

DIVISION 25

RECREATIONAL USE OF STATE FOREST LANDS

Purpose of the Rules

629-25-000

These rules establish standards for recreational use of State forest lands managed by the Forester.

The objectives of these rules are to protect the resources of State Forest lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands.

These rules are adopted pursuant to ORS 530.050 which gives the Forester the authority to adopt rules necessary for the management, protection, utilization and conservation of State Forest lands acquired pursuant to ORS 530.010 to 530.040.

Definitions

629-25-005

As used in rules 629-25-000 through 629-25-070:

- (1) "Campground" means an area designated by the Forester.
- (2) "Camping" means occupying State forest lands overnight.
- (3) "Camping Area" means an area designated by the Forester for overnight camping, without designated campsites.
- (4) "Commercial Use" means recreational use of State forest lands for business, or financial gain.
- (5) "Day Use Area" means an area designated by the Forester for recreational use during specified hours, and where overnight camping is prohibited.
- (6) "Department" means Oregon Department of Forestry.
- (7) "Designated Recreation Area" means an area designated by the Forester, including but not limited to, campgrounds, camping areas, day use areas, trailheads, staging areas, and boat launch sites.
- (8) "Designated Trail" means any route on State forest land, other than a road, designated for a specific use by the Forester, which has been cleared of debris so that it is suitable for travel by motorized or non-motorized means.
- (9) "Forester" means the State Forester, or the Forester's authorized representative.
- (10) "Motorized Off-Road Zone" means an area on State forest land designated by the Forester where off-road use of motorized vehicles is permitted only on designated trails.

- (11) "Non-Motorized Zone" means an area on State forest land designated by the Forester where use of motorized vehicles is restricted to roads.
- (12) "Off Road Vehicle" means any vehicle capable of cross-country travel on other than roads, including but not limited to automobiles, trucks, 4-wheel drive vehicle, motorcycles, snowmobiles, and bicycles.
- (13) "Organized Event" means any planned recreational activity, which is advertised or otherwise promoted, or sponsored by any person, and conducted at a predetermined time and place.
- (14) "Person" means an individual, corporation, company, partnership, trust, firm, or association of persons.
- (15) "Recreational Use" means any public use of State forest land which is not for business or financial gain.
- (16) "Road" means any facility on State Forest land which meets the definition of "highway" contained in ORS 801.305, and which is constructed for vehicular traffic and suitable for use by conventional two-wheel drive vehicles.
- (17) "State Forest Lands" means lands owned by the State of Oregon, and managed by the Forester.

Permits - General Regulations

629-25-011

- (1) The Forester may require permits for the following recreational uses:
 - (a) Organized events
 - (b) Camping in campgrounds or in camping areas on State Forest Land.
 - (c) Parking at designated sites on State Forest Land.
 - (d) Use of Day Use Areas.
- (2) **Permit Duration; Suspension.** Permits for recreational use on state forests lands may be issued for a day, season, or such other time period considered appropriate by the Forester for the use involved. The Forester may revoke a permit if necessary to protect public health, public safety, forest resources, or to obtain compliance with these rules.
- (3) **Bonds.** For commercial use or organized events, the Forester may require the posting of a cash or surety bond or other guarantee in such form and in such amount as determined by the Forester to be sufficient by the Forester to defray the costs of restoration and rehabilitation of the lands affected by the permitted use. Bonds and guarantees will be returned to the permittee upon satisfactory compliance with all permit stipulations, including restoration and rehabilitation requirements.

(4) **Insurance.** For commercial use or organized events, the Forester may require a permittee to obtain and submit a property damage, personal injury, and public liability certificate of insurance, written by an insurance company authorized to sell insurance in the State of Oregon, in an amount determined by the Forester to be sufficient to protect the public and the State of Oregon. The policy shall name the Forester as a named insured and stipulate that the Forester shall be notified 30 days in advance of the termination or modification of the policy.

(5) **Liability.** For commercial use or organized events, the permittee shall defend, indemnify, and hold harmless the State of Oregon against any responsibility or liability for damage, injury, or loss to persons and property which may occur during the permitted use period or as a result of such use.

Permits - Organized Events 629-25-020

(1) No person, corporation, or other entity shall sponsor, promote or conduct any organized event within the boundaries of State forest land without first having obtained a permit from the Forester.

(2) Organized events may be permitted when the following requirements are satisfied:

- (a) Adequate sanitation, policing, medical facilities, traffic control and other necessary services are provided;
- (b) Conflict with traditional forest recreation activities is minimized;
- (c) All expenses, risks, and liabilities are borne by the sponsors rather than the general public;
- (d) The health, well-being and property of forest users, persons, neighboring landowners and of the general public are protected.
- (e) Damage to forest resources or improvements is negligible or can be reasonably mitigated.

(3) **Permit Application Procedure:** Any person requesting a permit for an organized event shall provide the following information to the Forester at least 60 days prior to the date of the proposed event:

- (a) Date of the event;
- (b) A map of the proposed event area;
- (c) Number of participants;
- (d) Name, address, date of birth and phone number of the sponsor;

(e) Description of the planned activities.

(f) A plan for timely clean-up and restoration of the areas used.

(g) The foregoing is not a exclusive list of the elements required for a permit.

(4) **Compliance with Other Rules:** All activities shall comply with applicable state and local codes, rules and ordinances. Additional state and local permits required shall be obtained prior to the beginning of the activity.

(5) **Approval or Denial of Permits:** The Forester may approve, with conditions, or deny the permit application consistent with the policies set forth in these rules. The following shall be considered in evaluating the permit applications:

(a) The ability of the applicant to finance, plan and manage the activity in accordance with sanitation, safety, medical care, fire control, security, crowd, noise, and traffic control requirements, and consistent with the protection of forest resources;

(b) The extent to which the proposed activity, in both nature and timing, threatens interference with customary usage of the forest by members of the public or interferes with the convenience of neighboring landowners and the general public;

(c) The experience of the applicant in performing similar activities in the past;

(d) Measures undertaken to mitigate any changes in customary forest usage or damage to forest resources or improvements caused by the activity.

(6) **Cancellation:** The Forester may cancel the permit effective immediately on notice to the applicant in the event of any emergency, significant law enforcement problem, or substantial threat to public welfare, safety or property arising from or affecting the activity, and may cancel the permit immediately upon any breach of other permit conditions. The applicant shall terminate the activity immediately upon receipt of notice from the Forester that the permit has been canceled.

(7) **Miscellaneous Provisions:** No application or proposal for an organized event will be considered by the Forester unless;

(a) The sponsor or its principal representative is at least 21 years of age; and

(b) The sponsor or sponsor-organization has

satisfied all outstanding liabilities and requirements running to the Forester and arising out of any prior activity involving property under the jurisdiction of the Forester.

- (8) **Permits Non-transferable:** No permit shall be transferable or assignable to any other sponsor, party or entity without prior written approval of the Forester.

Fees

629-025-0030

- (1) Established fees or charges shall be paid for use of overnight camping areas and other selected facilities and services.
- (2) **Payment of Fees.** Unless posted otherwise, payment of fees and charges shall be made prior to receipt of the permit or use of the facilities and services. Permit fees will be non-refundable. Overnight camping fees are for the use of facilities until 1:00 P.M. of the following day.
- (3) **Established Fees:** Specific fees for permits, facilities and services are as follows:
- (a) Overnight camping in a designated campground - Vehicle site: \$10.00 per night
 - (b) Overnight camping in a designated campground - Walk-in site: \$5.00 per night
 - (c) Overnight camping in a designated campground - Group site: \$25.00 per night
 - (d) Extra vehicle in a designated campground campsite: \$2.00 per night per vehicle

NOTE: An additional fee is charged when an additional vehicle is allowed overnight and is driven into the campground. Two motorcycles are allowed before an extra vehicle fee will be charged.

- (e) Overnight camping in a designated camping area: \$3.00 per night per vehicle
- (f) Firewood - where conditions permit, firewood will be sold.

GENERAL FOREST RECREATION RULES

629-025-0040

- (1) **Sanitation**
- (a) On all state forest lands, no person shall, unless otherwise authorized:
 - (A) Dispose of any cans, bottles and other non-

flammable trash and garbage except in designated places or receptacles;

- (B) Dispose of flammable trash or garbage except by burning in authorized fires, or disposal in designated places or receptacles;
 - (C) Drain sewage or petroleum products or dump refuse or waste other than wash water except in places or receptacles provided for that purpose;
 - (D) Dispose of any household, commercial or industrial refuse or waste brought as such from private or municipal property, including but not limited to automobiles, household appliances and furnishings;
 - (E) Pollute or contaminate water supplies or water used for human consumption; or
 - (F) Use a refuse container or disposal facility for any purpose other than for which it is supplied.
- (b) No person shall wash any clothing, dishware, cookware, or other materials in any lake, stream, river, or other body of water on State Forest land.
- (c) No person shall deposit human waste within 100 feet of any campsite, trail, or body of water. Human waste shall be disposed of by burying to a depth of at least 6 inches.
- (d) Where toilet or sewage facilities are provided, no person shall dispose of human waste except in those facilities.
- (2) **Occupancy and Use.** On State Forest lands, no person shall:
- (a) Camp longer than 21 days out of any 35 day period, more than a total of 60 days during a calendar year, or the period of time permitted by the Forester;
 - (b) Camp within 25 feet of any body of water or in other areas posted closed to camping by the Department; or
 - (c) Leave personal property unattended longer than 4 days. Personal property left unattended longer than 4 days, without permission of the Forester, shall be removed by the Department and shall be disposed of in a manner consistent with procedures outlined in OAR 629-25-0080.
 - (d) Leaving personal property unattended will be considered camping for the purposes of determining the length of stay at a given site.
- (3) **Property and Resources.** On all State Forest lands, unless otherwise authorized by the Forester, no person shall:
- (a) Deface, disturb, remove or destroy any public

property, structures, or any scientific, cultural, archaeological or historic resource, natural object or area;

- (b) Deface, remove or destroy plants or their parts, soil, rocks, or minerals, or cave resources, unless advance authorization is obtained in writing from the Forester.

(4) **Animals.**

- (a) Any dog, cat, horse or other animal brought into or kept on State Forest lands shall be kept under control at all times.
- (b) No horse or other animal shall be hitched or confined in a manner that may cause damage to any tree, shrub, improvement, or structure.
- (c) The Forester has the authority to undertake any measures deemed necessary (including removal of the animal from State Forest lands) to protect State Forest resources and to prevent interference by the animal with the safety, comfort, and well-being of others.

(5) **Construction of Trails and Shelters.**

- (a) On State Forest land, no person shall modify, construct, or cause to be constructed any trail, shelter, building, or other facility or improvement without written permission of the Forester.

(6) **Firewood Collection.**

- (a) Persons engaged in lawful camping activity may collect sufficient firewood for their personal use while camped on State Forest land, except where otherwise prohibited in these rules.
- (b) No person shall be permitted to remove from State Forest land firewood which has been collected for use while camping on State Forest land, without a valid firewood permit.
- (c) Firewood shall be collected only from dead and down material that is 12 inches or less in diameter at its largest point. No standing trees, living or dead, may be felled for conversion into firewood without a valid firewood permit.

(7) **Campfires**

- (a) Fires shall be confined to camp stoves or fire rings or other fireproof structures constructed for such purposes. Such structures shall not exceed four feet in diameter.
- (b) All flammable material shall be cleared for a distance of 5 feet around and 10 feet above any fire ring or other structure used to contain a campfire.

- (c) No fire shall be left unattended and every fire shall be extinguished before its user leaves the site.

(8) **Traffic Rules.**

- (a) When operating a vehicle on State Forest lands, no person shall violate the basic speed rule or exceed posted speed limits, willfully endanger persons or property, or act in a reckless, careless, or negligent manner.
- (b) No person shall obstruct or hinder the flow of traffic on any road.
- (c) No person shall operate a vehicle on any State forest road in violation of Oregon traffic laws.

(9) **Target Shooting.**

- (a) No person shall place targets on live trees or shoot live trees for any purpose.
- (b) No person shall shoot across or along any road or trail.
- (c) No person shall shoot carelessly, recklessly, or without regard for the safety of any person, or in a manner that endangers, or is likely to endanger, any person or property.
- (d) Persons engaged in target shooting shall remove from State Forest land all shell casings, targets, and other debris resulting from their use.
- (e) No person shall shoot targets other than those commercially manufactured for the specific purpose of target shooting, except for paper targets privately manufactured by the person or people engaging in target shooting.
- (f) No person shall shoot glass of any kind as a target.
- (g) No person shall shoot appliances, furniture or other debris determined to be garbage or refuse by an enforcing officer.
- (h) Target shooting and other shooting related activity will be prohibited from one half hour after sunset to one half hour before sunrise.

(10) **Concessions.** No person shall:

- (a) Operate a concession on State forest land, either fixed or mobile, solicit, sell or offer for sale, peddle, hawk, or vend any goods, wares, merchandise, food, liquids, or services without written permission of the Forester;
- (b) Advertise any goods or services by any means whatsoever.

Designated Recreation Areas.

629-25-050

- (1) State Forest lands designated by the Forester as "Designated Recreation Areas" may include, but are not limited to campgrounds, camping areas, day use areas, trailheads, staging areas, and boat launch sites. Maps showing the Designated Recreation Areas shall be kept on file at the State Forester's office and the applicable District office, and shall be available for public inspection during normal business hours.
- (2) The General Forest Recreation Rules as outlined in OAR 629-25-040 shall be applicable to Designated Recreation Areas. In addition to those rules, the following rules shall apply:
- (3) **Occupancy and Use:**
 - (a) At areas where camping is permitted no person shall camp longer than 14 days out of any 28 day period at a designated recreation area.
 - (b) Leaving personal property unattended will be considered camping for the purposes of determining the length of stay at a given site.
- (4) **Firewood:** No person shall collect firewood within the boundaries of any designated recreation area.
- (5) **Firearms, Weapons, Explosives:** Within a designated recreation area no person shall:
 - (a) Hunt, pursue, trap, kill, injure, molest, or disturb the habitat of any bird or animal;
 - (b) Discharge any firearm, pellet gun, bow and arrow, slingshot or other weapon capable of injuring any person, bird, or animal;
 - (c) Possess any loaded firearms; or
 - (d) Discharge or cause to be discharged any firecrackers, explosives, torpedoes, rockets, fireworks, or other substances which could be harmful to visitors or resources without written permission of the Forester.
- (6) **Property and Resources:** No person shall mutilate, deface, damage, or remove any table, bench, building, sign, marker, monument, fence, barrier, fountain, faucet, traffic recorder, or other structure or facility of any kind in a designated recreation area.
- (7) **Parking:** Automobiles, trailers, or other vehicles shall be parked only in designated parking areas.

(8) **Animals:** The owner is responsible for the disposal of the animal's waste within designated recreation areas.

(9) **Offensive Behavior:** No person shall use abusive, threatening, boisterous, vile, obscene, or indecent language or gestures, or engage in demonstrations, disturbances, or riotous behavior in any designated recreation area.

(10) **Excessive Noise:** No person shall operate or use any noise-producing machine, vehicle device, or instrument in such a manner that is disturbing to other visitors.

Campground & Day Use Areas

629-25-060

- (1) Maps showing the Campground and Day Use Areas designated by the Forester shall be kept on file at the State Forester's office and the applicable District office, and available for public inspection during normal business hours.
- (2) The General Forest Recreation Rules as outlined in OAR 629-25-040 and the Designated Recreation Area rules as outlined in OAR 629-25-050 shall be applicable to Campground and Day Use Areas. In addition to those rules, the following rules shall apply to Campgrounds and Day Use Areas:
 - (a) **Sanitation.** In Campground and Day Use Areas no person shall, unless otherwise authorized:
 - (A) Clean fish, game, other food, clothing or household articles at any outdoor hydrant, pump, faucet or fountain, or restroom water faucet;
 - (B) Deposit human waste except in toilet or sewage facilities provided for that purpose.
 - (C) Leave bottles, cans, ashes, waste, paper, garbage, sewage, or other rubbish or refuse, except in receptacles designated for that purpose.
 - (b) **Animals.**
 - (A) No person shall bring an animal into a campground or day use area unless the animal is on a leash not longer than 6 feet and secured to a fixed object or under control of a person, or is otherwise physically restricted at all times. No animals, other than seeing-eye dogs, shall be allowed in any building.
 - (B) No person shall ride, drive, lead, or keep a saddle horse or other animal in any

campground, except on such roads, trails, or other areas designated for that purpose. No horse or other animal shall be hitched or confined in a manner that may cause damage to any tree, shrub, improvement or structure.

(C) The Forester has the authority to undertake any measures deemed necessary (including removal of the animal from the Campground or Day Use Area) to protect Campground or Day Use Area resources and to prevent interference by the animal with the safety, comfort, and well-being of Campground or Day Use Area visitors.

(c) Campfires.

(A) Fires in Campgrounds or Day Use Areas shall be confined to:

(i) Designated receptacles that are designed and provided for such use.

(ii) Portable stoves in established campsites.

(B) No fire shall be left unattended and every fire shall be extinguished before it's user leaves the Campground or Day Use Area.

(d) Signs and Markers. No person shall erect signs, markers, or inscriptions of any type except on boards or structures provided for that purpose.

(e) Camping. The Forester may:

(A) Designate and post certain portions of campgrounds for use by specified types of camping equipment, such as tents, trailers, pickup campers, or other recreational vehicles.

(B) Require that all campers maintain reasonable quiet between the hours of 10 p.m. to 7 a.m.

(C) Prohibit the use of any noise-producing machine, vehicle device, or instrument between the hours of 10 p.m. to 7 a.m.

(D) Limit the occupancy of each individual campsite to one family unit, if, in the opinion of the Forester, occupancy by more than one family unit will impair the health and safety of any campground users or damage the campground.

(f) Traffic Rules. Posted speed limits in Campgrounds and Day Use Areas shall be observed at all times.

USE OF ROADS AND TRAILS

629-025-0070

(1) No person shall:

(a) Operate a motor vehicle off-road, except on a trail designated for that purpose;

(b) Operate a motor vehicle off-road without an approved spark arrestor, as specified in OAR 629-43-015;

(c) Operate a motor vehicle off-road without an adequate noise muffler as defined in ORS 821.220.

(d) Operate a motor vehicle off-road without a valid ATV or snowmobile registration.

(e) Operate a motor vehicle, except snowmobiles, on road cut banks or fill slopes, or in ditches along roads.

(f) Operate an off-road motor vehicle in a manner that damages trails, boardwalks, bridges, water bars, cement blocking, drainage pipes or any other improvement designed to maintain the integrity of the trail.

(g) Operate any motor vehicle off-road from one half hour after sunset to one half hour before sunrise unless equipped with working head and tail lights.

(h) Operate on any road in a Non-Motorized zone, a motor vehicle that is not licensed for use on public roads or highways.

(i) Operate an off-road motor vehicle or snowmobile in violation of ORS 821.010 through ORS 821.320.

(j) Hike, bicycle, use a horse, llama, or other stock animal, or other self-propelled device on a trail not designated for that purpose or in a manner that damages trails, boardwalks, bridges, water bars, cement blocking, drainage pipes or any other improvement designed to maintain the integrity of the trail.

(2) Road and Trail Closures. The Forester may, at any time, close all or portions of roads or designated trails, or establish one-way traffic flow on any road or trail.

Removing Unattended Personal Property

629-025-0080

(1) Unattended personal property includes items which have been left on state-owned forestlands longer than 4 days and are reasonably recognizable as belonging to individual persons and which have apparent utility. Items which have no apparent utility or are in an unsanitary condition are considered junk and will be discarded.

(2) Weapons, drug paraphernalia, and items which reasonably appear to be either stolen or evidence of a crime will be turned over to the appropriate law enforcement agency.

- (3) Personal property will be separated during cleanups from trash/debris/junk (which will be immediately discarded) and items to be turned over to law enforcement officials and stored. The personal property shall be stored for no less than 30 days. During that period it will be reasonably available to persons claiming ownership of the personal property.
- (4) The Forester will arrange in advance for a location to store personal property. The storage facility should be reasonably secure and located at or near one of the Department's District offices; however, the address of the facility will not be publicized. Instead, a telephone number to arrange an appointment to pick up claimed personal property will be provided. The telephone number should reach an office which is staffed during normal business hours (8 a.m. to 5 p.m. weekdays). A person claiming property must be able to schedule an appointment at a convenient time (also during business hours).