

# Department of Forestry

## Chapter 629

Division 35

MANAGEMENT OF STATE FOREST LANDS

### 629-035-0000

#### **Definitions**

(1) “Active management” means applying practices, over time and across the landscape, to achieve site-specific forest resource goals using an integrated and science-based approach that promotes the compatibility of most forest uses and resources over time and across the landscape.

(2) “Adaptive management” means the process of implementing plans in a scientifically based, systematically structured approach that tests and monitors assumptions and predictions in management plans and uses the resulting information to improve the plans or management practices used to implement them.

(3) “Biological diversity” means the genetic variation and the abundance and variety of microbial, plant, and animal life, the range of ecological functions, and the physical processes at any local or landscape scale.

(4) “Board” means the Oregon Board of Forestry.

(5) “Compatible” or “compatibility” means capable of existing or operating together in harmony.

(6) “District” means a defined geographic area that is an administrative unit of the Department, within which a District Forester manages the Department’s programs.

(7) “Forest conditions” means stand types, structures, and landscape patterns.

(8) “Forest lands” means lands acquired under ORS 530.010 to 530.040.

(9) “Forest resources” includes, but is not limited to:

- (a) Timber production and harvest;
- (b) Salmonid, and other native fish and wildlife habitats;
- (c) Soil, air, and water;
- (d) Forage and browse for domestic livestock;
- (e) Landscape effect;
- (f) Protection against flood and erosion;

(g) Recreation;

(h) Mining;

(i) Use of water resources; and

(j) Administrative sites.

(10) "Forest tree species" means trees ecologically suited to the site.

(11) "Integrated Management" means bringing together knowledge of various disciplines (forestry, fisheries, wildlife, water) to understand and promote land management actions that consider effects and benefits to all.

(12) "Landscape" means a broad geographic area that may cover many acres and more than one ownership, and may include a watershed, or sub-watershed areas.

(13) "Native" means indigenous to Oregon, not introduced.

(14) "Planning area" means the appropriate management district, or districts, or other specified geographic area determined by the State Forester.

(15) "Wildlife" means fish, wild birds, amphibians, reptiles, wild mammals, and other indigenous animal organisms.

**Statutory/Other Authority:** ORS 526.016(4)

**Statutes/Other Implemented:** ORS 530.010 - 530.050

**History:**

DOF 2-1998, f. 1-15-98, cert. ef. 3-1-98

### **629-035-0010**

#### **Findings and Principles Concerning Lands Acquired under ORS Chapter 530**

(1) ORS Chapter 530 authorizes the Board of Forestry to acquire forest lands which by reason of their location, topographical, geological, or physical characteristics are chiefly valuable for:

(a) Production of forest crops;

(b) Watershed protection and development;

(c) Erosion control;

(d) Grazing;

(e) Recreation;

(f) Forest administrative purposes.

(2) These lands must be managed to achieve the greatest permanent value to the state.

(3) For purposes of achieving the greatest permanent value of these forest lands to the state, the Board may direct the State Forester to:

(a) Protect these forest lands from fire, disease, and insect pests, sell forest products from these forest lands, and execute mining leases and contracts as provided for in ORS 273.551; and

(b) Permit the use of these forest lands for other purposes, when such uses are not detrimental to the best interest of the state. These other purposes include, but are not limited to:

(A) Forage and browse for domestic livestock;

(B) Fish and wildlife environment;

(C) Landscape effect;

(D) Protection against floods and erosion;

(E) Recreation;

(F) Protection of water supplies.

(4) The counties in which these forest lands are located have a protected and recognizable interest in receiving revenues from these forest lands; however, the Board and the State Forester are not required to manage these forest lands to maximize revenues, exclude all non-revenue producing uses on these forest lands, or to produce revenue from every acre of these forest lands.

(5) Based on existing Board principles and policies and current scientific and silvicultural information, the Board finds that uses for purposes set forth in subsections (3)(a) and (b) of this section are compatible over time and across the landscape when the lands are actively managed in an environmentally and silviculturally exemplary manner, as set forth in OAR 629-035-0030, using management practices that:

(a) Pursue compatibility of forest uses over time;

(b) Integrate and achieve a variety of forest resource management goals;

(c) Achieve, over time, site-specific goals for forest resources, using the process as set forth in OAR 629-035-0030 through 629-035-0070;

(d) Consider landscape context;

(e) Are based on the best science available; and

(f) Incorporate an adaptive management approach that applies new management practices and techniques as new scientific information and results of monitoring become available.

(6) Based on existing Board principles and policies and current scientific and silvicultural information, the Board finds that forest lands that are actively managed as provided in subsection (5) of this section can produce economic value over the long term and promote healthy, sustainable forest ecosystems that:

(a) Produce timber and revenues for the state, counties, and local taxing districts;

(b) Result in a high probability of maintaining and restoring properly functioning aquatic habitats for salmonids, and other native fish and aquatic life;

(c) Protect, maintain, and enhance native wildlife habitats;

(d) Protect soil, air, and water; and

(e) Provide outdoor recreational opportunities.

(7) Based on subsections (5) and (6) of this section, the Board finds that actively managing forest lands for the purposes described in subsections (3)(a) and (b) of this section is in the best interest of the state.

**Statutory/Other Authority:** ORS 526.016(4)

**Statutes/Other Implemented:** ORS 530.010 - 530.050

**History:**

DOF 2-1998, f. 1-15-98, cert. ef. 3-1-98

### **629-035-0020**

#### **Greatest Permanent Value**

(1) As provided in ORS 530.050, “greatest permanent value” means 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. These benefits include, but are not limited to:

(a) Sustainable and predictable production of forest products that generate revenues for the benefit of the state, counties, and local taxing districts;

(b) Properly functioning aquatic habitats for salmonids, and other native fish and aquatic life;

(c) Habitats for native wildlife;

(d) Productive soil, and clean air and water;

(e) Protection against floods and erosion; and

(f) Recreation.

(2) To secure the greatest permanent value of these lands to the state, the State Forester shall maintain these lands as forest lands and actively manage them in a sound environmental manner to provide sustainable timber harvest and revenues to the state, counties, and local taxing districts. This management focus is not exclusive of other forest resources, but must be pursued within a broader management context that:

(a) Results in a high probability of maintaining and restoring properly functioning aquatic habitats for salmonids, and other native fish and aquatic life;

(b) Protects, maintains, and enhances native wildlife habitats;

(c) Protects soil, air, and water; and

(d) Provides outdoor recreation opportunities.

(3) Management practices must:

(a) Pursue compatibility of forest uses over time;

(b) Integrate and achieve a variety of forest resource management goals;

(c) Achieve, over time, site-specific goals for forest resources, using the process as set forth in OAR 629-035-0030 through 629-035-0070;

(d) Consider the landscape context;

(e) Be based on the best science available; and

(f) Incorporate an adaptive management approach that applies new management practices and techniques as new scientific information and results of monitoring become available.

(4) The State Forester shall manage forest lands as provided in this section by developing and implementing management plans for a given planning area as provided in OAR 629-035-0030 to 629-035-0100.

(5) The Board shall review 629-035-0020(2) (management focus) no less than every ten years in light of current social, economic, scientific, and silvicultural considerations.

**Statutory/Other Authority:** ORS 526.016(4)

**Statutes/Other Implemented:** ORS 530.010 - 530.050

**History:**

DOF 2-1998, f. 1-15-98, cert. ef. 3-1-98

### **629-035-0030**

#### **Forest Management Planning**

(1) In managing forest lands as provided in OAR 629-035-0020, the State Forester shall develop Forest Management Plans, based on the best available science, that establish the general management framework for the planning area of forest land. The Board may review, modify, or terminate a plan at any time; however the Board shall review the plans no less than every ten years. The State Forester shall develop implementation and operations plans for forest management plans that describe smaller-scale, more specific management activities within the planning area.

(2) Forest Management Plans must contain the following elements:

(a) Guiding principles, that include legal mandates and Board of Forestry policies. Taken together, these principles shall guide development of the management plan.

(b) Description and assessment of the resources on state forest lands within the planning area and consideration of the surrounding ownership in order to provide a landscape context. The description and assessment includes general statements of the current conditions of each of the resources, and the laws, policies, and programs that affect the resources and their management.

(c) Forest resource management goals, which are statements of what the State Forester intends to achieve for each forest resource within the planning area consistent with OAR 629-035-0020.

(d) Management strategies, which describe how the State Forester will manage the forest resources in the planning area to achieve the goals articulated in the plan. The strategies shall identify management techniques the State Forester may use to achieve the goals of the plan during the implementation phase of the plan.

(e) General guidelines for asset management, which provide overall direction on investments, marketing, and expenses.

(f) General guidelines for implementation, monitoring, research, and adaptive management. The guidelines shall describe:

(A) The process for implementing Forest Management Plans;

(B) The approach for determining whether the strategies are meeting the goals of the Forest Management Plans; and

(C) The process for determining the validity of the assumptions used in developing the strategies.

(3) The State Forester shall be guided by the following stewardship principles in developing and implementing Forest Management Plans:

(a) The plans shall include strategies that provide for actively managing forest land in the planning area.

(b) The plans shall include strategies that:

(A) Contribute to biological diversity of forest stand types and structures at the landscape level and over time:

(i) through application of silvicultural techniques that provide a variety of forest conditions and resources; and

(ii) through conserving and maintaining genetic diversity of forest tree species.

(B) Manage forest conditions to result in a high probability of maintaining and restoring properly functioning aquatic habitats for salmonids, and other native fish and aquatic life, and protecting, maintaining, and enhancing native wildlife habitats, recognizing that forests are dynamic and that the quantity and quality of habitats for species will change geographically and over time.

(C) Provide for healthy forests by:

(i) managing forest insects and diseases through an integrated pest management approach; and

(ii) utilizing appropriate genetic sources of forest tree seed and tree species in regeneration programs.

(D) Maintain or enhance long-term forest soil productivity.

(E) Comply with all applicable provisions of ORS 496.171 to 496.192 and 16 USC § 1531 to 1543 (1982 & supp 1997) concerning state and federally listed threatened and endangered species.

(c) The plans shall include strategies that maintain and enhance forest productivity by:

(A) Producing sustainable levels of timber consistent with protecting, maintaining, and enhancing other forest resources.

(B) Applying management practices to enhance timber yield and value, while contributing to the development of a diversity of habitats for maintaining salmonids and other native fish and wildlife species.

(d) The plans shall include strategies that utilize the best scientific information available to guide forest resource management actions and decisions by:

- (A) Using monitoring and research to generate and utilize new information as it becomes available.
- (B) Employing an adaptive management approach to ensure that the best available knowledge is acquired and used efficiently and effectively in forest resource management programs.
- (4) The Board shall review and may revise the forest management plan developed by the State Forester to ensure that it is consistent with OAR 629-035-0020.
- (5) The Board's approval of the plan represents its determination that activities carried out or allowed by the State Forester under subsection (6) of this section meet the obligation to secure the greatest permanent value to the state as defined in OAR 629-035-0020.
- (6) Once the management plan is approved by the Board as provided in subsection (5) of this section:
  - (a) The Board shall adopt the plan as an administrative rule.
  - (b) The State Forester shall implement the plan through more specific, small scale or time limited plans that are consistent with the Forest Management Plan.

**Statutory/Other Authority:** ORS 526.016(4)

**Statutes/Other Implemented:** ORS 530.010 - 530.050

**History:**

DOF 2-1998, f. 1-15-98, cert. ef. 3-1-98