

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form

<b>FILED</b> 9-15-16 5:31 PM ARCHIVES DIVISION SECRETARY OF STATE
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Department of Forestry Agency and Division	629 Administrative Rules Chapter Number
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Sabrina Perez Rules Coordinator	(503) 945-7210 Telephone
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Department of Forestry, 2600 State St., Salem, OR 97310 Address
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**RULE CAPTION**

Expanding water protection rules to include small and medium salmon, steelhead and bull trout streams.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
11-1-16	4:00 p.m.	Oregon Garden NREC Room, 895 W. Main St. Silverton, Oregon 97381	Greg Wagenblast
11-3-16	4:00 p.m.	Keizer Civic Community Center, 930 Chemawa Rd. NE, Keizer, Oregon	Greg Wagenblast
11-9-16	4:00 p.m.	Douglas County Fairgrounds, 2110 SW Frear St., Roseburg, Oregon	Greg Wagenblast
11-10-16	4:00 p.m.	Coos History Center, 1210 N. Front St., Coos Bay, Oregon 97420	Greg Wagenblast
11-15-16	4:00 p.m.	Florence Events Center, 715 Quince St. , Florence, Oregon 97439	Greg Wagenblast
11-16-16	4:00 p.m.	Columbia Hall/Clatsop CC, 1651 Lexington Ave., Astoria, Oregon 97103	Greg Wagenblast
12-6-16	4:00 p.m.	Willamalane Center/Ken Long Room, 250 S. 32nd St., Springfield,	Greg Wagenblast
12-7-16	4:30 p.m.	Forest Grove Community Auditorium, 1915 Main St., Forest Grove,	Greg Wagenblast
12-8-16	12:00 p.m.	Civic Center Room, Dallas City Hall, 187 SE Court St., Dallas, Oregon	Greg Wagenblast
12-8-16	4:00 p.m.	Oregon Department of Forestry, Tillamook Room, 2600 State St., Salem,	Greg Wagenblast

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**  
629-642-0105 and 629-642-0110.

**AMEND:**  
629-600-0100, 629-605-0170, 629-605-0173, 629-605-0500, 629-611-0000, 629-615-0300, 629-620-0300, 629-620-0400, 629-620-0800, 629-623-0300, 629-625-0100, 629-625-0430, 629-625-0700, 629-630-0600, 629-630-0700, 629-630-0800, 629-635-0100, 629-635-0110, 629-635-0200, 629-635-0210, 629-635-0310, and 629-680-0020.

**REPEAL:**

**RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.  
629-640-0000 to 629-642-0000; 629-640-0100 to 629-642-0100; 629-640-0105 to 629-642-0200; 629-640-0110 to 629-642-0300; 629-640-0200 to 629-642-0400; 629-640-0210 to 629-642-0500; 629-640-0300 to 629-642-0600; 629-640-0400 to 629-642-0700; and 629-640-0500 to 629-642-0800.

**Statutory Authority:**  
ORS 527.710, 527.630(3), 527.714, 526.016(4),

**Other Authority:**

**Statutes Implemented:**  
ORS 527.630(5), 527.674, 527.714, 527.715, 527.765, 527.710, 527.919(9),

**RULE SUMMARY**

The Oregon Department of Forestry (ODF) has revised and added proposed rule language for additional resource protection requirements on small and medium sized Salmon, Steelhead, and/or Bull Trout (SSBT) streams located in western Oregon. The new requirements also extend

up within the immediate harvest unit above the end of mapped SSBT streams, along the main stem of fish-bearing streams.

The amendment of OAR 629-600-0100 includes definitions for Salmon, Steelhead, and Bull Trout and definitions to classify Type SSBT streams.

The amendment of OAR 629-635-0200 describes how to designate Type SSBT streams and SSBT use. The proposed rules also provide information on when the rules become effective and updates to beneficial use designations.

OAR 629-640 has been removed and renumbered to 629-642 with the inclusion of additional SSBT stream rules.

The adoption of OAR 629-642-0105 requires additional riparian overstory protection on SSBT streams. The proposed rule requires remaining trees in the riparian management area be well distributed and describes alternative prescriptions.

The adoption OAR 629-642-0110 allows relief to be provided to landowners who meet applicable criteria.

Review of this proposed rulemaking package may be accessed on the Department's web page at <http://www.oregon.gov/ODF/AboutODF/Pages/ProposedLawsRules.aspx> or at the office of the State Forester and are available upon request. Associated supporting materials presented at the September 2016 Board of Forestry meeting are available online. They may be accessed through the Board of Forestry website: [www.oregonforestry.gov](http://www.oregonforestry.gov).

Ten joint Open houses and public hearings regarding this rulemaking process will be held in Silverton, Keizer, Roseburg, Coos Bay, Florence, Astoria, Springfield, Dallas and Salem throughout the month of November and early December. Notice of the meetings and hearings will be promoted via flyers, email, media releases and our website prior to the meeting dates.

Written comments must be received by 5:00 p.m. on March 1st, 2017. Submissions should be addressed to: Private Forest SSBT Rulemaking, Oregon Department of Forestry, 2600 State Street, Oregon 97310; or send to [RiparianRule@oregon.gov](mailto:RiparianRule@oregon.gov) or via fax (503) 945-7490.

Comments received by 5:00 p.m. on March 1st, 2017 will be compiled and incorporated into information presented to the Board of Forestry for their review. From this information and the prior work with this rulemaking process, the Board of Forestry will decide whether to approve this proposed rulemaking package. The Department is planning to present this information at the April Board of Forestry meeting. The Department will propose an effective date of July 1, 2017.

The Oregon Department of Forestry requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

<u>03-01-2017 5:00 p.m.</u>	<u>Sabrina Perez</u>	<u>sabrina.perez@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.