

Forest Practices Act Rules FAQs



General, Division 605

When do the rules go into effect, specifically for landowners that will qualify as small forestland owners.

The new rules for fish stream buffers start July 1, 2023, based on two conditions:

- Forestland owners with 5,000 acres or more of forestland, and
- Forestland owners submit a notification of operation to the State Forester on or after July 1, 2023.

All landowners will be required to follow the new rules starting Jan. 1, 2024.

How will the new rules impact small landowners financially?

The new rules allow for potential unequal economic impact for small forestland owners.

For example, there are some different rules, such as:

- Alternative vegetation retention prescriptions
- A forest conservation tax credit for streamside areas
- Financial assistance for eligible road repair projects

When will training for the new rules take place?

Training will begin in Spring 2023.

Adaptive Management, Division 603

What is Adaptive Management?

Adaptive management is flexible decision making. It can be adjusted in the face of uncertainties as outcomes from management actions and other events become better understood. The purpose of the adaptive management framework in the FPA is to provide science-based recommendations and technical information. This is to assist the Board in determining if and when it is necessary or advisable to adjust rules, guidance, and training programs to achieve resource goals and objectives identified in the Habitat Conservation Plan (HCP).

What is the Adaptive Management Program (AMP)?

The AMP is comprised of the AMP Committee (AMPC), Independent Research and Science Team (IRST), and the Program Coordinator. The AMPC includes stakeholders from a wide range of interest areas. They set the research agenda to assess if rules need adjustment, if training is required, etc. This is based on IRST study results and they make recommendations to the Board. The IRST applies science to answer the policy questions put forth by the AMPC. This team will include one member each from a public institution, the timber industry, and a conservation group. The members are subject matter experts with graduate degrees in natural resources disciplines such as forestry, fisheries, and ecology.



How does the public participate in decisions made by the Board of Forestry?

The public may make public comments at Board of Forestry's public meetings.

In addition to existing committees, two new committees will advise the Board. These are the Adaptive Management Program Committee (AMPC) and the Independent Research and Science Team (IRST).

Road Construction and Inventory, Division 625

What does minimizing hydrologic connectivity mean?

Minimizing hydrologic connectivity means using best management practices to reduce potential sediment delivery to waters of the state. Hydrologic connectivity varies by factors such as road and drainage locations, slopes, soil types, vegetation, and other potential site-specific factors.

What are the Forest Road Inventory and Assessment (FRIA) requirements?

FRIA is a 20-year process required for large forestland owners to identify and correct road related issues. The first five-years are the inventory phase of the landowner's road network inventory. Years five through 20 are the implementation phase the landowner takes actions to complete the necessary improvements.

What is the Road Condition Assessment requirement for Small Forestland Owners?

Small forestland owners will be required to submit a Road Condition Assessment when notifying ODF for any timber harvest operations.

Compliance Monitoring, Division 678

What are the new requirements for reporting the completion of an operation?

To aid in compliance monitoring, landowners are required to report completed activities under their current notification of operation to the State Forester. Reporting will use the E-notification system or other methods.

Streams, Division 635 and 643

What are the new stream buffer widths?

The stream buffer widths are described in Division 643 of the rules.

The stream buffer widths vary by stream size and the stream type.

What is the process to identify perennial streams?

The department will determine perennial (year-round) stream flow in two phases:

- Phase One – Perennial streams will be field identified during harvest planning, regardless of whether the map information depicts end of perennial flow. Operators will use an 'operational field survey.'
- Phase Two – The Oregon Department of Fish & Wildlife will develop a comprehensive model to determine end of perennial stream flow. The model will rely on high-resolution LiDAR and field observations on stream flow. It will be done on or before July 1, 2025. Landowners may request a field review by the department of the modeled outputs.



How are the rules applied if a landowner’s harvest operation includes the riparian management area of a stream located on the adjacent property?

The landowner harvesting the timber will have to apply the RMA stream rules for the portion of the RMA on their property. Measurements can include all trees within the RMA, regardless of ownership.

Small Forestland Owners, Division 607

Will a Small Forestland Owner be required to replace stream crossings that don’t meet the new standards?

A small forestland owner will be required to replace stream crossings that are approved for state funding through the Small Forestland Investment in Stream Habitat Program and culverts with imminent risk of failure.

Who owns the trees within the streamside Forest Conservation Area when the department issues a Forest Conservation Tax Credit?

The current landowner owns the trees within the conservation area for the 50-year conservation period required with the tax credit. Landowners should consult with the department prior to removing trees from the Forest Conservation Area.

What assistance can a landowner receive from ODF to identify tree retention areas on steep slopes?

ODF will assist landowners in identifying designated debris flow traversal areas.

Forestland that is managed under the small forestland owner minimum option would not be required to follow the rules for designated sediment source areas or rules for slope retention areas.

References:

Private Forest Accord Report, February 2022, ODF webpage

Forest Practices Rules, December 2022, ODF webpage

All Landowners

Harvesting on steep slopes requires a written plan and wildlife leave trees may count in these areas.

Small Forestland Owners

ODF will assist landowners in identifying designated debris flow traversal areas. Forestland that is managed under the small forestland owner minimum option would not be required to follow the rules for designated sediment source areas or slope retention areas.

