

**8.10 Goal 4 – Forest Lands/ Goal 4 Rule – Forest Practices Act.** A comprehensive plan policy statement that a local government “will rely” on the Forest Practices Act (FPA) to protect surface waters and fish and wildlife does not have the effect of making the FPA requirements into approval criteria for a forest template dwelling. *Fessler v. Yamhill County*, 38 Or LUBA 844 (2000).

**8.10 Goal 4 – Forest Lands/ Goal 4 Rule – Forest Practices Act.** OAR 629-640-0100(2), an administrative rule implementing the Forest Practices Act (FPA), only applies to an “operation,” which is a “commercial activity relating to the growing or harvesting of forest tree species.” Because the clearing of a firebreak as a condition of approval for a forest template dwelling is not such an activity, the administrative rule requirements do not apply. *Fessler v. Yamhill County*, 38 Or LUBA 844 (2000).

**8.10 Goal 4 - Forest Lands/ Goal 4 Rule - Forest Practices Act.** The general prohibition in the Forest Practices Act against counties applying their land use regulations to forest practices on forestlands located outside an urban growth boundary does not apply to a land use regulation prohibiting or regulating the siting or alteration of dwellings. *Sanchez v. Clatsop County*, 29 Or LUBA 26 (1995).