

OREGON BOARD OF FORESTRY **DUTIES AND POWERS**

STATUTE-IMPOSED RESOURCE SITE INVENTORY AND RULEMAKING RESPONSIBILITIES

2017 OREGON REVISED STATUTES

Vol. 12 – Drugs and Alcohol, Fire Protection, Natural Resources

➤ Title 44 – Forestry and Forest Practices

➤ Chapter 527 – Pest Control; Forest Practices

➤ **ORS 527.710 – Duties and powers of board**

DUTIES AND POWERS OF BOARD

ORS 527.710(1)-(2) – RULEMAKING DUTIES

(1) [...] the State Board of Forestry shall adopt, in accordance with applicable provisions of ORS chapter 183, rules to be administered by the State Forester establishing standards for forest practices in each region or subregion.

(2) The rules shall ensure the continuous growing and harvesting of forest tree species. Consistent with ORS 527.630 (Policy), the rules shall provide for the overall maintenance of the following resources: [...]

- (d) Fish and wildlife.

DUTIES AND POWERS OF BOARD

ORS 527.710(3)(a) – DUTY TO INVENTORY RESOURCE SITES

(3)(a) In addition to its rulemaking responsibilities under subsection (2) of this section, the board shall collect and analyze the best available information and establish inventories of the following resource sites needing protection:

- **(A)** Threatened and endangered fish and wildlife species identified on lists that are adopted, by rule, by the State Fish and Wildlife Commission or are federally listed under the Endangered Species Act of 1973 as amended;

DUTIES AND POWERS OF BOARD

ORS 527.710(3)(b) – DUTY TO IDENTIFY CONFLICTS BETWEEN RESOURCE SITES AND FOREST PRACTICES

(3)(b) The board shall determine whether forest practices would conflict with resource sites in the inventories required by paragraph (a) of this subsection. If the board determines that one or more forest practices would conflict with resource sites in the inventory, the board shall consider the consequences of the conflicting uses and determine appropriate levels of protection.

DUTIES AND POWERS OF BOARD

ORS 527.710(3)(c) – DUTY TO ADOPT RULES TO PROTECT RESOURCE SITES

(3)(c) Based upon the analysis required by paragraph (b) of this subsection, and consistent with the policies of ORS 527.630 (Policy), the board shall adopt rules appropriate to protect resource sites in the inventories **required** by paragraph (a) of this subsection.

ORS 183.490 – AGENCY MAY BE COMPELLED TO ACT

The court may, upon petition as described in ORS 183.484 (Jurisdiction for review of orders other than contested cases), compel an agency to act where it has **unlawfully refused to act or make a decision or unreasonably delayed taking action or making a decision.**

ORS 527.630 – POLICY

(I) Forests make a vital contribution to Oregon by providing jobs, products, tax base and other social and economic benefits, by helping to maintain forest tree species, soil, air and water resources and by providing a habitat for wildlife and aquatic life. Therefore, it is declared to be the public policy of the State of Oregon to encourage economically efficient forest practices that ensure the continuous growing and harvesting of forest tree species and the maintenance of forestland for such purposes as the leading use on privately owned land, consistent with sound management of soil, air, water, fish and wildlife resources and scenic resources within visually sensitive corridors as provided in [ORS 527.755](#) and to ensure the continuous benefits of those resources for future generations of Oregonians.

ORS 527.630 – POLICY

(2) It is recognized that operations on forestland are already subject to other laws and to regulations of other agencies which deal primarily with consequences of such operations rather than the manner in which operations are conducted. It is further recognized that it is essential to avoid uncertainty and confusion in enforcement and implementation of such laws and regulations and in planning and carrying out operations on forestlands.

(3) To encourage forest practices implementing the policy of ORS 527.610 to 527.770 and 527.990 and 527.992, it is declared to be in the public interest to vest in the State Board of Forestry exclusive authority to develop and enforce statewide and regional rules pursuant to ORS 527.710 and to coordinate with other state agencies and local governments which are concerned with the forest environment.

OREGON ADMINISTRATIVE RULES



OREGON DEPARTMENT OF FORESTRY

- Chapter 629; Division 680
- **OAR 629-680-0000 to 0430 – Resource Site Inventory and Protection Process Rules**

RESOURCE SITE INVENTORY AND PROTECTION PROCESS RULES

629-680-0000 Purpose

629-680-0010 Definitions

629-680-0020 Resource Site Defined for the Purpose of a Hearing



629-680-0030 Reporting

629-680-0100 Process for Board Evaluation of Threatened and Endangered Fish and Wildlife Species that Use Resource Sites that Are Sensitive to Forest Practices

629-680-0200 Process for Board Listing and De-listing Species that Use Sensitive Bird Nesting, Roosting, and Watering Sites

629-680-0210 Criteria to Identify Sensitive Bird Nesting, Roosting, and Watering Sites



629-680-0220 Process for Determining Forest Practices Conflicts and Consequences; Protection Requirements for the Resource Site

629-680-0300 Purpose

629-680-0310 Significant Wetland Types

629-680-0400 Definition

629-680-0410 Protection Goal for Biological Sites



629-680-0420 Process to Inventory a Biological Site

629-680-0430 Biological Sites Criteria