

Technical Note FP 10

Waivers of Statutory Written Plan

Revised July 2017

Published by the Private Forests Division



The Oregon Forest Practices Act Rules (ORS 527.670 (3) and OAR 629-605-0170 that relate to Statutory Written plans that are intended to:

1. Protect physical components such as, but not limited to, trees and understory plants and brush, snags, rocks and soil; and
2. Prevent those physical components from being moved, disturbed or altered (“Directly affected”).

When are Written Plans Required?

Landowners, loggers, or others doing forestry work must file written plans with the Oregon Department of Forestry (ODF) before starting work within:

- 100 feet of the following stream classes:
 - Type F – having fish use
 - Type SSBT (salmon, steelhead, and bull trout streams use or mapped by ODF)
 - Type D domestic use such drinking water or household use
 - Significant wetlands that are not estuaries.
- Within 300’ of specified bird or Threatened and Endangered sites
- Within 300’ of an estuary

Streams	Fish (Type F)	SSBT ² (Type SSBT)	Domestic Use (Type D)
Size	RMA (feet)	RMA (feet)	RMA (feet)
Large	100 ³	N/A	70
Medium	70	80	50
Small	50	60	20
Significant Wetlands (not estuaries ⁴)			RMA (feet)
Wetlands larger than 8 acres			100 ^{3,5}
Important Spring in Eastern Oregon			50-100 ⁵
Bog			50-100 ⁵
1. An RMA is a zone along a stream where protection is required. 2. SSBT means salmon, steelhead, or bull trout (OAR 629-600-0100). 3. A statutory written plan is not required for operations outside the 100-foot RMA. 4. Written plans are required within 300 feet of estuaries (100-200 foot RMAs) and cannot be waived. 5. ODF must do a site visit to determine the RMA distance for these significant wetlands (OAR 629-645-0000(3)).			

These written plans are called “statutory written plans.” Sometimes, ODF will waive the written plan requirement for work within 100 feet of a stream but outside the riparian management area. (See chart below)

What are Riparian Management Areas (RMAs)?

Riparian management areas are where work must be done differently to protect natural resources along streams. To know whether it is an RMA. First, find out the type of stream class or wetland you will be working near and the RMA distance. To find the stream type and class, use these [stream class maps](#) or go to [ODF's home page](#). RMA distances are in Table 1. After determining the stream class and RMA distance, read below to see if a written plan is required.

When are Statutory Written Plan Requirements not required?

- Timber harvesting outside the RMA (This means no cables in or over the RMA and no yarding across or over the RMA)
- Road construction or reconstruction outside the RMA
- Pre-commercial thinning outside the RMA
- Manual or mechanical site preparation outside the RMA

When are Statutory Written Plan Requirements **REQUIRED**?

- Any work inside an RMA
- Any cables strung through or over an RMA, or any yarding across or over an RMA
- Chemical applications within 100 feet of a Type F, Type SSBT, or Type D stream, or significant wetland, even if the activity will be outside the RMA.

WARNING: Commencing an operation prior to the 15 day waiting period is a Forest Practices violation per OAR 629-605-0150. Contact your stewardship forester with any questions or concerns.

- Slash burning within 100 feet of a Type F, Type SSBT, or Type D stream, or significant wetland, even if the activity will be outside the RMA.

IMPORTANT: PLEASE READ!

- A waiver of the statutory written plan requirement does **NOT** mean there is a waiver of the 15-day waiting period for the notification of operations.
- Contact your local stewardship forester with any questions about written plans, notification waiting periods, or other items.

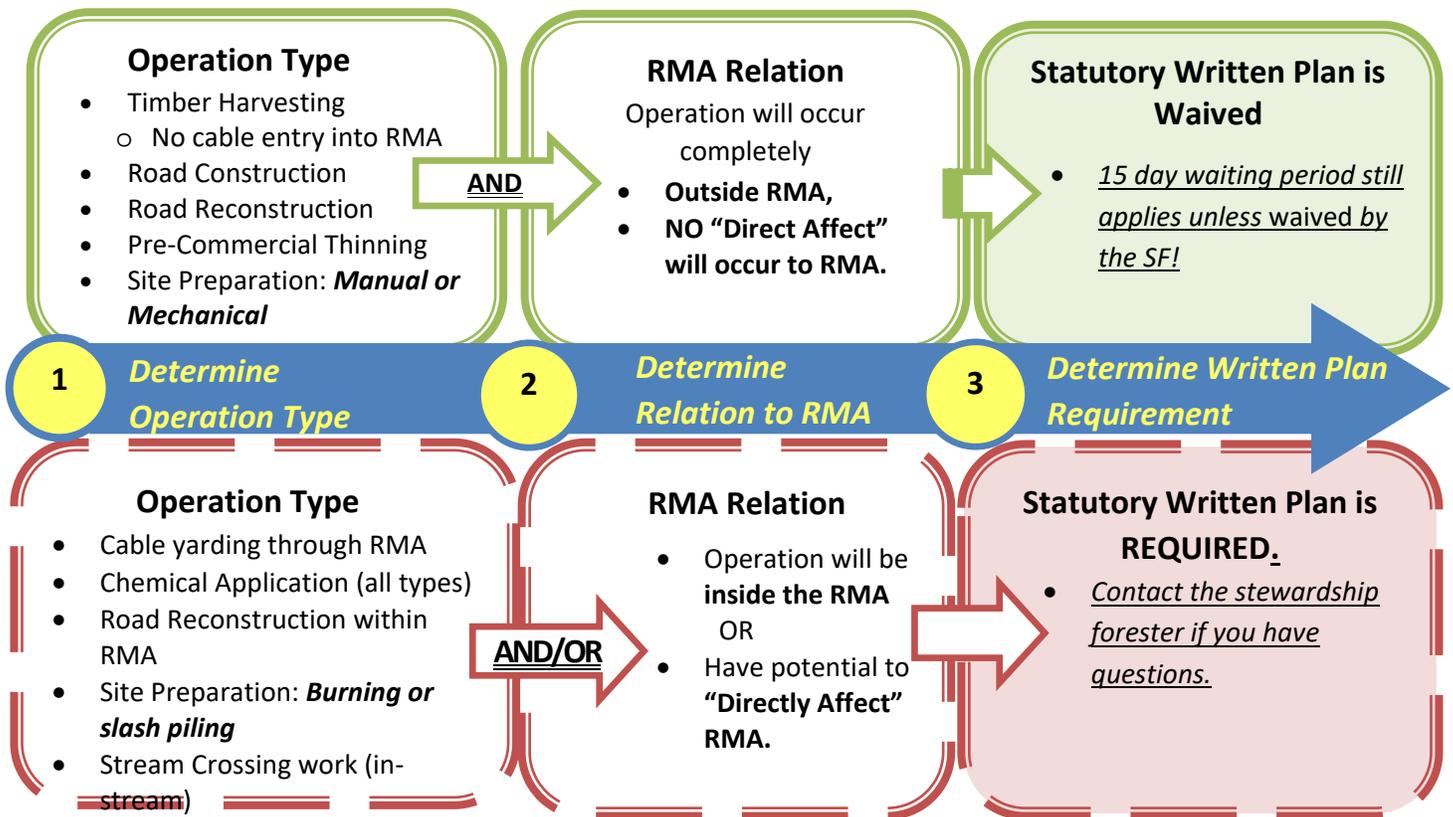
References

- OAR 629-605-0150 (Notification to the State Forester)
- OAR 629-605-0170 (Written Plans)
- OAR 629-635-0310 (Riparian Management Area Widths for Streams)
- OAR 629-645-0000 (Riparian Management Areas and Protection Measures for Significant Wetland)

For more information about the Oregon Forest Practices Act or Rules, please visit <http://www.oregon.gov/ODF/Working/Pages/FPA.aspx>. For more help contact the local office listed online at <http://www.oregon.gov/ODF/Working/Pages/FindAForester.aspx>.

Do I need a statutory written plan for operations near RMAs?

Use the information above and this chart to determine if your operation is eligible for a written plan waiver.



Written Plan Rule and Definitions

Written Plan Rule: OAR 629-605-0170-- please click [Forest Practices Rules](#) to reference the Oregon Forest Practices Act

Physical Components: Materials such as, but not limited to, vegetation, snags, rocks and soil.

Directly Affect: Means that physical components will be moved, disturbed, or otherwise altered by the operation.

Riparian Management Area (RMA): Area along each side of specified waters of the state within which vegetation retention and special management practices are required for the protection of water quality, hydrologic functions and fish and wildlife habitat.

Estuary: body of ocean water which is connected to fresh water and partially surrounded by land.