

HISTORY OF THE BUREAU OF LAND MANAGEMENT AND OREGON DEPARTMENT OF FORESTRY PROTECTION CONTRACT FOR WESTERN OREGON LANDS

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This paper provides a brief historical context to how the current Bureau of Land Management (BLM) contract with the Oregon Department of Forestry (ODF) for protection of the BLM Western Oregon lands came into existence.

Beginning in the mid 1800's Congress made a series of land grants to railroads to help facilitate the expansion into new areas. In Oregon, the Oregon Central Railroad Company was designated by the Oregon Legislature to construct the railroad. Through a series of disagreements with another company, the two companies were bought and merged into the Oregon & California (O&C) Railroad Company.

The land grant consisted of odd numbered sections in a strip 20 miles on either side of the right-of-way. In some areas the railroad was able to choose land an additional 10 miles further if the closer land was already owned by farmers. The railroad company was to sell this land to actual settlers, and only in parcels of 160 acres at \$2.50 per acre. Because the terms of the land grant were not followed, the federal government took back the lands.

In 1914, the federal government contracted with the associations and state districts to protect those O&C lands that were outside of a National Forest boundary and Congress appropriated \$25,000 to cover those costs. Each timbered acre of O&C land bore a proportional share of the protection costs with that of the private landowners. During the low fire years the appropriation covered the costs, but it did not during the high fire years putting a financial strain on the associations. In 1915, the associations and state districts protected 1,482,253 acres of timbered O&C lands.

Because of the financial strain, a decision was made that the USFS would reimburse the associations and state districts on an actual basis for all expenses incurred in protecting the timbered O&C lands. The associations provided the O&C lands the same level of protection as the intermingled other lands. Delayed reimbursements resulted in increasing the financial strain on associations.

After 1920, all O&C lands came under protection and not just the timbered acres. This resulted in even greater financial strains for the associations.

In 1937, the administration of the O&C lands transferred to the Department of the Interior, and the Bureau of Land Management (BLM). BLM entered into a contract with the Oregon Forest Fire Association (OFFA) for the protection of the O&C lands. The OFFA subsequently made an agreement with the Oregon State Board of Forestry for the O&C lands within the boundaries of state districts. The federal appropriations were inadequate to cover all costs and resulted in a net loss for the OFFA.

In 1952, the BLM made a decision to enter into only one agreement for the protection of the O&C lands and that was with the State Board of Forestry.

In 1988 the agreement was changed to a sole source, five year reimbursement contract.

Beginning in early 2013, BLM made a decision to make the contract award process much more formal. The type of contract was also changed from a sole source reimbursement for services contract to a firm-fixed price five year contract.

The Department had to first qualify to bid by providing BLM a letter of interest, with our qualifications specific to the type of work in the contract and to include our experience and understanding of the overall scope of the contract. There were other entities that showed interest in the contract but ODF was the only one that submitted the required documents.

The Department then developed the proposal which included a separate bid amount for the first year and each of the four optional years the contract could be extended. The Department was successful and was awarded the contract on June 27, 2013.

ODF Protection Advantages

- The O&C lands are intermingled (checkerboard pattern) with other lands that ODF protects and therefore much more effective and efficient if one agency has the protection responsibilities.
- O&C lands are afforded the exact same level of protection as any other lands ODF protects. The level of protection is further defined in Oregon Revised Statute Chapter 477 and in the "Standards of Protection" Directive, recently revised and updated. The BLM contract has protection standards that differ slightly from ODF's standards, and ODF follows those standards on BLM lands.
- The O&C lands are part of a complete and coordinated protection system that includes; fire prevention, fire detection, fire suppression, a readiness organization, support services, and administration.

- BLM has a representative on each of the Forest Protective Associations in Western Oregon. As an ex officio member of these boards, BLM can exercise significant influence over the level or type of protection, or any other item reviewed and approved by the board.
- BLM representatives also serve on the district budget committees. BLM members on these committees participate on key decisions regarding the cost of protection for the coming year.
- Even though the protection of O&C lands are through a contract, the relationship between ODF personnel and BLM personnel at the local level mirrors that which ODF has with the private landowners.
- As part of the contract, BLM pays into the Oregon Forest Land Protection Fund (OLFPPF) at the rate of five cents per acre per year. The total O&C acres that ODF protects are approximately 2,391,465. At five cents per acre the cost for the OLFPPF comes to approximately \$119,573.25 per year. During the years of 2002 – 2011, there were approximately 35 fires that originated on and stayed on BLM lands that ODF protected. The “extra” costs associated with those fires came to approximately \$6,131,885, of which BLM was not required to pay because the OLFPPF pays those costs.

References

FOREST FIRE PROTECTION IN OREGON: Some Facts and Figures Covering the Last 100 Years. Larry Fick 2005

RESPONSE TO BLM SPECIAL EVALUATION REPORT AUGUST 1990