

Agenda Item No.:	C
Work Plan:	Private Forest Work Plan
Topic:	Wildlife Food Plot Rule Making
Presentation Title:	Developing Rules for Wildlife Food Plots
Date of Presentation:	November 7, 2018
Contact Information:	Danny Norlander Interim Family Forestland Coordinator, 503-945-7395, Danny.Norlander@oregon.gov Josh Barnard, Field Support Manager, Private Forests Division 503-945-7493 josh.w.barnard@oregon.gov

SUMMARY

As directed by the legislature, the Department is preparing to develop rules for fully implementing HB 3013 originating from the 2015 legislative session, Oregon Revised Statute (ORS) 527.678 “wildlife food plots” (Attachment 1). The department is requesting the Board direct the department to develop draft rules for wildlife food plots.

CONTEXT

During the 2015 legislative session, HB 3013 was introduced, made its way through the legislative process and was signed by the Governor. Legislation took effect January 1, 2016. This statute requires the Board of Forestry to adopt rules to allow the implementation of wildlife food plots as an approved activity under the Forest Practices Act (FPA). Wildlife food plot means a small area of forestland that, instead of being used for growing and harvesting a forest tree species, is planted in vegetation capable of substantially contributing to wildlife nutrition (ORS 527.678(1)(c)). Small forestland is defined as ownerships greater than ten acres and less than 5,000. For these ownerships, there is a sliding scale for the amount of acreage that can be encumbered in food plots based on ownership acreage ranges as follows:

Oregon Forestland Ownership Acres	Percent of Ownership	Maximum Combined Acres
10 to 500	2.5%	.25 to 12.5
501 to 1,000	2%	10 to 20
1,001 to 5,000	1%	10 to 50

The statute also requires consultation with the Oregon Department of Fish and Wildlife (ODFW) on rule development.

BACKGROUND AND ANALYSIS

The Department developed interim guidelines and an approval process in 2016. To date, there have been three landowner applications and only one qualified for this activity.

The Department, in preparation for developing new rules, has identified the Committee for Family Forestlands (CFF) as the advisory committee for wildlife food plot rules. Staff have presented information to the committee to familiarize them with the statutes and to begin to gather input for future rules. Similar outreach has been conducted with

the Tribal Cultural Resources Cluster and the three Regional Forest Practices Committees (RFPCs). Staff have been in consultation with ODFW about the process, goals, and outcomes for the upcoming rule making. Input from these groups and lessons learned from the interim guidance is being consolidated in preparation for developing draft rules.

RECOMMENDATION

The Department recommends that the Board direct the Department to move forward with developing draft rules for wildlife food plots as directed in ORS 527.678.

NEXT STEPS

The Department will work with the CFF, ODFW, and the RFPCs to develop draft rules for wildlife food plots.

ATTACHMENTS

- (1) 2015 House Bill 3013 (now ORS 527.678)