, promoted the harvesting of mature timber crops, encouraged reforestation of clear-cut lands, and promoted continuous production of forest products. The act also created the State Forest Seed Tree Bank, which provided for the supply and maintenance of forest tree seed for sale to public, state, and private owners of forest nurseries and forestlands.

The Department of Forestry Soil Task Force was formed in 1983 to reduce the risk of landslides and their impact upon streams and soil in steeped-sloped areas. In 1984, "A Forestry Program for Oregon" was enacted (and updated in 1986) to implement a mandate by the Legislative Assembly to ensure an adequate supply of timber and positively impact the economy, populous, and the environment. In response to the Forestry Program, a Smoke Management Advisory Committee was created (1989) to control the effects of controlled burns and accidental forest fires.

A number of measures were enacted by the Legislative Assembly in 1991, designed to better manage the state's forests. Restrictions were increased on clear-cutting and other harmful practices. Timber operators were required to submit a written plan to the Department of Forestry. Scenic corridors along highways were defined and protected by drastically reducing logging activity in these areas. The use of pesticides and other chemicals was increasingly regulated by requiring the notification of the Department of Forestry and all residents within a 10-mile radius of any chemical application. The department was also required to make greater efforts to cooperate with other state agencies to ensure better monitoring and enforcement of these additional guidelines.

The 1991 Legislative Assembly also reallocated State Lottery funds to aid forest products workers who may have lost their jobs due to decreased demand for timber and increased environmental restrictions upon logging practices. Special loan funds were established by the Economic Development Department to serve the needs of these displaced workers. Additional legislation created the Oregon Forest Products Resources Institute to enhance and support the forest products industry in Oregon. The Institute was funded by tax revenues imposed on forest product harvests and administered by a board made up of wood products industry members.

Restrictions on forest operations and clear-cutting were implemented through Special Legislative Sessions in 1995 and 1996. Reforestation practices were also addressed in this attempt to encourage stewardship in the department's forestry operations as opposed to regulatory enforcement.

A 1997 amendment to the FPA gave the department authority to enter into stewardship agreements with landowners. The objectives of the agreements were to provide forest landowners with the opportunity to plan and implement forest management strategies with reduced oversight and regulation. The amendment was also intended to give landowners an incentive to enhance and restore fish and wildlife habitat, water quality, and other natural resources.

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The Oregon Forestland-Urban Interface Fire Protection Act was enacted in 1997 to coordinate fire protection for areas of conflicting development and forestland. The act requires property owners to assume responsibility to prevent fire and minimize the consequences of a substantial burn. It authorized the Department of Forestry to develop classifications for areas of urban/forest interface and to create standards for land/property owners regarding liability and prevention responsibilities.

## **Current Organization**

The Department of Forestry is comprised of six divisions directing multiple sections in those divisions. The Executive Division is the main decision and policy making body within the department. The State Board of Forestry and the State Forester's Office are the main components of this division.

The Administrative Service Division is responsible for maintaining the Personnel, Service, and Financial sections of the department. These sections oversee payroll, training, communications, and property control operations among other programs within the Department of Forestry.

The Forest Management Division is made up of two sections: Forestry Assistance and State Forests. The Forestry Assistance Section has the task of managing service forestry, urban forestry, and insect/disease management programs. The State Forests Section manages the lands and activities with Oregon's State Forest system including timber sales, reforestation, and environmental management.

One of the most important and extensive aspects of the Department of Forestry is the Protection Division, which is mainly responsible for forest fire protection and management. This responsibility is the oldest and most important within the department. It is also a main reason for the division of the state into three fire protection divisions (Northwest, Southern, and Eastern) that offer better monitoring and quicker responses to fire emergencies. The massive responsibility of protecting Oregon forestlands from fire is augmented by smoke management, prevention, and forest practices programs.

The Resource Policy Division is responsible for the public affairs and forest resource planning sections of the Department of Forestry. Both programs work closely with the rest of the department to form a cohesive and understandable message that can be transmitted to the public, private landowners, and forest product businesses throughout the state.

In addition, the Department of Forestry administers three Operations Areas that include: Eastern Oregon, Northwest Oregon, and Southern Oregon. Each of these operation areas are administered through local districts that monitor fire threats and forest practices in their district. This delegation of department authority has been successful in managing the vast forestlands of Oregon.

The Department of Forestry grew from a simple advisory board to one of the most influential state agencies in Oregon. The wide-ranging programs of the department are intended to combine reasonable forest harvesting practices with a strong sense of environmental conservation. Its extended history shows a strong commitment to business and environmental

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concerns, requiring that no more than two members of the State Board of Forestry have vested interests in forest products harvesting in the state. There has been a concerted effort on behalf of the Department of Forestry to find a balance between these conflicting forestry interests in order to provide for the people and the forestlands of Oregon.

Current Department of Forestry programs and records are described in a records retention schedule produced by the Oregon State Archives.

## **Bibliography**

Administrative History, Department of Forestry. Oregon State Archives, 1987.

Oregon Blue Book. 1999-2000.

Oregon Department of Forestry. Publications, budgets, and organizational charts. 1964-1986.\

Oregon Laws. 1905, 1907, 1911, 1929.

Oregon Department of Forestry website. <http://www.oregon.gov/odf/>

## **Related Statutes and Administrative Rules**

### **Oregon Revised Statutes**

[ORS 273](#) Agreements with Lands Division

[ORS 321](#) Forest Products Harvest Tax

[ORS 418](#) Minors, Employment, Providing, Policy

[ORS 477](#) Fire Protection of Forests and Vegetation

[ORS 526](#) Forestry Administration

[ORS 527](#) Insect and Disease Control, Forest Practices

[ORS 530](#) Acquisition and Development of State Forests

[ORS 532](#) Branding of Forest Products

[ORS 541](#) Watershed Enhancement and Protection

### **Oregon Administrative Rules**

[OAR Chapter 629 Department of Forestry](#)

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