

Agenda Item No.:	7
Topic:	Implementing Legislative Direction
Presentation Title:	Initiating Tethered Logging Rulemaking
Date of Presentation:	March 5, 2025
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## **SUMMARY**

Section 7 of Senate Bill 1501 (2022) requires the Board to initiate rulemaking concerning tethered logging no later than March 17<sup>th</sup>, 2025. The purpose of this agenda item is to initiate tethered logging rulemaking and inform future decision making. The Department, along with guest speakers, will provide a briefing on tethered logging practices, its intersection with past and present forest practice rules, and available science on the topic.

## **CONTEXT**

In 2020, conservation and forest industry groups offered to revise the Forest Practices Act (FPA) and forest practice rules through a memorandum of understanding to include mediated discussions, known as the Private Forest Accord (PFA). Later that year, the Legislature passed [SB 1602](#) which set helicopter pesticide application requirements and required the Governor to facilitate mediated sessions between conservation and forest industry groups. As a product of this collaborative process, the [2022 PFA Report](#) was drafted and released by an author group comprised of representatives from those discussions. During the 2022 Legislative Session, [SB 1501](#) and [SB 1502](#) passed making substantial changes to the FPA and requiring the Board to incorporate the recommendations of the PFA Report into the forest practice rules through the adoption of a single rule package to support the development of the PFA habitat conservation plan (HCP). Additionally, SB 1501 (2022) required two additional rulemaking efforts regarding tethered logging and post-disturbance harvest.

## **BACKGROUND**

Tethered logging is relatively new in Oregon. It consists of utilizing cable winch systems on ground-based equipment, such as harvesters, feller bunchers, forwarders, loaders, and skidders, to stabilize and assist equipment operations on steep slopes. The cable system allows the equipment to operate on slopes that would normally be considered unsafe for equipment or where damage to soils would occur without the assistance of the cable system.

The forest practice rules prohibit skid trails within 100 feet of stream channels on steep or erosion-prone slopes and prohibit the operation of ground based equipment on high landslide hazard locations. To balance this new technology with the need to protect resources, the Department requires operators to submit a Plan for Alternate Practice (PFAP) prior to completing tethered logging operations in these areas. PFAPs are subject to Department review and approval and are used to prescribe specific practices for the protection of resources.

Section 7 of SB 1501 (2022) requires the Board to initiate rulemaking concerning tethered logging by March 17<sup>th</sup>, 2025. Unlike other PFA rulemaking, a completion date was not prescribed, instead the Board is to prioritize the rulemaking. The legislation also provides the Board with discretion in deciding whether to solicit and consider reports pertaining to tethered logging from the Adaptive Management Program Committee (AMPC) and the Independent Research and Science Team (IRST).

This briefing will initiate the rulemaking effort and is intended to help inform the Board on the future selection of a pathway to completing the tethered logging rulemaking. Options the Board may pursue include, but are not limited to:

- Directing a question to the AMPC and IRST to gather additional information and inform future decision making; or
- Directing the department to gather additional information and inform future decision making.

A panel of internal and external subject matter experts has been assembled to provide information on tethered logging to the Board.

## **NEXT STEPS**

The Department will return to the Board with an analysis of the policy framework that applies to this rulemaking as well as options for moving forward for the Boards' consideration.