

Report to the Oregon Board of Forestry
Riparian Rulemaking Advisory Committee
Appendix B: Board of Forestry Adopted Package and Decisions November 2015

Board of Forestry Decisions on Agenda Topic 3 Forest Practices Act (FPA) Riparian Rule Review. November 5, 2015

This section describes the elements of the final riparian prescription package passed at the November 5, 2015 Board of Forestry meeting.

Board Decision

Voting in favor of the final riparian rule package: Sybil Ackerman-Munson, Nils Christoffersen, Cindy Deacon-Williams, and Tom Imeson; against: Tom Insko, Mike Rose, and Gary Springer.

Board of Forestry Final Riparian Rule Package

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.

Geographic Regions to which prescriptions apply: Coast Range, South Coast, Interior, and Western Cascades

Final Harvest Prescriptions

Option A – Passive Management (regulatory)

- 60 foot & 80 foot no-cut Riparian Management Areas (RMA) for Small & Medium SSBT streams, respectively
- Up to 50% of the required wildlife trees can be counted in the RMA.

Option B – Variable Retention (Active Management) (regulatory)

- 60 foot & 80 foot RMAs for Small & Medium SSBT, respectively
- No-cut in the 0 to 20 foot zone for both Small and Medium Streams (as with current rules on Fish streams)
- BA targets of 80 sq. ft./acre for small streams and 100 sq. ft./acre for medium streams.
- Standard target Small: 110 sq. ft./1,000 feet; A maximum of 37 sq. ft./1,000 feet can be counted in the 0-20 foot no-cut zone, the remaining 73 sq. ft./1,000 feet must come from trees well-distributed throughout the 20-60 foot zone.
- Standard target Medium: 184 sq. ft./1,000 feet; A maximum of 46 sq. ft./1,000 feet can be counted in the 0-20 foot zone, the remaining 138 sq. ft./1,000 feet must come from trees well-distributed throughout the 20-80 foot zone.
- Targets should be met with trees well-distributed throughout the RMA
- Hardwoods can be counted equal to conifers¹
- Up to 50% of the required wildlife trees can be counted in the RMA.
- Minimum conifer tree count (per 1,000 feet, well-distributed) : Medium – 30 trees in the 20-80 foot zone; Small – 15 trees in the 20-60 foot zone

¹ Hardwood conversions also kept as an Option

Alternate Practice Prescriptions

Option C – RMA Thinning (Voluntary)

- Encourage early/mid rotation thinning to promote wind-firm trees and understory development
- The Board recognizes that this option exists within current rules and wants to encourage its use in appropriate circumstances.

Option D –

Option for 40' no cut north sided buffers, for stream segments with a general valley azimuth within 30° of east-west. South-side buffers would meet Options A or B.

In General

- Allow landowner to pick the option that best suits conditions on the ground and his/her silvicultural regime, while encouraging a focus on riparian vigor and desired future condition(s)
- All distances are slope distances, for purposes of measuring RMA widths
- All current rules that apply to Small and Medium Type F streams not mentioned above continue to apply (trees leaning over the channel, etc.)
- Equity exemption for any landowner: If the rules encumbers more than 10 percent of the total ownership of any parcel, the landowner may implement 50 and 70 foot no-cut buffers for small and medium streams, respectively.

Related Board of Forestry Decisions:

The Board of Forestry approved the following motions.

Language for BMP and MEP:

The Board finds that the adopted package insures that to the maximum extent practicable that forest operations will meet the Environmental Quality Commission's Protecting Cold Water criteria, considering the available science and factors, including, but not limited to:

- (a) Beneficial uses of waters potentially impacted;
- (b) The effects of past forest practices on beneficial uses of water;
- (c) Appropriate practices employed by other forest managers;
- (d) Technical, economic and institutional feasibility; and
- (e) Natural variations in geomorphology and hydrology.

Language for findings:

The Board finds that the restrictions on practices in the adopted package are to prevent harm to the resource (water quality), directly relate to, and substantially advance the rule objective 527.714(5)(d).

The Board finds that the adopted package represents the least burdensome alternative 527.714(5)(e) and resource benefits achieved by the package are proportional to the harm caused by the forest practices 527.714(5)(f).

Language for advisory committee:

The Board directs the department to appoint a rule making advisory committee that includes the stakeholders and agencies, who have participated in the rule analysis process. The department should make a good faith effort to ensure that the committee's members represent the interests of persons likely to be affected by the rule.