

The information below serves as the beginning of a “bin item” list of issues that will need resolved either at this meeting, or will be tabled to discuss and resolve at subsequent meetings:

Fiscal Impact Statement

“If an agency appoints an advisory committee to develop the rules, the agency must seek the advisory committee’s recommendations on the fiscal impact of any potential rule. If the advisory committee thinks that the potential rule will have a significant adverse fiscal impact on small businesses, the agency must seek the advisory committee’s recommendations on mitigating the cost of compliance, as required by ORS 183.540. ORS 183.333(3). The agency must consider the advisory committee’s recommendations when developing the statement of fiscal impact required by ORS 183.335(2)(b)(E). ORS 183.333(4).” (Administrative Law Manual, July 2014, p.16)

This task will be presented and discussed at the meeting on March 22, 2016.

Well-distributed

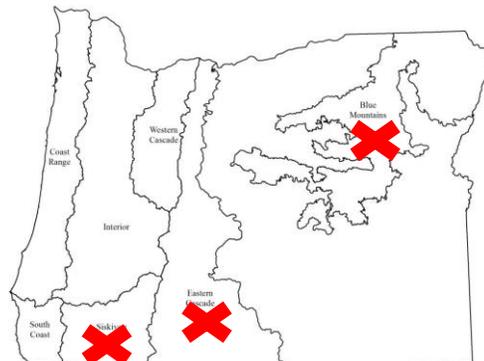
This term is part of the Board’s decision that was outlined on November 5, 2015. The terms “distribute” and “well” are defined in Webster’s Ninth New Collegiate Dictionary as:

- Distribute – (1) to divide among several or many: Apportion; (2) a: to spread out so as to cover something: Scatter.
- Well – (1) a: in a good or proper manner: Justly; Rightly.

It appears, when the decision was handed down from the Board, the intent of well-distributed with respect to standard target was that trees could be found throughout the RMA, both along the length and width of the identified RMA. We will discuss the term briefly on February 22, 2016, but then we will be looking to the committee on March 22, 2016 to have ideas on what well-distributed means to them.

Geographic Regions

At the meeting, we will have a map for each member showing where the prescriptions apply. In the meantime, refer to the diagram in the Forest Practices Act, FIGURE 1. Geographic Regions, OAR 629-635-0220. The prescriptions apply to all regions, except the Siskiyou, and obviously the Eastern Cascade and Blue Mountains.



Stream Extent to Which Prescriptions Apply

Small & Medium Salmon, Steelhead, and/or Bull Trout (SSBT) Streams, and extending up within the immediate harvest unit above the end of mapped SSBT streams, along the main stem of fish-bearing streams. The highlighted text will be discussed briefly at the meeting in February, but more detail will be provided, and input sought on this topic, at the meeting on March 22, 2016.

Parcel

OAR 660-006-0005 (10) "Parcel" means a single unit of land that is created by a partition of land and as further defined in ORS 215.010(1).

ORS 215.010 Definitions. As used in this chapter:

- (1) The terms defined in ORS 92.010 shall have the meanings given therein, except that "parcel":
 - (a) Includes a unit of land created:
 - (A) By partitioning land as defined in ORS 92.010;
 - (B) In compliance with all applicable planning, zoning and partitioning ordinances and regulations; or
 - (C) By deed or land sales contract, if there were no applicable planning, zoning or partitioning ordinances or regulations.
 - (b) Does not include a unit of land created solely to establish a separate tax account.
- (2) "Tract" means one or more contiguous lots or parcels under the same ownership.
- (3) The terms defined in ORS chapter 197 shall have the meanings given therein.
- (4) "Farm use" has the meaning given that term in ORS 215.203.
- (5) "The Willamette Valley" is Clackamas, Linn, Marion, Multnomah, Polk, Washington and Yamhill Counties and the portion of Benton and Lane Counties lying east of the summit of the Coast Range. [Amended by 1955 c.756 §25; 1963 c.619 §1 (1); 1985 c.717 §4; 1993 c.792 §8; 1999 c.327 §1]

We will introduce this topic in February; however, in March we will have more details associated with the process for which a landowner would use a parcel to seek an equity exemption. As stated in the Board decision, if the rules to be adopted encumbers more than 10 percent of the total ownership of any **parcel**, then the landowner may implement 50 and 70 foot no-cut buffers for small and medium streams, respectively.

South-sided buffers

This topic will be discussed in its entirety at the March meeting.

Conflict/Overlap with other rules in the FPA

This topic has been deferred to the March meeting and will not be part of the February meeting.