

Agenda Item No.:	12
Work Plan:	Forest Resources Division
Presentation Title:	Tethered Logging Rulemaking
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SUMMARY

On March 5, 2025 the Board initiated rulemaking concerning tethered logging as directed by Section 7 of Senate Bill 1501 (2022). At the March board meeting the Department provided a briefing on tethered logging which included an operational overview and current science, and a related field tour was held in September 2025. This agenda item is a continuation of that discussion and includes a decision item for the Board regarding next steps.

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; the completion of post-disturbance harvest rulemaking and the initiation of rulemaking concerning tethered logging.

BACKGROUND

Section 7 of SB 1501 (2022) required the Board to initiate rulemaking for tethered logging by March 17th, 2025. Unlike other PFA rulemaking, a completion date was not prescribed, instead the Board is to prioritize the rulemaking and determine whether or not to promulgate a rule regarding tethered logging practices. 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).

At the March 2025 Board of Forestry meeting, the Department, along with guest speakers, presented on the practice of tethered logging, its intersections with past and present forest practice rules, and the available science on the topic. On the September 2025 field tour, board members were able to observe active tethered logging operations and hear from ODF field staff, landowners, operators, representatives from Oregon State University and the Associated Oregon Loggers on the use and impacts of tethered equipment and desired next steps. The Department is now returning with an analysis.

ANALYSIS

Tethered logging consists of utilizing cable winch systems on ground-based equipment to stabilize and assist equipment operations on steep slopes. The cable system allows the equipment to operate

on slopes where damage to soils would occur without the assistance of the cable system. Tethered logging is a standard practice under the forest practice rules except in two situations: 1) when locating compacted or excavated skid trails within 100 feet of stream channels on steep or erosion-prone slopes or 2) when operating on high landslide hazard locations.

Prior to beginning tethered logging operations in these areas, operators are required to submit a Plan for Alternate Practice (PFAP). PFAPs are subject to Department review and approval and are used to prescribe specific practices for the protection of resources based on the site conditions of an operation.

1. Operations within 100 feet of stream channels on steep or erosion-prone slopes.

The need for a PFAP within 100 feet of a stream channel is based on Oregon Administrative Rule (OAR) 629-630-0150 which requires operations that will result in excavated or compacted skid trails on steep or erosion-prone slopes, to locate skid trails at least 100 feet from any stream channels. For the purposes of this rule, steep or erosion-prone slopes include slopes over 60% and slopes over 40% where soils consist of decomposed granite-type materials or other highly erodible materials.

When the use of tethered equipment was newly emerging, the soil impacts were unknown. Working with the Regional Forest Practice Committees (RFPCs), the Department started requiring operators to file a PFAP to more closely track these types of operations and their impacts. With the information presented during the March 2025 meeting and the September 2025 tour, it appears the use of tethered equipment does not inherently result in compacted or excavated skid trails.

If the Board agrees with this assessment, the use of tethered equipment within 100 feet of a stream channel on steep or erosion-prone slopes would no longer prompt an automatic need for a PFAP and be considered standard practice within existing rule language. This would allow for regulatory and operator efficiency while maintaining resource protections when the use of tethered equipment will result in compacted or excavated skid trails without the need for rulemaking.

Board Options:

- a) The Board determines no further Board action is needed at this time and closes rulemaking related to OAR 629-630-0150. This would end the need for a PFAP for this particular rule unless the operation will result in compacted or excavated skid trails.
- b) The Board determines it is necessary to continue rulemaking related to OAR 629-630-0150 and provides direction to the Department on the desired impact of continued rulemaking. The requirements of the Administrative Procedures Act, ORS 527.710 and ORS 527.714 would apply to the rulemaking.

2. Operations on high landslide hazard locations.

The need for a PFAP when operating tethered equipment on high landslide hazard locations is prompted by OAR 629-630-0500 (4) which prohibits the operation of ground-based equipment in these areas. As defined by the forest practice rules, high landslide hazard location means a specific site that is subject to initiation of a shallow, rapidly moving landslide as identified by the criteria specified in rule.

These PFAPs are reviewed for resource and public safety concerns and are only approved in instances where there are no downslope public safety risks. Due to significant variability amongst high landslide hazard locations, these reviews often require careful consideration of the specific site conditions to determine the appropriate risk rating and necessary best practices to mitigate risks for both public safety and resources.

A recent update to FERNS, the electronic notification system, requires notifiers to select the rule a PFAP is being requested under improving data collection around PFAPs. However, just over 80% of the time tethered logging notifications are submitted with both OAR 629-630-0150 and 629-630-0500 selected, likely out of an abundance of caution. Anecdotally, the Department believes a majority of these PFAPs are related to OAR 629-630-0150 which may be resolved depending on the option the Board chooses to move forward with, however we don't have clear data.

If the Board moves forward with option (a) related to OAR 629-630-0150, the Department will be able to collect accurate data on the volume of PFAPs, which would just be those being sought for tethered logging on high landslide hazard locations and evaluate those PFAPs to determine if there is any level of consistency in the best management practices needed that lend themselves to being standardized. Using this data the Department could return to the Board in the future if the volume of PFAPs related to this rule indicate a need to address the topic for regulatory and/or operator efficiencies.

Alternatively, if the Board is interested in allowing the use of tethered equipment in these areas as standard practice, eliminating the need for a PFAP, rulemaking will be needed as the current rule prohibits the use of any ground-based equipment in these areas.

Board Options:

- a) The Board determines no further Board action is needed at this time and closes rulemaking related to OAR 629-630-0500 and directs the Department to return to the Board if a future need for action is identified. This would continue the need for PFAPs for tethered logging operations on high landslide hazard locations. The Department would then track the volume and consistency of these PFAPs to inform whether future Board action is needed for regulatory and/or operator efficiencies.
- b) The Board determines it is necessary to continue rulemaking related to OAR 629-630-0500 and provides direction to the Department on the desired impact of continued rulemaking. The requirements of the Administrative Procedures Act, ORS 527.710 and ORS 527.714, would apply to the rulemaking.

RECOMMENDATIONS

The Department recommends the Board select the options below which would close the tethered logging rulemaking initiated under the requirements in SB 1501 (2022).

- 1) The Board determines no further Board action is needed at this time and closes rulemaking related to OAR 629-630-0150.
- 2) The Board determines no further Board action is needed at this time and closes rulemaking related to OAR 629-630-0500 and directs the Department to return to the Board if a future need for action is identified.

NEXT STEPS

If the Board adopts the staff recommendations the Department will notify operators that a PFAP is no longer automatically needed when using tethered equipment within 100 feet of a stream channel and begin detailed tracking related to the use of PFAPs on high hazard landslide locations.