PROPOSED RULE AMENDMENT

629-035-0055

Forest Land Management Classification System

(1) The State Forester’s classification of forest lands, required by OAR 629-035-0050, shall be accomplished pursuant to this section.

(2) Land Classifications. All forest lands subject to this rule shall be classified into one of the following classifications: General Stewardship, Focused Stewardship, or Special Stewardship Use, or High Value Conservation Areas. These classifications apply to lands designated as Silviculturally Capable and Non-Silviculturally Capable.

(3) Distinguishing Characteristics. All forest lands will be classified according to the following distinguishing characteristics. In addition, forest lands will be further classified into subclasses when they are classified as Focused Stewardship or Special Stewardship Use, or High Value Conservation Areas.

(a) General Stewardship lands include all those whose forest resources are managed using integrated management practices in a manner which is intended to accomplish forest management planning goals, and are compatible over time and across the landscape when actively managed.

(b) Focused Stewardship lands include all those whose forest resources are managed using integrated management practices in a manner which is intended to accomplish forest management planning goals, and are compatible over time and across the landscape when actively managed, but for which a forest management plan, habitat conservation plan, or other legal requirement identifies a requirement for one or more of the following for a specific resource: supplemental planning, before conducting management practices, that helps to achieve identified goals for the specific resource; modified management practices that help achieve the identified goals for the specific resource; or, compliance with legal or contractual requirements above those required on lands classified as General Stewardship.

(A) In addition, other lands may be classified as Focused Stewardship where more specific, small scale, or time-limited plans developed by the State Forester to implement forest management plans call for supplemental planning and/or modified management practices to help achieve the identified goals for a specific resource.

(B) These lands will be further classified into one of the following subclasses:

(i) Agriculture, Grazing or Wildlife Forage -- lands where agricultural crops, domestic livestock grazing values, or wildlife forage values exist and are the focus of the
supplemental planning, modified management practices, or legal requirements described above.

(ii) Aquatic and Riparian Habitat -- lands where aquatic and riparian habitat exists and where the habitat is the focus of the supplemental planning, modified management practices, or legal requirements described above.

(iii) Cultural Resources -- lands where cultural resources exist and where those resources are the focus of the supplemental planning, modified management practices, or legal requirements described above.

(iv) Deeds -- lands where deed requirements are a focus of the integrated management of a variety of forest resources.

(v) Domestic Water Use -- lands where individuals or communities have water rights, where surface water is being used for domestic water use and where the State Forester determines water quality and/or quantity is a focus of the integrated management of a variety of forest resources. For the purposes of this section, "domestic water use" means the use of water for human consumption and other household human use.

(vi) Easements -- lands where contractual obligations are a focus of the integrated management of a variety of forest resources.

(vii) Energy and Minerals -- lands where commercial quantities of energy or minerals exist, commercial extraction is occurring or likely to occur, and where those resources are the focus of the supplemental planning, modified management practices, or legal requirements described above.

(viii) Plants -- lands where a specific plant species or a community of plants exist and where those resources are the focus of the supplemental planning, modified management practices, or legal requirements described above.

(ix) Recreation -- lands that receive moderate or high levels of dispersed recreational use and where recreation management is the focus of the supplemental planning, modified management practices, or legal requirements described above.

(x) Research/Monitoring -- lands that are part of a research or monitoring project and where the design of the project requires supplemental planning or modified management practices.

(xi) Transmission -- lands used for the transmission of energy, materials, data, video, and/or voice and where the transmission is a focus of the integrated management of a variety of forest resources.

(xii) Visual -- lands which have been identified as having high or moderate visual sensitivity according to criteria in a forest management plan and where those visual
resources are the focus of the supplemental planning, modified management practices, or legal requirements described above.

(xiii) Wildlife Habitat -- lands where wildlife habitat for a specific species or group of species exists and where that habitat is the focus of the supplemental planning, modified management practices, or legal requirements described above.

(c) Special Stewardship lands Use areas are those lands for which a forest management plan, habitat conservation plan, or other legal requirement identifies one or more of the following: a legal or contractual constraint dominates the management of the lands and precludes the integrated management of all forest resources; one or more forest resources are present which require a level of protection that precludes the integrated management of all forest resources; lands are committed to a specific use and management activities are limited to those that are compatible with the specific use.

(A) In addition, other lands may be classified as Special Stewardship Use areas, where more specific, small-scale, or time-limited plans developed by the State Forester to implement forest management plans call for a level of protection or a specific use that precludes the integrated management of all forest resources.

(B) These lands will be further classified into the following subclasses:

(i) Administrative Sites -- lands where administrative requirements restrict the integrated management of forest resources. These lands include but are not limited to building sites, rock stockpile sites, log storage/sorting sites, and demonstration areas.

(ii) Agriculture, Grazing, or Wildlife Forage -- lands where agricultural crops, domestic stock grazing, or wildlife forage values exist in a quantity or quality that restricts the integrated management of forest resources.

(iii) Aquatic and Riparian Habitat -- lands where aquatic or riparian habitat exists and where a legal requirement or the need to protect the habitat restricts the integrated management of forest resources.

(iv) County or Local Comprehensive Plans -- lands identified in county or local comprehensive plans where the integrated management of forest resources is restricted. Counties or local governments must take an exception to statewide land use planning Goal 4 for these lands.

(iv) Cultural Resources -- lands where cultural resources exist in a quantity or quality that restricts the integrated management of forest resources.

(vi) Deeds -- lands where deed requirements restrict the integrated management of forest resources.
(vii) Domestic Water Use -- lands where individuals or communities have water rights, where surface water is being used for domestic water use and where the State Forester determines the need to protect water quality or quantity dominates the management of the land and restricts the integrated management of forest resources is not possible. For the purposes of this section, "domestic water use" means the use of water for human consumption and other household human use.

(viii) Easements -- lands where contractual obligations restrict the integrated management of forest resources.

(viii) Energy and Minerals -- lands where commercial quantities of energy or minerals exist, extraction is occurring or likely to occur, and where the extraction restricts the integrated management of forest resources.

(x) Operationally Limited -- lands where current technology or engineering techniques are considered by the State Forester to be inadequate to reasonably ensure that integrated management practices would not cause significant long-term adverse effects. The State Forester may limit, restrict, or prohibit management activities in these areas as needed to protect forest resources or to accomplish the management goals for surrounding areas.

(xi) Plants -- lands where a specific plant species or a community of plants exist and where the need to protect the plant(s) restricts the integrated management of forest resources.

(xii) Recreation -- lands devoted to concentrated, formal recreation, or public education and where that restricts the integrated management of forest resources is restricted. These lands include but are not limited to campgrounds, forest parks, waysides, rest areas, and interpretive centers.

(xiii) Research/Monitoring -- lands that are part of a research or monitoring project and the design of the project restricts the integrated management of forest resources.

(xiv) Transmission -- lands dedicated to the transmission of energy, materials, data, video and/or voice and where integrated management of forest resources is restricted. These lands include but are not limited to power lines, pipelines, and communication sites.

(xv) Visual -- lands subject to laws or regulations related to visual qualities or lands where the management practices needed to meet visual management objectives dominate over the integrated management of forest resources.

(xvi) Wildlife Habitat -- lands where a legal requirement or the need to maintain, protect, or enhance a wildlife habitat restricts the integrated management of forest resources.
(d) High Value Conservation Areas are lands for which a forest management plan, habitat conservation plan, or other legal requirement identifies areas in the landscape which need to be appropriately managed in order to maintain, enhance, or restore important conservation values and one or more of the following: a legal or contractual constraint dominates the management of the lands and directs the management of forest resources; lands are committed to a specific conservation value and management activities are limited to those that are compatible with achieving goals for the specific conservation value.

(A) In addition, other lands may be classified as High Value Conservation Areas, where more specific, small-scale, or time-limited plans developed by the State Forester to implement forest management plans call for a level of resource protection that directs the management of forest resources.

(B) These lands will be further classified into the following subclasses:

(i) Aquatic and Riparian Habitat -- lands where aquatic or riparian habitat exists and where a legal requirement or the need to protect the habitat directs management of forest resources.

(ii) Operationally Limited -- lands where current technology or engineering techniques are considered by the State Forester to be inadequate to reasonably ensure that management practices would not cause significant long-term adverse effects. The State Forester may limit, restrict, or prohibit management activities in these areas as needed to protect forest resources or to accomplish the management goals for surrounding areas.

(iii) Plants -- lands where a specific plant species or a community of plants exist and where the need to protect the plant(s) directs management of forest resources.

(iv) Visual -- lands subject to laws or regulations related to visual qualities or lands where visual resource objectives directs management of forest resources.

(v) Wildlife Habitat -- lands where a legal requirement or the need to maintain, protect, or enhance a wildlife habitat directs management of forest resources.

(4) Types of Management.

(a) General Stewardship lands shall be actively managed, in compliance with OAR 629-035-0020, to provide healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social, economic, and environmental benefits to the people of Oregon. Lands within this classification which are designated as Silviculturally Capable will be actively managed to meet the requirements of 629-035-0020(2). Lands within this classification which are designated as Non-Silviculturally Capable are not managed for sustainable timber harvest and revenues, but are managed to be consistent with the remaining management direction
provided by 629-035-0020(2). All management practices shall be consistent with the direction provided by 629-035-0020(3).

(b) Focused Stewardship lands shall be managed in the manner provided for General Stewardship lands in the preceding subparagraph. However, because one or more specific forest resources on these lands require a heightened or focused awareness, supplemental planning and/or modified management practices may be required to achieve the goals of forest management plans, habitat conservation plans or legal requirements. Management practices may be modified to emphasize the protection and management of identified forest resources, but the practices will be consistent with the direction provided by OAR 629-035-0020(3) and will avoid long-term adverse impacts to the specified resources.

(c) Special Stewardship lands Use areas shall be managed for a specific forest resource use. Integrated management of all resources is not conducted on these lands. Other resources are managed to the extent possible without interfering with the management of the specific forest resource use or with applicable legal requirements. Management practices will be modified to emphasize the protection and management of identified forest uses and will avoid long-term adverse impacts to the specified resources.

(d) High Value Conservation Areas shall be managed for a specific conservation value. Forest management may be conducted to the extent that forest management activities promote the conservation values and are consistent with applicable legal requirements and will avoid long-term adverse impacts to the specified conservation value.

(5) Range of Management Activities.

(a) On lands classified for General Stewardship, all management activities that meet or exceed the requirements of applicable state and federal laws, habitat conservation plans and forest management plans are allowed.

(b) On lands classified for Focused Stewardship, all management activities that meet or exceed the requirements of applicable state and federal laws, habitat conservation plans and forest management plans are allowed. However, management activities may require supplemental planning and/or modified practices to achieve the goals identified in the forest management plans for the specific forest resources. Management of the specific forest resources may have minor effects on the management of other forest resources, but will not preclude the integrated management of forest resources.

(c) On lands classified for Special Stewardship Use or High Value Conservation Areas, management activities that protect, maintain, or enhance, or restore the specific forest resources uses or conservation values, or are necessary to comply with the legal requirements, are allowed. Management of other forest resources on these lands must
have no significant long-term adverse effect on the specific forest resources use or conservation value which required the classification.

(6) Resources Addressed.

(a) The General Stewardship classification will provide for management of all resources included in Forest Management Plans. All resources may not be treated equally on every acre, but across the landscape the resources will be managed to meet the goals identified in the Forest Management Plans.

(b) The Focused Stewardship classification will provide for management of all resources included in Forest Management Plans. Lands having forest resources described in a subclass designation will be assigned to that subclass. The subclass designation will be used to identify the specific forest resources that, with supplemental planning and/or modified management practices, can be managed in an integrated approach with other forest resources. All resources may not be treated equally on every acre, but across the landscape the resources are managed to meet the goals identified in the Forest Management Plans.

(c) The Special Stewardship Use and High Value Conservation Area classifications addresses all forest resources included in the Forest Management Plan that meet the distinguishing characteristics of these classifications. Lands having forest resources described in a subclass designation will be assigned to that subclass. The subclass designation will be used to identify the specific forest resources or uses that are the emphasis of the management of these lands.

(7) Forest Land Management Classification Considerations. The following considerations apply to Forest Land Management Classifications:

(a) Prescriptions are not part of Forest Land Management Classifications. Prescriptions will be based upon goals and strategies in a forest management plan, statutory, or contractual requirements, and site-specific conditions.

(b) The identification and mapping of streams, wetlands, and the associated Aquatic and Riparian Habitat subclasses will be based upon criteria in Forest Management Plans and habitat conservation plans and will be accomplished using existing information or map-based estimates. The information will be updated through watershed assessments, planning for site-specific management activities or site-specific field visits conducted over time. The updated information will be used to determine any changes that may be needed to the classification of aquatic and riparian habitat.

(c) Land management classifications will be applied to broad geographic areas. Normally, areas smaller than five acres will not be classified, but will be included as part of an adjacent classification. Areas smaller than five acres will only be classified where specific information exists and the classification will be meaningful for making decisions on management activities.
(d) The boundary lines shown on maps for forest land management classifications are approximate locations. Exact locations of boundary lines will be determined on the site and will depend upon the conditions that exist on the site. Management activities will be conducted based upon boundaries determined on site rather than boundaries shown on maps.

(e) More than one classification or subclass may be assigned to a parcel of land. Where this occurs, the resource requiring the highest level of protection will determine the management approach. For example, if a Focused Stewardship resource and a Special Stewardship High Value Conservation Area resource exist on the same parcel, then the Special Stewardship High Value Conservation Area resource will be given the emphasis in the management of the resources. If multiple resources exist on a parcel and they are all within the same classification i.e. Focused Stewardship or Special Stewardship High Value Conservation Area, the management approach will seek to achieve the goals for all of the identified resources to the maximum extent practicable.

(f) For the purposes of protecting threatened and endangered species and certain specific sites used by threatened and endangered species, locations of specific sites, such as nest trees and roosting trees, will not be displayed on classification maps. Broader geographic areas within which the sites exist will be displayed. The appropriate size of the area to be displayed may vary with the specific site.

Stat. Auth.: ORS 526.016(4)
Stats. Implemented: ORS 530.050
Hist.: DOF 1-1999, f. & cert. ef. 5-13-99