



Private Forest Accord Rulemaking: Notification of Completion & Compliance Monitoring Program

Summary:

Proposed changes to the Notification of Completion rule support the newly proposed Compliance Monitoring Program under Division 678.

Notification of Completion:

This proposed rule will improve the Compliance Monitoring Program by providing information on the completion of forest operation activities. Landowners are required to report completed activities to the State Forester after submitting an initial notification. This change would modify OAR 629-605-0150: Notification to the State Forester – When, Where, and How.

Using the E-notification system or other methods Landowners will need to notify the State Forester of completed activities at:

- The end of the calendar year the notification was submitted, or
- The end of the following calendar year for notifications that continue into the following calendar year.

When reported, they will need to do so on each activity for which they have notified.

Compliance Monitoring Program:

A new rule division has been created for the draft Compliance Monitoring Program rules.

The purpose of the monitoring program is to assess rule compliance and report findings to the Board of Forestry, legislature, and federal services. It also identifies training protocols that need improvement, enhances public trust, and ensures rule compliance. Monitoring may be conducted by the department with department staff, or contractors.

The new proposed program requires increased statistical rigor compared to past efforts with statistician involvement in study design and analysis. The program will also prioritize the draft rules for water protection, harvesting on steep slopes, and forest road construction and maintenance.

The program will be supported by a stakeholder group with rules-monitoring expertise. The stakeholder group will include representatives from the department, landowners, tribes, public and other interested parties.

The program will also contribute compliance information to inform several reports: an annual public report on the Habitat Conservation Plan performance; every two years a summarized compliance audit results and progress report of ongoing compliance monitoring efforts; and every eight years an aggregate cumulative report that includes compliance trends.

Changes to Compliance Monitoring Access:

Forest landowners shall accommodate access for compliance monitoring. The State Forester may petition the circuit court with jurisdiction over the forestland for a warrant authorizing access to conduct compliance monitoring.

Landowners will be notified before monitoring occurs and will be provided the opportunity to be present or have a representative present.

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