

DIVISION 25

FOREST PARK AND RECREATION AREAS

629-025-0000

Purpose of the Rules

These rules establish standards for recreational- and commercial-use of State Forest Lands managed by the Forester. The objectives of these rules are: to protect the resources of State Forest Lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands. These rules are adopted pursuant to ORS 530.050 which gives the Forester the authority to adopt rules necessary for the management, protection, utilization and conservation of State Forest Lands acquired pursuant to ORS 530.010 to 530.040, and 526.291 to 526.294 which gives the department the authority to establish rules governing Large Commercial Events.

Stat. Auth.: ORS 526.291 - 526.294, 530.050

Stats. Implemented: ORS 526.287 - 526.299, 530.010 - 530.040, 530.990

Hist.: FB 3-1995, f. & cert. ef. 9-15-95; DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0005

Definitions

As used in rules 629-025-0000 through 629-025-0099:

- (1) "Campground" means an area designated by the Forester for Camping that has designated campsites.
- (2) "Camping" means a Person or Persons occupying State Forest Lands overnight.
- (3) "Camping Area" means an area designated by the Forester for Camping that has no designated campsites.
- (4) "Camping Unit" means a tent, camper, camping trailer, RV, or other shelter designed to be used as a personal living space while Camping.
- (5) "Commercial Use" means use of State Forest Lands for business or financial gain.
- (6) "Day Use Area" means ~~an area~~ a Designated Recreation Area designated by the Forester for Recreational Use during specified hours where Camping is prohibited, including but not limited to trailheads, staging areas, and boat launch sites.
- (7) "Department" means Oregon Department of Forestry.
- (8) "Designated Recreation Area" means an area designated by the Forester, including but not limited to, Campgrounds, Camping Areas, Day Use Areas, trailheads, staging areas, and boat launch sites.
- (9) "Designated Trail" means any route on State Forest Land, other than a Forest Road, designated for a specific use by the Forester, which has been cleared of debris so that it is suitable for travel by motorized or non-motorized means.

(10) "Forester" means the State Forester, or the Forester's designated representative.

(11) "Forest Road" means a road constructed by the Department for ingress to and egress from forestland for the purpose of management, protection, growth, and conservation of forest resources by thinning, reseeding, brush control and other forest management operations.

(12) Highway has the meaning found in ORS 801.305.

(13) "Large Commercial Event"

(a) Means a gathering that:

(A) Has an Organizer;

(B) Is held for the purpose of a shared or common activity or experience;

(C) Has more than 50 participating individuals or more than 15 Motor Vehicles of participating individuals present at any time; and

(D) Continues or is scheduled to continue for more than four consecutive hours.

(b) Does not mean:

(A) An outdoor mass gathering regulated under ORS 433.735 to 433.770; or

(B) A gathering held by arrangement with the Department at a permanent facility or officially designated area that is designed and equipped for accommodating gatherings of that type and size.

(14) "Motor Vehicle" means a vehicle that is self-propelled or designed for self-propulsion.

(15) "Motorized Off-Road Zone" means an area on State Forest Land designated by the Forester where off-road use of motorized vehicles is permitted only on Designated Trails.

(16) "Non-Motorized Zone" means an area on State Forest Land designated by the Forester where use of motorized vehicles is restricted to Forest Roads.

(17) "Off-Highway Vehicle" means any vehicle capable of cross-country travel on other than Highways, including but not limited to automobiles, trucks, 4-wheel drive vehicle, motorcycles, snowmobiles, and bicycles.

(18) "Organizer"

(a) Means a Person that organizes, holds or sponsors a Large Commercial Event and who directly or indirectly accepts moneys or other items of value, whether or not resulting in a profit, from one or more Persons participating or reasonably expected to participate in the gathering in exchange for:

(A) Admittance;

(B) Parking;

(C) The receipt of on-site goods or services;

(D) The reservation or rental of camping or commercial space;

(E) Rights to sell on-site goods or services; or

(F) On-site advertising rights.

(b) Does not mean:

(A) A Person acting in a regular business relationship with, on behalf of or under contract with the Department;

(B) A Person that receives money only from a coapplicant for purposes of obtaining a permit under these Division rules; or

(C) An individual receiving only hourly wages, commissions or tips for services personally provided by that individual.

(19) "Person" has the meaning found in ORS 174.100.

(20) "Service Animal" means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Other species of animal, whether wild or domestic, trained or untrained, are not Service Animals for the purposes of this definition. The work or tasks performed by a Service Animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort or companionship do not constitute work or tasks for the purposes of this definition.

(21) "Sponsor" means a Person that that organizes, holds, or sponsors a Sponsored Event.

(22) "Sponsored Event"

(a) Means a gathering that has all of the following characteristics:

(A) Is held for the purpose of a shared or common activity or experience;

(B) Has more than 20 participating individuals or more than 10 Motor Vehicles of participating individuals present at any time; and

(C) Continues or is scheduled to continue for more than three consecutive hours.

(b) Does not mean:

(A) A Large Commercial Event; or

(B) An outdoor mass gathering regulated under ORS 433.735 to 433.770.

(23) "State Forest Land" means land owned by the State of Oregon, and managed by the Forester.

(24) "Vehicle" means any device in, upon, or by which any Person or property is, or may be, transported or drawn upon a road and includes vehicles that are propelled or powered by any means.

Stat. Auth.: ORS 530.050

Stats. Implemented: ORS 530.010 - 530.040

Hist.: FB 23, f. 6-5-70, ef. 6-25-70; FB 36, f. 1-22-74, ef. 2-25-74; FB 3-1995, f. & cert. ef. 9-15-95, Renumbered from 629-026-0005; DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0011

Permits — General Regulations

(1) Permitting Authority: The Forester may require permits for the use of State Forest Lands including, but not limited to, for the following uses:

(a) Sponsored Events;

(b) Camping in Campgrounds or in Camping Areas on State Forest Land;

(c) Parking at designated sites on State Forest Land;

(d) Use of Day Use Areas; and

(e) Commercial Use, including Large Commercial Events.

(2) Permit Duration; Suspension: Permits for use of State Forest Land may be issued for a day, season, or such other time period the Forester deems appropriate for the use involved. The Forester may suspend a permit if necessary to protect public health, public safety, forest resources or improvements, or to obtain compliance with these Division rules.

(3) Bonds: For Commercial Use or Sponsored Events, the Forester may require the posting of a cash or surety bond or other guarantee in such form and in such amount as the Forester deems appropriate and sufficient to defray the costs of restoration and rehabilitation of the State Forest Land that may be affected by the permitted use. Bonds and guarantees will be returned to the permittee upon satisfactory compliance with all permit stipulations, including restoration and rehabilitation requirements.

(4) Insurance: For Commercial Use or Sponsored Events, the Forester may require a permittee, at the permittee's expense, to obtain and keep in effect for the duration of the proposed event insurance coverages in types and amounts that are deemed satisfactory to the Forester, and which names the State of Oregon as an additional insured. The policy must stipulate that the Forester must be notified 30 days in advance of the termination or modification of the policy.

(5) Indemnity: For Commercial Use or Sponsored Events, the permittee must defend, indemnify, and hold harmless the State of Oregon against any responsibility or liability for damage, injury, or loss to Persons and property which may occur during the permitted use period or as a result of the permitted use.

Stat. Auth.: ORS 530.050

Stats. Implemented: ORS 530.010 - 530.040

Hist.: FB 3-1995, f. & cert. ef. 9-15-95; DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0020

Permits — Sponsored Events

(1) Permits Required: A Person must obtain a permit from the Forester to sponsor, promote or conduct any Sponsored Event on State Forest Land.

(2) The Forester may issue a permit for a Sponsored Event when the following requirements are satisfied:

(a) Adequate sanitation, policing, medical facilities, traffic control and other necessary services are provided;

(b) Conflict with traditional recreation activities is minimized;

(c) All expenses, risks, and liabilities are borne by the Sponsors rather than the general public or the Department;

(d) The health, well-being, and personal property of forest users, Persons, neighboring landowners and of the general public are protected; and

(e) Damage to forest resources or improvements is negligible or is reasonably mitigated.

(3) Permit Application Procedure: A Person requesting a permit for a Sponsored Event must complete and submit a permit application including the following information to the Forester at least 60 days prior to the date of the proposed event:

(a) Date of the event;

(b) A map of the proposed event area;

(c) Estimated total and peak attendance at the proposed event;

(d) Estimated total and peak demand for parking at the proposed event;

(e) Name, address, date of birth and phone number of the Sponsor;

(f) Description of the planned activities;

(g) A plan for timely clean-up, and proposed mitigation and restoration activities to ensure potential damage to forest resources or improvements is negligible; and

(h) Additional information the Forester deems necessary.

(4) Compliance With Other Rules: All activities must comply with applicable state and local codes, rules, and ordinances. Additional state and local permits required must be obtained by the Sponsor prior to the beginning of the activity.

(5) Approval or Denial of Permits: The Forester may approve, with conditions, or deny the permit application consistent with the policies set forth in these Division rules. The following must be considered in evaluating the permit applications:

(a) The ability of the Sponsor to finance, plan and manage the proposed activity in accordance with sanitation, safety, medical care, fire control, security, crowd, noise, and traffic control requirements, and in a manner consistent with the protection of forest resources or improvements;

(b) The extent to which the proposed activity, in both nature and timing, threatens interference with traditional recreational use or interferes with the convenience of neighboring landowners and the general public;

(c) The experience of the Sponsor in performing similar activities in the past; and

(d) Measures undertaken to mitigate any changes in traditional recreational use or damage to forest resources or improvements caused by the activity.

(6) Revocation of Permit: The Forester may revoke the permit effective immediately upon notice to the applicant in the event of any emergency, significant law enforcement problem, substantial threat to public welfare, safety or property arising from or likely to affect the activity, or upon any breach of permit conditions. The applicant must terminate the activity immediately upon receipt of notice from the Forester that the permit has been revoked. The Forester may refund, in whole or in part, the permit fee if a permit is revoked in accordance with this subsection only if such amount is not necessary to reimburse the Department for its reasonable and necessary costs related to administration, monitoring, or enforcement activities taken up to and through date of permit revocation.

(7) Permit Modification: The Forester may amend a Sponsored Event permit with the Sponsor's consent.

(8) Miscellaneous Provisions: An application for a Sponsored Event will only be considered by the Forester if:

(a) The Sponsor or its principal representative is at least 18 years of age; and

(b) The Sponsor or sponsor-organization has satisfied all outstanding liabilities and requirements arising out of any prior activity involving property under the jurisdiction of the Forester.

(9) Assignments: A permit is not transferrable and may not be assigned to any other Person without prior written approval of the Forester.

(10) Fees:

(a) Application Fee: The Forester may require a Sponsor to pay an application fee of \$150 for the processing and review of a Sponsored Event permit, which is refundable only if the application is withdrawn prior to any review of the application by the Department.

(b) Monitoring and Enforcement Fee:

(A) A Sponsor must pay a monitoring and enforcement fee when, at the Forester's sole discretion, the Forester deems Department personnel are required to undertake monitoring and enforcement of the permit conditions to protect the public, or forest resources or improvements. Situations that may require enforcement and monitoring personnel include, but are not limited to:

(i) Activities involving open fire;

(ii) Activities spanning large spatial areas;

(iii) Activities involving the consumption of alcohol;

(iv) Activities requiring traffic controls; or

(v) Other activities posing significant risk to public or forest resource or improvement safety.

(B) The fee for monitoring and enforcement shall be billed at the actual hourly overtime rate for the assigned Department personnel at the time of the event. The Sponsor shall be responsible for all fees associated with monitoring and enforcement, including travel time of Department personnel to and from the site.

Stat. Auth.: ORS 530.050

Stats. Implemented: ORS 530.010 - 530.040

Hist.: FB 3-1995, f. & cert. ef. 9-15-95; DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0021

Permits — Large Commercial Events

(1) Permits Required: A Person must obtain a permit from the Forester to sponsor, promote or conduct a Large Commercial Event on State Forest Land.

(2) The Forester may issue a permit for a Large Commercial Event when the following requirements are satisfied:

(a) Compliance with, or the ability and willingness to comply with, applicable health and safety standards found in OAR 629-025-0022;

(b) Conflict with traditional recreation activities is minimized;

(c) All expenses, risks, and liabilities are borne by the Organizer rather than the general public or the Department; and

(d) Damage to forest resources or improvements is negligible or is reasonably mitigated.

(3) Permit Application Procedure: A Person requesting a permit for a Large Commercial Event must complete and submit a permit application including the following information to the Forester at least 60 days prior to the date of the proposed event:

(a) Date of the event;

(b) A map of the proposed event area including potentially sensitive ecological areas;

(c) Estimated total and peak attendance at the proposed event;

(d) Estimated total and peak demand for parking at the proposed event;

(e) Name, address, date of birth and phone number of the Organizer;

(f) Description of the planned activities;

(g) A plan for timely clean-up, and proposed mitigation and restoration activities to ensure potential damage to forest resources or improvements is negligible; and

(h) Additional information the Forester deems necessary.

(4) Compliance With Other Rules: All activities must comply with applicable state and local codes, rules, and ordinances. Additional state and local permits required must be obtained by the Organizer prior to the beginning of the activity.

(5) Approval or Denial of Permits: The Forester may approve, with conditions, or deny the permit application consistent with the requirements of applicable law. The following must be considered in evaluating the permit applications:

(a) The ability of the Organizer to finance, plan and manage the activity in accordance with sanitation, safety, medical care, fire control, security, crowd, noise, and traffic control requirements, and consistent with the protection of forest resources or improvements;

(b) The extent to which the proposed activity, in both nature and timing, threatens interference with traditional recreational use or interferes with the convenience of neighboring landowners and the general public;

(c) Whether permanent alteration to or on State Forest Land may occur;

(d) Whether activities may continue for more than 120 hours in any 90 day period;

(e) Whether the Organizer has a history of:

(A) Acting as an Organizer for a gathering without obtaining a required Large Commercial Event permit; or

(B) Violating, or recklessly allowing others to violate, the terms and conditions of a Large Commercial Event permit issued to the Person.

(f) The experience of the Organizer in performing similar activities in the past; and

(g) Measures undertaken to mitigate any changes in customary forest usage or damage to forest resources or improvements caused by the activity.

(6) Revocation: The Forester may revoke the permit effective immediately on notice to the applicant in the event of any emergency, significant law enforcement problem, substantial threat to public welfare, safety or property arising from or is likely to affect the activity, or upon any breach of permit conditions. The applicant must terminate the activity immediately upon receipt of notice from the Forester that the permit has been revoked. The Forester may refund, in whole or in part, the permit fee if a permit is revoked in accordance with this subsection only if such amount is not necessary to reimburse the Department for its reasonable and necessary costs related to administration, monitoring, or enforcement activities taken up to and through date of permit revocation.

(7) Permit Modification: The Forester may amend a Large Commercial Event permit with the Organizer's consent.

(8) Miscellaneous Provisions: An application for a Large Commercial Event will only be considered by the Forester if;

(a) The Organizer or its principal representative is at least 18 years of age; and

(b) The Organizer or sponsor-organization has satisfied all outstanding liabilities and requirements arising out of any prior activity involving property under the jurisdiction of the Forester.

(9) Assignments: A permit is nontransferable and may not be assigned to any other Person without prior written approval of the Forester.

(10) Fees:

(a) Application Fee: An Organizer must pay an application fee of \$150 for the processing and review of a Large Commercial Event permit, which is refundable only if the application is withdrawn prior to any review of the application by the Department.

(b) Monitoring and Enforcement Fee:

(A) An Organizer must pay a monitoring and enforcement fee when, at the Forester's sole discretion, the Forester deems Department personnel are required to undertake monitoring and enforcement of the permit conditions to protect the public or forest resources or improvements. Situations that may require enforcement and monitoring personnel include, but are not limited to:

(i) Activities involving open fire;

(ii) Activities spanning large spatial areas;

(iii) Activities involving the consumption of alcohol;

(iv) Activities requiring traffic controls; or

(v) Other activities posing significant risk to public or forest resource or improvement safety.

(B) The fee for monitoring and enforcement must be billed by the Department at the actual hourly overtime rate for the assigned Department personnel at the time of the event. The Organizer must be responsible for all fees associated with monitoring and enforcement, including, but not limited to, travel time of Department personnel to and from the site.

Stat. Auth.: ORS 526.291

Stats. Implemented: ORS 526.287 – 526.299

Hist.: DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0022

Health and Safety Standards — Large Commercial Events

(1) Sewerage Facilities:

(a) Chemical toilets must be provided at a rate of at least one toilet per 80 persons or fraction thereof.

(b) Chemical toilets must be serviced daily with respect to sanitation, removal of contents, and recharging of chemical solution.

(c) All chemical toilets must be located so as to be easily and readily serviced by servicing vehicles.

(2) Refuse Storage and Disposal:

(a) All refuse and solid waste must be stored in fly-tight containers constructed of impervious material.

(b) Containers for refuse and solid waste storage must be provided at a minimum ratio of one 30 gallon container for each 16 persons or fraction thereof anticipated or one cubic yard of container capacity for each 125 persons or fraction thereof anticipated.

(c) All refuse and solid waste must be removed from storage containers at least once every 24 hours and transported and disposed of in a manner which is authorized and complies with state and local laws, ordinances, and regulations.

(d) Liquid wastes not containing human excreta must be disposed of in a seepage pit having a minimum depth of three feet and a lateral area of not less than 32 square feet. The pit must be backfilled with clean, coarse rock and be protected by a one-fourth inch screen which is removable and must effectively trap food particles and prevent other wastes from entering the backfilled rock.

(3) Water Supply: The water supply, water quality, and water storage and delivery systems must comply with the standards established under OAR 333-039-0015.

(4) Fire Protection:

(a) In addition to the requirements found in ORS 477, a Person must:

(A) Confine all Fires to camp stoves or fire grates or other fireproof structures constructed for such purposes. Such structures must be less than four feet in diameter or four feet in length;

(B) Clear all flammable material for a distance of five feet around and 10 feet above any fire grate or other fireproof structure used to contain a campfire;

(C) Extinguish every fire at the site before leaving the site; and

(D) Comply with fire prevention rules found in OAR 629, division 43 for all activities involving open fire, fire effects, bonfires, or other controlled or uncontrolled fires.

(b) A Person may not:

(A) Leave a fire unattended; or

(B) Discharge or cause to be discharged any firecrackers, explosives, torpedoes, rockets, fireworks, sky lanterns, or other flammable substances which could be harmful to Persons or forest resources without prior written permission of the Forester.

(5) Traffic:

(a) Motor Vehicles must be parked in a manner that eliminates blockage of parked Vehicles and allows Vehicles free access to exits at all times.

(b) A Vehicle may not block, obstruct or interfere with vehicular or pedestrian traffic on a Forest Road, parking area, Designated Trail, walkway, pathway or common area. The Department may tow a Vehicle at the owner's expense if the Vehicle is found to obstruct, block or interfere with vehicular or pedestrian traffic or is parked in a fire lane, roadway, campsite, entry way, driveway, closed area or other location in a manner that threatens forest resources or improvements, impedes operations of a Designated Recreation Area, public safety, or any combination thereof.

(6) Security Personnel:

(a) The Organizer must maintain an accurate count of individuals attending the Large Commercial Event and must provide adequate security arrangements to limit further admissions to the Large Commercial Event when the anticipated number of individuals have been admitted.

(b) The Organizer must secure a written statement from the chief law enforcement officer of the county in which the Large Commercial Event is to take place that arrangements for security and the orderly flow of traffic to and from the site complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated number of participants and site.

(7) Bonding and Insurance:

(a) Bonds: The Forester may require the posting of a cash or surety bond or other guarantee in such form and in such amount as determined by the Forester to be sufficient by the Forester to defray the costs of restoration and rehabilitation of the State Forest Land affected by the permitted use. Bonds and guarantees will be returned to the permittee upon satisfactory compliance with all permit conditions, including restoration and rehabilitation requirements.

(A) Claims against Organizer's bond for failure to comply with or perform other obligations under the permit must be processed in the following manner:

(i) The Department must provide notice in writing to Organizer and Organizer's surety of the nature of the failure to comply or the unperformed obligation, and must specify a date by which the failure must be remedied.

(ii) If Organizer fails to remedy the failure or to respond in writing with reasons adequate in Department's judgment to waive the failure within the time specified in Department's notice, Organizer must be deemed to be in default and Department must be entitled to make a claim against Organizer's bond on behalf of Department for an amount deemed reasonably sufficient to cure the failure.

(B) The Department reserves the right to invoke any remedy available to it under the permit or at law or in equity in the event Department is required to seek redress from Organizer's surety for a permit violation or default by Organizer including, without limitation, termination of the permit.

(b) Insurance: The Forester may require a permittee, at the permittee's expense, to obtain and keep in effect for the duration of the proposed event insurance coverages in types and amounts that are deemed satisfactory to the Forester, and which names the State of Oregon as an additional insured. The policy must stipulate that the Forester must be notified 30 days in advance of the termination or modification of the policy

(8) Siting Restrictions: A buffer of at least 200 feet, measured in horizontal distance, wherein a Person may not enter, occupy or physically disturb forest resources or improvements must be maintained between the Large Commercial Event site and all:

(a) Ecologically-sensitive areas, including streams, lakes and wetlands;

(b) Known cultural resources; and

(c) Forest practices as defined in ORS 527.620.

(9) Use of Alcohol: Alcohol may not be sold or consumed within one hour of the scheduled end time of the Large Commercial Event.

(10) Indemnity: The permittee must defend, indemnify, and hold harmless the State of Oregon against any responsibility or liability for damage, injury, or loss to Persons and property which may occur during the permitted use period or as a result of such use.

Stat. Auth.: ORS 526.291

Stats. Implemented: ORS 526.287 – 526.299

Hist.: DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0030

Other Fees

(1) A Person must pay the applicable fee for use of Campgrounds, Camping Areas and other listed facilities and services.

(2) Payment of Fees: Unless posted otherwise, payment of fees must be made prior to receipt of the permit or use of the facilities and services. Permit fees are non-refundable. Overnight camping fees are for the use of facilities until 1:00 p.m. of the following day.

(3) Established Fees: Specific fees for permits, facilities and services, are as follows:

(a) Camping in a Campground at a:

(A) Vehicle site: ~~\$2045~~ per night;

(B) Walk-in site: ~~\$1540~~ per night;

(C) Designated Camping Area: \$5 per night per Motor Vehicle.

~~(Cb)~~ Camping at a group site: \$50 per night.

~~(bc)~~ A fee of \$5 per night, per Motor Vehicle must be paid by a Person who allows more than ~~one~~ two automobiles or ~~two~~ four motorcycles to be parked overnight at a Designated Campsite reserved by that Person.

(d) Parking in a designated parking area: \$5 per vehicle per 24 hour period.

~~(d) Camping in a designated Camping Area: \$5 per night per Motor Vehicle.~~

(4) Firewood: Where conditions permit, firewood may be sold by the Forester.

Stat. Auth.: ORS 530.050

Stats. Implemented: ORS 530.010 - 530.040

Hist.: FB 3-1995, f. & cert. ef. 9-15-95; DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0035

Veteran's Special Access Pass and Active Duty Military Waiver

(1) Fees established under OAR 629-025-0030(3)(a) shall be waived for a person to whom a Veteran's Special Access Pass has been issued by the Oregon Parks and Recreation Department and meets the eligibility requirements in OAR 629-025-0035(2).

- (2) To be eligible for a fee waiver under OAR 629-025-0035(1):
- (a) The site must be occupied by the individual named on the Veteran's Special Access Pass;
 - (b) The pass holder must be able to present the Veteran's Special Access Pass and valid government-issued photo identification to confirm the identity of the person named on the Veteran's Special Access Pass, when requested by Department personnel; and
 - (c) The pass holder must provide their name and Veteran's Special Access Pass number on the fee envelope used to indicate occupancy of the site.
- (3) Veteran's Special Access Pass fee waivers are limited to a total of 10 days each calendar month in aggregate for both State Parks and State Forest facilities.
- (4) Fees established under OAR 629-025-0030(3)(a) shall be waived for active duty U.S. military personnel on leave status on Memorial Day (the last Monday in May), Independence Day (July 4), or Veteran's Day (November 11) who meet the eligibility requirements in OAR 629-025-0035(5).
- (5) To be eligible for a fee waiver under OAR 629-025-0035(4):
- (a) The site must be occupied by the active-duty service member;
 - (b) The camper must be able to present valid government-issued photo identification to confirm active duty military status, when requested by Department personnel; and
 - (c) The camper must provide their name and D.o.D. ID Number on the fee envelope used to indicate occupancy of the site.
- (6) All other rules and fees apply, including, but not limited to, the occupancy limits established under OAR 629-025-0040(2), and fees established under OAR 629-025-0020 and OAR 629-025-0021.
- (7) The Department will not issue refunds for camping fees already paid, including circumstances where a camper may be eligible for a fee waiver but is unable to provide the Veteran's Special Access Pass or military ID.

629-025-0040

General Forest Recreation Rules and Public Conduct

(1) Sanitation.

(a) On all State Forest Land, a Person may not in any manner, unless otherwise authorized, cause any rubbish, garbage, refuse, organic or inorganic waste, diseased or dead animals, recreational vehicle sewage, or other offensive matter or any abandoned property or material to be placed or left on State Forest Land. A Person may not:

(A) Dispose of any cans, bottles and garbage except in designated places or receptacles;

(B) Drain sewage or petroleum products or dump refuse or waste other than grey water except in places or receptacles provided for that purpose;

(C) Dispose of any household, commercial or industrial refuse or waste brought as such from private or municipal property, including but not limited to automobiles, household appliances and furnishings;

(D) Pollute or contaminate water supplies or water used for human consumption;

(E) Use a refuse container or disposal facility for any purpose other than for which it is supplied; or

(F) Remove items from containers designated for recyclables, garbage, sewage or waste without authorization from the Forester.

(b) A Person may not wash any clothing, dishware, cookware, or other materials in any lake, stream, river, well pump or other body of water on State Forest Land.

(c) A Person may not deposit human waste within 100 feet of any campsite, trail, or body of water. Human waste must be disposed of by burying to a depth of a least six inches.

(d) Where toilet or sewage facilities are provided, a Person may not dispose of human waste except in those facilities.

(2) Occupancy and Use.

(a) On State Forest Land, a Person may not:

(aA) Camp longer than ~~24~~ 14 days out of any 35-day period; or

(B) Camp more than a total of ~~60~~ 42 days during a ~~calendar year~~ consecutive 12 month period; or

(C) Camp longer than the period of time specifically authorized or established by the Forester in writing; or

(bD) Camp within 25 horizontal feet of the high water mark of any body of water or in other areas posted closed to Camping by the Department; or

(eE) Leave personal property unattended longer than ~~four~~ two days on State Forest Land or ~~48~~ 24 hours in a Designated Recreation Area. Personal property left unattended longer than ~~four days~~ 48 hours on State Forest Land or more than ~~48-24~~ hours in a Designated Recreation Area without permission of the Forester, may be removed by the Department; or

(dF) Leave personal property or possessions overnight in a Day Use Area without prior written permission from the Forester. Unattended personal property is considered Camping for the purposes of determining the length of stay at a given site.

(e) ~~Unattended personal property is considered Camping for the purposes of determining the length of stay at a given site.~~

(b) The Forester may establish camping stay limits that are shorter in order to address public safety concerns, or protect and conserve forest resources.

(3) Property and Resources. On all State Forest Land, unless under contract with the Forester, a Person may not:

(a) Deface, disturb, remove or destroy any public property, structures, or any scientific, cultural, archaeological or historic resource, natural object or area;

(b) Deface, remove or destroy plants or their parts, soil, rocks, or minerals, or cave resources.

(4) Animals.

(a) A horse or other animal may not be hitched or confined in a manner that may cause damage to any tree, shrub, improvement, or structure.

(b) The Forester may undertake any measures deemed necessary (including removal of the animal from State Forest Land or requiring the animal be kept under physical control) to protect forest resources or improvements and to prevent interference by the animal with the safety, comfort, and well-being of others, including Department of Forestry employees and its contractors.

(c) A Person may not bring an animal other than a dog or cat, or in designated areas, llamas, alpacas, mules, horses, donkeys, or goats onto State Forest Land.

(5) Construction of Trails and Shelters. On State Forest Land, a Person may not modify, construct, or cause to be constructed any trail, shelter, building, or other facility or improvement without written permission of the Forester.

(6) Firewood Collection.

(a) A Person Camping may collect and possess up to one quarter of a cord of firewood for their personal use while Camping on State Forest Land except where otherwise prohibited in these Division rules.

(b) A Person may not remove from State Forest Land firewood which has been collected for use while Camping on State Forest Land without a valid firewood permit except as allowed by ORS 164.813.

(c) Firewood must be collected only from dead and down material that is 12 inches or less in diameter at its largest point. No standing trees, living or dead, may be felled for conversion into firewood.

(7) Campfires.

(a) Fires must be confined to camp stoves or fire grates or other fireproof structures provided by the Department for such purposes. Such structures must be less than four feet in diameter or four feet in length.

(b) All flammable material must be cleared for a distance of five feet around and 10 feet above any fire grate or other fireproof structure used to contain a campfire.

(c) A fire may not be left unattended and every fire must be extinguished before its user leaves the site.

(8) Traffic Rules.

(a) When operating a Vehicle on State Forest Lands, a Person may not violate the basic speed rule or exceed posted speed limits, willfully endanger Persons or property, or act in a reckless, careless, or negligent manner.

(b) A Person may not obstruct or hinder the flow of traffic on a Forest Road.

(c) A Person may not operate a Vehicle on State Forest Road in violation of Oregon traffic laws.

(d) A Person may not block, obstruct or interfere with vehicular or pedestrian traffic on a Forest Road, parking area, trail, walkway, pathway or common area. The Department may tow a vehicle at the owner's expense if the Vehicle is left unattended for more than 24 ~~72~~ hours or is parked in a fire lane, roadway,

campsite, entry way, driveway, closed area or other location in a manner that threatens the resource, impedes operations of a Designated Recreation Area, public safety, forest practices as defined under ORS 527.620, or any combination thereof.

(9) Target Shooting.

(a) A Person may not:

(A) Place targets on live trees or shoot live trees for any purpose;

(B) Shoot across or along any road or trail;

(C) Shoot carelessly, recklessly, or without regard for the safety of any Person, or in a manner that endangers, or is likely to endanger, any Person or property;

(D) Shoot glass of any kind;

(E) Shoot appliances, furniture, or other materials determined by Department personnel or a law enforcement officer to be garbage;

(F) Shoot targets other than non-exploding targets commercially manufactured for the specific purpose of target shooting, except for paper targets privately manufactured by the Person or persons engaging in target shooting; or

(G) Engage in target shooting or other shooting related activity at times between one half-hour after sunset until one half-hour before sunrise; or

(H) Shoot into a stream, waterfall, pond, lake, or other body of water.

(b) A Person engaged in target shooting must:

(A) Remove from State Forest Land all shell casings, targets, and other debris resulting from the target shooting activity; and

(B) Use an appropriately sized, non-flammable, natural backstop or a commercially-manufactured bullet recovery system of sufficient size to capture all projectiles.

(10) Concessions. A Person may not:

(a) Operate a concession on State Forest Land, either fixed or mobile, solicit, sell or offer for sale, peddle, hawk, or vend any goods, wares, merchandise, food, liquids, or services without written permission of the Forester;

(b) Advertise any goods or services by any means whatsoever.

(11) General Conduct. A Person may not:

(a) Use a metal detector or similar device on State Forest Land without written permission of the Forester;

(b) Obstruct, harass or interfere with any Department personnel or volunteer, or any peace officer in the performance of their duties;

(c) Enter or occupy any building, facility or portion of a Designated Recreation Area or Designated Trail that has been closed to public access;

(d) Occupy or interfere with access to a structure, office, lavatory or other facility in a manner which interferes with the intended use of such a structure or facility;

(e) Engage in fighting or promoting, instigating or encouraging fighting or similar violent conduct which may threaten the physical well-being of a Person;

(f) Engage in activities or conduct which creates a public nuisance or hazard; or

(g) Engage in public indecency as defined in ORS 163.465.

(h) Excessive Noise: A Person may not operate or use any noise-producing machine, vehicle device, or instrument, including but not limited to: audio-visual equipment, televisions, radios or stereos, amplifiers, or chainsaws, in such a manner that is disturbing to another Person.

(12) On State Forest Land, a Person must use hay, straw, and other livestock forage that is certified by The Oregon Department of Agriculture to be weed-free according to North American Weed Management Association standards. A database of certified growers in Oregon may be obtained through The Oregon Department of Agriculture Weed Free Forage Program.

Stat. Auth.: ORS 530.050

Stats. Implemented: ORS 530.010 - 530.040

Hist.: FB 3-1995, f. & cert. ef. 9-15-95; DOF 4-2005, f. & cert. ef. 3-1-05; DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0050

Designated Recreation Areas

(1) State Forest Land designated by the Forester as "Designated Recreation Areas" may include, but are not limited to, Campgrounds, Camping Areas, Day Use Areas, trailheads, staging areas, and boat launch sites. Maps showing the Designated Recreation Areas must be kept on file at the Forester's office and the applicable District office, and must be available for public inspection during normal business hours.

(2) General Forest Recreation Rules as outlined in OAR 629-025-0040 apply to Designated Recreation Areas. In addition to those rules, the following rules apply:

(3) Occupancy and Use:

(a) At areas where Camping is permitted a Person may not camp longer than 14 days out of any ~~35~~ 28-day period at a Designated Recreation Area.

(b) A Person must be 18 years of age or older to reserve and register for campsites in Designated Recreation Areas.

(4) Firewood: A Person may not collect firewood within the boundaries of any Designated Recreation Area.

(5) Firearms, Weapons, and Explosives: Within a Designated Recreation Area a Person may not:

(a) Hunt, pursue, trap, kill, injure, molest, or disturb the habitat of any bird or animal without first obtaining permission from the Forester;

(b) Discharge any firearm, pellet gun, bow and arrow, slingshot or other weapon capable of injuring any Person, bird, or animal; or

(c) Discharge or cause to be discharged any firecrackers, explosives, torpedoes, rockets, fireworks, sky lanterns, or other substances which could be harmful to visitors or forest resources without written permission of the Forester.

(6) Forest Resources and Improvements: A Person may not mutilate, deface, damage, or remove any table, bench, building, sign, marker, monument, fence, barrier, fountain, faucet, traffic recorder, or other structure or facility of any kind in a Designated Recreation Area.

(7) Parking: Automobiles, trailers, or other Motor Vehicles must be parked only in designated parking areas.

(8) Animals:

(a) Any dog, cat, horse, or other animal brought into or kept on State Forest Land must be kept under control at all times.

(b) An animal owner is responsible for the disposal of the animal's waste within Designated Recreation Areas.

(9) Offensive Behavior: A Person may not use abusive, threatening, boisterous, vile, obscene, or indecent language or gestures, or engage in demonstrations, disturbances, or riotous behavior in any Designated Recreation Area.

Stat. Auth.: ORS 530.050

Stats. Implemented: ORS 530.010 - 530.040

Hist.: FB 3-1995, f. & cert. ef. 9-15-95; DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0060

Campground and Day Use Areas

(1) Maps showing the Campground and Day Use Areas designated by the Forester must be kept on file at the Forester's office and the applicable District office, and available for public inspection during normal business hours.

(2) The General Forest Recreation Rules as outlined in OAR 629-025-0040 and the Designated Recreation Area rules as outlined in OAR 629-025-0050 apply to Campground and Day Use Areas. In addition to those rules, the following rules apply to Campgrounds and Day Use Areas:

(a) Sanitation: In Campground and Day Use Areas a Person may not, unless otherwise authorized:

(A) Clean fish, game, other food, clothing or household articles at any outdoor hydrant, pump, faucet or fountain, or restroom water faucet;

(B) Deposit human waste except in toilet or sewage facilities provided for that purpose.

(C) Leave bottles, cans, ashes, waste, paper, garbage, sewage, or other rubbish or refuse, except in receptacles designated for that purpose.

(b) Animals:

(A) A Person may not bring an animal into a Campground or Day Use Area unless the animal is on a leash not longer than six feet and secured to a fixed object or under control of a Person, or is otherwise physically restricted at all times. A Person may not bring an animal, other than Service Animals, into any building.

(B) A Person may not ride, drive, lead, or keep a saddle horse or other stock animal, such as llamas, alpacas, and mules, except on such roads, trails, or other areas designated for that purpose.

(C) The Forester has the authority to undertake any measures deemed necessary (including removal of the animal from the Campground or Day Use Area) to protect Campground or Day Use Area resources and to prevent interference by the animal with the safety, comfort, and well-being of a Person using Campground or Day Use Area.

(D) A Person may not keep a saddle horse or other stock animal such as llamas, alpacas and mules in a Campground or Day Use Area not designated for that purpose.

(E) An animal owner is responsible for the disposal of the animal's waste within a Campground or Day Use Area.

(c) Campfires:

(A) Fires in a Campground or Day Use Area must be confined to:

- (i) Fire grates that are designed and provided by the Department for such use; or
- (ii) Portable stoves in established campsites.

(B) A fire may not be left unattended and every fire must be extinguished before its user leaves the Campground or Day Use Area.

(d) Signs and Markers: A Person may not erect signs, markers, or inscriptions of any type except on boards or structures provided for that purpose.

(e) Camping:

(A) The Forester may designate and post Campgrounds or certain portions of Campgrounds for use by specified types of Camping equipment, such as tents, trailers, pickup campers, or other recreational vehicles, or for use by specified types of recreation use, such as equestrian use or Off-Highway Vehicle use.

(B) A campsite may not be occupied by more than eight people, two tents, and two Motor Vehicles unless otherwise designated and posted by the Forester.

(C) The registered camper must physically occupy the campsite the first night after any belongings are left in the site or fees are paid. A camper must occupy the campsite each night during the entire length of stay unless other arrangements have been made with the Forester. If a Person has failed to pay the

Camping fee for two consecutive days or has exceeded the length of stay time limit the Department may remove all possessions consistent with OAR 629-025-0080.

(D) The registered camper is responsible for the activities of all users of the campsite.

(E) A camper must maintain reasonable quiet between the hours of 10 p.m. and 7 a.m.

(F) ~~Prohibit the~~ A Person may not use of any noise-producing machine, vehicle device, or instrument between the hours of 10 p.m. and 7 a.m.

(G) A Person may not use power equipment, including but not limited to: lawn mowers, hedge trimmers, string trimmers, chain saws, drills, augers, or wood splitters in Campgrounds or Day Use Areas.

(f) Traffic Rules: Posted speed limits in Campgrounds and Day Use Areas must be observed at all times.

Stat. Auth.: ORS 530.050

Stats. Implemented: ORS 530.010 - 530.040

Hist.: FB 3-1995, f. & cert. ef. 9-15-95; DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0070

Use of Roads and Trails

(1) A Person may not operate a Motor Vehicle off-road:

(a) Except on a trail designated for that purpose;

(b) Without an approved spark arrestor, as specified in OAR 629-043-0015;

(c) Without an adequate noise muffler as defined in ORS 821.220;

(d) Without a valid ATV registration, or snowmobile registration for snowmobiles; or

(e) From one half hour after sunset to one half hour before sunrise unless equipped with working head- and tail-lights.

(2) A Person may not operate a Motor Vehicle:

(a) On road cut banks or fill slopes, or in ditches along roads, except snowmobiles; or

(b) In a manner that damages trails, boardwalks, bridges, water bars, cement blocking, drainage pipes or any other improvement designed to maintain the integrity of the trail or improvement; or

(c) That is not licensed for use on Highways on a Forest Road in a Non-Motorized Zone, where such use is signed as prohibited.

(3) A Person may not:

(a) Operate an Off- Highway Vehicle or snowmobile in violation of ORS 821.010 through 821.320; or

(b) Hike, bicycle, use a horse, llama, or other stock animal, or other Motor Vehicle on a trail not designated for that purpose, or in a manner that damages trails, boardwalks, bridges, water bars, cement blocking, drainage pipes or any other improvement designed to maintain the integrity of the trail or improvement.

(4) Road and Trail Closures. The Forester may, at any time, close all or portions of Forest Roads or Designated Trails, or establish one-way traffic flow on a Forest Road or Designated Trail.

Stat. Auth.: ORS 530.050

Stats. Implemented: ORS 530.010 - 530.040

Hist.: FB 3-1995, f. & cert. ef. 9-15-95; DOF 4-2005, f. & cert. ef. 3-1-05; DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0080

Removing Unattended Personal Property

(1) The Forester may remove Unattended Personal Property from State Forest Lands. Items that, at the sole discretion of Department personnel, have no apparent utility or are in an unsanitary condition are considered garbage and may be discarded.

(2) Unattended Personal Property includes items that have been left on State Forest Land longer than ~~four days~~ 48 hours or in Designated Recreation Areas for more than ~~48~~ 24 hours and are reasonably recognizable as belonging to a Person and that have apparent utility.

(3) Weapons, drug paraphernalia, and items that reasonably appear to be either stolen or evidence of a crime, at the sole discretion of Department personnel, must be turned over to the appropriate law enforcement agency.

(4) Department personnel may separate Unattended Personal Property from garbage during cleanups. Garbage must be immediately discarded and Unattended Personal Property must be stored by the Department for no-less-than 30 days. During that period it must be reasonably available to Persons claiming ownership of the Unattended Personal Property.

(5) The Forester must arrange in advance for a location to store Unattended Personal Property. The storage facility must be reasonably secure and located at or near one of the Department's District offices. The address of the facility will not be publicized; however, a telephone number to arrange an appointment to pick up claimed Unattended Personal Property must be provided. The telephone number must reach an office that is staffed during normal business hours (8 a.m. to 5 p.m. weekdays). Appointments to claim Unattended Personal Property must only be made during normal business hours.

Stat. Auth.: ORS 530.050

Stats. Implemented: ORS 530.010 - 530.040

Hist.: DOF 4-2005, f. & cert. ef. 3-1-05; DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0090

Enforcement, Evictions, and Exclusions

(1) A Person must observe and abide by all instructions, warnings, restrictions and prohibitions on posted signs and notices, or from Department personnel.

(2) The Forester may take actions to protect the safety or health of the public or forest resources or improvements, by:

(a) Seeking compliance from the public with any Division 25 rule;

(b) Ordering a Person who violates a Division rule to leave a Designated Recreation Area;

(c) Excluding a Person in violation of a Division rule from a Designated Recreation Area or multiple Designated Recreation Areas for a specified period of time.

(3) A peace officer may seek compliance with a Division rule from a Person.

(4) A peace officer may exclude, or recommend that the Forester exclude, a Person who violates a Division rule, federal, state, county or city law or court order, from a Designated Recreation Area or multiple Designated Recreation Areas for a specified period of time.

(5) The following situations are criminal trespass in the second degree, a Class C misdemeanor, per ORS 164.245:

(a) A Person ordered to leave State Forest Land that remains present;

(b) A Person excluded from State Forest Land that enters or remains present;

(c) A Person enters a closed or restricted portion of State Forest Land.

Stat. Auth.: ORS 530.050

Stats. Implemented: ORS 530.010 - 530.040

Hist.: DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0098

Criminal Penalty for Large Commercial Event Offense

An organizer commits a Class A misdemeanor if the organizer:

(1) Accepts money or other items of value in an exchange described under ORS 526.287(2)(a) prior to the issuance of a large commercial event permit required under ORS 526.291; or

(2) Recklessly allows the violation of a term or condition of a large commercial event permit issued to the organizer by the State Forestry Department.

Stat. Auth.: ORS 526.291

Stats. Implemented: ORS 526.991

Hist.: DOF 1-2016, f. & cert. ef. 3-11-16

629-025-0099

Violations and Fines

(1) Except for violations arising from activities under contract with the State Board of Forestry or the Department, and subject to ORS 153.022, violation of any rule or order adopted pursuant to ORS 530.050 is a Class A violation.

(2) Multiple violations of any rule or order adopted pursuant to ORS 530.050 shall be considered a single violation. However, each day a violation continues shall be considered a separate violation.

(3) Violations and punishments set forth in this section are in addition to and not in lieu of the provisions of ORS 164.305 to 164.335.

Stat. Auth.: ORS 530.050

Stats. Implemented: ORS 530.990

Hist.: DOF 1-2016, f. & cert. ef. 3-11-16