



January 30, 2022

Oregon Department of Forestry – 2022 Report on Agency Rulemaking for Chapter 629 (HB 4106)

House Bill 4106 (2016) requires state agencies to report annually to the Legislative Assembly on their rulemaking actions, both permanent and temporary.

In 2022, the Oregon Department of Forestry (ODF) processed seven permanent rulemaking filings that adopted, amended, or repealed a total of 135 administrative rules. Table 1 provides additional detail on those rulemaking processes, actions taken, and rule numbers filed. The Department did not promulgate temporary rules in 2022 (Table 2).

Table 1: Permanent rules adopted, amended, or repealed in 2022

Permanent Oregon Administrative Rules Adopted, Amended, or Repealed in 2022		
Description of rulemaking	Action taken	Rule numbers
<p>81st Legislative Session enrolled Senate Bill 762, requiring the department to establish a definition of the wildland-urban interface, and subsequent rulemaking actions followed in 2022. As part of this rule package, the Wildfire Risk Mapping and Wildland-Urban Interface identification criteria were formed through administrative rules.</p> <p>Notice Filed: 03/28/2022 Agency Approved: 06/08/2022 Effective: 06/14/2022 Order: DOF 1-2022</p>	<p>Adopted</p>	<p>629-044-1011 629-044-1016 629-044-1021 629-044-1031 629-044-1036 629-044-1041 629-045-1025</p>
	<p>Amended</p>	<p>629-044-1000 629-044-1005</p>
<p>The department amended this rule to correct a numbering error from order DOF 1-2022 and assign it to division 044 in Chapter 629.</p> <p>Agency Approved: 06/08/2022 Effective: 06/24/2022 Order: DOF 3-2022</p>	<p>Amended 629-045-1025</p>	<p>To 629-044-1026</p>
<p>The department took subsequent rulemaking action as part of the Senate Bill 762 enrollment. As part of this rule package, the rule on cross-boundary prescribed fire enforcement was amended to clarify operation area fire prevention.</p> <p>Notice Filed: 01/21/2022 Agency Approved: 04/27/2022 Effective: 06/15/2022 Order: DOF 2-2022</p>	<p>Amended</p>	<p>629-043-0026</p>

Permanent Oregon Administrative Rules Adopted, Amended, or Repealed in 2022		
Description of rulemaking	Action taken	Rule numbers
<p>81st Legislative Session enrolled Senate Bills 1501 and 1502, requiring the department to complete a consolidated rulemaking process under a single rule package to achieve several rule actions consistent with the requirements of the Private Forest Accord Report, published February 7, 2022, and to adhere to the legislatively prescribed effective dates.</p> <p>Under the single rule package, 109 administrative rules were noticed as an adoption, amendment, or repeal due to the presiding statutes established with the enrollment of Senate bills 1501 and 1502. The department filed these rules based on their effective dates, within three permanent administrative orders: DOF 4-2022, DOF 5-2022, and DOF 7-2022.</p> <p>Notice Filed: 08/29/2022 Agency Approved: 10/26/2022 Effective dates are listed with corresponding permanent administrative orders.</p>		
Effective: 11/15/2022 Order: DOF 4-2022 12 rule actions	Adopted	629-603-0000 629-603-0100 629-603-0130 629-603-0160 629-603-0200 629-603-0300 629-603-0400 629-603-0450 629-603-0500 629-603-0600
	Amended	629-610-0100
	Repealed	629-635-0110
Effective: 07/01/2023 Order: DOF 5-2022 15 rule actions	Adopted	629-630-0915 629-643-0100 629-643-0120 629-670-0225 629-670-0228
	Amended	629-605-0170 629-670-0000 629-670-0010 629-670-0100 629-670-0200 629-670-0210 629-670-0214 629-670-0350 629-672-0100 629-672-0200

Permanent Oregon Administrative Rules Adopted, Amended, or Repealed in 2022		
Description of rulemaking	Action taken	Rule numbers
Effective: 01/01/2024 Order: DOF 7-2022 82 rule actions	Adopted	629-607-0000
		629-607-0100
		629-607-0200
		629-607-0250
		629-607-0300
		629-607-0400
		629-607-0450
		629-607-0500
		629-607-0600
		629-607-0700
		629-607-0750
		629-607-0800
		629-625-0800
		629-625-0900
		629-625-0910
		629-625-0920
		629-630-0900
		629-630-0905
		629-630-0910
		629-630-0920
		629-630-0925
		629-643-0000
		629-643-0105
		629-643-0125
		629-643-0130
		629-643-0135
		629-643-0140
		629-643-0141
		629-643-0142
		629-643-0143
		629-643-0145
		629-643-0150
		629-643-0200
629-643-0300		
629-643-0400		
629-643-0500		
629-678-0000		
629-678-0100		
629-678-0110		
629-678-0200		
	Amended	629-600-0100

Permanent Oregon Administrative Rules Adopted, Amended, or Repealed in 2022				
Description of rulemaking	Action taken	Rule numbers		
Effective: 01/01/2024 Order: DOF 7-2022 Continued	Amended continued	629-605-0150		
		629-625-0000		
		629-625-0100		
		629-625-0200		
		629-625-0300		
		629-625-0310		
		629-625-0320		
		629-625-0330		
		629-625-0410		
		629-625-0440		
		629-625-0600		
		629-625-0650		
		629-625-0700		
		629-630-0000		
		629-630-0150		
		629-630-0300		
		629-630-0500		
		629-630-0600		
		629-630-0700		
		629-630-0800		
		629-635-0100		
		629-635-0200		
		629-635-0210		
		629-635-0220		
		629-635-0300		
		629-635-0310		
		629-655-0000		
			Repealed	629-625-0340
				629-625-0420
				629-625-0430
			629-642-0000	
			629-642-0100	
		629-642-0105		
		629-642-0110		
		629-642-0200		
		629-642-0300		
		629-642-0400		
		629-642-0500		
		629-642-0600		
		629-642-0700		
		629-642-0800		

Permanent Oregon Administrative Rules Adopted, Amended, or Repealed in 2022		
Description of rulemaking	Action taken	Rule numbers
<p>The department revised the Central Oregon Forest Protection District boundary to correct the legal description of the protection boundary.</p> <p>Notice Filed: 05/27/2022 Agency Approved: 09/07/2022 Effective: 11/15/2022 Order: DOF 6-2022</p>	Amended	629-041-0515
<p>81st Legislative Session enrolled Senate Bill 762 also required the department to establish a Certified Burn Manager program. The adopted rule establishes the purpose, definition, and intent of the program. Additionally, forms the requirements for the program’s certification, application, training, and test procedures. Outlines the investigation and revocation of certification, with what activities and actions are prohibited for certified burn managers and landowners; limitations of certification; establishment of an advisory committee, and training provider requirements.</p> <p>Notice Filed: 07/21/2022 Agency Approved: 11/16/2022 Effective: 11/30/2022 Order: DOF 8-2022</p>	Adopted	629-042-1000 629-042-1005 629-042-1010 629-042-1015 629-042-1020 629-042-1025 629-042-1030 629-042-1035 629-042-1040 629-042-1045 629-042-1050 629-042-1055 629-042-1060 629-042-1065 629-042-1070

Table 2: Temporary rules adopted, amended, or repealed in 2022

Temporary Oregon Administrative Rules Adopted, Amended, or Repealed in 2022		
Description of rulemaking	Action taken	Rule numbers
Department of Forestry did not process temporary rules in 2022.	n/a	n/a

c: Brett Hanes, Legislative Administrator
 Oregon State Legislative Administration Office