
PINCHOT INSTITUTE FOR CONSERVATION

Oregon Forestlands and the Programme for the Endorsement of Forest Certification (PEFC): An Assessment of the Process & Basis for Eligibility

Appendix 7.3--Reference Matrix

The following matrix cross-references topics addressed by the Montreal Criteria and Indicators (C&I), the Pan-European Operational Level Guidelines (PEOLG), and documented requirements for management practices on state, federal, and private lands in Oregon. The matrix is ordered according to the C&I framework, with additional subtopics added to encompass issues addressed by certification programs in North America.

The PEOLG define the scope of forest practices requirements for a PEFC-endorsable certification program (*see* Appendix 7.1). The PEOLG were originally developed to encompass the economic, environmental and social aspects of sustainable forest management defined by the Ministerial Conference on the Protection of Forests in Europe (MCPFE), which is the European version of the Montreal Process C&I. No operational level guidelines have been developed for the Montreal C&I.

Requirements for forest management practices on private, state, and federal lands (Forest Service) are displayed for each of the category. The matrix cross-references how different forestland bases in Oregon address particular management concern. The reference matrix was used to rate conformance relative to the PEOLG, but can also be used for developing a certification standard framed within the Montreal Criteria and Indicators.

Several types of source documents are cited for each of the three land types, including:

For private forestlands the analysis references:

- State statutes and administrative rules (especially the Oregon Forest Practices Act);
- Voluntary programs for which Oregon landowners are eligible

For the State Forests the analysis references:

- State statutes and administrative rules; and,
- The Forestry Program for Oregon.

For the Forest Service the analysis references:

- Federal statutes;
- The Forest Service Manual and handbooks;
- The Land Resource Management Plan (LRMP, or forest plan, or plan)
- Assessments (e.g. FEIS) supporting the plans (e.g. for interpretation);
- Regional management direction (significantly affecting management, e.g. Northwest Forest Plan.)

Appendix 7.2 Table—Reference Matrix.

	Categories of Evaluation	Pan-European Operational Level Guidelines (PEOLG)	OR Statutes/ Administrative Rules/ Programs for Forest Management (voluntary and mandatory)	Oregon State Forest Lands	Relevant Laws & Regulations Governing the Management of National Forests in Oregon (includes The Northwest Forest Plan)
1	(C&I) 1: Conservation of Biological Diversity				
1.1	(C&I) 1.1: Species Diversity				
1.1.1	Important Species	<div><div><input type="checkbox"/> 2.1.a. Adequate . . . species . . . diversity should be encouraged . . .to enhance stability, vitality and resistance capacity of the forests to adverse environmental factors and strengthen natural regulation mechanisms.</div><div><input type="checkbox"/> 4.1.b. Forest management planning and terrestrial inventory and mapping of forest resources. . . areas containing endemic species and habitats of threatened species, as defined in recognised reference lists. . .</div><div><input type="checkbox"/> 4.2.f. Infrastructure should be planned and constructed in a way . . .that takes threatened or other key species - in particular their</div></div>	<p>ORS 527.710 Duties and powers of board; rules; inventory for resource protection; consultation with other agencies required . . .(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</p> <p>Board of Forestry also has responsibility under ORS 527.710 B&C which requires them to determine if conflict with resource site protection exists, determine appropriate levels of protection and adopt rules to protect sites.</p> <p>OAR 629-605-0105. Notice of Federal Endangered Species Act. Compliance with the forest practices rules does not substitute for or ensure compliance with the federal Endangered Species Act. Nothing in these rules imposes any state requirement to comply with the federal Endangered Species Act. Landowners and operators are advised that federal law prohibits a person from taking certain threatened or endangered species which are protected under the Endangered Species Act.</p> <p>OAR 629-605-0180</p> <p>Interim Process for Protecting Sensitive Resource Sites Requiring Written Plans (1) Protection practices for sites requiring written plans under OAR 629-605-0170(1)(b) or (d) shall be determined for each site as follows: (a) The State Forester shall notify the operator and landowner of the presence of a site</p>	<p>629-035-0030 (B) Manage forest conditions to result in a high probability of maintaining and restoring properly functioning aquatic habitats for salmonids, and other native fish and aquatic life, and protecting, maintaining, and enhancing native wildlife habitats, recognizing that forests are dynamic and that the quantity and quality of habitats for species will change geographically and over time.</p> <p>OAR 629-035—0020 1(a),(b), (c) & 2 (a), (b), (c)</p> <p>OAR 629-035—0010 (6)</p> <p>OAR 629-035-0055 3 (b)& (c), 7 (b& f)</p>	<p>16 U.S.C. §1536 (a)(1) all federal agencies must carryout programs for the conservation of the listed species.</p> <p>16 USC 1604 (B) provide for diversity of plant and animal communities based on the suitability and capability of the specific land area in order to meet overall multiple-use objectives, and within the multiple-use objectives of a land management plan adopted pursuant to this section, provide, where appropriate, to the degree practicable, for steps to be taken to preserve the diversity of tree species similar to that existing in the region controlled by the plan (RPA 1974)</p> <p>ESA 16 U.S.C. §1533, applies in cases where an endangered species depends on certain types of forest and forest habitat.</p> <p>FSM 2670.31.1. Place top priority on conservation and recovery of endangered, threatened, and proposed species and their habitats through relevant National Forest System, State and Private Forestry, and Research activities and programs.¹</p> <p>FSM 2670.31.3. Through the biological evaluation process, review actions and programs authorized,</p>

¹ ESA SEC. 7.a. (1) . . .All Federal agencies shall, in consultation with and with the assistance of the Secretary, utilize their authorities in furtherance of the purposes of this Act by carrying out programs for the conservation of endangered species and threatened species listed pursuant to section 4 of this Act. (2) Each Federal agency shall, in consultation with and with the assistance of the Secretary, insure that any action authorized, funded, or carried out by such agency (hereinafter in this section referred to as an "agency action") is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with affected States, to be critical, unless such agency has been granted an exemption for such action by the Committee pursuant to subsection (h) of this section. In fulfilling the requirements of this paragraph each agency shall use the best scientific and commercial data available. (3) Subject to such guidelines as the Secretary may establish, a Federal agency shall consult with the Secretary on any prospective agency action at the request of, and in cooperation with, the prospective permit or license applicant if the applicant has reason to believe that an endangered species or a threatened species may be present in the area affected by his project and that implementation of such action will likely affect such species. (4) Each Federal agency shall confer with the Secretary on any agency action which is likely to jeopardize the continued existence of any species proposed to be listed under section 4 or result in the destruction or adverse modification of critical habitat proposed to be designated for such species. This paragraph does not require a limitation on the commitment of resources as described in subsection (d).

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	migration patterns - into consideration.	<p>requiring a written plan, and request their input into the decision making process. (b) The State Forester shall, when practical, inspect the proposed operation with the landowner or landowner's representative, the operator, and the appropriate representative of the Department of Fish and Wildlife. The State Forester shall then determine if the proposed forest practice is in conflict with the protection of the sensitive resource site. (c) If planned forest practices are determined to conflict with protection of the sensitive resource site, the written plan must describe reasonable measures sufficient to resolve the conflict in favor of the resource site. Reasonable measures to resolve the conflict in favor of the resource site may include but are not limited to preparing and implementing a habitat management plan, obtaining approval of a plan for an alternate practice, limiting the timing of forest practices, redesigning the proposed practices in favor of site protection and excluding the forest activities outright. (d) If planned forest practices are determined not to conflict with protection of the sensitive resource site, the written plan shall describe how the operation will be conducted in compliance with existing forest practice rules. No additional protection measures shall be required.</p> <p>OAR 629-605-0190</p> <p>Written Plans for Operations Near Critical, Threatened, or Endangered Wildlife Habitat Sites</p> <p>Operators must submit a written plan to the State Forester before operating near or within: (1) Critical wildlife or aquatic habitat sites that are listed in a 1984 cooperative agreement between the Board of Forestry and the Fish and Wildlife Commission or sites designated by the State Forester; or (2) Habitat sites of any wildlife or aquatic species classified by the Department of Fish and Wildlife as threatened or endangered.</p>		<p>funded, or carried out by the Forest Service to determine their potential for effect on threatened and endangered species and species proposed for listing.</p> <p>FSM 2670.31.4. Avoid all adverse impacts on threatened and endangered species and their habitats except when it is possible to compensate adverse effects totally through alternatives identified in a biological opinion rendered by the FWS; when an exemption has been granted under the act; or when the FWS biological opinion recognizes an incidental taking. Avoid adverse impacts on species proposed for listing during the conference period and while their Federal status is being determined.</p> <p>FSM 2670.31.5. Initiate consultation or conference with the FWS or NMFS, when the Forest Service determines that proposed activities may have an effect on threatened or endangered species; is likely to jeopardize the continued existence of a proposed species; or result in the destruction or adverse modification of critical or proposed critical habitat.</p> <p>FSM 2670.32.2. As part of the National Environmental Policy Act process, review programs and activities, through a biological evaluation, to determine their potential effect on sensitive species.</p> <p>FSM 2670.32.3. Avoid or minimize impacts to species whose viability has been identified as a concern.</p> <p>FSM 2670.32.4. If impacts cannot be avoided, analyze the significance of potential adverse effects on the population or its habitat within the area of concern and on the species as a whole. (The line officer, with project approval authority, makes the decision to allow or disallow impact, but the decision must not result in loss of species viability or create significant trends toward Federal listing.)</p>

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				<p>FSM 2672.1 Sensitive species of native plant and animal species must receive special management emphasis to ensure their viability and to preclude trends toward endangerment that would result in the need for Federal listing. There must be no impacts to sensitive species without an analysis of the significance of adverse effects on the populations, its habitat, and on the viability of the species as a whole. It is essential to establish population viability objectives when making decisions that would significantly reduce sensitive species numbers.</p> <p>FSM 2672.21 The Secretaries of the Interior and Commerce must develop and implement recovery plans for the conservation and survival of endangered and threatened species, unless such a plan would not promote the conservation of the species.</p> <p>FSM 2670.31.6. Identify and prescribe measures to prevent adverse modification or destruction of critical habitat and other habitats essential for the conservation of endangered, threatened, and proposed species. Protect individual organisms or populations from harm or harassment as appropriate.</p> <p>16 U.S.C 1601 Section 6 (g) As soon as practicable. . . the Secretary shall . . . promulgate regulations, under the principles of the Multiple-Use Sustained-Yield Act of 1960, that set out the process for the development and revision of the land management plans, and the guidelines and standards prescribed by this subsection. The regulations shall include, but not be limited to. . . (3) specifying guidelines for land management plans developed to achieve the goals of the Program which . . . (B) provide for diversity of plant and animal communities based on the suitability and capability of the specific land area in order to meet overall multiple-use objectives, and within the multiple-use objectives of</p>

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					<p>a land management plan adopted pursuant to this section, provide, where appropriate, to the degree practicable, for steps to be taken to preserve the diversity of tree species similar to that existing in the region controlled by the plan; (i) Plan decisions affecting species diversity must provide for ecological conditions that the responsible official determines provide a high likelihood that those conditions are capable of supporting over time the viability of native and desired non- native species well distributed throughout their ranges within the plan area.</p> <p>[NWFP] Habitat is managed for the northern spotted owl, pileated woodpecker, pine marten, and other wildlife species represented by the named management indicator species.</p> <p>[NWFP] Species management guides shall be prepared, in accordance with Northwest Region species recovery plans, to address the effects of land management activities and identify opportunities to maintain or enhance habitat for plant and animal species which may frequently conflict with management practices.</p>
1.2	(C&IM) 1.2: Genetic Diversity				
1.2.1	Genetic Diversity	<div><input type="checkbox"/> 2.2.a. . . . Adequate genetic, species and structural diversity should be encouraged and/or maintained to enhance stability, vitality and resistance capacity of the forests to adverse environmental factors and strengthen natural regulation mechanisms.</div> <div><input type="checkbox"/> 4.1.a. Forest management planning should</div>		<p>629-035-0030 State Forest management plans shall include strategies for conserving and maintaining genetic diversity of forest tree species.</p> <p>OAR 629-035-0030. (3) The State Forester shall be guided by the following stewardship principles in developing and implementing Forest Management Plans: (a) The plans shall include strategies that provide for actively managing forest land in the planning area. (b) The plans shall include strategies that: (A) Contribute to biological diversity of forest stand types and structures at the landscape level and over time: (i) through</p>	<p>FSM 2475.03 (2.) Apply genetic principles to all silvicultural prescriptions. Design silvicultural operations to upgrade the genetic quality of stands by leaving the best phenotypes.</p>

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	<p>aim to maintain, conserve and enhance biodiversity on ecosystem, species and genetic level and, where appropriate, diversity at landscape level</p> <p><input type="checkbox"/> 4.1.b. Forest management planning and terrestrial inventory and mapping of forest resources should include ecologically important forest biotopes, taking into account protected, rare, sensitive or representative forest ecosystems such as riparian areas and wetland biotopes, areas containing endemic species and habitats of threatened species, as defined in recognised reference lists, as well as endangered or protected genetic in situ resources.</p> <p><input type="checkbox"/> 4.2.b. For reforestation and afforestation, origins of native species and local provenances that are well adapted to site conditions should be preferred, where appropriate. Only those introduced species, provenances or varieties should be used whose impacts on the ecosystem and on the genetic integrity of</p>		<p>application of silvicultural techniques that provide a variety of forest conditions and resources; and (ii) through conserving and maintaining genetic diversity of forest tree species.</p> <p>OAR 629-035-0030. (C) Provide for healthy forests by: (ii) utilizing appropriate genetic sources of forest tree seed and tree species in regeneration programs.</p>	

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		native species and local provenances have been evaluated, and if negative impacts can be avoided or minimised.			
1.3.1	Biological\ Ecosystem Diversity	<div><div><input type="checkbox"/> 2.2.a. . . . Adequate genetic, species and structural diversity should be encouraged and/or maintained to enhance stability, vitality and resistance capacity of the forests to adverse environmental factors and strengthen natural regulation mechanisms.</div><div><input type="checkbox"/> 4.1.a. Forest management planning should aim to maintain, conserve and enhance biodiversity on ecosystem, species and genetic level and, where appropriate, diversity at landscape level.</div></div>	<p>ORS 527.710 Duties and powers of board; rules; inventory for resource protection; consultation with other agencies required. Statute does not specifically mention biological diversity, but identification and protection of special resource sites required across the landscape will have this effect.</p> <p><i>From FPFO 2003:</i></p> <p>E.2. Following completion of the assessment, and within the broader context of continuing to meet Oregon's environmental, economic, and social needs, the board will collaborate with other agencies, universities, organizations, and landowners to promote development of a coordinated, statewide Oregon native plant and animal conservation policy addressing all land uses and ownership classes.</p> <p>E.3. The board will promote a variety of nonregulatory tools, such as landowner recognition, incentives, easements, exchanges, and technical assistance, to help implement the state native plant and animal habitat conservation policy. (KEY ACTION)</p> <p>E.5. The board will evaluate and develop state forest policies in the context of the diverse roles and management objectives of Oregon's public and private forest landowners, along with other land uses, to sustain the state's natural heritage of native plant and animal species and communities.</p> <p>F.2. The board will promote forest landscape conditions that are resilient to natural disturbances, reducing the adverse environmental impacts and losses of forest resources to wildfire, insects, diseases and other agents in a cost-effective, environmentally, and socially acceptable manner.</p>	<p>629-035-0030. (3) The State Forester shall be guided by the following stewardship principles in developing and implementing Forest Management Plans: (a) The plans shall include strategies that provide for actively managing forest land in the planning area. (b) The plans shall include strategies that: (A) Contribute to biological diversity of forest stand types and structures at the landscape level and over time: (i) through application of silvicultural techniques that provide a variety of forest conditions and resources; and (ii) through conserving and maintaining genetic diversity of forest tree species</p> <p><i>From FPFO 2003:</i> E.4. The board will support continued active management of Oregon's state forests through the use of structure-based management combined with ongoing science-based implementation monitoring and evaluation. (KEY ACTION).</p>	<p>The NWFP, NFPA, and other federal land management documents and rules are driven by conserving and restoring natural ecosystems and having a healthy fabric of them across the landscape.</p>
2.0	(C&I) 2: Maintenance of Productive Capacity of Forest Ecosystems				
2.1	Ecological Function/Long Term Ecosystem Productivity	<div><input type="checkbox"/> 2.1.a. Forest management planning should aim to maintain and increase the health and vitality of forest ecosystems and to rehabilitate</div>	<p>ORS 527.676 Leaving snags and downed logs in harvest type 2 or 3 units; green trees to be left near certain streams.</p> <p>(1) In order to contribute to the overall maintenance of wildlife, nutrient cycling, moisture retention and other resource benefits of retained wood, . . .when a harvest type 2 unit exceeding 25 acres or harvest type 3 unit exceeding 25</p>	<p>29-035-0020 Greatest Permanent Value (1) As provided in ORS 530.050, "greatest permanent value" means healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social, economic,</p>	<p>36 CFR 219.20 Sec. 219.20 To achieve ecological sustainability, the responsible official must ensure that plans provide for maintenance or restoration of ecosystems at appropriate spatial and temporal scales determined by the responsible official.</p>

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	<p>degraded forest ecosystems, whenever this is possible by silvicultural means.</p> <p><input type="checkbox"/> 2.2.a. Forest management practices should make best use of natural structures and processes and use preventive biological measures wherever and as far as economically feasible to maintain and enhance the health and vitality of forests. Adequate genetic, species and structural diversity should be encouraged and/or maintained to enhance stability, vitality and resistance capacity of the forests to adverse environmental factors and strengthen natural regulation mechanisms.</p> <p><input type="checkbox"/> 4.2.e. Tending and harvesting operations should be conducted in a way that do not cause lasting damage to ecosystems. Wherever possible, practical measures should be taken to improve or maintain biological diversity.</p> <p><input type="checkbox"/> 4.2.g. With due regard to management objectives, measures should be taken to balance the pressure of animal populations and grazing on forest regeneration and growth as well as on</p>	<p>acres occurs the operator shall leave on average, per acre harvested, at least: (a) Two snags or two green trees at least 30 feet in height and 11 inches DBH or larger, at least 50 percent of which are conifers; and, (b) Two downed logs or downed trees, at least 50 percent of which are conifers, that each comprise at least 10 cubic feet gross volume and are no less than six feet long. One downed conifer or suitable hardwood log of at least 20 cubic feet gross volume and no less than six feet long may count as two logs.</p> <p>Prompt regeneration with ecologically suitable species is required after harvests that reduce the stocking below the FPA standard by ORS 527.765</p> <p>ORS 527.765 Best management practices to maintain water quality; rules. (1) The State Board of Forestry shall establish best management practices and other rules applying to forest practices as necessary to insure that to the maximum extent practicable nonpoint source discharges of pollutants resulting from forest operations on forestlands do not impair the achievement and maintenance of water quality standards established by the Environmental Quality Commission for the waters of the state. Such best management practices shall consist of forest practices rules adopted to prevent or reduce pollution of waters of the state.</p>	<p>and environmental benefits to the people of Oregon. These benefits include, but are not limited to: (a) Sustainable and predictable production of forest products that generate revenues for the benefit of the state, counties, and local taxing districts; (b) Properly functioning aquatic habitats for salmonids, and other native fish and aquatic life; (c) Habitats for native wildlife; (d) Productive soil, and clean air and water; (e) Protection against floods and erosion; and (f) Recreation.</p> <p>OAR 629-035-0030 (B) Manage forest conditions to result in a high probability of maintaining and restoring properly functioning aquatic habitats for salmonids, and other native fish and aquatic life, and protecting, maintaining, and enhancing native wildlife habitats, recognizing that forests are dynamic and that the quantity and quality of habitats for species will change geographically and over time. (C) Provide for healthy forests by: (i) managing forest insects and diseases through an integrated pest management approach. . . (ii) utilizing appropriate genetic sources of forest tree seed and tree species in regeneration programs. (e) Comply with all applicable provisions of ORS 496.171 to 496.192 and 16 USC § 1531 to 1543 (1982 & supp 1997) concerning state and federally listed threatened and endangered species. . . (c) The plans shall include strategies that maintain and enhance forest productivity by: (A) Producing sustainable levels of timber consistent with protecting, maintaining, and enhancing other forest resources. (B) Applying management practices to enhance timber yield and value, while contributing to the development of a diversity of habitats for maintaining salmonids and other native fish and wildlife species.</p>	<p>FSH 2090.11 Use ecosystem classifications to establish ecological types and ecological units. Regional Foresters may establish hierarchical systems to help array and coordinate the classification of ecological types and ecological units and to make comparisons.</p> <p>FSH 2090.11 (1.1) Characterize the ecological type by any distinguishing attributes which will differentiate it from other ecological types, or which reflect significant differences in management implications. Use the following components as appropriate: (1.) Vegetation; (2.) Soils; (3.) Topographic Features (elevation, slope gradient and aspect); (4.) Water; (5.) Climate; and (6.), Geology (stratigraphy, lithology and landform). Ecosystem components may be described: (1) individually and then combined, or (2) by simultaneously evaluating a combination of components. Combine ecosystem components to produce balanced ecologically sound classifications of ecological types. Develop aquatic types either within the framework of the adjacent ecological types or through an independent combination of landform, vegetation, soils, stream channel, hydrologic, and aquatic characteristics.</p> <p>FSH 2090.11 (1.7) Identify ecological units according to local forest planning and project evaluation needs for inventory and evaluation. In the absence of a developed ecological type classification, ecological units can be developed from existing resource inventories or created from components listed in section 1.1.</p> <p>[NWFP] The 1994 Final SEIS and FEMAT concluded the Northwest Forest Plan would provide for maintenance and restoration of a functional and interconnected late-successional forest ecosystem.</p> <p>[NWFP] The intent in LSRs is to maintain natural ecosystem processes such as gap dynamics, natural regeneration, pathogenic fungal activity, insect</p>

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		biodiversity. <input type="checkbox"/> 6.2.c. Forest management operations should take into account all socio-economic functions, especially the recreational function and aesthetic values of forests by maintaining for example varied forest structures, and by encouraging attractive trees, groves and other features such as colours, flowers and fruits. This should be done, however, in a way and to an extent that does not lead to serious negative effects on forest resources, and forest land.			herbivory, and low-intensity fire. [NWFP] . . . forests in the matrix function as connectivity between Late-Successional Reserves and provide habitat for a variety of organisms associated with both late successional and younger forests. Standards and guidelines for the matrix are designed to provide for important ecological functions such as dispersal of organisms, carryover of some species from one stand to the next, and maintenance of ecologically valuable structural components such as down logs, snags, and large trees. The matrix will also add ecological diversity by providing early-successional habitat.
2.2	Landscape-Scale Spatial Patterns (e.g. fragmentation & connectivity)	<input type="checkbox"/> 4.1.a. Forest management planning should aim to maintain, conserve and enhance biodiversity on ecosystem, species and genetic level and, where appropriate, diversity at landscape level. <input type="checkbox"/> 4.2.f. Infrastructure should be planned and constructed in a way . . . that takes threatened or other key species - in particular their migration patterns - into consideration.		629-035-0020 Greatest Permanent Value. (1) As provided in ORS 530.050, "greatest permanent value" means healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social, economic, and environmental benefits to the people of Oregon OAR 629-035-0030 The State Forester shall be guided by the following stewardship principles in developing and implementing Forest Management Plans: (a) The plans shall include strategies that provide for actively managing forest land in the planning area. (b) The plans shall include strategies that: (A) Contribute to biological diversity of forest stand types and structures at the landscape level and over time	[NWFP] The 1994 Final SEIS and FEMAT concluded the Northwest Forest Plan would provide for maintenance and restoration of a functional and interconnected late-successional forest ecosystem. [NWFP] . . . forests in the matrix function as connectivity between Late-Successional Reserves and provide habitat for a variety of organisms associated with both late successional and younger forests. Standards and guidelines for the matrix are designed to provide for important ecological functions such as dispersal of organisms, carryover of some species from one stand to the next, and maintenance of ecologically valuable structural components such as down logs, snags, and large trees. The matrix will also add ecological diversity by providing early-successional habitat. [NWFP] Other Riparian Reserve objectives, such as providing wildlife dispersal corridors, could lead to

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				Riparian Reserve widths different than those necessary to protect the ecological integrity of the intermittent stream or wetland.
2.3 Representation of Regionally-Appropriate Forests and Structural Diversity	<div><div><input type="checkbox"/> 4.1.a. Forest management planning should aim to maintain, conserve and enhance biodiversity on ecosystem, species and genetic level and, where appropriate, diversity at landscape level.</div><div><input type="checkbox"/> 4.1.b. Forest management planning and terrestrial inventory and mapping of forest resources should include ecologically important forest biotopes, taking into account protected, rare, sensitive or representative forest ecosystems such as riparian areas and wetland biotopes, areas containing endemic species and habitats of threatened species, as defined in recognised reference lists, as well as endangered or protected genetic in situ resources.</div><div><input type="checkbox"/> 4.2.c. Forest management practices should, where appropriate, promote a diversity of both horizontal and vertical structures such as uneven-aged stands and the diversity of species such as</div></div>		<p><i>From the 2003 Forestry Program for Oregon, which is the official policy of the Department of Forestry in Oregon:</i> E.4. The board will support continued active management of Oregon's state forests through the use of structure-based management combined with ongoing science-based implementation monitoring and evaluation.</p> <p>OAR 629-035-0030 State Forest management plans shall include strategies that: (A) Contribute to biological diversity of forest stand types and structures at the landscape level and over time: (i) through application of silvicultural techniques that provide a variety of forest conditions and resources; and (ii) through conserving and maintaining genetic diversity of forest tree species.</p> <p>OAR 629-035-0010 5 (a)</p>	<p>36 CFR 219.20.b.1 Plan decisions affecting ecosystem diversity must provide for maintenance or restoration of the characteristics of ecosystem composition and structure within the range of variability that would be expected to occur under natural disturbance regimes of the current climatic period in accordance with paragraphs (b)(1)(i) through (v) of this section.</p> <p>16 U.S.C. 6512 Section (102) In carrying out a <i>covered project</i> [hazardous fuel reduction project], the Secretary shall fully maintain, or contribute toward the restoration of, the structure and composition of old growth stands according to the pre-fire suppression old growth conditions characteristic of the forest type, taking into account the contribution of the stand to landscape fire adaptation and watershed health, and retaining the large trees contributing to old growth structure.</p> <p>[NWFP] One goal of these standards and guidelines [NWFP] is to maintain late-successional and old growth species habitat and ecosystems on federal lands. Another goal of forest management on federal lands is to maintain biological diversity associated with native species and ecosystems in accordance with laws and regulations.</p> <p>[NWFP] Management activities shall preserve and enhance the diversity of plant and animal communities, including endemic and desirable naturalized plant and animal species. The diversity of plant and animals shall be at least as great as that which would be expected in a natural forest; the diversity of tree species shall be similar to that existing naturally in the planning area.</p>

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		mixed stands. Where appropriate, the practices should also aim to maintain and restore landscape diversity.			
2.4	Important Wildlife Habitat Across Landscape and at Stand-Level	<input type="checkbox"/> 4.2.e. Tending and harvesting operations should be conducted in a way that do not cause lasting damage to ecosystems. Wherever possible, practical measures should be taken to improve or maintain biological diversity.	<p>629-665-0010. Protection Goal for a Resource Site. (1) The goal of resource site protection is to ensure that forest practices do not lead to resource site destruction, abandonment or reduced productivity. (2) A resource site shall receive protection when the State Forester determines: (a) It is an active resource site; and, (b) Proposed forest practices conflict with the resource site. (3) The State Forester may grant an exception from either structural or temporal protection as determined by the Board for each species or resource site.</p> <p>From the 2003 Forestry Program for Oregon: Strategy E. Contribute to the conservation; of diverse native plant and animal populations; and their habitats in Oregon's forests. ACTIONS: E.1. The board will collaborate with other state, federal, and tribal agencies; universities; conservation groups; and private landowners; to promote the development of a comprehensive, science-based, coarse-scale statewide; assessment that evaluates the characteristics, conditions, and trends of native; vascular plant and vertebrate animal populations; and habitats on all land uses and; ownership classes. (KEY ACTION)</p> <p>ORS 527.710 Duties and powers of board; rules; inventory for resource protection; consultation with other agencies required . . .(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: (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; (b) Sensitive bird nesting, roosting and watering sites; (c) Biological sites that are ecologically and scientifically significant; and (d) Significant wetlands.</p> <p>(2) In meeting the requirements of this section, the operator has the sole</p>	<p>629-035-0010 (6) Based on existing Board principles and policies and current scientific and silvicultural information, the Board finds that forest lands that are actively managed as provided in subsection (5) of this section can produce economic value over the long term and promote healthy, sustainable forest ecosystems that: (a) Produce timber and revenues for the state, counties, and local taxing districts; (b) Result in a high probability of maintaining and restoring properly functioning aquatic habitats for salmonids, and other native fish and aquatic life; (c) Protect, maintain, and enhance native wildlife habitats</p> <p>OAR 629-035-0020 Greatest Permanent Value (1) As provided in ORS 530.050, "greatest permanent value" means healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social, economic, and environmental benefits to the people of Oregon. These benefits include, but are not limited to: (a) Sustainable and predictable production of forest products that generate revenues for the benefit of the state, counties, and local taxing districts; (b) Properly functioning aquatic habitats for salmonids, and other native fish and aquatic life; (c) Habitats for native wildlife</p> <p>OAR 629-035-0030 (B) Manage forest conditions to result in a high probability of maintaining and restoring properly functioning aquatic habitats for salmonids, and other native fish and aquatic life, and protecting, maintaining, and enhancing native</p>	<p>PL 106-393 Sec 202 allows for funds to be spent for the "protection restoration and enhancement of fish and wildlife habitat...on federal land and on non-federal land where projects would benefit these resources on Federal land."</p> <p>36 CFR 219.20.b.2.i . . .When a plan area encompasses only a part of a population, these decisions must provide ecological conditions capable of supporting viability of that population well distributed throughout its range within the plan area. (ii) When conditions outside the authority of the agency prevent the agency from providing ecological conditions that provide a high likelihood of supporting over time the viability of native and desired non-native species well distributed throughout their ranges within the plan area, plan decisions must provide for ecological conditions well distributed throughout the species range within the plan area to contribute to viability of that species.</p> <p>[NWFP] Management activities shall preserve and enhance the diversity of plant and animal communities, including endemic and desirable naturalized plant and animal species. The diversity of plant and animals shall be at least as great as that which would be expected in a natural forest; the diversity of tree species shall be similar to that existing naturally in the planning area</p> <p>[NWFP] "At the Forest, and/or area analysis level at least 40% of the maximum biological potential of cavity nesting species shall be maintained through time." [Deficiencies shall be recovered over time through creation of wildlife trees through management</p>

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		discretion to determine the location and distribution of wildlife leave trees, including the ability to leave snags, trees and logs in one or more clusters rather than distributed throughout the unit and, if specifically permitted by the State Board of Forestry by rule, to meet the wildlife leave tree requirements by counting snags, trees or logs otherwise required to be left in riparian management areas or resource sites listed in ORS 527.710, subject to: (a) Safety and fire hazard regulations; (b) Rules or other requirements relating to wildlife leave trees established by the State Board of Forestry or the State Forester; and, (c) All other requirements pertaining to forest operations. (3) In meeting the requirements of this section, the State Forester: (a) Shall consult with the operator concerning the selection of wildlife leave trees when the State Forester believes that retaining certain trees or groups of trees would provide increased benefits to wildlife. (b) May approve alternate plans submitted by the operator to meet the provisions of this section, including but not limited to waiving: (A) The requirement that at least 50 percent of wildlife leave trees be conifers, upon a showing that a site is being intensively managed for hardwood production; and, (B) In whole or in part, the requirements of this section for one operation if an alternate plan provides for an equal or greater number of wildlife leave trees in another harvest type 2 or harvest type 3 operation, that the State Forester determines would achieve better overall benefits for wildlife. (c) May require, for operations adjacent to a fish-bearing or domestic use stream, in addition to trees otherwise required to be left in riparian management areas, up to 25 percent of the green trees required to be retained under this section to be left in or adjacent to the riparian management area of the stream. (d) May require by rule, for operations adjacent to a small, nonfish-bearing stream subject to rapidly moving landslides as defined in ORS 195.250, that available green trees and snags be left in or adjacent to the stream. The operator must leave available green trees and snags under this paragraph within an area that is 50 feet on each side of the stream and no more than 500 feet upstream from a riparian management area of a fish-bearing stream. (4) When a harvest type 2 or harvest type 3 unit occurs adjacent to a prior harvest type 2 or harvest type 3 unit, resulting in a combined total contiguous acreage of harvest type 2 or harvest type 3 under single ownership exceeding 25 acres, the wildlife leave tree and downed log requirements of subsection (1) of this section apply to the combined total contiguous acreage. [1996 c.9 §9 (enacted in lieu of ORS 527.675); 2001 c.340 §1]	wildlife habitats, recognizing that forests are dynamic and that the quantity and quality of habitats for species will change geographically and over time. Land classification system for state lands includes focused stewardship lands, one type is: (xiii) Wildlife Habitat -- lands where wildlife habitat for a specific species or group of species exists and where that habitat is the focus of the supplemental planning, modified management practices, or legal requirements described above. Special stewardship lands include: . . . (xvi) Wildlife Habitat -- lands where a legal requirement or the need to maintain, protect, or enhance a wildlife habitat restricts the integrated management of forest resources.	prescriptions.] [NWFP] Wildlife tree prescriptions shall provide for all primary cavity nesting species indigenous to the treated site.

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2.5 Ecological Reserves/Special Area/Protected Areas	<input type="checkbox"/> 4.2.i. Special key biotopes in the forest such as water sources, wetlands, rocky outcrops and ravines should be protected or, where appropriate, restored when damaged by forest practices.	<p>141-050-0935 Natural Heritage Conservation Areas (Voluntary) Purpose; The purpose and scope of dedication is to establish and maintain the integrity of the Plan, and the Program, by means of written formal recognition and protection of an area of land and/or water for natural heritage conservation purposes. Stat. Auth.: ORS 273; 141-050-0940 Instruments of Dedication; (1) Private Dedication -- A private individual or organization which is the owner of any registered natural area may voluntarily agree to dedicate that area as a Natural Heritage Conservation Area by executing with the Board, following review by the Council, an instrument of dedication. Instrument provisions and policies include, but are not limited to, the following: (a) An agreement that provides each element in the Natural Heritage Conservation Area with the most secure protection obtainable; (b) An unlimited period of time, or a term sufficiently long to warrant dedication protection; (c) Permission for conducting scientific research and other activities shall be commensurate with Program objectives; (d) Management policies for the site, which may include all or part of the Management of Natural Heritage Conservation Areas in OAR 141-050-0935 through 141-050-0999; (e) Termination of dedication may occur upon written notification to the Board, including specific reasons for termination, and provision by the Council of opportunity for adequate public notice and hearing. (2) The Instrument of Dedication of an area under private ownership shall be filed by the Board in the office of the clerk of the county in which any or all of the Natural Heritage Conservation Area is located, and shall be effective upon its recording. (3) A copy of the dedication and management agreement(s) shall be provided to the private owner of a Natural Heritage Conservation Area. (4) Public Agency Dedication -- Any public agency may dedicate lands under the provisions of ORS 273 .561 to 273.591, and the Plan, after providing the opportunity for adequate public notice and hearing by the agency. (5) The Oregon Transportation Commission, the State Fish and Wildlife Commission, the State Board of Forestry, the State Board of Higher Education and the State Land Board shall, with the advice and assistance of the Council, establish procedures for the dedication of Natural Heritage Conservation Areas on land or water, the title of which is held by the State of Oregon, and which is under that agency's management and control. The instrument(s) of dedication and management shall contain any information or provisions as the agency and</p>	<p>629-035-0055 Forest Land Management Classification System. (1) The State Forester's classification of forest lands, required by OAR 629-035-0050, shall be accomplished pursuant to this section. (2) Land Classifications. All forest lands subject to this rule shall be classified into one of the following three classifications: General Stewardship, Focused Stewardship, or Special Stewardship. These classifications apply to lands designated as Silviculturally Capable and Non-Silviculturally Capable. (3) Distinguishing Characteristics. All forest lands will be classified according to the following distinguishing characteristics. In addition, forest lands will be further classified into subclasses when they are classified as Focused Stewardship or Special Stewardship. (c) Special Stewardship lands are those for which a forest management plan, habitat conservation plan, or other legal requirement identifies one or more of the following: a legal or contractual constraint dominates the management of the lands and precludes the integrated management of all forest resources; one or more forest resources are present which require a level of protection that precludes the integrated management of all forest resources; lands are committed to a specific use and management activities are limited to those that are compatible with the specific use. (provisions go on to describe wildlife habitat and plant conservation as a couple of examples that fit this category)</p> <p>Also:</p> <p>OAR 629-035-0055 (iii), (xv) and b (B) (ii), (xii)</p>	<p>FSM 2373.03 (1.) Evaluate significant natural land forms, land or aquatic ecosystems, and geological formations for nomination to the National Registry of Natural Landmarks; (2.), Nominate those areas that qualify unless there are important management considerations that preclude nomination; and (3.), Protect the natural features of the registered areas while managing the areas for planned uses (FSM 2373.4).</p> <p>FSM 2373.3 Nationally significant areas must possess exceptional value or quality that illustrates or interprets the natural heritage of the Nation. The area must be a true, essentially unspoiled example. Such values may include, but are not limited to: (1.) Outstanding geological formations or features significantly illustrating geologic processes; (2.) Significant fossil evidence; (3.) An ecological community significantly illustrating characteristics of a physiographic province or a biome; (4.) A biota or relative stability maintaining itself under prevailing natural conditions, such as a climatic climax community. (5.) An ecological community significantly illustrating the process of succession and restoration to natural condition following disruptive change. (6.) A habitat supporting a threatened or endangered or restricted species. (7.) A relic flora or fauna persisting from an earlier period. (8.) A seasonal haven for concentrations of native animals, or a vantage point for observing concentrated populations, such as a constricted migration route. (9.) A site containing significant evidence illustrating important scientific discoveries. (10.) Examples of the scenic grandeur of our natural heritage.</p> <p>[NWFP] All 24.4 million acres of Forest Service, BLM,</p>

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		<p>Council consider necessary to complete the dedication. (6) Termination of the dedication of a Natural Heritage Conservation Area by a public agency requires: (a) Provision of opportunity for adequate public notice and hearing; (b) A finding by the agency of an imperative and unavoidable necessity due to natural disaster in the site, need of the natural resource during time of declared war, or the need of the natural resource because of extreme economic crisis of the state; (c) A finding by that agency, with the approval of the Council that the Natural Heritage Conservation Area is no longer needed according to the guidelines of the Plan, or has permanently lost its character. Stat. Auth.: ORS 273.</p> <p>141-120-0000 Wetland Conservation Plans; Application; (1) This rule applies to decisions concerning wetland resource designations and analysis of alternatives made after the local government sponsoring the Wetland Conservation Plan (WCP) has: (a) Defined the WCP area; (b) Completed the required Local Wetlands Inventory (LWI) according to the criteria of OAR 141-086-0180 to 141-086-0240; (c) Completed the required wetland function and value assessments using an assessment methodology acceptable to the Division; and, (d) Developed WCP Goals for the planning area that consider the legislative findings in ORS 196.668. (2) Consistent with ORS 527.722 of the Forest Practices Act, this rule does not apply to forest practices as defined in ORS 527.620 in areas regulated by the Forest Practices Act (ORS 527.610 to ORS 527.770, ORS 527.990(1) and ORS 527.992). Stat. Auth.: ORS 196.692</p> <p>ORS 527.710 Duties and powers of board; rules; inventory for resource protection; consultation with other agencies required . . .(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: (C) Biological sites that are ecologically and scientifically significant; . . .</p> <p>OAR 629-680-0410 Protection Goal for Biological Sites: The protection goal for biological sites is to assure that forest practices maintain the biological (plant and animal) diversity and the essential habitat at the resource site over time. 629-680-0430. Biological Sites Criteria. (1) A biological site must include naturally occurring native communities of plants or populations of wildlife that are rare or uncommon. A biological site must contain one or more of the following: (a) An outstanding example of a rare or unique biological resource; or, (b) Unique assemblage of species; or, (c) On state lands, the</p>		<p>and other federally-administered lands within the range of the northern spotted owl are allocated to one of the following six designated areas or to matrix:</p> <p>Congressionally Reserved Areas - This includes Wildernesses, Wild and Scenic Rivers, National Monuments, as well as other federal lands not administered by the Forest Service or BLM. Late-Successional Reserves - Late-Successional Reserves are identified with an objective to protect and enhance conditions of late-successional and old-growth forest ecosystems, which serve as habitat for late-successional and old-growth forest related species including the northern spotted owl. Limited stand management is permitted, subject to review by the Regional Ecosystem Office. Adaptive Management Areas - Ten Adaptive Management Areas are identified, each with an objective to develop and test new management approaches to integrate and achieve ecological and economic health, and other social objectives. Managed Late-Successional Areas - Managed Late-Successional Areas are similar to Late-Successional Reserves but are identified for certain owl locations in the drier provinces where regular and frequent fire is a natural part of the ecosystem. Certain silvicultural treatments and fire hazard reduction treatments are allowed to help prevent complete stand destruction from large catastrophic events such as high intensity, high severity fires; or disease or insect epidemics. Administratively Withdrawn Areas - Administratively Withdrawn Areas are identified in current Forest and District Plans or draft plan preferred alternatives and include recreation and visual areas, back country, and other areas where management emphasis precludes scheduled timber harvest. Riparian Reserves - As a key element of the Aquatic Conservation Strategy (see Section B of these standards and guidelines), the Riparian Reserves</p>

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			existence of threatened or endangered plant species. (2) As referenced in ORS 564.135, the existence of threatened or endangered plant species alone on private forestland does not qualify a candidate biological site for listing and protection, unless other elements exist that meet the required biological site criteria. (3) In determining the degree of significance, the following shall be considered: (a) The magnitude of the threat to the biological site and the consequences of its loss. (b) The number of similar areas inside or outside of Oregon. (c) The diversity of the biological site. For example, a site with large numbers of species or natural communities may be more significant. (4) The biological site should have special applications for scientific research. For example, the biological site can be used for medical study, biochemical research, or for successional studies. These opportunities are rare or very limited at other resource sites. See also 629-645 Protection for Significant Wetlands, and OAR 629-655 Wetlands, Seeps and Springs.		provide an area along all streams, wetlands, ponds, lakes, and unstable and potentially unstable areas where riparian-dependent resources receive primary emphasis. Riparian Reserves are important to the terrestrial ecosystem as well, serving, for example, as dispersal habitat for certain terrestrial species. Matrix - The matrix consists of those federal lands outside the six categories of designated areas listed above.
2.6	Special Areas/Forest Composition: Old-Growth	<input type="checkbox"/> 4.2.h. Standing and fallen dead wood, hollow trees, old groves and special rare tree species should be left in quantities and distribution necessary to safeguard biological diversity, taking into account the potential effect on health and stability of forests and on surrounding ecosystems.	ORS 527.676 Leaving snags and downed logs in harvest type 2 or 3 units; green trees to be left near certain streams. (1) In order to contribute to the overall maintenance of wildlife, nutrient cycling, moisture retention and other resource benefits of retained wood, when a harvest type 2 unit exceeding 25 acres or harvest type 3 unit exceeding 25 acres occurs the operator shall leave on average, per acre harvested, at least: (a) Two snags or two green trees at least 30 feet in height and 11 inches DBH or larger, at least 50 percent of which are conifers; and (b) Two downed logs or downed trees, at least 50 percent of which are conifers, that each comprise at least 10 cubic feet gross volume and are no less than six feet long. One downed conifer or suitable hardwood log of at least 20 cubic feet gross volume and no less than six feet long may count as two logs. (2) In meeting the requirements of this section, the operator has the sole discretion to determine the location and distribution of wildlife leave trees, including the ability to leave snags, trees and logs in one or more clusters rather than distributed throughout the unit and, if specifically permitted by the State Board of Forestry by rule, to meet the wildlife leave tree requirements by counting snags, trees or logs otherwise required to be left in riparian management areas or resource sites listed in ORS 527.710, subject to: (a) Safety and fire hazard regulations; (b) Rules or other requirements relating to wildlife leave trees established by the State Board of Forestry or the State Forester; and (c) All other requirements pertaining to forest operations. (3) In	629-035-0030 (3) (A) (B) See also Landscape strategies for approved forest plans which use structure based management to accelerate production of old forest habitat conditions.	[NWFP] Matrix and Adaptive Management Areas - 1.1 million acres or 14 percent of the existing late-successional forest is assumed to be available for harvest within the Matrix and Adaptive Management Areas in support of the Probable Sale Quantity (PSQ) objectives of the Northwest Forest Plan. Matrix management activities, including regeneration harvest, partial cut harvest, and prescribed fire, will modify 2.5-4 percent of the existing and late-successional forest over a decade (see Late- Successional Forest figure). Matrix Standards and Guidelines provide for retention of legacy elements of late-successional forest after harvest such as snags, large green trees, and down logs. There are also provisions for retaining old-growth fragments in watersheds where little remain. [NWFP] ...standards and guidelines are designed to maintain late successional forest ecosystems and protect them from loss due to large-scale fire, insect and disease epidemics, and major human impacts. The intent is to maintain natural ecosystem processes such as gap dynamics, natural regeneration, pathogenic

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		meeting the requirements of this section, the State Forester: (a) Shall consult with the operator concerning the selection of wildlife leave trees when the State Forester believes that retaining certain trees or groups of trees would provide increased benefits to wildlife. (b) May approve alternate plans submitted by the operator to meet the provisions of this section, including but not limited to waiving: (a) The requirement that at least 50 percent of wildlife leave trees be conifers, upon a showing that a site is being intensively managed for hardwood production; and (b) In whole or in part, the requirements of this section for one operation if an alternate plan provides for an equal or greater number of wildlife leave trees in another harvest type 2 or harvest type 3 operation, that the State Forester determines would achieve better overall benefits for wildlife. (c) May require, for operations adjacent to a fish-bearing or domestic use stream, in addition to trees otherwise required to be left in riparian management areas, up to 25 percent of the green trees required to be retained under this section to be left in or adjacent to the riparian management area of the stream. (d) May require by rule, for operations adjacent to a small, nonfish-bearing stream subject to rapidly moving landslides as defined in ORS 195.250, that available green trees and snags be left in or adjacent to the stream. The operator must leave available green trees and snags under this paragraph within an area that is 50 feet on each side of the stream and no more than 500 feet upstream from a riparian management area of a fish-bearing stream. (4) When a harvest type 2 or harvest type 3 unit occurs adjacent to a prior harvest type 2 or harvest type 3 unit, resulting in a combined total contiguous acreage of harvest type 2 or harvest type 3 under single ownership exceeding 25 acres, the wildlife leave tree and downed log requirements of subsection (1) of this section apply to the combined total contiguous acreage. [1996 c.9 §9 (enacted in lieu of ORS 527.675); 2001 c.340 §1]		fungal activity, insect herbivory, and low-intensity fire. [NWFP] One goal of these standards and guidelines [NWFP] is to maintain late-successional and old growth species habitat and ecosystems on federal lands. Another goal of forest management on federal lands is to maintain biological diversity associated with native species and ecosystems in accordance with laws and regulations. [NWFP] Standards and guidelines designed to promote the desired conditions vary among physiographic provinces because characteristics of the natural structure and composition of late-successional and old-growth forests also vary among the provinces. [NWFP] . . . standards and guidelines [for late successional reserves] include reserves designed to maintain and enhance late-successional forests as a network of existing old-growth forest ecosystems, although their size, distribution, and management varies. These reserves represent a network of existing old growth forests that are retained in their natural condition with natural processes, such as fire, allowed to function to the extent possible
2.7	Riparian & Aquatic System Biological Resources	629-640-0100 through 0400 Vegetation Retention Along Streams specific rules for retaining vegetation along streams during any harvest. OAR 629-650-0000; Riparian Management Areas and Protection Measures for Lakes; (1) The purpose of this rule is to protect the functions and values of lakes. Lakes on forestlands provide a wide range of functions and values, including those related to water quality, hydrologic functions, aquatic organisms, fish and wildlife. (2) Operators shall protect riparian management areas extending: (a) 100 feet from the high water level of large lakes; and, (b)	629-035-0020 Greatest Permanent Value. (1) As provided in ORS 530.050, "greatest permanent value" means healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social, economic, and environmental benefits to the people of Oregon. These benefits include, but are not limited to: (a) Sustainable and predictable production of forest products that generate revenues for the	33 U.S.C. § 1259 grants funding for education and training in fields that "involve the design, operation, and maintenance of treatment works, and other facilities whose purpose is water quality control." FSM 2526.03. (1.) Manage riparian areas in relation to various legal mandates, including, but not limited to, those associated with floodplains, wetlands, water quality, dredged and fill material, endangered species,

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		<p>50 feet from the high water level of other lakes that have fish use or other lakes that are equal to or greater than one half acre in size. (c) No riparian management area is required for other lakes that do not have fish and that are less than one-half acre. (3) For all lakes with riparian management areas, operators shall provide the following to the riparian management areas and the aquatic areas: (a) Live tree retention (OAR 629-650-0010); (b) Soil and hydrologic function protection (OAR 629-650-0020); (c) Understory vegetation retention (OAR 629-650-0030); and, (d) Snag and down wood retention (OAR 629-650-0040). (4) For all lakes not having riparian management areas, the lakes shall be protected as other wetlands (OAR 629-655-0000).</p> <p><i>Several provisions deal with special riparian areas. Examples include:</i></p> <p>141-080-0105 Lower Willamette River Management Plan; The 1992 Lower Willamette River Management Plan as promulgated by the State Land Board and the Division of State Lands is hereby adopted by reference. [Publications: The publication(s) referred to or incorporated by reference in this rule are available from the agency.] Stat. Auth.: ORS 273.045 (<i>Specifies a number of restrictions in the greenway along the River, which must be maintained in native vegetation.</i>)</p> <p>141-086-0012 Wetland Conservation Plan Procedures; When the Director receives an approval request for a proposed wetland conservation plan as defined by ORS 196.687, the Director shall conduct an evaluation of the submitted plan and determine if the plan complies with the requirements of ORS 196.681 to 196.684 and OAR 141-120-0000 through 141-120-0230. The Director shall then prepare a proposed written order pursuant to ORS 196.681(1)(b). Stat. Auth.: ORS 196.692</p> <p>ORS 527.710 Duties and powers of board; rules; inventory for resource protection; consultation with other agencies required . . .(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: D) Significant wetlands.</p>	<p>benefit of the state, counties, and local taxing districts; (b) Properly functioning aquatic habitats for salmonids, and other native fish and aquatic life; . . .</p>	<p>wild and scenic rivers, and cultural resources.</p> <p>FSM 2526.03. (2.) Manage riparian areas under the principles of multiple-use and sustained-yield, while emphasizing protection and improvement of soil, water, and vegetation, particularly because of their effects upon aquatic and wildlife resources. Give preferential consideration to riparian-dependent resources when conflicts among land use activities occur.</p> <p>FSM 2526.03. (3.) Delineate and evaluate riparian areas prior to implementing any project activity. Determine geographic boundaries of riparian areas by onsite characteristics of water, soil, and vegetation.</p> <p>FSM 2526.03. (4.) Give attention to land along all stream channels capable of supporting riparian vegetation (36 CFR 219.27e).</p> <p>FSM 2526.03. (5). Give special attention to land and vegetation for approximately 100 feet from the edges of all perennial streams, lakes, and other bodies of water. This distance shall correspond to at least the recognizable area dominated by the riparian vegetation (36 CFR 219.27e). Give special attention to adjacent terrestrial areas to ensure adequate protection for the riparian-dependent resources.</p> <p>[NWFP] Riparian Reserves: Involve. . . portions of the landscape where riparian-dependent and stream resources receive primary emphasis; Riparian Reserves are designated for all permanently-flowing streams, lakes, wetlands, and intermittent streams; Riparian Reserves include the body of water, inner gorges, all riparian vegetation, 100-year floodplain, landslides and landslide prone areas; Reserve widths are based on some multiple of a site-potential tree or a prescribed slope distance, whichever is greater; Reserve widths may be adjusted based on watershed analysis to meet</p>

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					<p>Aquatic Conservation Strategy objectives. Standards and guidelines prohibit programmed timber harvest, and manage roads, grazing, mining and recreation to achieve objectives of the Aquatic Conservation Strategy (see page C-31).</p> <p>[NWFP] The Aquatic Conservation Strategy includes two designations for Key Watersheds. Tier 1 (Aquatic Conservation Emphasis) Key Watersheds contribute directly to conservation of at-risk anadromous salmonids, bull trout, and resident fish species. While 21 Tier 2 (other) Key Watersheds may not contain at-risk fish stocks, they are important sources of high quality water. The amount of existing system and nonsystem roads within Key Watersheds should be reduced through decommissioning of roads.</p> <p>[NWFP] [In Key Watersheds]. . . watershed analysis is required prior to management activities, except minor activities such as those Categorically Excluded under NEPA (and not including timber)</p> <p>[NWFP] [In Key Watersheds]. . . watershed analysis is required prior to management activities, except minor activities such as those Categorically Excluded under NEPA (and not including timber)</p>
3.0	(C&I) 3: Maintenance of forest ecosystem health and vitality				
3.1	Forest Protection/Health: Fire	2.1.b. Health and vitality of forests should be periodically monitored, especially key biotic and abiotic factors that potentially affect health and vitality of forest ecosystems, such as pests, diseases, overgrazing and overstocking, fire, and damage caused by climatic factors, air pollutants or by forest management	477.005 Policy. (1) The preservation of the forests and the conservation of the forest resources through the prevention and suppression of forest fires hereby are declared to be the public policy of the State of Oregon. (2) In order to accomplish the purposes of the policy stated in this section: (a) The need for a complete and coordinated forest protection system is acknowledged and the primary mission of the State Forestry Department in such a system is protecting forest resources, second only to saving lives. Structural protection, though indirect, shall not inhibit protection of forest resources; and, (b) This chapter shall include all persons and activities designated in this chapter, irrespective as to whether or not such person or activity is concerned with the harvesting, cutting, removal or marketing of trees, timber or other forest	State forests are protected under the same policies as listed under ORS 477.005 for all forests of the state. The Oregon Department of Forestry is the official forest fire fighting organization for all private and state forests in Oregon.	HFRA SEC. 102. . . .the Secretary shall implement authorized hazardous fuel reduction projects, consistent with the Implementation Plan, on— (1) Federal land in wildland-urban interface areas; (2) condition class 3 Federal land, in such proximity to a municipal water supply system or a stream feeding such a system within a municipal watershed that a significant risk exists that a fire disturbance event would have adverse effects on the water quality of the municipal water supply or the maintenance of the system, including a risk to water quality posed by erosion following such a fire

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	operations.	products. <i>Extensive OAR's exist for prevention and control of fires:</i> Refer to: OAR 629-042, 043 and 044. Forest landowners and operators are required to take prevention measures, apply for burning permits, treat harvesting slash, maintain fire safe equipment, provide fire control equipment on site during harvest operations, and follow daily direction from ODF regarding operations allowed during fire season. Landowners are subject to fines and other penalties if they do not follow fire laws.		disturbance event; (3) condition class 2 Federal land located within fire regime I, fire regime II, or fire regime III, in such proximity to a municipal water supply system or a stream feeding such a system within a municipal watershed that a significant risk exists that a fire disturbance event would have adverse effects on the water quality of the municipal water supply or the maintenance of the system, including a risk to water quality posed by erosion following such a fire disturbance event; (4) Federal land on which windthrow or blowdown, ice storm damage, the existence of an epidemic of disease or insects, or the presence of such an epidemic on immediately adjacent land and the imminent risk it will spread, poses a significant threat to an ecosystem component, or forest or rangeland resource, on the Federal land or adjacent non-Federal land; and (5) Federal land not covered by paragraphs (1) through (4) that contains threatened and endangered species habitat, if— (A) natural fire regimes on that land are identified as being important for, or wildfire is identified as a threat to, an endangered species, a threatened species, or habitat of an endangered species or threatened species in a species recovery plan prepared under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533), or a notice published in the Federal Register determining a species to be an endangered species or a threatened species or designating critical habitat; (B) the authorized hazardous fuel reduction project will provide enhanced protection from catastrophic wildfire for the endangered species, threatened species, or habitat of the endangered species or threatened species; and (C) the Secretary complies with any applicable guidelines specified in any management or recovery plan described in subparagraph (A).

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3.2	Forest Protection/Health: Exotic Species/ Noxious Weeds].		<p>FSM 2080.2 Use an integrated weed management approach to control and contain the spread of noxious weeds on National Forest System lands and from National Forest System lands to adjacent lands. Specific objectives to be achieved through noxious weed management include:(1.) Prevention of the introduction and establishment of noxious weed infestations; (2.) Containment and suppression of existing noxious weed infestations; (3.) Formal and informal cooperation with State agencies, local landowners, weed control districts and boards, and other Federal agencies in the management and control of noxious weeds; (4.) Education and awareness of employees, users of National Forest System lands, adjacent landowners, and State agencies about noxious weed threats to native plant communities and ecosystems.</p> <p>FSM 2083 A current noxious weed inventory must be established and maintained in the Forest Service Range Management Information System (FSRAMIS), or other Nationally approved data base (FSM 2270). The inventory must include acres infested with noxious weeds, by species and location, and by Forest, Ranger District, State, and county. Report the level of infested acres as follows: low (5 percent or less canopy cover); moderate (6 - 25 percent canopy cover); and high (over 25 percent canopy cover).</p> <p>Regions are to report annually to the Washington Office, the number of acres treated or retreated during the previous fiscal year using the Management Attainment Reporting (MAR) system (FSH 1909.13, sec. 38.3 and ch. 50). For acres treated biologically, report only those acres which had biological agents introduced on them during the reporting period (FSM 6550; FSH 6509.11k).</p>

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3.3	Forest Protection/Health: Pests & Pathogens	2.1.b. Health and vitality of forests should be periodically monitored, especially key biotic and abiotic factors that potentially affect health and vitality of forest ecosystems, such as pests, diseases, overgrazing and overstocking, fire, and damage caused by climatic factors, air pollutants or by forest management operations.	<p>[ORS 527-335]. The State Forester shall conduct surveys and evaluations on nonfederal forestlands to determine the presence, extent, trend and impact of native and exotic pests, as well as overall forest health monitoring. In so doing, the forester or representatives of the forester may go upon privately owned lands with permission of the respective owners thereof, and should any owner withhold such permission and the forester believes an emergency exists, the forester may petition that circuit court of this state having jurisdiction over the lands involved for a warrant authorizing the forester or representatives of the forester to go upon such lands. Upon petition being made the court shall forthwith summarily determine whether or not such emergency exists, and if determining such emergency exists, immediately issue a warrant authorizing the forester or representatives of the forester to go upon such lands for the purposes of this section. The State Forester shall also provide on-site technical advice regarding insect and disease management to nonfederal land owners who request such services. [1961 c.212 §1; 1991 c.686 §7]</p> <p>ORS 527.346 State Forester to assist landowners unable to take action against pest. (1) Whenever the State Forester determines, using criteria approved by the State Board of Forestry, that owners are unable to take action against a pest that is threatening Oregon's economic, social and environmental well-being, the State Forester shall, using funds appropriated by the Legislative Assembly, declare a control district and implement the appropriate strategy.</p> <p>From the FPFO 2003: F.2. The board will promote forest landscape conditions that are resilient to natural disturbances, reducing the adverse environmental impacts and losses of forest resources to wildfire, insects, diseases and other agents in a cost-effective, environmentally, and socially acceptable manner.</p>	<p>The State Forester shall implement the integrated pest management process as provided in ORS 527.315 on department-managed lands and encourage the process on other nonfederal lands by setting examples on department lands and through training workshops, demonstration areas and on-site technical advice. [1991 c.686 §4]</p> <p>OAR 629-035-0030 (C) Provide for healthy forests by: (i) managing forest insects and diseases through an integrated pest management approach</p>	<p>16 USC 6553 The Secretary, acting through the Forest Service and United States Geological Survey, as appropriate, shall establish an accelerated program. . (1) to plan, conduct, and promote comprehensive and systematic information gathering on forest-damaging insects and associated diseases, including an evaluation of: (A) infestation prevention and suppression methods; (B) effects of infestations and associated disease interactions on forest ecosystems; (C) restoration of forest ecosystem efforts; (D) utilization options regarding infested trees; and (E) models to predict the occurrence, distribution, and impact of outbreaks of forest-damaging insects and associated diseases.</p> <p>36 CFR 223.30 . . .each timber sale contract, permit or other authorized form of National Forest timber disposal is consistent with applicable land and resource management plans and environmental quality standards and includes, as appropriate, requirements for . . .(g) Reduction of the likelihood of loss to destructive agencies</p> <p>FSM 2472.33 Include adequate protection measures in the reforestation prescription and follow them. Where conditions are such that unacceptable damage is predicted and adequate protection measures are either unknown or cannot be implemented, defer harvesting or reforestation.</p> <p>FSM 2472.33 Personnel responsible for pesticide use must be knowledgeable about safety precautions, laws, and regulations that apply to its use (FSM 2150) and trained in proper methods of application (FSM 3400) before using pesticides.</p> <p>FSM 2472.33 Control [damage to reforestation by wildlife] in accordance with instructions in FSM 2650. Evaluate the proposed treatment in terms of its effect on</p>

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				all wildlife, especially threatened and endangered species, as well as the target species; Control livestock grazing to achieve successful reforestation--do not permit livestock on a reforestation area until seedlings are capable of withstanding the type of grazing use intended; Control insects and diseases in accordance with FSM 3400, 6510, and 2150; Treat competing vegetation, which threatens the establishment of reforestation projects by the appropriate method. Carefully consider benefits to all resources before taking action. Treatment done to improve the growth of trees that are already established is considered a timber stand improvement treatment (FSM 2476).
3.4	Forest Protection/Health: Hazardous Materials/Debris/Waste	<div><div><input type="checkbox"/> 2.1.b. . . . The spillage of oil through forest management operations or the indiscriminate disposal of waste on forest land should be strictly avoided.</div><div><i>Extensive state and federal laws exist for transporting, storage and disposal of these materials. Department of Environmental Quality, and Oregon Department of Transportation primarily regulate these materials, but federal agencies can become involved when materials cross state boundaries.</i></div><div><i>Pesticide use is carefully monitored by Oregon Department of Forestry, with licensing of operators done by Oregon Department of Agriculture. All applications must be according to US EPA label instructions, except where Oregon FPA standards are more restrictive.</i></div><div>OAR 629-620 Chemical and Petroleum Rules addresses uses of chemicals in the forest in much detail.</div><div>837-120-0001 Hazardous Materials Emergency Response System Purpose and Scope; (1) These rules establish criteria and provisions for the implementation of a statewide hazardous materials emergency response system. (2) These rules shall be used to assist and provide direction for owners of facilities, government officials, and officers of the court in the interpretation and application of ORS 453.374 through 453.990. (3) These rules are intended to be consistent with agreements and contracts entered into by the State of Oregon, and regional and limited hazardous materials emergency response teams. (4) These rules also provide for contract team operations and include, but are not limited to: (a) Provisions for coordinating team dispatch, duties, and responsibilities; (b) Criteria for the types of hazardous materials emergencies that qualify for regional or limited response team responses; (c) Establishment of fee schedules for computing the reimbursement of contractor team response</div></div>	<i>Regulations for these materials on state lands are no different than private lands.</i>	FSM 2160.3. (3.) Ensure proper handling, storage, transportation, and disposal of hazardous materials in all activities. Prior to disposal of any material, consider reuse and recycling of that material. FSM 2160.3. (5.) Ensure appropriate and timely response to releases or threats of releases of hazardous materials FSM 2161.11 (1.) Establish management controls for pollution prevention in the acquisition, use, storage, treatment, transportation, and disposal of hazardous materials for which the Forest Service is the user of the hazardous material or the generator of the hazardous waste. FSM 2161.11 (2.) Establish management controls for the cleanup of historic, inactive hazardous waste sites, such as pentachlorophenol wood treatment sites, for which the Forest Service was the sole generator of the hazardous waste. . FSM 2160.3. (2.) Incorporate pollution prevention in all aspects of hazardous materials management. Emphasize source reduction as the primary means of

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			costs arising from hazardous materials emergencies; and, (d) Procedures for state recovery of emergency response costs from the person(s) responsible for causing a hazardous materials emergency. Stat. Auth.: ORS 453.367		maintaining compliance with applicable Federal, State, and local environmental regulations.
3.5	Harvest Operations & Access: Forest Roads	<div><div><input type="checkbox"/> 3.2.d. Adequate infrastructure, such as roads, skid tracks or bridges should be planned, established and maintained to ensure efficient delivery of goods and services while at the same time minimising negative impacts on the environment.</div><div><input type="checkbox"/> 5.2.c. Construction of roads, bridges and other infrastructure should be carried out in a manner that minimises bare soil exposure, avoids the introduction of soil into watercourses and that preserve the natural level and function of water courses and river beds. Proper road drainage facilities should be installed and maintained.</div></div>	<p>629-625-0000 Purpose (1) Forest roads are essential to forest management and contribute to providing jobs, products, tax base and other social and economic benefits. (2) OAR 629-625-0000 through 629-625-0650 shall be known as the road construction and maintenance rules. (3) The purpose of the road construction and maintenance rules is to establish standards for locating, designing, constructing and maintaining efficient and beneficial forest roads; locating and operating rock pits and quarries; and vacating roads, rock pits, and quarries that are no longer needed; in manners that provide the maximum practical protection to maintain forest productivity, water quality, and fish and wildlife habitat. (4) The road construction and maintenance rules shall apply to all forest practices regions unless otherwise indicated.</p> <p>OAR 629-625-0100 Written Plans for Road Construction (1) A properly located, designed, and constructed road greatly reduces potential impacts to water quality, forest productivity, fish, and wildlife habitat. To prevent improperly located, designed, or constructed roads, a written plan is required in the sections listed below. (2) In addition to the requirements of the water protection rules, operators must submit a written plan to the State Forester before: (a) Constructing a road where there is an apparent risk of road-generated materials entering waters of the state from direct placement, rolling, falling, blasting, landslide or debris flow; (b) Conducting machine activity in Type F or Type D streams, lakes or significant wetlands; or (c) Constructing roads in riparian management areas. (3) Operators shall submit a written plan to the State Forester before constructing roads on high landslide hazard locations. Operators and the State Forester shall share responsibility to identify high landslide hazard locations and to determine if there is public safety exposure from shallow, rapidly moving landslides using methods described in OAR 629-623-0000 through 0300. If there is public safety exposure, then the practices described in OAR 629-623-0400 through 0800 shall also apply. (4) Operators shall obtain written prior approval from the State Forester of a written plan, as described in OAR 629-625-0320(1)(b)(B), before constructing any stream crossing fill over 15 feet deep.] (5) In addition to the requirements of the water protection rules, operators shall submit a written plan to the State Forester before placing woody debris or</p>	<i>Roads on state forest lands subject to same regulations as private lands.</i>	<p>16 U.S.C 1601 Section 11 a) The Congress declares that the installation of a proper system or transportation to service the National Forest System, as is provided for in Public Law 88–657, the Act of October 13, 1964 (16 U.S.C. 532– 538), shall be carried forward in time to meet anticipated needs on an economical and environmentally sound basis. . .</p> <p>36 CFR 223.37 Timber sale contracts, permits and other documents authorizing the cutting or removal of timber or forest products shall require the purchaser to treat temporary roads constructed or used thereunder so as to permit the reestablishment by artificial or natural means, or vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract.</p> <p>FSM 2432.32 (3.) Design roads to be constructed on National Forest System lands to standards appropriate for their intended uses, considering safety, cost of transportation, and impacts on lands and resources, and traffic that will use the road during the sale.</p> <p>FSM 2432.34a: Locate and design specified roads to serve the resources involved in accordance with the Forest plan, to facilitate completion of the transportation system, to fit the terrain, and to minimize damage to improvements and resources (FSM 7720).</p> <p>FSM 2432.34b:Use temporary roads only for short-term, non-recurrent purchaser use. Do not plan or permit purchasers to construct temporary roads in lieu</p>

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		<p>boulders in stream channels for stream enhancement.</p> <p>OAR 629-625-0200 Road Location (1) The purpose of this rule is to ensure roads are located where potential impacts to waters of the state are minimized. (2) When locating roads, operators shall designate road locations which minimize the risk of materials entering waters of the state and minimize disturbance to channels, lakes, wetlands and floodplains. (3) Operators shall avoid locating roads on steep slopes, slide areas, high landslide hazard locations, and in wetlands, riparian management areas, channels or floodplains where viable alternatives exist. (4) Operators shall minimize the number of stream crossings. (5) To reduce the duplication of road systems and associated ground disturbance, operators shall make use of existing roads where practical. Where roads traverse land in another ownership and will adequately serve the operation, investigate options for using those roads before constructing new roads.</p> <p>OAR 629-625-0300 Road Design (1) The purpose of OARs 629-625-0300 through 629-625-0340 is to provide design specifications for forest roads that protect water quality. (2) Operators shall design and construct roads to limit the alteration of natural slopes and drainage patterns to that which will safely accommodate the anticipated use of the road and will also protect waters of the state.</p> <p>OAR 629-625-0310 Road Prism (1) Operators shall use variable grades and alignments to avoid less suitable terrain so that the road prism is the least disturbing to protected resources, avoids steep sidehill areas, wet areas and potentially unstable areas as safe, effective vehicle use requirements allow. (2) Operators shall end-haul excess material from steep slopes or high landslide hazard locations where needed to prevent landslides. (3) Operators shall design roads no wider than necessary to accommodate the anticipated use. (4) Operators shall design cut and fill slopes to minimize the risk of landslides. (5) Operators shall stabilize road fills as needed to prevent fill failure and subsequent damage to waters of the state using compaction, buttressing, subsurface drainage, rock facing or other effective means.</p> <p>629-625-320 Stream Crossing Structures</p> <p>(1) Operators shall design and construct stream crossing structures (culverts, bridges and fords) to: (a) Minimize excavation of side slopes near the channel. (b) Minimize the volume of material in the fill. (a) Minimizing fill material is</p>		<p>of building specified roads needed for future recurrent management of the area.</p>

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		<p>accomplished by restricting the width and height of the fill to the amount needed for safe use of the road by vehicles, and by providing adequate cover over the culvert or other drainage structure. (b) Fills over 15 feet deep contain a large volume of material that can be a considerable risk to downstream beneficial uses if the material moves downstream by water. Consequently, for any fill over 15 feet deep operators shall submit to the State Forester a written plan that describes the fill and drainage structure design. Written plans shall include a design that minimizes the likelihood of: (i) surface erosion; (ii) embankment failure; and (iii) downstream movement of fill material. (c) Prevent erosion of the fill and channel.</p> <p>(2) Operators shall design and construct stream crossings (culverts, bridges, and fords) to: (a) Pass a peak flow that at least corresponds to the 50-year return interval. When determining the size of culvert needed to pass a peak flow corresponding to the 50-year return interval, operators shall select a size that is adequate to preclude ponding of water higher than the top of the culvert; and (b) Allow migration of adult and juvenile fish upstream and downstream during conditions when fish movement in that stream normally occurs. (3) An exception to the requirements in subsection (2)(a) of this rule is allowed to reduce the height of fills where roads cross wide flood plains. Such an exception shall be allowed if the operator obtains approval of a plan for an alternate practice. The State Forester will approve such a plan when the plan demonstrates: (a) The stream crossing site includes a wide flood plain; and (b) The stream crossing structure matches the size of the active channel and is covered by the minimum fill necessary to protect the structure; (c) Except for culvert cover, soil fill is not placed in the flood plain; and (d) The downstream edge of all fill is armored with rock of sufficient size and depth to protect the fill from eroding when a flood flow occurs.</p> <p>OAR 629-625-0330 Drainage</p> <p>(1) The purpose of this rule is to provide a drainage system on new and reconstructed roads that minimizes alteration of stream channels and the risk of sediment delivery to waters of the state. Drainage structures should be located based on the priority listed below. When there is a conflict between the requirements of sections (2) through (6) of this rule, the lowest numbered section takes precedence, and the later-numbered and conflicting section shall not be implemented. (2) Operators shall not concentrate road drainage water</p>		

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		<p>into headwalls, slide areas, high landslide hazard locations, or steep erodable fill-slopes. (3) Operators shall not divert water from stream channels into roadside ditches. (4) Operators shall install dips, water bars, or cross drainage culverts above and away from stream crossings so that road drainage water may be filtered before entering waters of the state. (5) Operators shall provide drainage when roads cross or expose springs, seeps, or wet areas. (6) Operators shall provide a drainage system using grade reversals, surface sloping, ditches, culverts and/or waterbars as necessary to minimize development of gully erosion of the road prism or slopes below the road.</p> <p>OAR 629-625-0340 Waste Disposal Areas</p> <p>Operators shall select stable areas for the disposal of end-haul materials, and shall prevent overloading areas which may become unstable from additional material loading.</p> <p>OAR 629-625-0400 Road Construction</p> <p>OARs 629-625-0400 through 629-625-0440 provide standards for disposal of waste materials, drainage, stream protection, and stabilization to protect water quality during and after road construction.</p> <p>OAR 629-625-0410 Disposal of Waste Materials</p> <p>Operators shall not place debris, sidecast, waste, and other excess materials associated with road construction in locations where these materials may enter waters of the state during or after construction.</p> <p>OAR 629-625-0420 Drainage</p> <p>(1) Operators shall clear channels and ditches of slash and other road construction debris that interferes with effective roadway drainage. (2) Operators shall provide effective cross drainage on all roads, including temporary roads. (3) Operators shall install drainage structures on flowing streams as soon as feasible. (4) Operators shall effectively drain uncompleted roads which are subject to erosion. (5) Operators shall remove berms on the edges of roads or provide effective drainage through these berms, except for those berms intentionally designed to protect road fills.</p> <p>OAR 629-625-0430 Stream Protection</p> <p>(1) When constructing stream crossings, operators shall minimize disturbance to banks, existing channels, and riparian management areas. (2) In addition to the</p>		

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		<p>requirements of the water protection rules, operators shall keep machine activity in beds of streams to an absolute minimum. Acceptable activities where machines are allowed in streambeds, such as installing culverts, shall be restricted to periods of low water levels. Operators shall submit a written plan to the State Forester for machine activity in Type F or Type D streams, lakes, and significant wetlands[is required by 629-625-0100(2)(c)]. (3) For all roads constructed or reconstructed operators shall install water crossing structures where needed to maintain the flow of water and passage of adult and juvenile fish between side channels or wetlands and main channels. (4) Operators shall leave or re-establish areas of vegetation between roads and waters of the state to protect water quality. (5) Operators shall remove temporary stream crossing structures promptly after use, and shall construct effective sediment barriers at approaches to channels.</p> <p>OAR 629-625-0430 Stream Protection</p> <p>(1) When constructing stream crossings, operators shall minimize disturbance to banks, existing channels, and riparian management areas. (2) In addition to the requirements of the water protection rules, operators shall keep machine activity in beds of streams to an absolute minimum. Acceptable activities where machines are allowed in streambeds, such as installing culverts, shall be restricted to periods of low water levels. Prior approval of the State Forester for machine activity in Type F or Type D streams, lakes, and significant wetlands is required by 629-625-0100(2)(c). (3) For all roads constructed or reconstructed operators shall install water crossing structures where needed to maintain the flow of water and passage of adult and juvenile fish between side channels or wetlands and main channels. (4) Operators shall leave or re-establish areas of vegetation between roads and waters of the state to protect water quality. (5) Operators shall remove temporary stream crossing structures promptly after use, and shall construct effective sediment barriers at approaches to channels.</p> <p>OAR 629-625-0440 Stabilization</p> <p>(1) Operators shall stabilize exposed material which is potentially unstable or erodible by use of seeding, mulching, riprapping, leaving light slashing, pull-back, or other effective means. (2) During wet periods operators shall construct roads in a manner which prevents sediment from entering waters of the state. (3) Operators shall not incorporate slash, logs, or other large</p>		

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		<p>quantities of organic material into road fills.</p> <p>OAR 629-625-0500 Rock Pits and Quarries</p> <p>(1) The development, use, and abandonment of rock pits or quarries which are located on forestland and used for forest management shall be conducted using practices which maintain stable slopes and protect water quality. (2) Operators shall not locate quarry sites in channels. (3) When using rock pits or quarries, operators shall prevent overburden, solid wastes, or petroleum products from entering waters of the state. (4) Operators shall stabilize banks, headwalls, and other surfaces of quarries and rock pits to prevent surface erosion or landslides. (5) When a quarry or rock pit is inactive or vacated, operators shall leave it in the conditions described in section (4) of this rule, shall remove from the forest all petroleum-related waste material associated with the operation; and shall dispose of all other debris so that such materials do not enter waters of the state.</p> <p>OAR 629-625-0600 Road Maintenance</p> <p>(1) The purpose of this rule is to protect water quality by timely maintenance of all active and inactive roads. (2) Operators shall maintain active and inactive roads in a manner sufficient both to provide a stable surface and to keep the drainage system operating as necessary to protect water quality. (3) Operators shall inspect and maintain culvert inlets and outlets, drainage structures and ditches before and during the rainy season as necessary to diminish the likelihood of clogging and the possibility of washouts. (4) Operators shall provide effective road surface drainage, such as water barring, surface crowning, constructing sediment barriers, or outsloping prior to the rainy and runoff seasons. (5) When applying road oil or other surface stabilizing materials, operators shall plan and conduct the operation in a manner as to prevent entry of these materials into waters of the state. (6) In the Northwest and Southwest Oregon Regions, operators shall maintain and repair active and inactive roads as needed to minimize damage to waters of the state. This may include maintenance and repair of all portions of the road prism during and after intense winter storms, as safety, weather, soil moisture and other considerations permit. (7) Operators shall place material removed from ditches in a stable location. (8) In order to maintain fish passage through water crossing structures, operators shall: (a) Maintain conditions at the structures so that passage of adult and juvenile fish is not impaired during periods when fish movement normally occurs. This standard is required only for roads</p>		

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			<p>constructed or reconstructed after September 1994, but is encouraged for all other roads; and, (b) As reasonably practicable, keep structures cleared of woody debris and deposits of sediment that would impair fish passage. (c) Other fish passage requirements under the authority of ORS 498.268 and 509.605 that are administered by other state agencies may be applicable to water crossing structures, including those constructed before September 1, 1994. (9) Where needed to protect water quality, as directed by the State Forester, operators shall place additional cross drainage structures on existing active roads within their ownership prior to hauling to meet the requirements of OAR 629-625-0330.</p> <p>OAR 629-625-0650 Vacating Forest Roads</p> <p>(1) The purpose of this rule is to ensure that when landowners choose to vacate roads under their control, the roads are left in a condition where road related damage to waters of the state is unlikely. (2) To vacate a forest road, landowners shall effectively block the road to prevent continued use by vehicular traffic; and shall take all reasonable actions to leave the road in a condition where road-related damage to waters of the state is unlikely. (3) Reasonable actions to vacate a forest road may include: removal of stream crossing fills; pullback of fills on steep slopes, frequent cross ditching, and/or vegetative stabilization. (4) Damage which may occur from a vacated road, consistent with Sections (2) and (3) of the rule, will not be subject to remedy under the provisions of the Oregon Forest Practices Act.</p> <p>OAR 629-625-0700 Wet Weather Road Use</p> <p>(1) The purpose of this rule is to reduce delivery of fine sediment to streams caused by the use of forest roads during wet periods that may adversely affect downstream water quality in Type F or Type D streams. (2) Operators shall use durable surfacing or other effective measures that resist deep rutting or development of a layer of mud on top of the road surface on road segments that drain directly to streams on active roads that will be used for log hauling during wet periods. (3) Operators shall cease active road use where the surface is deeply rutted or covered by a layer of mud and where runoff from that road segment is causing a visible increase in the turbidity of Type F or Type D streams as measured above and below the effects of the road.</p>		
3.6	Harvest Operations & Access: Harvest Site Protection	<input type="checkbox"/> 3.2.b. Regeneration, tending and harvesting operations should be carried	<p>629-630-0000 Purpose</p> <p>(1) Harvesting of forest tree species is an integral part of forest management by</p>	<p><i>Harvest sites are protected under contract provisions on a sale by sale basis and meet or</i></p>	<p>FSM 1950.3 Compliance with NEPA is fundamental to managing all Forest Service resource, research, and cooperative forestry programs and must be integrated</p>

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	<p>out in time, and in a way that do not reduce the productive capacity of the site, for example by avoiding damage to retained stands and trees as well as to the forest soil, and by using appropriate systems.</p> <p><input type="checkbox"/> 4.2.e. Tending and harvesting operations should be conducted in a way that do not cause lasting damage to ecosystems. Wherever possible, practical measures should be taken to improve or maintain biological diversity.</p> <p><input type="checkbox"/> 4.2.f. Infrastructure should be planned and constructed in a way that minimises damage to ecosystems, especially to rare, sensitive or representative ecosystems and genetic reserves, and that takes threatened or other key species - in particular their migration patterns - into consideration.</p> <p><input type="checkbox"/> 4.2.g. With due regard to management objectives, measures should be taken to balance the pressure of animal populations and grazing on forest regeneration and growth as well as on biodiversity.</p> <p><input type="checkbox"/> 5.1.a. Forest</p>	<p>which wood for human use is obtained and by which forests are established and tended. (2) Harvesting operations result in a temporary disturbance to the forest environment. (3) The purpose of the harvesting rules is to establish standards for forest practices that will maintain the productivity of forestland, minimize soil and debris entering waters of the state, and protect wildlife and fish habitat. (4) OARs 629-630-0000 through 629-630-0800 shall be known as the harvesting rules. (5) The harvesting rules shall apply to all forest practices regions unless otherwise indicated.</p> <p>OAR 629-630-0100 Skidding and Yarding Practices</p> <p>(1) For each harvesting operation, operators shall select a logging method and type of equipment appropriate to the given slope, landscape, and soil properties in order to minimize soil deterioration and to protect water quality. (2) Operators shall avoid ground-based yarding on unstable, wet, or easily compacted soils unless operations can be conducted without damaging soil productivity through soil disturbance, compaction or erosion. (3) Operators shall locate skid trails where sidecasting is kept to a minimum. (4) Operators shall locate skid trails on stable areas so as to minimize the risk of material entering waters of the state. (5) Operators shall avoid excavating skid trails on slumps or slides. (6) Operators shall limit cable logging to uphill yarding whenever practical. When downhill cable yarding is necessary, operators shall use a layout and system which minimizes soil displacement.</p> <p>OAR 629-630-0150 Ground-Based Harvesting On Steep Or Erosion-Prone Slopes</p> <p>(1) The purpose of this rule is to reduce the potential for erosion from steep or erosion-prone slopes to enter waters of the state. (2) Slopes over 60 percent are subject to the requirements of Sections (4) through (9) of this rule. (3) Slopes over 40 percent where soils consist of decomposed granite-type materials, or other highly erodible materials as determined by the State Forester, are considered erosion-prone and subject to the requirements of Sections (4) through (9) of this rule. (4) Methods that avoid development of compacted or excavated trails are the preferred alternative for operating on steep or erosion-prone slopes. If the operation will result in excavated or compacted skid trails, operators shall apply sections (5) through (9) of this rule. (5) If skid trails are located on steep or erosion-prone slopes, operators shall locate them at least 100 feet from any stream channels. (6) Operators shall locate skid trails where water can drain off the skid trail and onto undisturbed</p>	<p><i>exceed same regulations as private lands.</i></p> <p>OAR 629-035-0020 (2) (c)</p> <p>OAR 629-035-0030 (3) (D)</p>	<p>into the management processes of those programs.</p> <p>FSM 2471.02 Manage timber and other forest resources for protection, enhancement, and sustained yield of those resources through the sale or permitted use of forest products with the long-term intent to regenerate the stand.</p> <p>FSM 2450 Specifies procedures for Timber Sale Contract Administration</p> <p>FSM 2409.15 The Timber Sale Administration Handbook (FSH) details procedures and requirements for the administration of timber sales.</p> <p>FSM 2453.21 [Modify contracts in. . .] situations that may result in environmental or resource damage sometimes develop or become apparent after a timber sale is sold. When clearly necessary to prevent unacceptable damage to resources or to the environment, Contracting Officers may, within the advice of the Office of the General Counsel, approve modifications that go beyond the intent of the original sale. Such modifications are those that either: (1.) Make significant changes in conditions, such as timber designation, logging methods, or areas to be cut; or, (2.) Result in a monetary loss of stumpage values to the Government. When Contracting Officers unilaterally suspend, delay, or otherwise discourage or impair operations on a contract being processed for a modification to prevent environmental or resource damage, they are obligating the Government to pay the purchaser damages, as provided in the contract. Revisions of forest land and resource management plans must not occur automatically or retroactively on existing timber sales, unless failure to revise a plan will result in unacceptable environmental or resource damage.</p>

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	<p>management planning should aim to maintain and enhance protective functions of forests for society, such as protection of infrastructure, protection from soil erosion, protection of water resources and from adverse impacts of water such as floods or avalanches.</p> <p><input type="checkbox"/> 5.2.c. Construction of roads, bridges and other infrastructure should be carried out in a manner that minimises bare soil exposure, avoids the introduction of soil into watercourses and that preserve the natural level and function of water courses and river beds. Proper road drainage facilities should be installed and maintained.</p>	<p>soils. (7) Skid trails shall not be located straight up and down steep or erosion prone slopes for a distance exceeding 100 feet unless effective drainage and sediment filtration can be achieved. (8) Operators shall install effective cross ditches on all skid roads located on steep or erosion-prone slopes. (9) Operators shall limit the amount of ground with disturbed soils on steep or erosion-prone slopes as described in Sections (2) and (3) of this rule to no more than ten percent of the steep or erosion-prone slopes within the operation area.</p> <p>OAR 629-630-0200 Landings</p> <p>(1) Operators shall minimize the size of landings to that necessary for safe operation. (2) Operators shall locate landings on stable areas so as to minimize the risk of material entering waters of the state. (3) Operators shall avoid locating landings in riparian management areas. When no feasible alternative landing locations exist, operators shall [obtain prior approval of]submit a written plan to the State Forester before locating landings in riparian management areas. (4) Operators shall not incorporate slash, logs, or other large quantities of organic material into landing fills. (5) Operators shall deposit excess material from landing construction in stable locations well above the high water level.</p> <p>OAR 629-630-0300 Drainage Systems</p> <p>(1) The purpose of this rule is to provide and maintain a drainage system for each landing, skid trail, and fire trail that will control and disperse surface runoff to minimize sediment entering waters of the state. (2) Operators shall construct dips, grade reversals or other effective water diversions in skid trails and fire trails as necessary to minimize soil displacement and to ensure runoff water is filtered before entering waters of the state. (3) Operators shall drain skid trails by water barring or other effective means immediately following completion of the operation and at all times during the operation when runoff is likely. (4) Operators shall establish effective drainage on landings during and after use.</p> <p>OAR 629-630-0400 Treatment of Waste Materials</p> <p>(1) Operators shall leave or place all debris, slash, sidecast and other waste material associated with harvesting in such a manner to prevent their entry into waters of the state. (2) Where sidecast material or exposed soils are potentially unstable or erodible, the operator shall stabilize it by pullback, spreading out, seeding or other effective means. (3) Operators shall remove from the forest all petroleum product related waste material associated with the operation</p>		

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		<p>including, but not limited to, crankcase oil, filters, grease and oil containers. (4) Operators shall dispose of all other debris such as machine parts, old wire rope, and used tractor tracks so that such materials do not enter waters of the state.</p> <p>OAR 629-630-0500; Harvesting On High Landslide Hazard Locations</p> <p>(1) The purpose of this rule is to prevent timber harvesting-related serious ground disturbance and drainage alterations on all high landslide hazard locations, and to reference additional requirements when there is public safety exposure below the high landslide hazard location. (2) Operators and the State Forester shall share responsibility to identify high landslide hazard locations and to determine if there is public safety exposure from shallow, rapidly moving landslides using methods described in OAR 629-623-0100 through 0300. If there is public safety exposure, then the practices described in OAR 629-623-0400 through 0800 shall also apply. (3) Operators shall not construct skid roads on high landslide hazard locations. (4) Operators shall not operate ground-based equipment on high landslide hazard locations. (5) Operators shall prevent deep or extensive ground disturbance on high landslide hazard locations during log felling and yarding operations. (6) Operators concerned about the application of these standards to a specific operation may consult with the State Forester to obtain an evaluation of their harvesting plan and its likelihood of compliance with the standards.</p> <p>OAR 629-630-0700; Yarding; Cable Equipment Near Waters of the State</p> <p>(1) Operators shall maintain the purposes and functions of vegetation required to be retained in riparian management areas and minimize disturbance to beds and banks of streams, lakes, all wetlands larger than one-quarter acre, and retained vegetation during cable yarding operations. (2) Operators shall minimize the yarding of logs across streams, lakes, significant wetlands, and other wetlands greater than one-quarter acre whenever harvesting can be accomplished using existing roads or other practical alternatives. (3) Operators may use yarding corridors through retained streamside trees as long as the numbers and widths of yarding corridors are minimized. Operators shall [obtain prior approval of]submit a written plan to the State Forester when yarding across streams classified as Type F or Type D, any large or medium Type N streams, lakes, or significant wetlands. (4) When yarding across Type F or Type D streams, any large or medium Type N streams, lakes, or significant wetlands is necessary, it shall be done by swinging the yarded material free of</p>		

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		<p>the ground in the aquatic areas and riparian areas. (5) Cable yarding across streams classified as small Type N or other wetlands greater than one-quarter acre shall be done in ways that minimize disturbances to the stream channel or wetland and minimize disturbances of retained streamside vegetation.</p> <p>OAR 629-630-0800 Yarding; Ground-based Equipment Near Waters of the State</p> <p>(1) Operators shall maintain the purposes and functions of vegetation required to be retained in riparian management areas, and minimize disturbances to beds and banks of streams, lakes, all wetlands larger than one-quarter acre, and retained vegetation during ground-based yarding operations. (2) Operators shall not operate ground-based equipment within any stream channel except as allowed in the rules for temporary stream crossings. (3) Operators shall minimize the number of stream crossings. (4) For crossing streams that have water during the periods of the operations, operators shall: (a) Construct temporary stream crossing structures such as log crossings, culvert installations, or fords that are adequate to pass stream flows that are likely to occur during the periods of use. Structures shall be designed to withstand erosion by the streams and minimize sedimentation. (b) Choose locations for temporary stream crossing structures which minimize cuts and fills or other disturbances to the stream banks. (c) Minimize the volume of material in any fills constructed at a stream crossing. Fills over eight feet deep contain such a large volume of material that they can be a considerable risk to downstream beneficial uses should the material move downstream by water. For any fill for a temporary crossing that is over eight feet deep, operators shall [obtain approval by]submit to the State Forester of a written plan that includes a description of how the fills would be constructed, passage of water, and the length of time the fills would be in the stream. (d) Design temporary structures so that fish movement is not impaired on Type F streams. (e) Remove all temporary stream crossing structures immediately after completion of operations or prior to seasonal runoff that exceeds the water carrying capacity of the structures, whichever comes first. When removing temporary structures, operators shall place fill material where it will not enter waters of the state. (5) For stream crossings where the channels do not contain water during the periods of the operations, operators are not required to construct temporary crossings as long as disturbances are no greater than what would occur if</p>		

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			<p>structures were constructed. Soil that enters the channels during the yarding operations must be removed after completion of the operation or prior to stream flow, whichever comes first. When removing such materials from the channels, operators shall place the materials in locations where they will not enter waters of the state. (6) Operators shall construct effective sediment barriers such as water bars, dips, or other water diversion on stream crossing approaches after completion of operations, or prior to rainy season runoff, whichever comes first. (7) Machine activity near (generally within 100 feet) streams, lakes, and other wetlands greater than one-quarter acre shall be conducted to minimize the risk of sediment entering waters of the state and preventing changes to stream channels. Operators shall only locate, construct, and maintain skid trails in riparian management areas consistent with the harvesting rules. (8) Operators shall minimize the amount of exposed soils due to skid trails within riparian management area. Except at stream crossings, operators shall not locate skid trails within 35 feet of Type F or Type D streams. Operators shall provide adequate distances between all skid trails and waters of the state to filter sediment from runoff water. (9) Operators shall locate and construct skid trails so that when high stream flow occurs water from the stream will not flow onto the skid trail.</p> <p>OAR 629-640 Retention of vegetation along streams requires protection of sites near streams during harvest operations.</p>		
3.7	Resource Conservation: Waste & Utilization	<input type="checkbox"/> 3.2.c. Harvesting levels of both wood and non-wood forest products should not exceed a rate that can be sustained in the long term, and optimum use should be made of the harvested forest products, with due regard to nutrient offtake.	<p>OAR 629-615-0000.</p> <p>(1) OAR 629-615-0000 to 0300 shall be known as the treatment of slash rules. (2) For the purposes of these rules, treatment of slashing is recognized as a necessary tool for the protection of reproduction and residual stands from the risk of fire, insects, and disease, to prepare the site for future productivity and to minimize the risk of material entering streams. Such treatment may employ the use of mechanical processes, fire, chemical or other means to minimize competitive vegetation and residue from harvesting operations.</p> <p>OAR 629-615-0100. Maintenance of Productivity and Related Values</p> <p>(1) Operators shall plan and conduct forest operations in a manner which will provide adequate consideration to treatment of slashing to protect residual stands of timber and reproduction to optimize conditions for reforestation of forest tree species, to maintain productivity of forestland, to maintain forest health, and maintain air and water quality and fish and wildlife habitat. (2) Operators shall dispose of or disperse unstable slash accumulations around</p>	<p><i>OAR's that apply to private lands also pertain to state forest lands.</i></p>	<p>16 USC 1600 Sec. 2 (7) recycled timber product materials are as much a part of our renewable forest resources as are the trees from which they originally came, and in order to extend our timber and timber fiber resources and reduce pressures for timber production from Federal lands, the Forest Service should expand its research in the use of recycled and waste timber product materials, develop techniques for the substitution of these secondary materials for primary materials, and promote and encourage the use of recycled timber product materials.</p> <p>16 U.S.C 1601 Section 3 (c) 1 The Secretary shall report (2) the potential for increased utilization of forest and wood product wastes in the National Forest System and on other lands, and or urban wood wastes and</p>

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			landings to prevent their entry into streams.		wood product recycling, including recommendations to the Congress for actions which would lead to increased utilization of materials now being wasted both in the forests and in manufactured products. FSM 2476.03 (4.) Accomplish timber stand improvement objectives to the extent possible by commercial sale or permitted use of timber and other forest products which promote improved wood utilization consistent with other resource needs and objectives. FSM 2467.03: Use management measures that perpetuate or increase the production of miscellaneous forest products within applicable objectives, standards, and guidelines of the Forest land and resource management plan. Recover the fair market value of such products when it is practicable to do so.
4	(C&I) 4: Conservation and maintenance of soil and water resources				
4.1	Resource Conservation: Water Yield and Water Quality	<input type="checkbox"/> 5.2.b. Special care should be given to forest management practices on forest areas with water protection function to avoid adverse effects on the quality and quantity of water resources. Inappropriate use of chemicals or other harmful substances or inappropriate silvicultural practices influencing water quality in a harmful way should be avoided.	OAR 629-605-0130. Compliance with the Rules and Regulations of the Department of Environmental Quality Each operation, as defined by ORS 527.620 , shall be conducted in full compliance with the rules and regulations of the Department of Environmental Quality relating to air and water pollution control. In addition to all other remedies, any violation thereof shall be subject to all remedies and sanctions available by law, rule, or regulation to the Department of Environmental Quality. Stat. Auth.: ORS 527.710 OAR 629-630-0600. Felling--Removal of Slash (1) Operators shall fell, buck, and limb trees in ways that minimize disturbance to channels, soils and retained vegetation in riparian management areas, streams, lakes and all wetlands greater than one-quarter acre, and that minimize slash accumulations in channels, significant wetlands and lakes. (2) During felling operations operators shall: (a) Whenever possible, fell all conifer trees away from riparian management areas, streams, lakes and significant wetlands, except for trees felled for stream improvement projects. (b) On steep slopes, use felling practices such as jacking, line pulling, high stumps, whole	<i>In addition to being subject to extensive water regulations that pertain to private lands</i> OAR 629-035-0055 (v) Domestic Water Use -- lands where individuals or communities have water rights, where surface water is being used for domestic water use and where the State Forester determines water quality and/or quantity is a focus of the integrated management of a variety of forest resources. For the purposes of this section, "domestic water use" means the use of water for human consumption and other household human use. OAR 629-035-0020 (2) (d) OAR 629-035-0030 (3) (b) (B)	33 U.S.C. §§ 1342 requires permits for filling or dredging of navigable waters--any activity that may affect the flow of navigable waters requires permitting. 33 U.S.C. §§ 1251 (a) sets as a goal the "restoration and maintenance of chemical, physical and biological integrity of the Nation's waters." 16 U.S.C. §§ 1452 et seq. provides for the protection of natural resources through management programs for the Coastal Zone. §§ 1455b et seq. provides for the control of non-point source pollution in the Coastal Zone. FSM 2541.03 (1.) Rely on the reservation doctrine if the land was reserved from the public domain and for the reservation purposes identified in documents or legislation; (2.) Obtain water rights under State law if the reservation doctrine does not apply; (3.) Purchase

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		tree yarding, or stage-cutting as necessary and feasible to prevent damage to vegetation retained in riparian management areas, soils, streams, lakes and significant wetlands. (c) When hardwoods must be felled into or across streams, lakes or significant wetlands, operators shall: (A) Buck and yard the trees to minimize damage to beds, banks and retained vegetation. (B) When it can be done consist with protecting beds and banks, yard hardwood trees or logs away from the water before limbing. (3) Operators shall minimize the effects of slash that may enter waters of the state during felling, bucking, limbing or yarding by: (a) Removing slash from Type F and Type D streams, lakes and significant wetlands as an ongoing process (removal within 24 hours of the material entering the stream) during the harvest operation. (b) Not allowing slash to accumulate in Type N streams, lakes or wetlands in quantities that threaten water quality or increase the potential for mass debris movement. (c) Placing any slash that is removed from streams, lakes, or wetlands above high water levels where it will not enter waters of the state.		<p>essential water rights not otherwise available; (4.) Use water needed for National Forest purposes efficiently, and in water-scarce areas, frugally.</p> <p>FSM 2531.02 Ensure that essential water resource data and interpretations required for land and related resource management are available for the land manager.</p> <p>FSM 2532.03 (2.) Consider water quality needs of local, regional, and national public interests both on and off the National Forest in determining appropriate water quality management activities.</p> <p>FSM 2532.03 (3.) Establish objectives for managing the quality of the water resource in land and resource management plans (FSM 1920).</p> <p>FSM 2532.03 (4.) Include a water quality evaluation for all environmental analyses (FSM 1950). Identify the water quality implications of proposed and alternative land management practices.</p> <p>FSM 2532.1 Inventory water quality on all National Forest System lands as needed for management of all National Forest resources.</p> <p>[NWFP] Vegetation management activities on National Forest System lands should be dispersed in time and space to minimize cumulative watershed effects. Not more than 35 percent of an area available for vegetative manipulation should be in a hydrologically disturbed condition at any one time: (a.) Within the 15 major drainages on the Forest (Map Four-2) watershed impact areas shall not exceed 35 percent; and, (b.) Watershed impact areas at the sub-basin or area analysis level (i.e. typically 3000 to 6000 acres) should not exceed 35 percent.</p> <p>[NWFP] Cumulative effects analyses of management</p>

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				<p>activities on water quality and/or stream channel stability (e.g. watershed impact analyses) shall include land in all ownerships within the watershed.</p> <p>[NWFP] Where land ownerships are intermingled, timber harvest scheduling should be coordinated to prevent adverse cumulative effects.</p> <p>[NWFP] Watershed improvement projects (as identified during project analysis and/or in the Forest Watershed improvement Needs Inventory) shall be initiated to reduce sedimentation, to improve water quality and to stabilize peak water flows. High priority projects should be those that increase channel stability, improve effective stream shading, reduce sedimentation, and stabilize severe soil erosion and/or mass movement. Degraded areas with a high potential for recovery shall receive the highest priority for treatment.</p> <p>[NWFP] In-stream water flow on National Forest System lands (e.g. regarding proposed water uses, diversions, transmission applications and renewal of permits) are protected through a variety of mechanisms, including: protesting conflicting water use claims, including required measures in special use permits, establishing agreements concerning water use, asserting legal claims, and determining minimum flow requirements.</p> <p>[NWFP] The distribution of land use activities, such as timber harvest or roads, must minimize increases in peak streamflows.</p>	
4.2	Resource Conservation: Soil Nutrient Status/Erosion	<div><input type="checkbox"/> 3.2.c. Harvesting levels of both wood and non-wood forest products should not exceed a rate that can be sustained in the long term, and optimum use should be made of the harvested forest</div>	<p>ORS 527.630 Policy rules.</p> <p>(1) 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</p>	<p>629-035-0030 (D) Maintain or enhance long-term forest soil productivity and (3) (B) & (D).</p> <p>OAR 629-035-0020 (2) (C)</p> <p>OAR 629-035-0010 (1) (d) (e)</p> <p>Forest management plan strategies 6&7, aquatic and riparian strategies.</p>	<p>FSM 2550.3 Manage forest and rangelands in a manner that will improve soil productivity. Use appropriate soils information systems in support of all management activities affecting, or influenced by, the soil resource.</p> <p>FSM 2520.3 Apply management practices that meet requirements for protecting, maintaining, restoring, or</p>

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	<p>products, with due regard to nutrient offtake.</p> <p><input type="checkbox"/> 5.1.a. Forest management planning should aim to maintain and enhance protective functions of forests for society, such as protection of infrastructure, protection from soil erosion, protection of water resources and from adverse impacts of water such as floods or avalanches.</p> <p><input type="checkbox"/> 5.2.a. Special care should be given to silvicultural operations on sensitive soils and erosion prone areas as well as on areas where operations might lead to excessive erosion of soil into watercourses. Inappropriate techniques such as deep soil tillage and use of unsuitable machinery should be avoided on such areas. Special measures to minimise the pressure of animal population on forests should be taken.</p>	<p>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.</p> <p>ORS 527.710 Duties and powers of board; rules; inventory for resource protection; consultation with other agencies required</p> <p>(1) In carrying out the purposes of ORS 527.610 to ORS 527.770, ORS 527.990 (1) and ORS 527.992, 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, the rules shall provide for the overall maintenance of the following resources: (a) Air quality; (b) Water resources, including but not limited to sources of domestic drinking water; (c) Soil productivity</p> <p>Reforestation silviculture rules [OAR 629 Divisions 610 and 615] require: When reforestation is not required or planned, sufficient site re-vegetation within 12 months to provide continuing soil productivity & stabilization. Slash treatments to be planned to maintain forestland productivity. No mechanical site preparation in riparian areas with steep slopes, evidence of erosion, or where subsoil exposure or compaction is likely. Land clearing projects to minimize compaction and topsoil movement to maintain forestland productivity. Prescribed burning treatments protect humus and the soil surface. Rules require that written plans for prescribed burning in riparian areas include a description of how impacts will be minimized, especially in highly erodible soils and steep slopes.</p> <p>Timber Harvest – rules [OAR 629 Division 630] require: Harvesting practices that generally maintain forestland productivity. Logging method and equipment that minimize soil deterioration. Ground based yarding is to be avoided on soils that are unstable, easily compacted or steep, unless operations can be done without damaging productivity. Written plans for “high risk sites” describe how soil impacts will be minimized. . . .Felling and yarding operations that provide water resource protection. Some snags and down logs must be left in harvested areas, in part to maintain (soil) nutrient cycling and moisture retention [ORS 527.676]. In addition, the Water Protection Rules [OAR 629</p>		<p>improving watershed conditions.</p> <p>FSM 2521.03 (1.) Use Federal guidelines for delineated watershed hydrologic unit boundaries. (2.) Use a science-based approach to assess watershed condition. (3.) Use a science-based approach to assess the condition of watersheds. (4.) Use an integrated approach to identify specific watersheds as a priority for protection and management and for improvement.</p> <p>FSM 2523.03 (1.) [Watershed Conditions] Conduct assessments (FSM 2523.1) promptly on all burned areas following wildland fires to determine if emergency stabilization treatment is needed. An interdisciplinary process should be used when fires exceed 300 acres or when potential threats to life, property, natural resources, or cultural resources exist as a result of a smaller fire.</p> <p>FSM 2523.03 (2.) [Watershed Conditions] Undertake stabilization treatments only when an analysis shows that planned actions are likely to substantially reduce risks and are compatible with land and resource management plans and wilderness management objectives (FSM 2323 and FSH 2509.13, sec. 26.6).</p>

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			Divisions 635 to 655] include some requirements for harvesting practices to maintain the productivity and hydrologic function of soils.. .Protection of Soil Productivity During Mechanical Site Preparation; On land clearing projects where mechanical methods are used, operators shall minimize compaction and movement of topsoil to protect soil productivity.		
5	(C&I) 5: Maintenance of forest contribution to global carbon cycles		Official State Board of Forestry policy from the 2003 Forestry Program for Oregon states: Strategy G. Enhance carbon storage in: Oregon's forests and forest products. ACTIONS: G.1. The board will encourage maintaining and; increasing Oregon's forestland base and; promoting urban forests to enhance carbon; storage and reduce greenhouse gases. G.2. The board will encourage development of; tools to predict how forest management and; wildfire affect carbon pools and calculate; the amount of carbon stored in these pools. G.3. The board will promote increased public; and forest landowner understanding of the; potential contributions of trees and forests in; storing carbon. G.4. The board will promote the development of; forestry carbon-offset markets, and provide; landowners information about the market; rules for the sale or exchange of carbon; offsets. G.5. The board will promote the use and reuse of; Oregon forest resources, avoiding the higher; level of carbon dioxide emissions resulting; from the manufacture of many wood; product substitutes. G.6. The board will work with forest landowners; and encourage other organizations to work; with wood products manufacturers and; retailers to develop local markets for wood; products from Oregon forests. G.7. The board will encourage greater consumer; awareness of the environmental advantages; of using renewable and recyclable Oregon; forest products.	<i>State forests managed according to Forestry Program for Oregon, which contains a strategy to enhance carbon storage in Oregon's forests and forest products.</i> Strategy G. Enhance carbon storage in Oregon's forests and forest products.	
6	(C&I) 6: Maintenance and enhancement of long-term multiple socio-economic benefits to meet the needs of societies				
6.1	(C&I) 6.1: Production and Consumption				
6.1.1	Production of Timber Products		<i>From the 2003 Forestry Program for Oregon:</i> B.5. The board will promote environmentally; sound, active forest management policies; that encourage long-term investments, sustainable timber supplies, recreation and; cultural opportunities, special forest products, fish and wildlife habitat, clean air and; water, renewable energy, other forest; outputs and benefits, and high levels of; employment and income.	629-035-0020 Greatest Permanent Value. (1) As provided in ORS 530.050, "greatest permanent value" means healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social, economic, and environmental benefits to the people of Oregon. These benefits include, but are not limited	

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			<p>B.6. The board will direct the Department of Forestry to analyze barriers to forest industry; investment and to assess the ability of Oregon's forest-related industries to remain globally competitive and to sustain production of other desired environmental, economic, and social values from Oregon's forests.</p> <p>B.7. The board will direct the Department of Forestry to conduct a study of economic contributions and trends of Oregon's forest; recreation and non-wood products industries.</p>	<p>to: (a) Sustainable and predictable production of forest products that generate revenues for the benefit of the state, counties, and local taxing districts</p> <p>ORS 530 State Forests Management, including timber sales.</p> <p>OAR 629-23 Forest Taxation</p> <p>OAR 629-29 & 31 Timber Sales, Exports</p>	
6.2		(C&I) 6.2: Recreation and Tourism			
6.2.1	Recreation Opportunities and Management	<input type="checkbox"/> 6.1.c. Adequate public access to forests for the purpose of recreation should be provided taking into account the respect for ownership rights and the rights of others, the effects on forest resources and ecosystems, as well as the compatibility with other functions of the forest.	<p><i>From the 2003 Forestry Program for Oregon:</i></p> <p>B.5. The board will promote environmentally sound, active forest management policies that encourage long-term investments, sustainable timber supplies, recreation and cultural opportunities, special forest products, fish and wildlife habitat, clean air and; water, renewable energy, other forest outputs and benefits, and high levels of employment and income.</p> <p>B.7. The board will direct the Department of Forestry to conduct a study of economic contributions and trends of Oregon's forest; recreation and non-wood products industries</p>	<p>629-035-0020 Greatest Permanent Value. (2) To secure the greatest permanent value of these lands to the state, the State Forester shall maintain these lands as forest lands and actively manage them in a sound environmental manner to provide sustainable timber harvest and revenues to the state, counties, and local taxing districts. This management focus is not exclusive of other forest resources, but must be pursued within a broader management context that: (d) Provides outdoor recreation opportunities.</p> <p>OAR 629-025-0000 through 0070 Purpose of the Rules: These rules establish standards for recreational use of state forest lands managed by the Forester. The objectives of these rules are to protect the resources of state forest lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands. These rules are adopted pursuant to <u>ORS 530.050</u> which gives the Forester the authority to adopt rules necessary for the management, protection, utilization and conservation of state forest lands acquired pursuant to <u>ORS 530.010</u> to 530.040. <i>Rules go on to specify allowed uses, fees, and other criteria for managing state forests and park lands for</i></p>	<p>FSM 2372.03 (1.) Designate or recommend administrative designation of special areas with outstanding natural characteristics or unique recreation or cultural values (36 CFR 294.1 and FSM 2372.2). 16 U.S.C. §§ 1452 et seq. provides for the management of the Coastal Zone especially for recreational purposes.</p> <p>33 U.S.C. §§ 1251(a)(2) sets a goal for all navigable waters to be of sufficient water quality for recreation by 1983; 33 C.F.R Part 328.3 defines all waters for which dredging or filling permits must be sought to include those waters which could be used for recreation.</p> <p>16 U.S.C. §§ 460I-4 et seq. provides funds for the preservation, development, and purchase of lands and waters for recreation.</p> <p>[NWFP] Manage Recreation Areas to Minimize Disturbance to Species</p>

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			<i>recreation.</i> 141-088-0000 Use of State Lands for Recreation by the Public. General Provisions: (1) Legally accessible land (including state-owned submerged and submersible land) under the jurisdiction of the State Land Board and the Department of State Lands (Department) shall remain available and open to public recreational use provided that such use: (a) Is lawful under local, state and federal law and (b) As determined by the Director: (A) Does not substantially interfere with the use of land by persons holding a written authorization from the Department for the land area including leases, easements, and temporary use permits; and (B) Does not pose a significant risk of danger to the natural and/or cultural resources of the land and/or public health and safety.	
6.3	(C&I) 6.3: Investment in Forest Sector	<i>From the 2003 Forestry Program for Oregon, the official policy of the Oregon Board of Forestry:</i> B.1. The board will work with other organizations to create and maintain a favorable investment climate for environmentally; sensitive, socially responsible, and globally competitive forest-based businesses throughout Oregon that will generate high quality, value-added products; high quality, stable employment; and increased export capacity. ACTIONS B.2. The board will promote the development of programs that enhance Oregon's forest industry competitiveness, industrial development, and both in-state and global recognition; that Oregon forest products come from sustainably managed forests. (KEY ACTION) B.5. The board will promote environmentally sound, active forest management policies that encourage long-term investments, sustainable timber supplies, recreation and cultural opportunities, special forest products, fish and wildlife habitat, clean air and; water, renewable energy, other forest outputs and benefits, and high levels of employment and income. (KEY ACTION) B.6. The board will direct the Department of Forestry to analyze barriers to forest industry investment and to assess the ability of Oregon's forest-related	629-035-0020 Goal for Oregon state forestlands: (a) Sustainable and predictable production of forest products that generate revenues for the benefit of the state, counties, and local taxing districts OAR 629-035-0030 (2) (e)	

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		industries to remain globally competitive and to sustain production of other desired environmental, economic, and social values from Oregon's forests.		
6.4	(C&I) 6.4: Cultural, Social, and Spiritual Needs and Values			
6.4.1	Community Relations	<p>527.670 Notice of chemical application</p> <p>(8) Within three working days of receipt of a notice or a written plan filed under subsection (6) or (7) of this section, the State Forester shall send a copy of the notice or written plan to any person who requested of the State Forester in writing that the person be sent copies of notice and written plan and who has paid any applicable fee established by the State Forester for such service. The State Forester may establish a fee for sending copies of notices and written plans under this subsection not to exceed the actual and reasonable costs. In addition, the State Forester shall send a copy of the notification to the Department of Revenue and the county assessor for the county in which the operation is located, at times and in a manner determined through written cooperative agreement by the parties involved. (9) Persons may submit written comments pertaining to the operation to the State Forester within 14 calendar days of the date the notice or written plan was filed with the State Forester under subsection (2), (6) or (7) of this section. Notwithstanding the provisions of this subsection, the State Forester may waive any waiting period for operations not requiring a written plan under subsection (3) of this section, except those operations involving aerial application of chemicals</p> <p>ORS 527.799 (3) (3) Any person adversely affected or aggrieved by an operation described in subsection (4) of this section may file a written request to the board for a hearing if the person submitted written comments pertaining to the operation within the time limits established under ORS 527.670 (9).</p> <p>ORS 527.765 (3) (3)(a) Notwithstanding ORS 183.310 (8), upon written petition for rulemaking under ORS 183.390 of any interested person or agency, the board shall review the best management practices adopted pursuant to this section.</p> <p>OAR 629-605-0500 Protection requirements for streams lakes, wetlands and riparian management areas maybe modified by a plan for alternative practice submitted to the State Forester for reasons of forest health or because; of hazards to public safety or property. Hazards to public safety or property include hazards to river navigation and hazards to improvements such as roads, bridges, culverts, or; buildings. Forest health concerns include fire,</p>	<p>629-035-0080 Public Involvement (1) The goals for public involvement in forest land planning are: (a) To seek insight, opinions, and data on planned management actions on state-owned forest lands. (b) To build understanding, acceptance, and support for the forest resource management planning processes and decisions. (c) To offer information to the public about forest systems and forest stewardship. (d) To provide the public with meaningful opportunities to comment and affect planning decisions at a time when public involvement can contribute positively to the planning decisions under consideration. (2) Opportunities for public involvement shall be appropriate to the planning decision under consideration and shall include one or more of the following: general public access to decisions, a public comment period, a Board meeting, public meeting, public hearing, or focused technical review. Revenues from state lands support local schools and other public services in counties where the lands exist.</p>	

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			<p>insect infestations, disease epidemics, or other catastrophic events not otherwise addressed in OAR 629-640-0300. Such; modifications of protection requirements should prevent, reduce or alleviate the forest health conflict or hazard while meeting the intent of the protection goals as much as possible.</p> <p>OAR 629-623-0000 Landslides and Public Safety--Purpose</p> <p>(1) Shallow, rapidly moving landslides may be a public safety risk affected by forest operations. There is a high natural landslide hazard in certain locations. In the short term, forest practices regulations can reduce the risk to people who are present in locations prone to shallow, rapidly moving landslides. In the long term, effective protection of the public can only be achieved through the shared responsibilities of homeowners, road users, forestland owners, and state and local governments to reduce the number of persons living in or driving through locations prone to shallow, rapidly moving landslides during heavy rainfall periods. (2) OAR 629-623-0000 through 629-623-0800 shall be known as the shallow, rapidly moving landslide and public safety rules. (3) The purpose of the shallow, rapidly moving landslides and public safety rules is to reduce the risk of serious bodily injury or death caused by shallow, rapidly moving landslides directly related to forest practices. These rules consider the exposure of the public to these safety risks and include appropriate practices designed to reduce the occurrence, timing, or effects of shallow, rapidly moving landslides. (4) These rules are based on the best scientific and monitoring information currently available. The department will continue to monitor factors associated with shallow, rapidly moving landslides and also review new research on this issue. The department will recommend rule changes if this new information suggests different forest practices may be appropriate.</p> <p>From the 2003 Forestry Program for Oregon:</p> <p>B.4. The board will continue to assess the unique challenges and opportunities facing family forest landowners and promote policies that encourage continued retention of, and investment in, family-owned forestlands.(KEY ACTION);</p>		
6.4.2	Protection of Areas of Cultural or Historical Importance	<input type="checkbox"/> 6.1.d. Sites with recognised specific historical, cultural or spiritual significance should be protected or managed in a way that takes due regard of the	<p>From the 2003 Forestry Program for Oregon:</p> <p>B.9. The board will develop and implement; forest policies potentially affecting recognized; Indian tribes in consultation with; those affected tribes. B.10. The board will support programs that; maintain and protect archeological and; cultural sites on forestlands.</p>	<p>OAR 629-035-0055 lists a category of special stewardship lands as: (v) Cultural Resources -- lands where cultural resources exist in a quantity or quality that restricts the integrated management of forest resources.</p> <p>Forest management plan strategies for</p>	<p>FSM 2372.03 (1.) Designate or recommend administrative designation of special areas with outstanding natural characteristics or unique recreation or cultural values (36 CFR 294.1 and FSM 2372.2).</p> <p>36 CFR 296.7 Notification to Indian tribes of possible harm to, or destruction of, sites on public</p>

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	significance of the site.		approved forest plans require protection of cultural resource sites.	lands having religious or cultural importance. (a) If the issuance of a permit under this part may result in harm to, or destruction of, any Indian tribal religious or cultural site on public lands, as determined by the Federal land manager, at least 30 days before issuing such a permit the Federal land manager shall notify any Indian tribe which may consider the site as having religious or cultural importance. Such notice shall not be deemed a disclosure to the public for purposes of section 9 of the Act. (1) Notice by the Federal land manager to any Indian tribe shall be sent to the chief executive officer or other designated official of the tribe. Indian tribes are encouraged to designate a tribal official to be the focal point for any notification and discussion between the tribe and the Federal land manager. (2) The Federal land manager may provide notice to any other Native American group that is known by the Federal land manager to consider sites potentially affected as being of religious or cultural importance. (3) Upon request during the 30-day period, the Federal land manager may meet with official representatives of any Indian tribe or group to discuss their interests, including ways to avoid or mitigate potential harm or destruction such as excluding sites from the permit area. Any mitigation measures which are adopted shall be incorporated into the terms and conditions of the permit under §296.9. (4) When the Federal land manager determines that a permit applied for under this part must be issued immediately because of an imminent threat of loss or destruction of an archaeological resource, the Federal land manager shall so notify the appropriate tribe. (b)(1) In order to identify sites of religious or cultural importance, the Federal land manager shall seek to identify all Indian tribes having aboriginal or historic ties to the lands under the Federal land manager's jurisdiction and seek to determine, from the chief

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				executive officer or other designated official of any such tribe, the location and nature of specific sites of religious or cultural importance so that such information may be on file for land management purposes. Information on sites eligible for or included in the National Register of Historic Places may be withheld from public disclosure pursuant to section 304 of the Act of October 15, 1966, as amended (16 U.S.C. 470w-3). (2) If the Federal land manager becomes aware of a Native American group that is not an Indian tribe as defined in this part but has aboriginal or historic ties to public lands under the Federal land manager's jurisdiction, the Federal land manager may seek to communicate with official representatives of that group to obtain information on sites they may consider to be of religious or cultural importance. (3) The Federal land manager may enter into agreement with any Indian tribe or other Native American group for determining locations for which such tribe or group wishes to receive notice under this section. (4) The Federal land manager should also seek to determine, in consultation with official representatives of Indian tribes or other Native American groups, what circumstances should be the subject of special notification to the tribe or group after a permit has been issued. Circumstances calling for notification might include the discovery of human remains. When circumstances for special notification have been determined by the Federal land manager, the Federal land manager will include a requirement in the terms and conditions of permits, under §296.9(c), for permittees to notify the Federal land manger immediately upon the occurrence of such circumstances. Following the permittee's notification, the Federal land manager will notify and consult with the tribe or group as appropriate. In cases involving Native American human remains and other "cultural items", as defined by NAGPRA, the Federal land

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				manager is referred to NAGPRA and its implementing regulations.
6.4.3	Traditional Knowledge	<i>Not mentioned other than statement above under 6.4.2</i>	<i>Not mentioned</i>	
6.5	(C&I) 6.5: Employment and Community Needs			
6.5.1	<p>Local/Regional Economic Opportunity</p> <p><input type="checkbox"/> 3.1.b. Forest management planning should aim to achieve sound economic performance taking into account possibilities for new markets and economic activities in connection with all relevant goods and services of forests.</p> <p><input type="checkbox"/> 6.1.a. Forest management planning should aim to respect the multiple functions of forests to society, have due regard to the role of forestry in rural development, and especially consider new opportunities for employment in connection with the socio-economic functions of forests.</p>	<p>629-031-0010 Criteria for Eligibility to Purchase State Timber or Logs (1) In addition to all other requirements of law, a person may bid for state timber or logs originating from state lands if the person certifies in a form and manner specified by the State Forester that: (a) The person will not directly or indirectly export unprocessed state timber or logs</p> <p><i>From the 2003 Forestry Program for Oregon:</i></p> <p>Strategy B. Ensure that Oregon's forests; provide diverse social and economic; outputs and benefits valued by the; public in a fair, balanced, and efficient; manner.</p> <p>B.1. The board will work with other organizations to create and maintain a favorable investment climate for environmentally; sensitive, socially responsible, and globally competitive forest-based businesses throughout Oregon that will generate high quality, value-added products; high quality, stable employment; and increased export capacity. (ACTION)</p> <p>B.2. The board will promote the development of programs that enhance Oregon's forest industry competitiveness, industrial development, and both in-state and global recognition that Oregon forest products come from sustainably managed forests. (KEY ACTION)</p> <p>B.6. The board will direct the Department of Forestry to analyze barriers to forest industry investment and to assess the ability of; Oregon's forest-related industries to remain globally competitive and to sustain production of other desired environmental, economic, and social values from Oregon's forests. (KEY ACTION)</p>	<p>629-035-0010 (6) Based on existing Board principles and policies and current scientific and silvicultural information, the Board finds that forest lands that are actively managed as provided in subsection (5) of this section can produce economic value over the long term and promote healthy, sustainable forest ecosystems that: (a) Produce timber and revenues for the state, counties, and local taxing districts. . .</p> <p>OAR 629-035-0020 (1) As provided in ORS 530.050, "greatest permanent value" means healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social, economic, and environmental benefits to the people of Oregon. These benefits include, but are not limited to: (a) Sustainable and predictable production of forest products that generate revenues for the benefit of the state, counties, and local taxing districts</p> <p>OAR 629-035-0020 (2) (c) Forest management plan goals also address providing an array of societal benefits from state forest lands, including economic support for local communities and the state economy in general.</p>	<p>FSM 2430.3 (7). Develop a mix of sale sizes to meet local industry and resource needs while maintaining the economic viability of the program. When it is efficient to do so, give preference to relatively small, short-term sales to reduce the risk produced by a severe change in market conditions and to reduce opportunities for speculation.</p> <p>FSM 2431.13. Match sale sizes to the needs of potential bidders in the area of interest while providing for cost-efficient operations.</p>
6.5.2	Local/Regional Economic Diversity/Stability	<p><i>From the 2003 Forestry Program for Oregon</i></p> <p>B.3. The board will promote increased public; dialogue about the challenges of satisfying; increasing consumer demand for forest; products, the need to keep</p>	<p><i>Not specifically listed as a goal, however diversity and stability come from a variety of forest goals:</i></p> <p>OAR 629-035-0020 (3) (b) Integrate and achieve a</p>	<p>Title 7 Section 6613 Upon request, the Secretary may establish rural natural resources and economic diversification action teams to prepare an action plan to provide technical assistance to economically</p>

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	<p>into account possibilities for new markets and economic activities in connection with all relevant goods and services of forests.</p> <p><input type="checkbox"/> 6.2.a. Forest management practices should make the best use of local forest related experience and knowledge, such as of local communities, forest owners, NGOs and local people.</p> <p><input type="checkbox"/> 6.2.c. Forest management operations should take into account all socio-economic functions, especially the recreational function and aesthetic values of forests by maintaining for example varied forest structures, and by encouraging attractive trees, groves and other features such as colours, flowers and fruits. This should be done, however, in a way and to an extent that does not lead to serious negative effects on forest resources, and forest land.</p>	<p>private forestland; in forest uses, the desire for healthy forests, and the need for greater rural economic and; community resilience. (KEY ACTION)</p> <p>B.12. The board will work with other organizations to revitalize the economy and social fabric of rural communities and ensure that the values they provide to all Oregonians are maintained and compensated. The board will; consider the social effects on rural communities from current and proposed forest management policies and practices.</p>	<p><i>variety of forest resource management goals</i></p> <p>OAR 629-035-008 Requires public involvement in planning</p>	<p>disadvantaged communities. The action plan shall identify opportunities to promote economic diversification and enhance local economies now dependent upon National Forest System land resources. The action team may also identify opportunities to use value-added products and services derived from National Forest System land resources.</p> <p>Title 7 Section 6614 Action plans shall be implemented, insofar as practicable, to upgrade existing industries to use natural resources more efficiently and to expand the economic base of rural communities so as to alleviate or reduce their dependence on National Forest System land resources.</p> <p>FSM 2431.04b (7). [Forest Supervisor] Coordinate firewood sales and special forest product sales with the Bureau of Land Management or other Federal or State agencies in the local area.</p> <p>FSM 2439.03 (3). Cooperate fully with Small Business Administration representatives in meeting the spirit and objectives of the small</p> <p>FSM 2439.03 (2.) Make a portion of salvage sales of National Forest System timber available to small loggers or small manufacturers (FSH 2409.18, sec. 93) where such need exists.</p> <p>FSM 2431.41 Use sealed bidding methods in Eastern Regions (8 and 9). Use oral auction and sealed bidding methods in Western Regions (1, 2, 3, 4, 5, 6, and 10) to the extent of historical use (FSM 2404.23), provided that the bidding method takes into consideration the economic stability of communities whose economic well-being depends upon National Forest System timber.business timber sale set-aside programs.</p> <p>[NWFP] Economic benefits of timber production [in matrix forests] will receive greater consideration. For</p>

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					example, the commercial salvage of dead trees will be less constrained, and replanting disturbed areas will be a high priority.
6.5.3	Quality of Life: Visual Management	<input type="checkbox"/> 6.2.c. Forest management operations should take into account all socio-economic functions, especially the recreational function and aesthetic values of forests by maintaining for example varied forest structures, and by encouraging attractive trees, groves and other features such as colours, flowers and fruits. This should be done, however, in a way and to an extent that does not lead to serious negative effects on forest resources, and forest land.	ORS 527.755 Scenic highways--visually sensitive corridors--operations restricted. (1) The following highways are hereby designated as scenic highways for purposes of the Oregon Forest Practices Act: (a) Interstate Highways 5, 84, 205, 405; and, (b) State Highways 6, 7, 20, 18/22, 26, 27, 30, 31, 34, 35, 36, 38, 42, 58, 62, 66, 82, 97, 101, 126, 138, 140, 199, 230, 234 and 395. (2) The purpose of designating scenic highways is to provide a limited mechanism that maintains roadside trees for the enjoyment of the motoring public while traveling through forestland, consistent with ORS 527.630, safety and other practical considerations. (3) The State Board of Forestry, in consultation with the Department of Transportation, shall establish procedures and regulations as necessary to implement the requirements of subsections (4), (5) and (6) of this section, consistent with subsection (2) of this section, including provisions for alternate plans. Alternate plans that modify or waive the requirements of subsection (4), (5) or (6) of this section may be approved when, in the judgment of the State Forester, circumstances exist such as: (a) Modification or waiver is necessary to maintain motorist safety, protect improvements such as dwellings and bridges, or protect forest health; (b) Modification or waiver will provide additional scenic benefits to the motoring public, such as exposure of distant scenic vistas; (c) Trees that are otherwise required to be retained will not be visible to motorists; (d) The operation involves a change of land use that is inconsistent with maintaining a visually sensitive corridor; or, (e) The retention of timber in a visually sensitive corridor will result in severe economic hardship for the owner because all or nearly all of the owner's property is within the visually sensitive corridor. (4)(a) For harvest operations within a visually sensitive corridor, at least 50 healthy trees of at least 11 inches DBH, or that measure at least 40 square feet in basal area, shall be temporarily left on each acre. (b) Overstory trees initially required to be left under paragraph (a) of this subsection may be removed when the reproduction understory reaches an average height of at least 10 feet and has at least the minimum number of stems per acre of free to grow seedlings or saplings required by the board for reforestation, by rule. (c) Alternatively, when the adjacent stand, extending from 150 feet from the outermost edge of the roadway to 300 feet from the outermost edge of the roadway, has attained an	629-035-0055 Special stewardship lands include: (xv) Visual -- lands subject to laws or regulations related to visual qualities or lands where the management practices needed to meet visual management objectives dominate over the integrated management of forest resources. OAR 629-035-0030 (2) (c) Forest management plan goals and strategies for approved plans also include specific consideration of scenic resources.	16 U.S.C 1601 Section 6 (g) As soon as practicable. . . the Secretary shall . . . promulgate regulations, under the principles of the Multiple-Use Sustained-Yield Act of 1960, that set out the process for the development and revision of the land management plans, and the guidelines and standards prescribed by this subsection. The regulations shall include, but not be limited to. . . (3) specifying guidelines for land management plans developed to achieve the goals of the Program which . . . (F) insure that clearcutting, seed tree cutting, shelterwood cutting, and other cuts designed to regenerate an even-aged stand of timber will be used as a cutting method on National Forest System lands only where. . . (iii) cut blocks, patches, or strips are shaped and blended to the extent practicable with the natural terrain.

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			average height of at least 10 feet and has at least the minimum number of stems per acre of free to grow seedlings or saplings required by the board for reforestation, by rule, or at least 40 square feet of basal area per acre, no trees are required to be left in the visually sensitive corridor, or trees initially required to be left under paragraph (a) of this subsection may be removed. When harvests within the visually sensitive corridor are carried out under this paragraph, the adjacent stand, extending from 150 feet from the outermost edge of the roadway to 300 feet from the outermost edge of the roadway, shall not be reduced below the minimum number of stems per acre of free to grow seedlings or saplings at least 10 feet tall required by the board for reforestation, by rule, or below 40 square feet of basal area per acre until the adjacent visually sensitive corridor has been reforested as required under subsection (6) of this section and the stand has attained an average height of at least 10 feet and has at least the minimum number of stems per acre. (5) Harvest areas within a visually sensitive corridor shall be cleared of major harvest debris within 30 days of the completion of the harvest, or within 60 days of the cessation of active harvesting activity on the site, regardless of whether the harvest operation is complete. (6) Notwithstanding the time limits established in ORS 527.745 (1)(a), when harvesting within a visually sensitive corridor results in a harvest type 1 or harvest type 3, reforestation shall be completed by the end of the first planting season after the completion of the harvest. All other provisions of ORS 527.745 shall also apply to harvest type 1 or harvest type 3 within visually sensitive corridors. (7) Landowners and operators shall not be liable for injury or damage caused by trees left within the visually sensitive corridor for purposes of fulfilling the requirements of this section, when carried out in compliance with the provisions of the Oregon Forest Practices Act. (8) Harvest on single ownerships less than five acres in size are exempt from this section. [1991 c.919 §17; 1993 c.306 §1; 1995 s.s. c.3 §39e; 1996 c.9 §7; 1997 c.249 §179];		
6.5.4	Quality of Life: Investment in Community Institutions			<i>Revenue from state forests supports a variety of community (county) services such as schools, roads and social service programs.</i>	Title 7 Section 6615 In furtherance of an action plan, the Secretary may use the Extension Service and other appropriate agencies of the Department of Agriculture to develop and conduct education programs that assist businesses, elected or appointed officials, and individuals in rural communities to deal with the effects of a transition from being economically disadvantaged to economic diversification. These programs may

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				include: (1) community economic analysis and strategic planning; (2) methods for improving and retooling enterprises now dependent on National Forest System land resources; (3) methods for expanding enterprises and creating new economic opportunities by emphasizing economic opportunities in other industries or services not dependent on National Forest System land resources; and (4) assistance in the evaluation, counseling, and enhancement of vocational skills, training in basic and remedial literacy skills, assistance in job seeking skills, and training in starting or operating a business enterprise.
6.5.5 Consultation & Transparency: Public Information		<p><i>Citizens have access to information from notifications of operations, written plans, stewardship agreements and other documents filed with the Department of Forestry. Habitat Conservation Plans and other documents filed with other public agencies are also open to public scrutiny.</i></p> <p><i>Tax records, operations and other information about private forest operations are proprietary and only open to public scrutiny at the discretion of the owner.</i></p>	<p><i>Oregon and Federal laws guarantee access by all citizens to decisions involving public lands. Public meeting law regulations also guarantee open and well publicized public meetings regarding decisions on public lands.</i></p> <p>620-035-0080 (Opportunities for public involvement shall be appropriate to the planning decision under consideration and shall include one or more of the following: general public access to decisions, a public comment period, a Board meeting, public meeting, public hearing, or focused technical review.</p> <p>Public access to records. 105-010-0011 Human Resource Services Division Public Records. (1) It is the policy of the state to ensure every person has a right to inspect any public record except as otherwise expressly provided by ORS 192.501 to 192.505.</p> <p>See also 192.410 through 192.505</p>	<p>42 U.S.C Sec 102 requires that all reports be made available to the public.</p> <p>FSM 2431.04a (1.) [Regional Forester] Ensure that the Regional Timber Sale Schedule, which lists all proposed timber sale and associated road activities for the upcoming 5 fiscal years, is available for public review.</p> <p>FSM 2431.04b (5.) [Forest Supervisor] Issue timber sale program announcements to interested parties who have displayed special interest in the Forest's timber sale programs, every 6 months of the fiscal year, except to suspended or debarred persons. Also advise interested parties of all public meetings.</p> <p>16 U.S.C 1601 Section 6 (d) The Secretary shall provide for public participation in the development, review, and revision of land management plans including, but not limited to, making the plans or revisions available to the public at convenient locations in the vicinity of the affected unit for a period of at least three months before final adoption, during which period the Secretary shall publicize and hold public meetings or comparable processes at locations that foster public</p>

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				participation in the review of such plans or revisions. <i>See</i> FSM 1950.3 <i>in</i> CONSULTATION & TRANSPARENCY: PUBLIC INPUT/FEEDBACK
6.5.6 Consultation & Transparency: Public Input/Feedback		SEE 6.4.1 Community Relations. <i>Input is required via public meetings anytime a new forestry rule or law is being considered. OAR 629-001 contains extensive direction for new rule announcements, public hearings, and contested cases.</i> Strategy B. Ensure that Oregon's forests; provide diverse social and economic; outputs and benefits valued by the; public in a fair, balanced, and efficient; manner (KEY ACTION) B.3. The board will promote increased public; dialogue about the challenges of satisfying; increasing consumer demand for forest; products, the need to keep private forestland; in forest uses, the desire for healthy forests, and the need for greater rural economic and; community resilience.	629-035-0080 Public Involvement (1) The goals for public involvement in forest land planning are: (a) To seek insight, opinions, and data on planned management actions on state-owned forest lands. (b) To build understanding, acceptance, and support for the forest resource management planning processes and decisions. (c) To offer information to the public about forest systems and forest stewardship. (d) To provide the public with meaningful opportunities to comment and affect planning decisions at a time when public involvement can contribute positively to the planning decisions under consideration. (2) Opportunities for public involvement shall be appropriate to the planning decision under consideration and shall include one or more of the following: general public access to decisions, a public comment period, a Board meeting, public meeting, public hearing, or focused technical review.	FSM 1950.3 It is Forest Service policy to: (a.) Give early notice of upcoming proposals to interested and affected persons (FSH 1909.15, sec. 07); (b.) Give timely notice to interested and affected persons, Federal agencies, State and local governments, and organizations of the availability of environmental and accompanying decision documents; (c.) Make documents available to the public free of charge to the extent practicable; and (d.), Apply the concepts of tiering, adoption, and incorporation by reference to both environmental impact statements and environmental assessments. 36 CFR 219.33 Sec. 219.33 If a site-specific decision is proposed in conjunction with a plan amendment or revision, a person may object to the proposed plan amendment or revision as described in (Sec. 219.32). If a decision is made to authorize a site-specific action, a person may request administrative review of that decision as described in 36 CFR part 215.
6.5.7 Contractors & Workers: Safety	<input type="checkbox"/> 6.2.b. Working conditions should be safe, and guidance and training in safe working practice should be provided.	<i>Oregon law includes very extensive and detailed rules to promote worker safety specifically during forest activities such as logging, fire fighting, and transport of workers and timber [OAR 437, Division 6]. Compliance with applicable state and federal safety requirements is reiterated in Oregon's forest practice rules, which also allow some discretion in administration of certain rules (e.g., snag and green tree retention) to promote worker safety [OAR 629-605-0400].</i> <i>Worker safety is regulated by the Federal Occupational Safety and Health Administration, which is administered in Oregon by OR-OSHA. Extensive directives exist, safety training is required of employers and penalties are stiff for violators.</i> A forest OAR that deals with worker safety is: 629-605-0400 Forest Activity Safety; Compliance with worker safety regulations is essential for	<i>Operations on state forest lands must meet all OR-OSHA regulations.</i>	NOTE: The Occupational Safety and Health Act (OSHA; Title 29, United States Code, section 651 et seq.; 29 U.S.C. 651 et seq.) ensures safe and healthful working conditions by encouraging efforts to reduce hazards, setting mandatory standards, requiring training programs, and requiring medical surveillance programs for hazardous materials. Implementing regulations are in: 29 CFR 1960, Basic Program Elements for Federal Employee OSHA Programs; 29 CFR 1910, General Industry; and 29 CFR 1926, Construction. FSM 2160.3. (4.) Consider need, employee risk of exposure, effectiveness, environmental impacts,

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			ensuring the safety of operators and their employees. Regulation of forest practices must be achieved in a manner which allows operators to comply with applicable federal and state safety requirements. In administering the forest practice rules to meet the resource protection goals, especially requirements related to working near snags, residual green trees and unstable material, the State Forester shall use appropriate discretion.Stat. Auth.: ORS 527.710		economic efficiency, and availability of less hazardous alternatives when deciding whether and which hazardous materials to use. FSH 2160.41g (2.) Ensure that contracts contain provisions informing contractors of the hazards they may encounter while performing services on National Forest System lands and lands leased by the Forest Service and in research facilities. FSM 2160.41f 1. Compliance with the requirements on Hazard Communication Standard (29 CFR 1910.1200; FSM 2162.5). FSM 2160.41f 3. Employee safety and health training (FSM 2161.4), identification and use of personal protective equipment (FSM 2161.5), and medical surveillance plans (FSM 2160.43, 2162.5, 2167.17, and 2167.21). FSM 2160.41f 4. Proper use, storage, and handling of hazardous chemicals (FSM 2161.4, 2162, 2165, and 2167).
6.5.8	Contractors & Workers: Economic Opportunity/Stability	<input type="checkbox"/> 6.1.a. Forest management planning should aim to respect the multiple functions of forests to society, have due regard to the role of forestry in rural development, and especially consider new opportunities for employment in connection with the socio-economic functions of forests.	<i>Contribution to unemployment insurance is required of all Oregon employers. Employees whose employment has been terminated are eligible for compensation under OAR Chapter 471. Extensive rules exist for collection of these insurance fees, eligibility and distribution of insurance payments.</i> 151-010-0010 Workforce Investment Act. The purpose of these rules is to establish the procedures needed to administer the workforce investment activities, through statewide and local workforce investment systems, authorized under the Federal Workforce Investment Act Title I Subtitle B. The program is designed to increase the employment, retention, and earnings of youth, adults and dislocated workers and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the State. Authority and direction for the operation of Workforce Investment Act Title IB programs in Oregon shall be derived from the United States Department of Labor, the Oregon Revised Statutes and Oregon Administrative	OAR 471-030-0005. .	

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6.5.9	Contractors & Workers: Compensation & Wages		Rules. Stat. Auth.: ORS 285A.455; <i>Oregon has a minimum wage law (\$7.25 per hour for 2005) that is tied to inflation.</i> <i>OAR Chapter 836 provides regulations regarding insurance, including health benefit plans for employees.</i>		FSM 6152.04a Line Officers and Unit Managers. All line officers and unit managers shall: (1.) Ensure accurate and timely pay to employees; (2.) Effectively link pay and performance by fully utilizing all existing pay systems and provisions; (3.) Determine pay rates at the time of appointment, reinstatement, or voluntary demotion in accordance with FSM 6152.5; (4.) Not accept the benefits of a nonexempt employee's work without compensating the employee for that work. (See FSH 6109.11 for "suffer and permit;" and (5.), Pay all employees premium pay for working unusual hours or under unusual working conditions in accordance with applicable laws and regulations.
6.5.10	Contractors & Workers: Professional Growth	<input type="checkbox"/> 6.1.e. Forest managers, contractors, employees and forest owners should be provided with sufficient information and encouraged to keep up to date through continuous training in relation to sustainable forest management.	589-020-0225 Employer Workforce Training Fund (1) Purpose: The Employer Workforce Training Account (EWTA) was established by Executive Order # EO 03-16. In order to administer the EWTA, the Department of Community Colleges and Workforce Development (DCCWD) will establish the Employer Workforce Training Fund (EWTF). The EWTF is funded from the State of Oregon's allocation of Workforce Investment Act funds that are identified as the reserve under section 128(a) and 133(a) of the Workforce Investment Act of 1998 (P.L. 105-220). The funds are to be used to support the retention and growth of living wage jobs, a skilled workforce, and competitive businesses in Oregon. Funds are prioritized and awarded through the state and through regional Workforce Response Teams (WRTs). (2) Definitions: (a) Employer Workforce Training Fund (EWTF): State funds reserved by the Governor for use in accordance with the provisions of Section 128 and 134 of the Workforce Investment Act to fulfill the purposes listed in Executive Order # EO 03-16. EWT funds are a portion of the funds made available to the State identified through OAR 151-020-0020 "Allocation to Subrecipients". The EWTF supports training of current workers, for growing businesses, training initiatives for industry associations and strategic economic clusters, and initiatives designed by business-labor consortia.	<i>Covered under general provisions for all employers</i>	FSM 1220.2 (3.) Design positions to effectively utilize employee skills and provide career development opportunities. FSM 2476.6 Regional Foresters shall establish programs, procedures, and guidelines for training and certifying personnel authorized to make or approve silvicultural prescriptions. The training must include prescription development, with all of its related knowledge, skills and abilities, duties related to implementation of plans and prescriptions, and monitoring and feedback of results. Other skills that must be achieved are such tasks as preparing technical specifications for silvicultural contracts, doing force account work, training professional and nonprofessional personnel in all aspects of silviculture, evaluating prescription results against objectives and expectations, and using this knowledge to make necessary modifications in future prescriptions or to improve future training. The program should also contain refresher training and education programs to maintain high levels of silvicultural expertise. Silviculturists must be reviewed

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				and re-evaluated for certification at intervals not to exceed 4 years.
6.5.11 Contractors and Workers: Rights		<p><i>Employees in the Oregon are protected through a number of state and federal regulations. For example, employees are guaranteed the right to organize and be represented in labor negotiations:</i></p> <p>115-010-0000 Employment Relations Board; Purpose of Rules; The purpose of these rules is to implement and give effect to the provisions of state law in achieving the following objectives: (1) To provide uniform procedures to resolve questions of representation, unit clarification and de-authorizations. (2) To remedy statutorily defined unfair labor practices. (3) To render assistance to employers and employee organizations in resolving their differences without resort to strikes, lockouts or other forms of conflict. (4) To foster and protect a merit system of personnel administration in the state government.</p> <p>115-060-0000 Representation Petitions; (1) Who may file: (a) A petition for certification of a private employee representative may be filed by an employee, group of employees, or any individual or labor organization acting in their behalf, alleging that a substantial number of employees wish to be represented for collective bargaining and that the employer declined to recognize their representative; (b) Petitions for certification of private employee representative may be filed by a private employer alleging that one or more individuals or labor organizations have presented to it a request to be recognized or continue to be recognized as exclusive representative and that the employer has a good faith doubt as to the continued majority status of the incumbent labor organization based on reasonable objective standards; (c) A petition for de-certification may be filed by an employee or group of employees, alleging that a substantial number of employees no longer want the certified or recognized individual or labor organization to represent them. (2) Petitions shall be filed in writing with the Board on a form provided by the Board. The Board Agent shall serve a copy of the petition upon the parties disclosed therein</p>	<p><i>OAR Chapter 105 gives significant directions as to the recruitment and hiring of employees.</i></p> <p><i>OAR 839-001-0000 to 839-001-0800 includes more direction for employer responsibilities to employees: For example, wage claim enforcement, maximum hours of work in mills rules pertaining the revenue collected for group insurance coverage, rules pertaining to notification of termination of benefits. . .</i></p> <p>115-025-0000 Representation Petitions (1) Who may file: (a) A petition for certification of a public employee representative may be filed by any labor organization claiming to represent 30 percent of the public employees in an alleged appropriate bargaining unit. A petition for certification also may be filed by any labor organization claiming that 30 percent of the employees in a bargaining unit assert that the designated exclusive representative is no longer the representative of the majority of the employees in the bargaining unit and that they want the petitioning labor organization to represent them; (b) A petition for certification of public employee representative may be filed by a public employer alleging that one or more labor organizations have presented to it a request to be recognized or continue to be recognized as employee representative and that the employer has a good faith doubt as to the continued majority status of the incumbent labor organization based on reasonable objective standards; (c) A petition for decertification may be filed by a public employee or group of public employees alleging that 30 percent of the employees in a bargaining unit assert that the designated exclusive</p>	<p>FSM 1740.3 All employees shall receive orientation and training which will enhance their ability to carry out the requirements of the civil rights programs.</p> <p>FSM 1760.3 The Forest Service shall provide equal opportunity in employment at all levels of the organization.</p> <p>FSM 1790.3 Encourage the active participation of business enterprises of minorities, women, and persons with disabilities in competition for contracts, and enhance business ownerships by minorities, women, and people with disabilities in competition for contracts. Promote the competitive opportunities of socially and economically disadvantaged persons and groups by providing available contracts, and financial, technical, and management assistance as may be authorized.</p> <p>7 CFR Part 0 USDA regulations on Employee Responsibilities and Conduct (7 CFR 0.735-1 - 0.735-70). In 7 CFR 0.735-11, paragraph 13 specifically prohibits employees from: Discriminating against any person on the grounds of race, color, national origin, religion, sex, age, marital status, physical or mental handicap, or political affiliation.</p> <p>FSM 1221.02 3. Promote full use of employee skills in making work assignments without regard to employee race, color, national origin, age, religion, sex, disability, familial status, marital status, or political affiliation.</p>

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			representative is no longer the representative of the majority of the employees in the unit; (d) A petition for redesignation of a bargaining unit represented by a recognized or certified exclusive representative may be filed by a public employer contending that the existing bargaining unit includes an employee or employees who should not be included in such bargaining unit under the criteria set forth in ORS 243.682(1). The timeliness requirements of OAR 115-025-0015 shall serve as a bar to petitions under this subsection even if an election is not held. A petition for a re-designation where a contract exists must be filed not more than 180 days and not less than 150 days before the end of the contract period. If a contract is for more than three years, a petition may be filed not more than 180 days and not less than 150 days before the end of the expiration of the first three years of the contract or anytime after three years from the effective date of the contract. However, if a new contract is negotiated during the fourth year of the contract and prior to the filing of a petition for election, the new contract shall serve as a contract bar. An order re-designating a unit where a contract exists shall be effective upon expiration of the contract. (2) Petitions shall be filed in writing with the Board on a form approved by the Board. The Board Agent shall serve a copy of the petition upon the parties disclosed therein.	
6.5.12 Contractors and Workers: Discrimination		<i>Discrimination for employment and other opportunities is strictly prohibited by federal law if it is based on race, color, national origin, religion, sex, age, disability, veterans' status or marital status. Some Oregon employers also add the category of sexual orientation.</i> 589-010-0100 Nondiscrimination in Education Programs a) "Discrimination" or "discriminate" is defined as any act that unreasonably differentiates treatment, intended or unintended, or any act that is fair in form but discriminatory in operation, either of which is based on race, color, national	105-040-0001 Equal Employment Opportunity and Affirmative Action (1) The State of Oregon is committed to achieving a workforce that represents the diversity of the Oregon community and being a leader in providing its citizens with fair and equal employment opportunities. Accordingly: (a) State agency heads shall insure: (A) Equal employment opportunities are afforded to all applicants and	

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		<p>origin, religion, sex, age, disability, veterans' status, sexual orientation, or marital status. 3) Subject to exemptions granted by state or federal law, no person in Oregon shall be subject to discrimination in any terms or conditions of employment at any Community College. Every Community College shall develop and implement a nondiscrimination plan. Such plan shall be submitted to the Department at the time personnel policies are filed under OAR 589-008-0100.</p> <p>See also ORS 185 which establishes commissions for Disabled, Hispanic, Blacks, Women and Asian Affairs.</p>	<p>employees by making employment related decisions that are non-discriminatory; (B) Employment practices are consistent with the state's Affirmative Action Plan and state and federal laws to: (i) Promote good faith efforts to achieve established affirmative action goals, which include persons with disabilities; and (ii) Take proactive steps to develop diverse applicant pools for position vacancies and assess the diversity of each applicant pool prior to closing a job announcement. (b) The Department of Administrative Services shall: (A) Maintain an automated affirmative action tracking system which uses a uniform methodology for communicating affirmative action goals for each state agency. The system shall also communicate goals for hiring persons with disabilities as required by state and federal law; (B) Produce periodic reports showing hiring opportunities and each agency's progress toward achieving established affirmative action goals as identified in the state wide automated system. (c) Persons, who believe they have been subjected to discrimination by an agency in violation of this rule, may file a complaint with the agency's designated office within 30 calendar days of the alleged act or upon knowledge of the occurrence. (2) Employment related decisions include, but are not limited to: hiring, promotion, demotion, transfer, termination, layoff, training, compensation, benefits, and performance evaluations; (3) Diverse applicant pools are developed by using proactive steps in outreach strategies which generally include targeted newspapers, professional organizations, employee networks, community organizations, and resume banks; (4) The statewide automated affirmative action system establishes goals for each equal</p>	

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			employment opportunity category and ethnic group for each state agency; (5) Nothing in this rule precludes any person from filing a formal complaint in accordance with a collective bargaining agreement, or with appropriate state or federal agency under the applicable law. Stat. Auth.: ORS 184.340, ORS 240.145 & ORS 240.250	
7	(C&I) 7: Legal, institutional and economic framework for forest conservation and sustainable management			
7.1	(C&I) 7.1: Extent to which the legal framework (laws, regulations, and guidelines) supports the conservation and sustainable management of forests.			
7.1.1	Illegal Activities Policy & Enforcement Provisions <input type="checkbox"/>	<p><i>Criminal activities are processed under the standard State and local penal codes for the county where the forest lands are located. Deputies from the local county and the Oregon State police patrol forest areas to enforce laws.</i></p> <p><i>Private property laws prevent such activities as dumping of household wastes, and trespass by unwanted visitors on forestland.</i></p> <p><i>Civil actions between adjacent landowners and sometimes with outside parties are covered under the normal civil law system of courts and judges in Oregon. Special provisions exist for punishing timber theft. Provisions allow for collection of double or triple stumpage values when timber is stolen (commonly referred to as timber trespass).</i></p> <p>137-095-0010 Background and Purpose of Guidelines for Prosecution of Environmental Crimes.</p> <p>The 1993 legislature adopted Senate Bill 912 (codified as ORS 468.920 - 468.963), which establishes criminal penalties for certain violations of environmental laws. Section 19 of Senate Bill 912, ORS 468.961, provides that the district attorney of each county shall adopt written guidelines for filing felony criminal charges under Senate Bill 912. It also requires the Attorney General to adopt model guidelines that district attorneys may adopt as their written guidelines. These model guidelines address each of the factors listed in ORS 468.961(2). Violations of the Oregon Forest Practices Act are handled by Oregon Department of Forestry Stewardship Foresters under OAR 527 (refer to 7.1.7 for full text):</p> <p>ORS 527.680 Violation by operator; citation; order to cease violation; order to repair damage; temporary order where violation continuing; service on operator.</p>	<p><i>Oregon State Forests are managed by the Oregon Department of Forestry. Security is maintained with the help of law enforcement officials, however, some ODF foresters are also deputized and can perform arrests if necessary. Fiscal and administrative oversight for state forests come through the administrative branch of Oregon government, through the office of the Governor, State Department of Administrative Services, and Department of Revenue. Specific oversight of state forest lands is also performed by the publicly appointed Board of Forestry and the Forest Trust Lands Committee.</i></p> <p><i>Criminal activities are processed under the standard State and local penal codes for the county where the forest lands are located.</i></p> <p><i>Civil actions are pursued vigorously against parties creating damage to state forest assets, or who may default on State forest timber sales.</i></p> <p>OAR 629-032-0030 Notice of Default to Purchaser (1) Whenever the forester finds there is a violation of any provision of the contract, the forester may suspend operations in accordance with the provisions of the contract. If the violation is not corrected within the time specified by the forester, the forester may notify the purchaser that</p>	<p>FSM 2452.5 Law enforcement personnel must investigate the occurrence of apparent willful or negligent cutting or damage to undesignated timber to determine if violations of applicable laws and regulations have occurred. Law enforcement and sale administration personnel must consult concerning the willful or negligent cutting or damage to undesignated timber.</p>

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		<p>(1) Whenever the State Forester determines that an operator has committed a violation under ORS 527.990 (1), the State Forester may issue and serve a citation upon the operator or authorized representative. The State Forester shall cause a copy of the citation to be mailed or delivered to the timber owner and landowner. Whenever the State Forester determines that the landowner has failed to comply with the reforestation rules under ORS 527.710, the State Forester may issue and serve a citation upon the landowner or authorized representative. Each citation issued under this section shall specify the nature of the violation charged and any damage or unsatisfactory condition that has occurred as the result of such violation.</p> <p>See also Civil Penalty rules under ORS 527.683, 685, 690, 990, and 992.</p> <p>OAR 629-047-0040. Basic Enforcement Action.</p> <p>(1) When a violation is determined to exist, an authorized fire warden shall: (a) Issue either a Fire Prevention Citation or a Fire Prevention Warning to the violator in accordance with ORS Chapter 477 and OAR 629-047-0040 to 629-047-0280. (A) A Fire Prevention Citation shall be issued if: (i) A violator has been issued a Fire Prevention Citation or a Fire Prevention Warning for the same violation, in the same district, in the previous 36 months; or, (ii) The enforcement policy for the violation set forth in OAR Chapter 629, Division 047 requires the issuance of a Fire Prevention Citation. (B) A Fire Prevention Warning shall be issued if the enforcement policy for the violation set forth in OAR Chapter 629, Division 047 requires the issuance of a Fire Prevention Warning. (b) Not allow continuance of any portion of an operation exposed to an increased risk of fire due to a violation and existing or predicted weather conditions, until such time as compliance is restored by: (A) Ordering, in writing, that portion of the operation stopped; and, (B) Suspending, in writing, for that portion of the operation, the permit issued under ORS 477.625. Examples: (i) When the spark arrester on a dozer is found to be in violation of a requirement of ORS 477.645, the operator shall be ordered to cease operation of the dozer and that portion of the permit issued under ORS 477.625 pertaining to the dozer shall be suspended until the spark arrester is in compliance. (ii) When fire tools required by ORS 477.655 are found to be inadequate, the operator shall be ordered to cease all activity on the operation and the permit issued under ORS 477.625 shall be suspended until the fire tools are in compliance. (2) Timber sale contract provisions and other similar instruments shall not be used as enforcement measures in lieu of the issuance</p>	<p>the contract is in default and terminate the contract. (2) If the purchaser has failed to complete the requirements of the contract prior to the expiration date or any interim completion date required by the contract, whichever is earliest, or if the purchaser injures or severs timber not included in the sale, the forester may notify the purchaser that the contract is in default without allowing the purchaser to take corrective action. (3) All notices of default to the purchaser shall: (a) Be sent by certified mail with return receipt requested; (b) Inform the purchaser of the reasons for the default and the effective date of the default. (c) Inform the purchaser that the purchaser may request a contested case hearing by notifying the forester within 15 days of the date of the Notice of Default.</p> <p>OAR 629-032-0060 Settlement of Default (1) In the event of default, the forester may terminate the contract and assess damages and expenses using the formula; $D = (OSV + AC) - (PR + RSV)$, where: (a) D = Damages and Expenses; (b) OSV = Original Sale Value (timber value only -- does not include project value). The original sale value shall be adjusted to reflect estimated overruns or underruns on recovery sales; (c) AC = Administrative Costs. These costs include both the field and office costs required for the preparation of the defaulted parcel for resale. These costs also include rehabilitation or regeneration delay costs, legal service costs, interest, and other costs allowed by law; (d) PR = Payments Received; (e) RSV = Remaining Sale Value. Dependent upon when settlement is made, the value of the remaining timber shall be determined by the forester using the Department of Forestry's log prices and logging costs in effect at the time of default or immediately prior to resale; or shall be based upon the price bid for the timber in</p>	

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		of a Fire Prevention Citation or of a Fire Prevention Warning. (3) Notwithstanding the requirements of section (1) of this rule, a district forester may, on a case by case basis, allow an exception to these enforcement policies when circumstances warrant: (a) In determining if circumstances warrant an exception to these enforcement policies, the district forester shall consider the following factors: (A) A violators prior violation of the same or similar fire prevention requirements of ORS Chapter 477; and, (B) The gravity and magnitude of the violation; and, (C) Whether the violation is repeated or continuous; and, (D) Whether the cause of the violation was an unavoidable accident or a willful, malicious or negligent act; and, (E) Whether the violation constitutes a serious violation. (b) Exceptions to these enforcement policies are intended to be few in number and shall be approved in writing by the district forester on forms provided by the State Forester for that purpose. Stat. Auth.: ORS 477.980	the resale; or shall be based on the actual value of timber removed in the resale. (2) The purchaser shall have the following options for settlement of the default: (a) Settlement prior to resale: (A) A purchaser may settle a default prior to the resale of the defaulted parcel by paying balances owing the state plus any other damages and expenses incurred by the state as a result of the default; (B) Damages and expenses shall include, but not be limited to, any estimated costs and losses resulting from resale of the parcel and any estimated rehabilitation or regeneration delay costs and losses in areas which have been harvested. (b) Settlement after resale: (A) Cash Resale. The purchaser shall be responsible for any monies due the state if the balance of payments owing and other damages and expenses incurred as a result of the default are not offset by the values of the resale on a cash basis. Such balances shall be due 30 days after the date of billing by State. If payment is not made within 30 days, it shall be subject to an interest charge starting from the date of billing until full payment is received; (B) Recovery Resale. The purchaser shall be responsible for any monies due the State if the balance of payments owing and other damages and expenses incurred as a result of the default are not offset by the values in the new sale on a recovery basis. The purchaser shall have the option of settling with the state based upon the resale bid and the state's estimate of volume and value to be recovered. If this option is not exercised within 30 days of the date of billing by state, then payment shall be subject to an interest charge starting from the date of billing until full payment is received, or from the date of original billing if non-payment is the cause of default; (C)	

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			<p>Settlement after completion of recovery resale. The purchaser has the option of waiting until the actual volume and value has been determined upon completion of a recovery resale before making a settlement. However, the purchaser shall be required to pay an interest charge on the actual value of the completed sale from the date of the original billing until full payment is received, or from the date of original billing if non-payment is the cause of default. (c) Without Resale. In the event a defaulted sale is offered for resale but does not sell, or if the forester determines a defaulted sale is not resaleable, the difference between the appraised price (including estimated bid-up) of the sale at time of default and the original bid price, plus any damages and expenses and interest due, shall become the basis for settlement of the defaulted contract. Payments shall be due within 30 days after the billing by State. If payment is not made within 30 days, it shall be subject to an interest charge from the date of billing. Examples of situations in which sales may not be resaleable would include, but not be limited to the following: (A) The resale of remaining timber must be added to another sale to make it resaleable so that the original sale loses its identity; (B) Anticipated revenue from the resale would be less than the cost of making the sale; (C) There is no market for the remaining timber; (D) The resale would not be scheduled within two years from date of default; (E) Environmental restrictions prohibit resale; (F) The defaulted sale area is included in exchange plans. (3) In the event of default because of the purchaser's injury to or severance of timber not included in the sale, the forester may terminate the contract and/or assess damages and expenses in the amount of: (a) Treble the market value of the</p>	

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				<p>severed or injured timber if the purchaser's action is wilful or intentional; or (b) Double the market value of the severed or injured timber if the purchaser's action is not wilful or intentional. (4) Any damages assessed for injury or severance are in addition to and not in lieu of any damages to which the forester may be entitled under section(1) of this rule.</p> <p>Also strong legal framework in 629-035-0010 through 629-035-0110 and in other state OAR's such as the FPA.</p> <p>141-015-0000 Default on Timber Sale Contracts. The purpose of these rules is to provide a uniform procedure governing defaults on Common School timber sale contracts involving only Common School Lands or contracts in which the timber on the Common School Lands predominates in value.</p> <p>Stat. Auth.: ORS 273</p>	
7.1.2	Tenure: Recognition of Land Tenure & Use (including legal & customary rights of indigenous peoples)	<input type="checkbox"/> 6.1.b. Property rights and land tenure arrangements should be clearly defined, documented and established for the relevant forest area. Likewise, legal, customary and traditional rights related to the forest land should be clarified, recognised and respected.	<p><i>Oregon and federal law is extensive in establishing the right of ownership of and title to private lands. The federal government also has legally binding treaties that recognize sovereign lands of Native American tribes within Oregon's borders.</i></p> <p><i>Other than eminent domain provisions for forest rights of way or patrol or communication sites [ORS 526.168], Oregon law does not specifically create or address significant forestland tenure issues. In addition, unlike federal tax law, Oregon has no estate taxes to affect forest ownership or management by mandating tax payments by heirs based on current market values of land and standing commercial timber.</i></p> <p><i>Oregon's land use planning laws [ORS Chapter 197] include provisions that help maintain forestland use over time, even with changes in property ownership. These laws facilitate local zoning of lands specifically for forest use, and Oregon's tax codes provide options for low or deferred taxes for such lands. A substantial permit and review process also generally discourages zoning changes that allow development or other major land use changes. Even</i></p>	<p><i>Ownership of land in the USA is done via a title and deed. All State Forest lands are held according to clear titles and deeds.</i></p> <p><i>Treaties are in place with all Oregon tribes, specifying and guaranteeing tenure for State Forest Lands. Indigenous peoples' rights are also guaranteed under these treaties, as are their status as sovereign nations.</i></p> <p>ORS 270-275, 526 & 530 all address ownership of real property, state forests and forest administration.</p> <p>State Historical Preservation Office (SHPO) has broad authority to ensure protection of historical sites and uses, including indigenous rights and uses.</p>	<p>FSM 5503.1. Inventory, ascertain, and maintain the current landownership status (FSM 5590) of all National Forest System lands including interests therein.</p> <p>FSM 5503.2. Investigate claims to and request for conveyance of land or interest in lands promptly and objectively.</p> <p>FSM 5503.4. Consider all claims as potentially valid until the Office of the General Counsel reviews them and determines otherwise.</p>

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			<i>when development permits are granted, landowners may be required to pay several years of back taxes under the revised zoning category.</i>		
7.1.3	Tenure: Consultation and Notification		<i>Not mentioned</i>	<i>Not mentioned</i>	FSM 5503.3. Provide all parties with fair, uniform, and prompt treatment under the applicable law(s) and implementing rules, regulations, and instructions. FSM 2431.8 Obtain all right-of-way and cost-share jurisdictions identified as necessary for adequate management of the individual National Forest. Generally, acquire permanent easement to access lands suitable for timber production (FSM 5460).
7.1.4	Tenure: Dispute Resolution		<i>Not mentioned</i>	<i>Not mentioned specifically</i>	FSM 5503.5. Handle clearly valid claims and requests promptly by issuing quitclaim deeds or taking other authorized action to relieve the Forest Service of administrative responsibility and to clear the records. FSM 5503.6. Handle invalid claims or requests by first attempting to obtain withdrawal of the claim or request and acknowledgement of the Government's ownership. If claimant persists, enters into occupancy, or commits other overt acts, recommend legal action to quiet the Government's title and recover any damages.
7.1.5	Employment Requirements: Labor Practices and Working Conditions Compliance Provisions		<i>Various agencies are responsible for bringing claims against employers for worker rights violations. In addition, workers can bring civil suits against employers through the normal court system.</i> <i>OR-OSHA takes the lead in ensuring that employers provide safe working conditions for workers and strictly enforces their significant practices code.</i>	<i>Contracts for work on state lands specify adherence to worker safety and other laws as a condition of contract compliance.</i> OR-OSHA takes the lead in ensuring that employers provide safe working conditions for workers and strictly enforces their significant practices code.	<i>Use the Department of Labor's occupational safety and health standards (29 CFR 1910 and 1926) where they apply to Forest Service operations. The Health and Safety Code Handbook (FSH 6709.11) is the source of standards for safety and health workplace and project inspections and safe work procedures.</i>
7.1.6	Employment Requirements: Mandatory Credentialing & Training	<input type="checkbox"/> 6.1.e. Forest managers, contractors, employees and forest owners should be provided with sufficient information and encouraged to keep up to date through continuous training in relation	<i>A license is required by forest labor contractors who provide workers for landowners; such licensing requires the contractor to follow various directives, including record keeping and written communications of employment conditions, compensation, and workers' rights and remedies under state and federal law [ORS Chapter 658]. Individual landowners and small-scale reforestation contractors may be exempt from some or all of these requirements.</i>	Includes all those required for private forests. See OR Statutory requirements under 7.1.6. Labor contracts for state employees requires proper preparation and on the job training for workers. ODF personnel polices also specify skill levels for incoming employees and	FSM 2150.3 (10.) Permit only certified personnel or those under the supervision of a certified applicator to use restricted-use pesticides (FSM 2154.2). FSM 2160.3.(1.) Provide the appropriate level of training to employees on the potential safety and health risks from hazardous materials in accordance with the

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		to sustainable forest management.	<p><i>Forest engineers, and contractors are licensed by the state of Oregon. Other forest workers and professionals associated with forest management are generally not under mandatory credentialing.</i></p> <p><i>One exception to this is for pesticide applicators and consultants, who must pass an exam and become licensed before they can apply or advise others to apply pesticides on forest lands. 40 hours of professional training is required every 5 years, or the exam must be retaken. Licensing is administered by the Oregon Department of Agriculture.</i></p> <p><i>Associated Oregon Loggers maintains a voluntary, "pro-logger" program where certified loggers are required to maintain a schedule of continuing education.</i></p>	training\professional development for employees.	<p>employee's duties.</p> <p>FSM 2161.04c: Ensure that the following training is provided, if appropriate, and that a permanent record of all employee safety and health training is maintained (FSM 2161.4): (a.) Emergency Response (FSM 2161.41); (b.) Hazardous Waste Operations (FSM 2161.42); (c.) Hazard Communication Standard - Employee Right-To-Know (FSM 2161.43); (d.) Occupational Exposure to Hazardous Chemicals in Laboratories (FSM 2161.44); (e.) Transportation of Hazardous Materials (FSM 2161.45); and (f.), Respiratory Protection (FSM 2161.46).</p> <p>FSM 2432.04a (2.) Develop and maintain certification programs for timber sale preparation standards and criteria, and maintain a consistent and timely quality control program for sale layout.</p> <p>FSM 2432.22e. Use certified silviculturists to prepare silvicultural prescriptions that respond to the selected alternative (FSM 2470).</p> <p>FSM 2442.03 (2.) Ensure that certified cruisers cruise timber or approve timber cruises for timber sales, land exchanges, trespass actions, or other National Forest System purposes.</p>
7.1.7	Forest Practices Regulations & Guidelines: Compliance Provisions		<p>ORS 527.680 Violation by operator; citation; order to cease violation; order to repair damage; temporary order where violation continuing; service on operator.</p> <p>(1) Whenever the State Forester determines that an operator has committed a violation under ORS 527.990 (1), the State Forester may issue and serve a citation upon the operator or authorized representative. The State Forester shall cause a copy of the citation to be mailed or delivered to the timber owner and landowner. Whenever the State Forester determines that the landowner has failed to comply with the reforestation rules under ORS 527.710, the State Forester may issue and serve a citation upon the landowner or authorized representative. Each citation issued under this section shall specify the nature</p>	<p>ORS 527.736 Forest practice standards for operations on public and private land. (1) The standards established in ORS 527.740 to ORS 527.750 shall be administered by the State Forester as standards applying to all operations in the state, including those on forestland owned by the state or any political subdivision thereof. Pursuant to ORS 527.710 the State Board of Forestry shall adopt, repeal or amend forest practice rules as necessary to be consistent with and to implement the standards established in</p>	<p>FSM 2450 6. Title 7, Code of Federal Regulations, part 3017, implements government-wide non-procurement rules governing the debarment and suspension of individuals, organizations, or other entities, including purchasers of timber sale contracts.</p> <p>FSM 2452.5 A breach of a timber sale contract exists when one party fails to carry out, in whole or in part, the terms, promises, or conditions of the contract, either by commission or omission. A contract suspension may be appropriate when a breach occurs on the part of the purchaser. The purchaser may file a claim if a breach</p>

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		of the violation charged and any damage or unsatisfactory condition that has occurred as the result of such violation. (2) Whenever a citation is served pursuant to subsection (1) of this section, the State Forester: (a) Shall issue and serve upon the landowner or operator or authorized representative an order directing that the landowner or operator cease further violation. If the order is served upon an operator, the State Forester shall cause a copy of such order to be mailed or delivered to the timber owner and landowner; and, (b) May issue and serve an order upon the landowner or operator and shall cause a copy of such order to be mailed or delivered to the timber owner and landowner, directing the landowner or operator, where practical and economically feasible, to make reasonable efforts to repair the damage or correct the unsatisfactory condition specified in the citation within a period specified by the State Forester. (3) In the event the order issued under subsection (2)(a) of this section has not been complied with, and the violation specified in such order is resulting in continuing damage, the State Forester by temporary order, may direct the landowner or operator to cease any further activity in that portion of the operation that is resulting in such damage. Such temporary order shall be in effect until the date of the expiration of the period as prescribed in subsection (4) of this section or until the date that the violation ceases, whichever date occurs first. (4) A temporary order issued under subsection (3) of this section shall be served upon the landowner or operator or authorized representative, and the State Forester shall cause a copy of such temporary order to be mailed or delivered to the operator, timber owner and landowner. If requested by the operator, timber owner or landowner, the State Board of Forestry, following the appeal procedures of ORS 527.700, must hold a hearing on the temporary order within five working days after the receipt by the board of the request. A temporary order issued and served pursuant to subsection (3) of this section shall remain in effect not more than five working days after such hearing unless the order is sooner affirmed, modified or revoked by the board. (5) If a landowner or operator fails to comply with a final order issued under subsection (2)(b) of this section within the time specified in the order, or if the landowner or operator fails to comply with a final order imposing civil penalties for violation of any provision of the Oregon Forest Practices Act, the State Forester may issue an order that prohibits the affected landowner or operator from conducting any new operations on any forestland in this state until the landowner or operator has complied with the order to correct an unsatisfactory condition, make repair or pay the civil penalty, as the case	ORS 527.740 to ORS 527.750. Except as provided in ORS 527.714, nothing in ORS 468B.100 to 468B.110, 477.562, ORS 527.620, ORS 527.670, ORS 527.690, ORS 527.710, ORS 527.715, ORS 527.722, ORS 527.724 and ORS 527.736 to ORS 527.770 shall affect the powers and duties of the board to adopt, or the State Forester to administer, all other regulations pertaining to forest practices under applicable state law.	occurs on the part of the Forest Service... The Contracting Officer is required to use experience, knowledge of the timber sale contract, and judgment in conducting an objective analysis of a situation to determine if a breach of contract exists. [The FS issues notices of breach which must be made in writing to the offending party.]. . . All or a part of the purchaser's operations may be suspended. Suspend only those operations that are directly affected by the breach. . . .When breach exists and suspension is not appropriate, require the purchaser to remedy the breach within the timeframe described in the contract. . . .Law enforcement personnel must investigate the occurrence of apparent willful or negligent cutting or damage to undesignated timber to determine if violations of applicable laws and regulations have occurred. Law enforcement and sale administration personnel must consult concerning the willful or negligent cutting or damage to undesignated timber. If the decision is made to conduct an investigation, then law enforcement personnel and the sale administration team must decide whether the purchaser's operations should be suspended during the investigation. Suspension of the purchaser's operations can only be done if the purchaser has breached the contract, such as by cutting or damaging undesignated timber. If the purchaser's operations must be suspended to prevent interference with the investigation, the suspension of operations should not continue longer than the time period necessary for the purchaser to remedy the breach. The breach remedy may be to require action by the purchaser, as well as to allow suspension time for law enforcement personnel to investigate the potential crime site.. Procedures for <i>Termination</i> (of contracts) <i>for Breach</i> are provided in FSM 2453.62.

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		<p>may be, to the satisfaction of the State Forester. [1971 c.316 §10; 1983 c.759 §1; 1997 c.306 §1]</p> <p>ORS 527.683 Notice of violation.</p> <p>(1) No civil penalty prescribed in ORS 527.992 shall be imposed until the person incurring the penalty has received notice in writing from the State Forester specifying the violation. Such notice is in addition to the notice required in ORS 183.745. (2) The citation issued pursuant to ORS 527.680 (1) and the; order issued pursuant to ORS 527.680 (2)(b) shall each constitute the notice required by subsection (1) of this section. [1987 c.919 §25; 1991 c.734 §48]</p> <p>ORS 527.685 Civil penalty considerations; rules.</p> <p>(1) The State Board of Forestry shall by rule establish the amount of civil penalty that may be imposed for a particular violation. No civil penalty shall exceed \$5, 000 per violation. (2) In imposing a penalty authorized by this section, the State Forester may consider the following factors: (a) The past history of the person incurring a penalty in taking all feasible steps or procedures necessary or appropriate to correct any violation. (b) Any prior violations of statutes, rules, orders and permits pertaining to the Oregon Forest Practices Act. (c) The gravity and magnitude of the violation. (d) Whether the violation was repeated or continuous. (e) Whether the cause of the violation was an unavoidable accident, negligence or an intentional act. (f) The size and type of ownership of the operation. (g) Any relevant rule of the board. (h) The violator's cooperativeness and efforts to correct the violation. (3) The penalty imposed under this section may be remitted or mitigated upon such terms and conditions as the board determines to be proper and consistent with the public benefit. Upon the request of the person incurring the penalty, the board shall consider evidence of the economic and financial condition of the person in determining whether a penalty shall be remitted or mitigated. (4) The board, by rule, may delegate to the State Forester upon such conditions as deemed necessary, all or part of the authority of the board provided in subsection (3) of this section to assess, remit or mitigate civil penalties. [1987 c.919 §26]</p> <p>ORS 527.687 Civil penalty procedure.</p> <p>(1) Subject to the notice provisions of ORS 527.683, any civil penalty under ORS 527.992 shall be imposed in the manner provided in ORS 183.745. (2) In no case shall a hearing requested under ORS 183.745 be held less than 45</p>		

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		<p>days from the date of service of the notice of penalty to allow the party to prepare testimony. The hearing shall be held not more than 180 days following issuance of the notice unless all parties agree on an extension. (3) Hearings under this section shall be conducted by an administrative law judge assigned from the Office of Administrative Hearings established under ORS 183.605. (4) All civil penalties recovered under ORS 527.610 to ORS 527.770, ORS 527.990 and ORS 527.992 shall be paid to the General Fund. [1987 c.919 §27; 1991 c.634 §6; 1991 c.734 §121; 1995 s.s. c.3 §39k; 1996 c.9 §13; 1999 c.849 §§107, 108; 2003 c.75 §45]</p> <p>ORS 527.690 Failure to comply with order to reforest or repair damage; estimate of cost of repair; notification; board may order repair completed; cost of repair as lien upon operator, timber owner or landowner.</p> <p>(1) In the event an order issued pursuant to ORS 527.680 (2)(b) directs the repair of damage or correction of an unsatisfactory condition, including compliance with reforestation requirements, and if the operator or landowner does not comply with the order within the period specified in such order and the order has not been appealed to the State Board of Forestry within 30 days, the State Forester based upon a determination by the forester of what action will best carry out the purposes of ORS 527.630 shall: (a) Maintain an action in the Circuit Court for Marion County or the circuit court for the county in which the violation occurred for an order requiring the landowner or operator to comply with the terms of the forester's order or to restrain violations thereof; or, (b) Estimate the cost to repair the damage or the unsatisfactory condition as directed by the order and shall notify the operator, timber owner and landowner in writing of the amount of the estimate. Upon agreement of the operator, timber owner or the landowner to pay the cost, the State Forester may proceed to repair the damage or the unsatisfactory condition. In the event approval of the expenditure is not obtained within 30 days after notification to the operator, timber owner and landowner under this section, the State Forester shall present to the board the alleged violation, the estimate of the expenditure to repair the damage or unsatisfactory condition and the justification for the expenditure. (2) The board shall review the matter presented to it pursuant to subsection (1) of this section and shall determine whether to authorize the State Forester to proceed to repair the damage or correct the unsatisfactory condition and the amount authorized for expenditure. The board shall afford the operator, timber owner or landowner the opportunity to appear before the board for the purpose of presenting facts pertaining to the alleged violation and the</p>		

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		<p>proposed expenditure. (3) If the board authorizes the State Forester to repair the damage or correct the unsatisfactory condition, the State Forester shall proceed, either with forces of the State Forester or by contract, to repair the damage or correct the unsatisfactory condition. The State Forester shall keep a complete account of direct expenditures incurred, and upon completion of the work, shall prepare an itemized statement thereof and shall deliver a copy to the operator, timber owner and landowner. In no event shall the expenditures exceed the amount authorized by subsection (2) of this section. An itemized statement of the direct expenditures incurred by the State Forester, certified by the State Forester, shall be accepted as prima facie evidence of such expenditures in any proceeding authorized by this section. If the State Forester's action to repair the damage or correct the unsatisfactory condition arose from an operation for which a bond, cash deposit or other security was required under ORS 527.760, the State Forester shall retain any applicable portion of a cash deposit and the surety on the bond or holder of the other security deposit shall pay the amount of the bond or other security deposit to the State Forester upon demand. If the amount specified in the demand is not paid within 30 days following the demand, the Attorney General, upon request by the State Forester, shall institute proceedings to recover the amount specified in the demand. (4) The expenditures in cases covered by this section, including cases where the amount collected on a bond, deposit or other security was not sufficient to cover authorized expenditures, shall constitute a general lien upon the real and personal property of the operator, timber owner and landowner within the county in which the damage occurred. A written notice of the lien, containing a statement of the demand, the description of the property upon which the expenditures were made and the name of the parties against whom the lien attaches, shall be certified under oath by the State Forester and filed in the office of the county clerk of the county or counties in which the expenditures were made within six months after the date of delivery of the itemized statement referred to in subsection (3) of this section, and may be foreclosed in the manner provided in ORS chapter 88. (5) All moneys recovered under this section shall be paid into the State Forestry Department Account. [1971 c.316 §11; 1981 c.757 §10; 1983 c.28 §1; 1991 c.919 §12]</p> <p>ORS 527.665 Notice of reforestation requirements to be given in forestland transfers; effect of failure to notify; damages.</p> <p>(1) In any transaction for the conveyance of an ownership interest in forestland, the transferor must provide to the transferee, prior to the date of execution of</p>		

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		<p>the conveyance, written notice of any reforestation requirements imposed upon the land pursuant to the Oregon Forest Practices Act. (2) The failure of the transferor to comply with subsection (1) of this section does not invalidate an instrument of conveyance executed in the transaction. However, for any such failure the transferee may bring against the transferor an appropriate action to recover the costs of complying with the reforestation requirements. The court may award reasonable attorney fees to the prevailing party in an action brought under the provisions of this section. [1983 c.759 §4; 1995 c.618 §79]</p> <p>ORS 527.736 Forest practice standards for operations on public and private land.</p> <p>(1) The standards established in ORS 527.740 to ORS 527.750 shall be administered by the State Forester as standards applying to all operations in the state, including those on forestland owned by the state or any political subdivision thereof. Pursuant to ORS 527.710 the State Board of Forestry shall adopt, repeal or amend forest practice rules as necessary to be consistent with and to implement the standards established in ORS 527.740 to ORS 527.750. Except as provided in ORS 527.714, nothing in ORS 468B.100 to 468B.110, 477.562, ORS 527.620, ORS 527.670, ORS 527.690, ORS 527.710, ORS 527.715, ORS 527.722, ORS 527.724 and ORS 527.736 to ORS 527.770 shall affect the powers and duties of the board to adopt, or the State Forester to administer, all other regulations pertaining to forest practices under applicable state law.</p> <p>ORS 527.990 Criminal penalties.</p> <p>(1) Subject to ORS 153.022, violation of ORS 527.670, ORS 527.676, ORS 527.740, ORS 527.750 or ORS 527.755, or any rule promulgated under ORS 527.710 is punishable, upon conviction, as a misdemeanor. Each day of operation in violation of an order issued under ORS 527.680 (3) shall be deemed to be a separate offense. (2) Violation of ORS 527.260 (1) is a misdemeanor. Violation of ORS 527.260 is punishable, upon conviction, by a fine of not more than \$250 or by imprisonment in the county jail for not more than 60 days, or both. [Amended by 1953 c.262 §2; 1971 c.316 §14; 1987 c.919 §32; 1991 c.686 §10; 1995 s.s. c.3 §39h; 1996 c.9 §10; 1999 c.1051 §317]</p> <p>ORS 527.992 Civil penalties.</p> <p>(1) In addition to any other penalty provided by law, any person who fails to</p>		

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		<p>comply with any of the following may incur a civil penalty in the amount adopted under ORS 527.685: (a) The requirements of ORS 527.670, ORS 527.676, ORS 527.740, ORS 527.750 or ORS 527.755. (b) The terms or conditions of any order of the State Forester issued in accordance with ORS 527.680. (c) Any rule or standard of the State Board of Forestry adopted or issued pursuant to ORS 527.710. (d) Any term or condition of a written waiver, or prior approval granted by the State Forester pursuant to the rules adopted under ORS 527.710. (2) Imposition or payment of a civil penalty under this section shall not be a bar to actions alleging trespass under ORS 105.810, nor to actions under ORS 161.635 or 161.655 seeking to recover an amount based on the gain resulting from individual or corporate criminal violations. [1987 c.919 §24; 1995 s.s. c.3 §39i; 1996 c.9 §11; 2003 c.740 §6]</p> <p>OAR 629-605-0150; Notification to the State Forester -- When, Where and How;</p> <p>(1) The operator, landowner or timber owner shall notify the State Forester as required by ORS 527.670(6), at least 15 days before starting an operation. (2) The State Forester may waive the 15 day waiting period required in section (1) of this rule, except as prohibited in ORS 527.670(9) for aerial applications of chemicals and ORS 527.670(10) for operations requiring an approved written plan under ORS 527.670(3)(a) and (b). Waivers may be granted when the State Forester has already previewed the operation site or has otherwise determined the operation to have only minor potential for resource damage. Waivers shall be made in writing, and on an individual notification basis. (3) Once an operation is actually started following proper notification of the State Forester, the operation may continue into the following calendar year without further notification under ORS 527.670(6), provided: (a) There are no changes to the information required on the notification; (b) The operator gives written notice to the State Forester of their intent to continue the operation within the first two months of the following calendar year; and, (c) The operation actively continues within the first six months of the following calendar year. (4) No notification is valid after the second calendar year, unless: (a) The landowner or operator submits a written request to extend the notification before the end of the second calendar year; (b) There are no changes to the information submitted on the original notification; and, (c) The State Forester approves the request. (5) Notwithstanding sections (3) and (4) of this rule, nothing in this rule relieves an operator, landowner or timber owner of the responsibility to comply with ORS 477.625, requiring a permit to use fire or power-driven machinery; or</p>		

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		<p>ORS 321.550 requiring notification of intent to harvest provided to the Department of Revenue through the department for tax collection purposes. (6) For the purposes of ORS 527.670 a notification will be considered received only when the information required by the State Forester is complete and the necessary forms are on file at the department district or unit office responsible for the area in which the operation will take place. Notifications not properly completed shall be promptly returned to the party submitting them. Properly completed notifications submitted to an incorrect department office will be forwarded to the correct office. (7) Notifications required by ORS 527.670(6) shall be completed in detail, on forms provided by the State Forester. The notification shall include a map to scale, or aerial photograph that is corrected for distortion, on which the boundary of the operation unit is clearly marked. When more than one type of operation activity or more than one unit is submitted on a single notification, each operation unit shall be identifiable as to the type of operation activity, by legal subdivision, and drawn on a map to scale, aerial photograph corrected for distortion, or other appropriate means. Operations involving harvesting in more than one county may not be combined on the same notification because of tax collection requirements. (8) When operations include the application of chemicals, properly completed notifications shall include the common name of the chemicals to be used; the brand name, if known at the time of notification; the application method; and, for fertilizers, the intended application rate per acre. Public information on allowable application rates of commonly applied forest chemicals will be maintained at department field offices. Additional information on chemical applications shall be collected and recorded by operators at the time of application, and made available upon request to the State Forester, pursuant to OAR 629-620-0600. (9) The operator, landowner or timber owner, whichever filed the original notification, shall contact the State Forester and report any subsequent change to information contained in the notification. Additions to the geographic location, however, shall require a separate notification.</p>		
7.2.0	(C&I) 7.2: Extent to which the institutional framework supports the conservation and sustainable management of forests.			
7.2.1	Chain of Customary/Labeling	<p>Log brands required west of cascades (optional east) to transport logs. Brands must be registered and are used to establish primary ownership of logs. Brands are added (catch brands) as ownership changes.</p> <p>The log branding system resembles chain-of-custody, but does not ensure information about: Log origin (where grown); Harvest conduct (except for ODF</p>	<p>State forest timber sales include tracking by log truck load, which identifies source, purchaser, date and other information, but this information is not carried beyond the point of delivery to a raw wood processing facility unless the facility includes chain</p>	

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		notification number); Processor of logs will uniquely identify final products as to origin.	of custody tracking as part of their process. As with private timber, log loads must also be branded before transport on a public road.	
7.2.2 Forest Planning: Resource Management, including non-timber forest outputs	<div><div><input type="checkbox"/> 1.1.a. Forest management planning should aim to maintain or increase forest and other wooded area, and enhance the quality of the economic, ecological, cultural and social values of forest resources, including soil and water. This should be done by making full use of related services such as land-use planning and nature conservation.</div><div><input type="checkbox"/> 3.1.a. Forest management planning should aim to maintain the capability of forests to produce a range of wood and non-wood forest products and services on a sustainable basis.</div><div><input type="checkbox"/> 3.1.b. Forest management planning should aim to achieve sound economic performance taking into account possibilities for new markets and economic activities in connection with all relevant goods and services of forests.</div><div><input type="checkbox"/> 3.1.c. Forest management plans or their equivalents should take into</div></div>	<p>Senate Bill 100 passed in 1976 requires each county in the state to provide comprehensive land use planning according to a set of 10 planning goals. Identification and conservation of important forest lands is Goal 4. All counties in Oregon have completed this action. Enforcement comes through county planning departments, with oversight by the State Department of Land Conservation and Development.</p> <p>OAR 629-022-0030; Purpose; The Forest Resource Trust provides financial, technical and related assistance to nonindustrial private forestland owners to establish forest stands and improve management of forestlands for timber production, wildlife, water quality and other environmental purposes.</p> <p>OAR 629-611-0000 Afforestation; Purpose</p> <p>(1) The purpose of OAR 629-611-0000 to 629-611-0020 is to implement ORS 526.490, providing an incentive for landowners to convert parcels of idle land or land in other uses to commercial forest use. (2) The provisions of ORS 526.490 shall be called the afforestation incentive and OAR 629-611-0000 to 629-611-0020 shall be known as the afforestation incentive rules. (3) The afforestation incentive in these rules is a one-time exemption from most tree retention requirements in the forest practice rules as described in section (5) of this rule. (4) For the purposes of the afforestation incentive rules, "planted" trees means those trees that a landowner establishes as an initial forest stand to qualify for the incentive and includes: (a) All trees the landowner plants or causes to be planted; and, (b) All naturally established trees that are established within ten years prior to, or following, the date the parcel is certified as qualified for the incentive. (5) Notwithstanding forest practice rule provisions prohibiting harvest of trees, the afforestation incentive allows landowners to harvest all planted trees on certified afforestation incentive parcels with the following limitations: (a) The afforestation incentive applies only to the land and timber located more than 20 feet from large or medium Type F, Type D, or Type N streams, or small Type F or Type D streams. (b) Any forest operations on such parcels must comply with all forest practice rules that require practices other than restrictions on harvesting the planted trees. (c) A planted tree that later becomes a key component of a specified resource site normally requiring protection under the forest practice rules may be harvested; however, the State Forester may</p>	<p><i>Management of state forest lands requires land classification, forest plans, monitoring and adaptive management to ensure that forest goals are met.</i></p> <p>OAR 629-035-0010 Findings and Principles Concerning Lands Acquired under ORS Chapter 530 (1) ORS Chapter 530 authorizes the Board of Forestry to acquire forest lands which by reason of their location, topographical, geological, or physical characteristics are chiefly valuable for: (a) Production of forest crops; (b) Watershed protection and development; (c) Erosion control; (d) Grazing; (e) Recreation; (f) Forest administrative purposes. (2) These lands must be managed to achieve the greatest permanent value to the state. (3) For purposes of achieving the greatest permanent value of these forest lands to the state, the Board may direct the State Forester to: (a) Protect these forest lands from fire, disease, and insect pests, sell forest products from these forest lands, and execute mining leases and contracts as provided for in ORS 273.551; and (b) Permit the use of these forest lands for other purposes, when such uses are not detrimental to the best interest of the state. These other purposes include, but are not limited to: (A) Forage and browse for domestic livestock; (B) Fish and wildlife environment; (C) Landscape effect; (D) Protection against floods and erosion; (E) Recreation; (F) Protection of water supplies. (4) The counties in which these forest lands are located have a protected and recognizable interest in receiving revenues from these forest lands; however, the Board and the State Forester are not required to</p>	<p>FSM 2495.72 Report other miscellaneous products in the same way as reporting a commercial timber sale of comparable size. Use units and rates as stated in the contract or permit for reporting other miscellaneous products.</p>

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	<p>account the different uses or functions of the managed forest area. Forest management planning should make use of those policy instruments set up to support the production of merchantable and non-merchantable forest goods and services.</p> <p><input type="checkbox"/> 5.1.a. Forest management planning should aim to maintain and enhance protective functions of forests for society, such as protection of infrastructure, protection from soil erosion, protection of water resources and from adverse impacts of water such as floods or avalanches.</p> <p><input type="checkbox"/> 5.1.b. Areas that fulfil specific and recognised protective functions for society should be registered and mapped, and forest management plans or their equivalents should take full account of these areas.</p>	<p>temporarily prohibit harvesting during an annual critical period of use of the site, as provided in the specified resource site protection rules. (d) (For information only) Federal law prohibits a person from taking threatened or endangered species. Taking, under the federal law, may include significant alteration of habitat on any class of land ownership. Compliance with the afforestation incentive rules is not in lieu of compliance with any federal requirements related to the federal Endangered Species Act. Stat. Auth.: ORS 526.490;</p>	<p>manage these forest lands to maximize revenues, exclude all non-revenue producing uses on these forest lands, or to produce revenue from every acre of these forest lands. (5) Based on existing Board principles and policies and current scientific and silvicultural information, the Board finds that uses for purposes set forth in subsections (3)(a) and (b) of this section are compatible over time and across the landscape when the lands are actively managed in an environmentally and silviculturally exemplary manner, as set forth in OAR 629-035-0030, using management practices that: (a) Pursue compatibility of forest uses over time; (b) Integrate and achieve a variety of forest resource management goals; (c) Achieve, over time, site-specific goals for forest resources, using the process as set forth in OAR 629-035-0030 through 629-035-0070; (d) Consider landscape context; (e) Are based on the best science available; and (f) Incorporate an adaptive management approach that applies new management practices and techniques as new scientific information and results of monitoring become available. (6) Based on existing Board principles and policies and current scientific and silvicultural information, the Board finds that forest lands that are actively managed as provided in subsection (5) of this section can produce economic value over the long term and promote healthy, sustainable forest ecosystems that: (a) Produce timber and revenues for the state, counties, and local taxing districts; (b) Result in a high probability of maintaining and restoring properly functioning aquatic habitats for salmonids, and other native fish and aquatic life; (c) Protect, maintain, and enhance native wildlife habitats; (d) Protect soil, air, and water; and (e) Provide outdoor</p>	

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			recreational opportunities.	
7.2.3 Forest Planning: Management Plan	<div><div><input type="checkbox"/> 1.1.c. Management plans or their equivalents, appropriate to the size and use of the forest area, should be elaborated and periodically updated. They should be based on legislation as well as existing land use plans, and adequately cover the forest resources.</div><div><input type="checkbox"/> 2.1.c. Forest management plans or their equivalents should specify ways and means to minimise the risk of degradation of and damages to forest ecosystems. Forest management planning should make use of those policy instruments set up to support these activities.</div></div>	<p>Oregon's Forest Practices Act (629-605-0150 Notification to the State Forester -- When, Where and How ?) . . .requires landowners to notify the Oregon Department of Forestry 15 days before conducting an operation defined as any commercial activity relating to the establishment, management or harvest of forest tree species. This notification applies to some or all activities within a single calendar year on an individual ownership. The forms used for notification require some information like that found in a written management plan: Description of planned operations and location, e.g., activity type, equipment, harvest level, timing, and legal description; Identification of signification environmental features, e.g., site codes, slope stability, distance to water, stream type/use, wetlands, estuary, Threatened & Endangered species/habitat, archeological, scenic/visual</p> <p>629-605-170 Written Plans -- Statutory Written Plans</p> <p>(1) Operators must submit to the State Forester a written plan as required by ORS 527.670(3) before conducting any operations requiring notification under OAR 629-605-0140, which are within: (a) 100 feet of a stream classified as Type F or Type D. Written plans for Type F and Type D streams, are further described in OAR 629-635-0130. (b) 300 feet of a specific site involving threatened or endangered wildlife species, or sensitive bird nesting, roosting, or watering sites; as listed by approximate legal description, in a document published by the Department of Forestry titled "Cooperative Agreement Between the Board of Forestry and the Fish and Wildlife Commission, March 28, 1984." (c) 300 feet of any resource site identified in OAR 629-665-0100 (Sensitive Bird Nesting, Roosting and Watering Resource Sites on Forestlands), 629-665-0200 (Threatened and Endangered Species that use Resource Sites on Forestlands), or 629-645-0000 (Significant Wetlands). (d) 300 feet of any nesting or roosting site of threatened or endangered species listed by the U.S. Fish and Wildlife Service or by the Oregon Fish and Wildlife Commission by administrative rule. (2) The State Forester shall notify the operator of the presence of one of the sites listed in section (1) of this rule and the requirement of the written plan at any time the State Forester determines the presence of the above sites. (3) Written plans required under section (1) of this rule shall be subject to the hearings provisions of ORS 527.700(3) (Appeals from orders of State Forester hearings procedure; stay of operation); and shall be subject to the provisions of ORS 527.670(10), (11) and (12)</p>	<p>629-035-0030 Forest Management Planning (1) In managing forest lands as provided in OAR 629-035-0020, the State Forester shall develop Forest Management Plans, based on the best available science, that establish the general management framework for the planning area of forest land. The Board may review, modify, or terminate a plan at any time; however the Board shall review the plans no less than every ten years. The State Forester shall develop implementation and operations plans for forest management plans that describe smaller-scale, more specific management activities within the planning area. (2) Forest Management Plans must contain the following elements: (a) Guiding principles, that include legal mandates and Board of Forestry policies. Taken together, these principles shall guide development of the management plan. (b) Description and assessment of the resources on state forest lands within the planning area and consideration of the surrounding ownership in order to provide a landscape context. The description and assessment includes general statements of the current conditions of each of the resources, and the laws, policies, and programs that affect the resources and their management. (c) Forest resource management goals, which are statements of what the State Forester intends to achieve for each forest resource within the planning area consistent with OAR 629-035-0020. (d) Management strategies, which describe how the State Forester will manage the forest resources in the planning area to achieve the goals articulated in the plan. The strategies shall identify management techniques the State Forester may</p>	<p>36CFR 221.3 (a) Management plans for national forest timber resources shall be prepared and revised, as needed, for working circles or other practicable units of national forest. Such plans shall: (1) Be designed to aid in providing a continuous supply of national forest timber for the use and necessities of the citizens of the United States; (2) Be based on the principle of sustained yield, with due consideration to the condition of the area and the timber stands covered by the plan; (3) Provide, so far as feasible, an even flow of national forest timber in order to facilitate the stabilization of communities and of opportunities for employment; (4) Provide for coordination of timber production and harvesting with other uses of national forest land in accordance with the principles of multiple use management; (5) Establish the allowable cutting rate which is the maximum amount of timber which may be cut from the national forest lands within the unit by years or other periods; (6) Be approved by the Chief, Forest Service, unless authority for such approval shall be delegated to subordinates by the Chief.</p> <p>CFR 36: 221.3 (b) When necessary to promote better utilization of national forest timber or to facilitate protection and management of the national forests, a management plan may include provisions for requirements of purchasers for processing the timber to at least a stated degree within the working circle, or within a stated area, and, when appropriate, by machinery of a stated type; and agreements for cutting in accordance with the plan may so require.</p> <p>[NWFP] Species management guides shall be prepared, in accordance with Northwest Region species recovery plans, to address the effects of land management activities and identify opportunities to</p>

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		<p>(Commencement of operations; when notice and written plan required; appeal of plan) prescribing certain waiting periods and procedures.</p> <p>Non-Statutory Written Plans</p> <p>(4) Unless waived by the State Forester, the operator must submit a written plan as required by ORS 527.670(2) and the rules listed below, which shall not be subject to the provisions of ORS 527.700(3) or 527.670(10), (11) and (12).</p> <p>(a) 629-605-0190(1) -- Operating near or within sites that are listed in the "Cooperative Agreement Between the Board of Forestry and the Fish and Wildlife Commission, March 28, 1984" or sites designated by the State Forester;</p> <p>(b) 629-605-0190(2) -- Habitat sites of any wildlife or aquatic species classified by the Department of Fish and Wildlife as threatened or endangered; (c) 629-623-700(1) -- Conducting timber harvesting or road construction operations with intermediate or substantial downslope public safety risk; (d) 629-623-700(2) -- Constructing a stream crossing fill over a debris torrent-prone stream with intermediate or substantial downslope public safety risk; (e) 629-623-700(3) -- Locating a waste-fill area within a drainage containing debris torrent-prone streams with intermediate or substantial downslope public safety risk; (f) 629-625-100(2)(a) -- Constructing a road where there is an apparent risk of road-generated materials entering waters of the state from direct placement, rolling, falling, blasting, landslide or debris flow; (g) 629-625-100(2)(c) -- Constructing a road within the riparian management area of a medium or large Type N stream; (h) 629-625-0100(3) -- Constructing a road on high landslide hazard locations; (i) 629-625-0100(4) -- Placing woody debris or boulders in the stream channel of a Type N stream for stream enhancement; (j) 629-625-0320(1)(b)(B) -- Constructing a permanent stream crossing fill over 15 feet deep in a Type N stream; (k) 629-630-0200(3) -- Locating a landing within the riparian management area of a medium or large Type N stream; (l) 629-630-0700(3) -- Yarding across streams classified as medium or large Type N; (m) 629-630-0800(4)(c) -- Constructing a temporary stream crossing fill over 8 feet deep in a Type N stream; (n) 629-635-0130(1)(c) -- Operating within 100 feet of a large lake; (o) 629-660-0050(1) -- Removing beaver dams or other natural obstructions located farther than 25 feet from a culvert in a Type N stream; (p) 629-665-0020(2) -- Operating near a resource site requiring special protection; and (q) 629-665-0210(1) -- Operating near a Northern Spotted Owl resource</p>	<p>use to achieve the goals of the plan during the implementation phase of the plan. (e) General guidelines for asset management, which provide overall direction on investments, marketing, and expenses. (f) General guidelines for implementation, monitoring, research, and adaptive management. The guidelines shall describe: (A) The process for implementing Forest Management Plans; (B) The approach for determining whether the strategies are meeting the goals of the Forest Management Plans; and (C) The process for determining the validity of the assumptions used in developing the strategies. (3) The State Forester shall be guided by the following stewardship principles in developing and implementing Forest Management Plans: (a) The plans shall include strategies that provide for actively managing forest land in the planning area. (b) The plans shall include strategies that: (A) Contribute to biological diversity of forest stand types and structures at the landscape level and over time: (i) through application of silvicultural techniques that provide a variety of forest conditions and resources; and (ii) through conserving and maintaining genetic diversity of forest tree species. (B) Manage forest conditions to result in a high probability of maintaining and restoring properly functioning aquatic habitats for salmonids, and other native fish and aquatic life, and protecting, maintaining, and enhancing native wildlife habitats, recognizing that forests are dynamic and that the quantity and quality of habitats for species will change geographically and over time. (C) Provide for healthy forests by: (i) managing forest insects and diseases through an integrated pest management approach; and (ii) utilizing appropriate genetic sources of forest tree</p>	<p><i>maintain or enhance habitat for plant and animal species which may frequently conflict with management practices.</i></p> <p>[NWFP] All 24.4 million acres of Forest Service, BLM, and other federally-administered lands within the range of the northern spotted owl are allocated to one of the following six designated areas or to matrix:</p> <p>Congressionally Reserved Areas - This includes Wildernesses, Wild and Scenic Rivers, National Monuments, as well as other federal lands not administered by the Forest Service or BLM. Late-Successional Reserves - Late-Successional Reserves are identified with an objective to protect and enhance conditions of late-successional and old-growth forest ecosystems, which serve as habitat for late-successional and old-growth forest related species including the northern spotted owl. Limited stand management is permitted, subject to review by the Regional Ecosystem Office. Adaptive Management Areas - Ten Adaptive Management Areas are identified, each with an objective to develop and test new management approaches to integrate and achieve ecological and economic health, and other social objectives. Managed Late-Successional Areas - Managed Late-Successional Areas are similar to Late-Successional Reserves but are identified for certain owl locations in the drier provinces where regular and frequent fire is a natural part of the ecosystem. Certain silvicultural treatments and fire hazard reduction treatments are allowed to help prevent complete stand destruction from large catastrophic events such as high intensity, high severity fires; or disease or insect epidemics. Administratively Withdrawn Areas - Administratively Withdrawn Areas are identified in current Forest and District Plans or draft plan preferred alternatives and include recreation and visual areas, back country, and other areas where management</p>

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		<p>site.</p> <p>(5) If an operator, timber owner or landowner is required to submit a written plan to the State Forester under subsection (4) of this section: (a) The State Forester shall review the written plan and may provide comments to the person who submitted the written plan; (b) Provided that notice has been given as required by ORS 527.670 and OAR 629-605-0150, the operation may commence on the date the State Forester provides comments. If no comments are provided the operation may commence at any time after 14 calendar days following the date the written plan was received; (c) Comments provided by the State Forester under paragraph (a) of this subsection, to the person who submitted the written plan are for the sole purpose of providing advice to the operator, timber owner or landowner regarding whether the operation described in the written plan is likely to comply with ORS 527.610 to 527.770 and rules adopted thereunder. Comments provided by the State Forester do not constitute an approval of the written plan or operation; (d) If the State Forester does not comment on a written plan, the failure to comment does not mean an operation carried out in conformance with the written plan complies with ORS 527.610 to 527.770 or rules adopted thereunder nor does the failure to comment constitute a rejection of the written plan or operation; (e) In the event that the State Forester determines that an enforcement action may be appropriate concerning the compliance of a particular operation with ORS 527.610 to 527.770 or rules adopted thereunder, the State Forester shall consider, but is not bound by, comments that the State Forester provided under this section.</p> <p>Written Plan Content Required for All Written Plans</p> <p>(6) Written plans required under OAR 629-605-0170 must contain a description of how the operation is planned to be conducted in sufficient detail to allow the State Forester to evaluate and comment on the likelihood that the operation will comply with the Forest Practices Act or administrative rules. (7) Written plans required under OAR 629-605-0170 will be considered received when complete with the following information: (a) A map showing protected resource(s) and the harvest area; and (b) The specific resource(s) that require protection; and (c) The practices that may affect the protected resource(s) such as road and landing location, disposal of waste materials, felling and bucking and post operation stabilization measures; and (d) The specific techniques and methods</p>	<p>seed and tree species in regeneration programs. (D) Maintain or enhance long-term forest soil productivity. (E) Comply with all applicable provisions of ORS 496.171 to 496.192 and 16 USC § 1531 to 1543 (1982 & supp 1997) concerning state and federally listed threatened and endangered species. (c) The plans shall include strategies that maintain and enhance forest productivity by: (A) Producing sustainable levels of timber consistent with protecting, maintaining, and enhancing other forest resources. (B) Applying management practices to enhance timber yield and value, while contributing to the development of a diversity of habitats for maintaining salmonids and other native fish and wildlife species. (d) The plans shall include strategies that utilize the best scientific information available to guide forest resource management actions and decisions by: (A) Using monitoring and research to generate and utilize new information as it becomes available. (B) Employing an adaptive management approach to ensure that the best available knowledge is acquired and used efficiently and effectively in forest resource management programs. (4) The Board shall review and may revise the forest management plan developed by the State Forester to ensure that it is consistent with OAR 629-035-0020. (5) The Board's approval of the plan represents its determination that activities carried out or allowed by the State Forester under subsection (6) of this section meet the obligation to secure the greatest permanent value to the state as defined in OAR 629-035-0020. (6) Once the management plan is approved by the Board as provided in subsection (5) of this section: (a) The Board shall adopt the plan as an administrative rule. (b) The State Forester shall implement the</p>	<p>emphasis precludes scheduled timber harvest. Riparian Reserves - As a key element of the Aquatic Conservation Strategy (see Section B of these standards and guidelines), the Riparian Reserves provide an area along all streams, wetlands, ponds, lakes, and unstable and potentially unstable areas where riparian-dependent resources receive primary emphasis. Riparian Reserves are important to the terrestrial ecosystem as well, serving, for example, as dispersal habitat for certain terrestrial species. Matrix - The matrix consists of those federal lands outside the six categories of designated areas listed above. [NWFP] [Designated areas, matrix, and Key Watersheds all have specific and extensive management direction and planning requirements regarding how those lands are to be managed, including actions that are prohibited and descriptions of the conditions that should occur there.]</p>

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		<p>employed for resource protection such as road and landing design, road construction techniques, drainage systems, buffer strips, yarding system and layout; and (e) Additional written plan content required in individual rules. (8) Modification of a written plan shall be required when, based on information that was not available or was unknown at the time the original written plan was reviewed, the State Forester determines the written plan no longer addresses compliance with applicable forest practice rules. Written plans with modifications required under this section shall not be subject to the provisions of ORS 527.670(10) and (11) relating to waiting periods for written plans.</p> <p>629-605-0173 Plans for an Alternate Practice</p> <p>(1) Operators must obtain written approval of a plan for an alternate practice from the State Forester before conducting forest practices utilizing protection standards or methods different than those specified in rule or statute. (2) Plans for an alternate practice must include sufficient information to allow the State Forester to assess the plan to determine that the practices described in the plan will yield results consistent with ORS 527.610 to 527.770 and administrative rules adopted thereunder. (3) Plans for alternate practices proposed as part of a written plan required by ORS 527.670(3) shall be subject to the hearings provisions of ORS 527.700(3) (Appeals from orders of State Forester hearings procedure; stay of operation); and shall be subject to the provisions of ORS 527.670(10), (11) and (12) (Commencement of operations; when notice and written plan required; appeal of plan) prescribing certain waiting periods and procedures. (4) An operator must comply with all provisions of an approved plan for an alternate practice. (5)The following rules require a plan for an alternate practice to be submitted and approved by the State Forester prior to commencing the practice or operation: (a) 629-605-0100(2)(a) -- Modifying, exempting or suspending the rules or statutes for a bona fide research project conducted by a federal or state agency, a college or university, or a private landowner; (b) 629-605-0100(2)(b) -- Waiving or modifying a specific practice that will result in less environmental damage than if the practice is applied; (c) 629-605-0100(2)(c) -- Waiving or modifying a specific practice that will improve soil, water quality, fish habitat, or wildlife habitat; (d) 629-605-0100(2)(d) -- Waiving or modifying rules to provide for public safety or to accomplish a land use change; (e) 629-605-0100(4) -- Waiving or modifying rules for resource sites when a county has an adopted program under OAR 660-016-0005 and OAR 660-016-0010 that has evaluated the resource sites;</p>	<p>plan through more specific, small scale or time limited plans that are consistent with the Forest Management Plan.</p> <p>OAR 629-035-0100 Existing Long Range Plans</p> <p>(1) The Board considers long range plans approved by the Board prior to the effective date of these rules to be consistent with OAR 629-035-0010 to 629-035-0090 and directs the State Forester to manage the forest lands covered by the plans according to those plans until the plan is modified or a new plan is adopted. Any modification of existing plans or any new plan shall be adopted in accordance with the provisions of OAR 629-035-0010 to 629-035-0090. (2) Initial forest land base designations and management classifications developed pursuant to OAR 629-035-0040 through 629-035-0055 must be submitted to the State Forester for approval within one year of the adoption of an amended or new Forest Management Plan.</p>	

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		(f) 629-605-0173(1) -- Conducting forest practices utilizing protection standards or methods different than those specified in rule or statute; (g) 629-605-0175(2) -- Conducting operations that result in a single harvest type 3 unit, or combinations of harvest type 3 units, that exceed the contiguous 120 acre limit on a single ownership; (h) 629-605-0175(7) -- Waiving the harvest type 3 acreage limitations for conversions or disasters described in ORS 527.740(4); (i) 629-605-0500 -- Modifying the protection requirements for streams, lakes, wetlands and riparian management areas for reasons of forest health or because of hazards to public safety or property; (j) 629-610-0020(3) -- Waiving or modifying the reforestation requirements following a stand improvement operation where the residual stand conditions will result in enhanced long-term tree growth; (k) 629-610-0030(3) -- Utilizing natural reforestation methods when an operation results in a reforestation requirement; (l) 629-610-0040(3) -- Extending the time allowed for reforestation when natural reforestation methods are utilized; (m) 629-610-0050(2) -- Utilizing more than 20% hardwood stocking when an operation results in a reforestation requirement; (n) 629-610-0060(1) - - Utilizing non-native tree species when an operation results in a reforestation requirement; (o) 629-610-0070(1) -- Suspending the reforestation rules for the salvage or conversion of low value forest stands when participating in a forest incentive program; (p) 629-610-0090(1) -- Exempting the reforestation requirements for the purpose of developing forestland for a use that is not compatible with the maintenance of forest tree cover; (q) 629-615-0300(5) -- Modifying the protection requirements for riparian areas, aquatic areas and wetlands when the need for prescribed burning outweighs the benefits of protecting components required to be left; (r) 629-620-0400(7)(d) -- Modifying the protection requirements for aerial application of fungicides; (s) 629-625-0320(3) -- Modifying the culvert sizing requirements of 629-625-320(2)(a) to reduce the height of fills where roads cross wide flood plains; (t) 629-640-0100(13) -- Modifying the retention requirements in a Type F RMA for the removal of roadside trees which pose a safety hazard; (u) 629-640-0200(14) -- Modifying the retention requirements in a Type D or N RMA for the removal of roadside trees which pose a safety hazard; (v) 629-640-0400(1)(a) -- Utilizing site specific vegetation retention prescriptions for streams and riparian management areas; (w) 629-645-0020(1) -- Utilizing site specific vegetation retention prescriptions for significant wetlands; (x) 629-645-0050(3) -- Modifying the retention requirements for significant wetlands for reasons of forest health; (y) 629-650-0040(3) -- Modifying the retention requirements for lakes for		

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			reasons of forest health; (z) 629-665-0020(1)(b)(C) -- Structural or temporal exceptions when proposed forest practices conflict with a resource site; (aa) 629-665-0110(3) -- Structural replacement of an osprey site; (bb) 629-665-0110(4) -- Temporal exceptions near an osprey site; (cc) 629-665-0120(3) -- Structural exceptions of a great blue heron site; (dd) 629-665-0120(5) -- Temporal exceptions near a great blue heron site. Management plans are also required by some county planning departments when residences are going to be located on forest lands. Requirements of these plans vary considerably.		
7.2.4	Forest Planning: Mapping	<div><input type="checkbox"/> 1.1.b. Inventory and mapping of forest resources should be established and maintained, adequate to the local and national conditions, and in correspondence with the topics described in these Guidelines.</div> <div><input type="checkbox"/> 4.1.b. Forest management planning and terrestrial inventory and mapping of forest resources should include ecologically important forest biotopes, taking into account protected, rare, sensitive or representative forest ecosystems such as riparian areas and wetland biotopes, areas containing endemic species and habitats of threatened species, as defined in recognised reference lists, as well as endangered or protected genetic in situ resources.</div>	<i>Oregon Department of Forestry provides resource maps for landowners which identify such features as streams by order and class.</i> <i>Landowners must provide maps for operation areas under the notification requirement. Written plans require property maps.</i>	629-035-0045 Forest Land Base Designation Maps The forest land designation maps required by OAR 629-035-0040 are a set of maps entitled "Land Base Designation Map (OAR 629-035-0040)" consisting of nine consecutively numbered sheets and bearing the date of adoption by the Board. The maps are maintained by the State Forester at the Oregon Department of Forestry's headquarters in Salem, Oregon. OAR 629-035-0050 Forest Land Management Classifications (1) For purposes of implementing the plan's forest resource management strategies, the State Forester shall classify all forest lands within the planning area. The classifications must describe: (a) The types of management that the Department will apply to particular areas of the land base; (b) The appropriate range of management activities for these areas; and (c) The forest resource or resources the classification is intended to address. ODF policies require maps for all operations conducted on state forests.	FSM 2492.2 Each Forest Supervisor shall establish and maintain the Timber Management Stand Record System, which includes. . . (1.) A stand map on which each timber stand is uniquely identified (FSH 2409.13 and FSH 2409.14). [NWFP] The official maps of the elements of these standards and guidelines are maintained as part of the administrative record and are also stored electronically in the Spatially Unified Database (SPUD) maintained by the Interagency Geographic Information System (GIS) staff in the Regional Ecosystem Office at 333 SW 1st St., Portland, OR 97204.

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7.2.5	Forest Planning: Timber Inventory		<i>Generally landowners are not required to keep up to date timber inventories. Where property changes ownership, timber inventories are generally required as a condition of sale.</i> <i>Where timber harvest in riparian management areas is planned, tree inventory is needed to identify which, if any, may be cut.</i>	629-035-0000 Definitions (9) "Forest resources" includes, but is not limited to: (a) Timber production and harvest;. . . OAR 629-035-0030 Forest Management Planning (2) Forest Management Plans must contain the following elements: (a) Guiding principles, that include legal mandates and Board of Forestry policies. Taken together, these principles shall guide development of the management plan. (b) Description and assessment of the resources on state forest lands within the planning area and consideration of the surrounding ownership in order to provide a landscape context. The description and assessment includes general statements of the current conditions of each of the resources, and the laws, policies, and programs that affect the resources and their management.	FSH 1909.14. 20.3 Field offices are required to provide specified information to develop the Resources Planning Act Assessment, State Survey Reports, Forest Plans, and to meet other national needs as appropriate. These requirements are found in direction in FSM/FSH for specific activities. Use existing data sources where appropriate. Existing data sources include, but are not limited to, reports, maps, geographical information systems, and data bases. Where new data are required, use remote sensing, modeling techniques, or field surveys. Where new field surveys are warranted, use established national definitions, measurement rules and standards to ensure maximum benefits for all resource functions as defined in the Interim Resource Inventory Glossary and other sources. FSM 2490.3 (2). The Timber Management Information System (TMIS) is the Servicewide system for the storage and retrieval of data pertaining to land suitability classifications, timber inventories, allowable sale quantities, annual quantities programmed and sold, reforestation, and timber stand improvement.. FSM 2492.2 Each Forest Supervisor shall establish and maintain the Timber Management Stand Record System, which includes. . . (2.) A continuous computerized inventory of each timber stand showing locations and timberland suitability classifications as they relate to the forest plan. FSM 2492.43 Use a Forest-wide inventory, stand examinations, or a combination of both types of inventory to develop timber inventory records. Any standard format capable of producing the standard tables described in FSH 2409.13, chapter 40, are acceptable; for example, a forest inventory system (FINSYS) data tape, or an extensive (EXT) data base in the Timber Management Information System.

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7.2.6	Forest Planning: Sustained Yield	<div><div><input type="checkbox"/> 1.2.a. Forest management practices should safeguard the quantity and quality of the forest resources in the medium and long term by balancing harvesting and growth rates, and by preferring techniques that minimise direct or indirect damage to forest, soil or water resources.</div><div><input type="checkbox"/> 3.1.b. Forest management planning should aim to achieve sound economic performance taking into account possibilities for new markets and economic activities in connection with all relevant goods and services of forests.</div><div><input type="checkbox"/> 3.2.c. Harvesting levels of both wood and non-wood forest products should not exceed a rate that can be sustained in the long term, and optimum use should be made of the harvested forest products, with due regard to nutrient offtake.</div></div>	<i>Oregon law makes no specific reference to maintaining sustained yields through regulated harvest. However, some requirements have outcomes that relate to or may affect sustained yields, including: Maximum clearcut size limits (120 acres) and clearcut "green-up" requirements; Regulated harvest in riparian zones (RMA's); Green (live) tree and snag retention in clearcuts larger than 25 acres (2 per acre); Tree retention and harvest pattern requirements along scenic highways/corridors [ORS 527.755]; Tree retention in some high risk sites</i>	<p>629-035-0030 (3)(c) The plans shall include strategies that maintain and enhance forest productivity by: (A) Producing sustainable levels of timber consistent with protecting, maintaining, and enhancing other forest resources</p> <p>OAR 629-035-0030 (2) (c)</p> <p>Forest management plan goals for approved plans specify sustained yield.</p>	<p>Organic Administration Act of 1897 (30 Stat. 34, as supplemented and amended; 16 U.S.C. 473-478), that states that the National Forest shall furnish a continuous supply of timber for the use and necessities of citizens of the United States.</p> <p>16 U.S.C 1601 Section 13 (a) Secretary of Agriculture shall limit the sale of timber from each national forest to a quantity equal to or less than a quantity which can be removed from such forest annually in perpetuity on a sustained- yield basis: <i>Provided</i>, That, in order to meet overall multiple- use objectives, the Secretary may establish an allowable sale quantity for any decade which departs from the projected long-term average sale quantity that would otherwise be established: <i>Provided further</i>, That any such planned departure must be consistent with the multiple-use management objectives of the land management plan.</p> <p>FSM 2471.02 Manage timber and other forest resources for protection, enhancement, and sustained yield of those resources through the sale or permitted use of forest products with the long-term intent to regenerate the stand.</p>
7.2.7	Forest Planning: Non-timber Forest Resource Conservation & Planning	<div><div><input type="checkbox"/> 1.1.a. Forest management planning should aim to maintain or increase forest and other wooded area, and enhance the quality of the economic, ecological, cultural and social values of forest</div></div>	<p>629-605-0170 Written Plans (Statutory, Non-Statutory, and Alertnate Practice) – <i>see</i> 7.2.3</p> <p>OAR 629-605-0180 Interim Process for Protecting Sensitive Resource Sites Requiring Written Plans (1) Protection practices for sites requiring written plans under OAR 629-605-0170(1)(b) or (d) shall be determined for each site as follows: (a) The State Forester shall notify the operator and landowner of the presence of a site requiring a written plan, and request their</p>	<p>629-035-0055 (3) Non-timber forest outputs are specifically mentioned as a target, in planning for focused stewardship and special stewardship lands: (A) In addition, other lands may be classified as Focused Stewardship where more specific, small scale, or time-limited plans developed by the State Forester to implement forest management</p>	<p>FSM 2432.22c. Where timber harvest is proposed primarily for the purpose of achieving forest stewardship purposes (FSH 2409.18, sec. 26), a full range of alternatives, including practical and feasible non-harvest options, must be analyzed in the environmental analysis process.</p>

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	<p>resources, including soil and water. This should be done by making full use of related services such as land-use planning and nature conservation.</p> <p><input type="checkbox"/> 2.1.c. Forest management plans or their equivalents should specify ways and means to minimise the risk of degradation of and damages to forest ecosystems. Forest management planning should make use of those policy instruments set up to support these activities.</p> <p><input type="checkbox"/> 4.1.a. Forest management planning should aim to maintain, conserve and enhance biodiversity on ecosystem, species and genetic level and, where appropriate, diversity at landscape level.</p> <p><input type="checkbox"/> 4.1.b. Forest management planning and terrestrial inventory and mapping of forest resources should include ecologically important forest biotopes, taking into account protected, rare, sensitive or representative forest ecosystems such as riparian areas and wetland biotopes,</p>	<p>input into the decision making process. (b) The State Forester shall, when practical, inspect the proposed operation with the landowner or landowner's representative, the operator, and the appropriate representative of the Department of Fish and Wildlife. The State Forester shall then determine if the proposed forest practice is in conflict with the protection of the sensitive resource site. (c) If planned forest practices are determined to conflict with protection of the sensitive resource site, the written plan must describe reasonable measures sufficient to resolve the conflict in favor of the resource site. Reasonable measures to resolve the conflict in favor of the resource site may include but are not limited to preparing and implementing a habitat management plan, obtaining approval of a plan for an alternate practice, limiting the timing of forest practices, redesigning the proposed practices in favor of site protection and excluding the forest activities outright. (d) If planned forest practices are determined not to conflict with protection of the sensitive resource site, the written plan shall describe how the operation will be conducted in compliance with existing forest practice rules. No additional protection measures shall be required.</p> <p>OAR 629-605-0190 Written Plans for Operations Near Critical, Threatened, or Endangered Wildlife Habitat Sites</p> <p>Operators must submit a written plan to the State Forester before operating near or within: (1) Critical wildlife or aquatic habitat sites that are listed in a 1984 cooperative agreement between the Board of Forestry and the Fish and Wildlife Commission or sites designated by the State Forester; or (2) Habitat sites of any wildlife or aquatic species classified by the Department of Fish and Wildlife as threatened or endangered.</p> <p>OAR 629-680-0420 Process To Inventory a Biological Site</p> <p>(1) A technical site report is used to propose a biological site for listing on the inventory. The report is written by an individual, a landowner, an agency, or an organization. The report shall: (a) Identify the key components of the biological site, such as physical features, vegetation, and wildlife; (b) Identify how or why the biological site meets the criteria in OAR 629-680-0430; and, (c) Include written evidence of the landowner's permission for any on-site evaluations that may have been conducted. (2) The State Forester shall review the technical site report and other available information. The review may include an evaluation by technical experts appointed by the State Forester. The review shall: (a) Consider the ecological and scientific significance of the site as</p>	<p>plans call for supplemental planning and/or modified management practices to help achieve the identified goals for a specific resource. (B) These lands will be further classified into one of the following subclasses: (i) Agriculture, Grazing or Wildlife Forage -- lands where agricultural crops, domestic livestock grazing values, or wildlife forage values exist and are the focus of the supplemental planning, modified management practices, or legal requirements described above. (ii) Aquatic and Riparian Habitat -- lands where aquatic and riparian habitat exists and where the habitat is the focus of the supplemental planning, modified management practices, or legal requirements described above. (iii) Cultural Resources -- lands where cultural resources exist and where those resources are the focus of the supplemental planning, modified management practices, or legal requirements described above. (iv) Deeds -- lands where deed requirements are a focus of the integrated management of a variety of forest resources. (v) Domestic Water Use -- lands where individuals or communities have water rights, where surface water is being used for domestic water use and where the State Forester determines water quality and/or quantity is a focus of the integrated management of a variety of forest resources. For the purposes of this section, "domestic water use" means the use of water for human consumption and other household human use. (vi) Easements -- lands where contractual obligations are a focus of the integrated management of a variety of forest resources. (vii) Energy and Minerals -- lands where commercial quantities of energy or minerals exist, commercial extraction is occurring or likely to occur, and where those resources are the focus of the supplemental</p>	<p>42 U.S.C Sec 102 requires initial planning, evaluation, and sharing of information regarding environmental impact of all activities of all federal government agencies.</p> <p>16 U.S.C. § 1533 requires planning and reports in regards to threatened and rare species and their critical habitat.</p> <p>FSM 2060.2.1 Provide an integrated ecosystem classification based on potential natural community, soils, and physical characteristics to be used for mapping, analysis, monitoring, evaluation, and data base linkages.</p> <p>FSM 2060.2.1. 2 Provide a unifying ecosystem framework for use in land and resource planning and management for making interpretation of ecosystem responses to management, treatment, disturbances and development over time.</p> <p>FSM 2060.2.1. 3 Develop an ecologically-based, information system to aid in evaluating land capability, interpreting ecological relationships, and improving multiple-use management.[note: used objectives of 2060.2 rather than policy – implementation provided in FSH 19009.14 – authorities contained in RPA, NFMA and implementation authorities in NEPA.]</p> <p>FSM 2670.31.2 Establish through the Forest planning process objectives for habitat management and/or recovery of populations, in cooperation with States, the Fish and Wildlife Service (FWS) (or National Marine Fisheries Service (NMFS)), and other Federal agencies.</p> <p>FSM 2526.1 Provide the following information as needed for land and resource management planning: 1. Riparian-dependent resources. 2. Streamside vegetation and its value as fish and wildlife habitat and</p>

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	<p>areas containing endemic species and habitats of threatened species, as defined in recognised reference lists, as well as endangered or protected genetic in situ resources.</p> <p><input type="checkbox"/> 4.2.f. Infrastructure should be planned and constructed in a way that minimises damage to ecosystems, especially to rare, sensitive or representative ecosystems and genetic reserves, and that takes threatened or other key species - in particular their migration patterns - into consideration.</p>	<p>presented in the technical site report; (b) Identify forest practices that conflict with the maintenance of the key components; (c) Evaluate the consequences of the identified conflicts; and, (d) Propose protection or management requirements for the biological site. (3) The State Forester shall submit a report of the review to the Board. (4) Using the State Forester's report, the technical site report and other available information for the biological site, the Board shall confirm whether the biological site meets the criteria in OAR 629-680-0430. If the Board determines that the biological site is ecologically and scientifically significant, the Board shall: (a) Identify the forest practices that conflict with the key components; (b) Evaluate the consequences of those conflicts; and, (c) Adopt protection or management requirements necessary to meet the protection goal. (5) The State Forester shall maintain a resource site inventory of biological sites adopted by the Board. (6) If a biological site on the resource site inventory is no longer ecologically and scientifically significant, a site report recommending removal of the resource site from the inventory may be submitted, by any party, to the State Forester. (a) The State Forester shall review the report as described in section 2 of this rule and submit a recommendation to the Board. (b) Using the State Forester's recommendation, and any other information, the Board shall determine if the biological site should be removed from the inventory.</p>	<p>planning, modified management practices, or legal requirements described above. (viii) Plants -- lands where a specific plant species or a community of plants exist and where those resources are the focus of the supplemental planning, modified management practices, or legal requirements described above. (ix) Recreation -- lands that receive moderate or high levels of dispersed recreational use and where recreation management is the focus of the supplemental planning, modified management practices, or legal requirements described above. (x) Research/Monitoring -- lands that are part of a research or monitoring project and where the design of the project requires supplemental planning or modified management practices. (xi) Transmission -- lands used for the transmission of energy, materials, data, video, and/or voice and where the transmission is a focus of the integrated management of a variety of forest resources. (xii) Visual -- lands which have been identified as having high or moderate visual sensitivity according to criteria in a forest management plan and where those visual resources are the focus of the supplemental planning, modified management practices, or legal requirements described above. (xiii) Wildlife Habitat -- lands where wildlife habitat for a specific species or group of species exists and where that habitat is the focus of the supplemental planning, modified management practices, or legal requirements described above.</p> <p>OAR 629-035-0030</p> <p>Forest management plan strategies for approved plans require planning for non-timber forest resources.</p>	<p>its relation to the control of sediment originating on upland areas, to the maintenance of stream temperatures, and to the stability of streambanks and channels. 3. Ground water recharge areas, factors, and conditions. 4. Possibility of reducing or otherwise modifying the risk of flooding. 5. Water quality and the deposition or buffering of potential water pollutants. 6. Fluctuations in water levels, quantities, and timing of flow in relation to habitat of fish, waterfowl, mammals, and aquatic organisms, and to maintenance of phreatophytes and other riparian vegetation. 7. Cumulative effects of management activities. 8. Stream channel conditions</p> <p>FSM 2551.03 (3.) Conduct soil resource inventories on all National Forest System lands and Forest Service experimental areas, nurseries, and seed orchards as needed for proper development and management of all resources and activities. Conduct soil resource inventories at varying levels of intensity to meet specific Forest Service management needs (sec. 2551.2).</p> <p>[NWFP] All 24.4 million acres of Forest Service, BLM, and other federally-administered lands within the range of the northern spotted owl are also allocated to one of three watershed categories: Tier 1 Key Watersheds, Tier 2 Key Watersheds, or non-Key Watersheds (all others). Key Watersheds overlay portions of all six categories of designated areas and matrix, and place additional management requirements or emphasis on activities in those areas. There are 8,119,400 acres of Tier 1 Key Watersheds, and 1,001,700 acres of Tier 2 Key Watersheds. Key Watersheds overlay the land allocations of designated areas and matrix as shown below.</p> <p>[NWFP] Watershed Analyses: Information from the analysis will flow into the NEPA documentation for specific projects, and will be used where practicable to</p>

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				facilitate Endangered Species Act and Clean Water Act compliance. Restoration opportunities will be identified. [NWFP] Watershed analysis should take into account all species that were intended to be benefited by the prescribed Riparian Reserve widths. Those species include fish, mollusks, amphibians, lichens, fungi, bryophytes, vascular plants, American marten, red tree voles, bats, marbled murrelets, and northern spotted owls. [NWFP] ROD_ROM: Pre-project clearances are completed prior to habitat-disturbing activities to determine the presence of a species or its habitat and the effect of management actions on the species. Pre-project clearances may include, but are not limited to, clearance surveys; field clearances; field reconnaissance;inventories; habitat examinations; habitat evaluation; evaluation of species-habitat associations and presence of suitable or potential habitat; review of existing survey records, inventories, and spatial data; utilization of professional research, literature, and other technology transfer sources; use of expertise, both internal and external, that is based on documented, substantiated professional rationale.
7.2.8	<p>Silviculture: Reforestation--Regeneration</p> <p><input type="checkbox"/> 1.2.b. Appropriate silvicultural measures should be taken to maintain the growing stock of resources at - or bring to - a level that is economically, ecologically and socially desirable.</p> <p><input type="checkbox"/> 1.2.c. Conversion of abandoned agricultural and treeless land into forest land should be taken into consideration, whenever it can</p>	<p>629-610-0020; Reforestation Stocking Standards</p> <p>(1) The landowner shall increase tree stocking to a level that meets the applicable productivity-based stocking standards described in sections (4), (5), and (6) of this; rule within the time limits established by OAR 629-610-0040 whenever postoperation free to grow tree stocking in all or a portion of the operation area is below the applicable stocking standards and: (a) Trees or snags of acceptable species are harvested; or (b) Free to grow tree stocking is reduced as a result of the operation.</p> <p>OAR 629-610-0020 (4) For Cubic Foot Site Class I, II and III forestlands (capable of producing at least 120 cubic feet per acre per year at culmination of mean annual increment), the minimum tree stocking standards are: (a) 200 free to grow seedlings per acre; or, (b) 120 free to grow saplings and poles per</p>	<p><i>Reforestation is not specifically listed as a required practice on state forest lands, but it certainly is required to meet the requirements for greatest permanent value below:</i></p> <p>OAR 629-035-0020 Greatest Permanent Value</p> <p>(1) As provided in ORS 530.050, "greatest permanent value" means healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social, economic, and environmental benefits to the people of Oregon. These benefits include, but are not limited to: (a) Sustainable and predictable</p>	<p>FSM 2470.3 Before scheduling stands for regeneration harvest, ensure, based on literature, research, or local experience, that stands to be managed for timber production can be adequately restocked within 5 years of final harvest. Five years after final harvest means 5 years after: Clearcutting; final over story removal in shelter woodcutting; the seed tree removal cut in seed tree cutting; and selection cutting.</p> <p>FSM 2470.3 Forest plans indicate the average number of years necessary to obtain regeneration for each final harvest prescription.</p> <p>FSM 2472.03 (4.): Examine all reforestation areas for</p>

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	<p>add economic, ecological, social and/or cultural value.</p> <p>☐ 4.2.a. Natural regeneration should be preferred, provided that the conditions are adequate to ensure the quantity and quality of the forests resources and that the existing provenance is of sufficient quality for the site.</p>	<p>acre; or, (c) 80 square feet of basal area per acre of free to grow trees 11-inches DBH and larger; or, (d) An equivalent combination of seedlings, saplings and poles, and larger trees as calculated in section (7) of this rule. (5) For Cubic Foot Site Class IV and V forestlands (capable of producing between 50 and 119 cubic feet per acre per year at culmination of mean annual increment), the minimum tree stocking standards are: (a) 125 free to grow seedlings per acre; or, (b) 75 free to grow saplings and poles per acre; or, (c) 50 square feet of basal area per acre of free to grow trees 11-inches DBH and larger; or, (d) An equivalent combination of seedlings, saplings and poles, and larger trees as calculated in section (7) of this rule. (6) For Cubic Foot Site Class VI forestlands (capable of producing between 20 and 49 cubic feet per acre per year at culmination of mean annual increment), the minimum tree stocking standards are: (a) 100 or more free to grow seedlings per acre; or, (b) 60 free to grow saplings and poles per acre; or, (c) 40 square feet of basal area per acre of free to grow trees 11-inches DBH and larger; or, (d) An equivalent combination of seedlings, saplings and poles, and larger trees as calculated in section (7) of this rule. (7) In both even-aged and uneven-aged stands, the stocking of residual seedlings, saplings and poles, and larger trees shall be weighted to determine stand stocking and potential reforestation requirements. For this purpose, seedlings, saplings and poles, and trees 11-inches DBH and larger are proportionally equivalent in the following ratios: 100 free to grow seedlings are equivalent to 60 free to grow saplings and poles, which are equivalent to 40 square feet of basal area of free to grow trees 11-inches DBH and larger.</p> <p>OAR 629-610-0020; (10) Landowners may submit plans for alternate practices that do not conform to the reforestation stocking levels established under these rules. A plan for alternate practices may be approved if the State Forester determines that there is a high probability that the purpose of the reforestation rules will be achieved, or if the plan carries out an authorized research project conducted by a public agency or educational institution.</p> <p>OAR 629-610-0030; (1) Natural reforestation methods may be the best means to meet a variety of resource management objectives on some forestlands. Successful natural reforestation requires careful, flexible, site-specific pre-harvest planning and post-harvest monitoring. (2) Reforestation may be difficult on Cubic Foot Site Class VI forestlands due to factors such as poor soils, harsh climate, and competing vegetation. Reforestation in wetland areas</p>	<p>production of forest products that generate revenues for the benefit of the state, counties, and local taxing districts</p> <p>State forest reforestation standards meet or exceed those for private lands under the Oregon Forest Practices Act.</p>	<p>certification as meeting specific reforestation standards approved by the Regional Forester for timber and other resource objectives. Make regeneration examinations, as a minimum, after the first and third growing seasons following treatment.</p> <p>FSM 2472.32 The forest plan provides overall direction on the regeneration methods to use. Regeneration methods include the following categories: (1) Natural (seeding and coppice sprouting)--When the forest plan management guidelines and objectives indicate that natural regeneration is a viable alternative to meet economic, silvicultural, and other resource concerns, regeneration prescriptions must consider this alternative; and, (2.) Artificial (seeding and planting)--Regional Foresters shall specify in regional manuals or handbooks planting practices and standards, and provide training for supervisors or inspectors to ensure high quality planting and maximum success.</p> <p>FSM 2496.14 (1). Each Ranger District with a planting program shall establish plantation-survival samples using staked trees. These shall be used for survival counts on sample areas representing major species</p> <p>(FSM 2472.4). Survival counts shall be made on these sample trees and reported. In addition to survival percentage, include a narrative evaluation of the quality of the planting stock, the effectiveness of the site preparation, planting, and protection, and a prediction of the future stocking and growth of the stands. Compute and compare survival percentage of the staked trees with that from the first-year check. . . to evaluate third-year survival estimates and to initiate changes needed in site preparation, planting, or protection programs.</p>

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		<p>may be difficult because of high water tables, competing vegetation, and inaccessibility. Careful reforestation planning is needed before operations are conducted on these sites. On Cubic Site Class VI forestlands and in wetlands, the use of silvicultural systems that promote natural regeneration and the retention of; good quality residual trees after operations often have a higher probability of success than artificial reforestation methods.</p> <p>OAR 629-610-0040; (1) The time period for compliance with the reforestation rules begins at the completion of the operation or 12 months after tree stocking has been reduced, whichever comes; first. (2) The landowner shall begin reforestation, including any necessary site preparation, within 12 months when reforestation is required. (3) The landowner shall complete planting or seeding within 24 months unless a written plan for an alternate practice for natural reforestation has been approved by the State Forester. (4) By the end of the sixth full calendar year, the landowner shall have established a free to grow stand of trees which meets or exceeds the minimum stocking level required by OAR 629-610-0020. (5) When natural reforestation methods are planned, the time limits for evidence of successful germination and for establishing a free to grow stand of trees which meets or exceeds the minimum stocking level required for the site shall be established in the approved plan for an alternate practice required for such methods.</p> <p>OAR 629-610-0040; (6) If reforestation cannot be accomplished within the specified time due to circumstances determined by the State Forester to be beyond the landowner's control, the State Forester shall extend the time to accomplish reforestation. Such; circumstances may include, but are not limited to: (a) Nursery failure; (b) Inadequate seedling availability following salvage harvesting; (c) Extreme drought; (d) Insect infestation; (e) State smoke management restrictions on the burning of slash; Forest Practice Rule Guidance Reforestation May 1997 General File 6-1-5 OAR 629-610-0040 (Page 25 of 40); (f) Wildfire or disease damage; or, (g) Severe wildlife damage that could not be reasonably anticipated or controlled by the landowner. (7) Extensions shall be made only upon a determination by the State Forester, based on timely written evidence provided by the landowner, that documents the landowner made reasonable attempts to comply with the reforestation requirements of the rules.</p> <p>OAR 629-610-0050; (1) The State Forester shall determine if tree species are acceptable for artificial reforestation, natural reforestation, and as residual</p>		

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		<p>seedling, sapling and pole, or larger tree stocking based on all of the following criteria: (a) The species must be ecologically suited to the planting site; (b) The species must be capable of producing logs, fiber, or other wood products suitable in size and quality for the production of lumber, sheeting, pulp or other commercial forest products; and, (c) The species must be marketable in the foreseeable future.</p> <p>OAR 629-610-0050; (2) Up to 20 percent of the site-based stocking levels required by 629-610-0020 may be met by using free to grow hardwood trees remaining after harvest if the trees are of species meeting the requirements of section (1) of this rule. An approved plan for an alternate practice is required before more than 20% of the required stocking may be met with residual, post-operation hardwood trees. Prior approval for the use of higher levels of hardwood residual stocking shall be based on a determination by the State Forester that there is a high probability that the purpose of the reforestation rules will be achieved.</p> <p>OAR 629-610-0050; (3) Landowners are encouraged to reforest with a mixture of acceptable tree species where appropriate to reduce the risk of insect and disease losses and to promote stand diversity. Seedlings or seeds used for artificial reforestation should be from seed sources that are genetically adapted to the growing site.</p> <p>OAR 629-610-0060; (1) When an operation will result in a reforestation requirement, and the landowner intends to plant or seed a tree species not native to the operation area, the landowner shall submit for approval for an alternate practice from the State Forester of a written plan which describes the tree species and how it will be used to meet the reforestation requirements. Information in the plan shall include: (a) The tree species that will be used; (b) Evidence that the species is ecologically suited to the planting site; (c) Evidence that the species is capable of producing commercial forest products that will be marketable in the foreseeable future; and, (d) Available research or field test findings which demonstrate the tree species has been successfully used in reforesting sites similar to the operation area. (2) A plan for an alternate practice for the use of non-native tree species must be submitted for approval no later than twelve months after tree stocking is reduced and prior to planting. Plans for the alternate practice for the use of non-native tree species shall be approved by the State; Forester if a determination is made that the information provided indicates there is a high probability that the purpose of the</p>		

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			reforestation rules will be achieved. (3) For the purpose of this rule, any tree species that the State Forester determines has naturally existed and reproduced in the operation area or on similar sites will be considered a native species. <i>Rules require use of commercial species ecologically suited to the local site; conifer sites generally may not be reforested with hardwoods without an approved plan. An approved plan also is needed for natural regeneration or use of non-native species. Seedlings or seeds for artificial reforestation should be from sources genetically adapted to the site.</i> <i>Rules provide some incentive for afforestation of certain idle lands [OAR 629-611-0000] by allowing timber harvest in otherwise restricted areas, under a one-time exemption from most tree retention requirements (e.g., within stream RMA except for the first 20 feet from most stream designations, special resource sites other than during annual critical period of use).</i>		
7.2.9	Silviculture: Silvicultural Systems	<div><input type="checkbox"/> 2.1.a. Forest management planning should aim to maintain and increase the health and vitality of forest ecosystems and to rehabilitate degraded forest ecosystems, whenever this is possible by silvicultural means.</div> <div><input type="checkbox"/> 4.2.c. Forest management practices should, where appropriate, promote a diversity of both horizontal and vertical structures such as uneven-aged stands and the diversity of species such as mixed stands. Where appropriate, the practices should also aim to maintain and restore landscape diversity.</div> <div><input type="checkbox"/> 4.2.d. Traditional</div>	<i>There are no restrictions on type of silvicultural system utilized by individual landowners. Restrictions apply when use of a silvicultural system makes forest changes (such as a clearcut larger than 120 acres) that are specifically prohibited, or require additional treatment (slash abatement, reforestation).</i>	629-035-055 Prescriptions (a) Prescriptions are not part of Forest Land Management Classifications. Prescriptions will be based upon goals and strategies in a forest management plan, statutory, or contractual requirements, and site-specific conditions. <i>From the ODF webpage on the management of the Tillamook State Forest:</i> Integrated Management: Foresters plan and conduct timber harvest operations to provide raw materials and revenue and also create a more diverse forest with openings and various age classes of trees. As you travel through the Tillamook, you'll surely see many forest stands that are too dense, resulting in competition among individual trees for sunlight, nutrients and water. This also has a detrimental effect on plant and wildlife habitats that depend on more open conditions. Opening up the forest through tree thinning and patch cutting increases the growth,	FSM 2476.02 (1.) Maintain or increase the growth rate, health, species composition, and/or improve the quality of stands for timber or other resource uses according to the direction in the forest plan; (2.) Develop and demonstrate the benefit of improved methods and techniques of timber stand improvement for all resource uses as an encouragement for private landowners to apply timber stand improvement practices on their own land; and, (3.) Accomplish the timber stand improvement treatments in the most cost-effective manner. FSM 2478.03.1 Silvicultural examinations, diagnosis, and evaluations shall be accomplished on a compartment basis in order to maintain an orderly program of work. FSM 2478.03.2. Silvicultural examinations, diagnosis of treatment needs, and the preparation of prescriptions detailing the methods, techniques, and timing of the silvicultural activities necessary to achieve established objectives are required prior to initiating any silvicultural treatment on National Forest lands.

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	management systems that have created valuable ecosystems, such as coppice, on appropriate sites should be supported, when economically feasible.		<p>productivity and diversity of the forest.</p> <p>Foresters are also using thinning and selective cutting techniques as ways to accelerate the growth of tree stands that have older forest conditions in order to provide suitable habitat for threatened and endangered species in less time than would occur if left to a natural succession process.</p> <p>Many other techniques are used to enhance forest health while also increasing wildlife and plant diversity. In many parts of the forest, a naturally-occurring disease called laminated root-rot has infected pockets of trees that must be removed to stop the spread of the disease. Tree harvests in these areas employ what are called "patch cuts" and remove all of the trees within the zone of influence of the disease. The resulting openings allow more sunlight in, creating conditions for a different set of plants and animals to live.</p> <p>OAR 629-035-0030 This rule connects directly to the structure based management and other silvicultural techniques used on all state forests.</p>	<p>FSM 2470.3 Use only those silvicultural practices that are best suited to the land management objectives for the area. Consider all resources, as directed in the forest plan. Prescribe treatments that are practical in terms of the cost of preparation, administration, transportation systems, and logging methods. resource requirements.</p> <p>[NWFP] Silvicultural systems proposed for Late-Successional Reserves have two principal objectives: (1) development of old-growth forest characteristics including snags, logs on the forest floor, large trees, and canopy gaps that enable establishment of multiple tree layers and diverse species composition; and (2) prevention of large-scale disturbances by fire, wind, insects, and diseases that would destroy or limit the ability of the reserves to sustain viable forest species populations. Small-scale disturbances by these agents are natural processes, and will be allowed to continue.</p>
7.2.10	Silviculture: Clearcutting	ORS 527.740 Harvest type 3 (clearcut) limitations; exceptions. (1) No harvest type 3 unit within a single ownership shall exceed 120 acres in size, except as provided in ORS 527.750; . (2) No harvest type 3 unit shall be allowed within 300 feet of the perimeter of a prior harvest type 3 unit within a single ownership if the combined acreage of the harvest type 3 areas subject to regulation under the Oregon Forest Practices Act would exceed 120 acres in size, unless the prior harvest type 3 unit has been reforested as required by all applicable regulations and: (a) At least the minimum tree stocking required by rule is established per acre; and either; (b) The resultant stand of trees has attained an average height of at least four feet; or, (c) At least 48 months have elapsed since the stand was created and it is "free to grow" as defined by the State Board of Forestry. (3) Any acreage attributable to riparian areas or to resource sites listed in ORS 527.710 (3) that is located within a harvest unit shall not be counted in calculating the size of a harvest type 3 unit. (4) The provisions of	<p><i>Clearcutting is not prohibited on state forest lands. It is used as one tool to promote structural diversity of stands at the landscape level.</i></p>	<p>16 U.S.C 1601 Section 6 (g) As soon as practicable. . . the Secretary shall . . . promulgate regulations, under the principles of the Multiple-Use Sustained-Yield Act of 1960, that set out the process for the development and revision of the land management plans, and the guidelines and standards prescribed by this subsection. The regulations shall include, but not be limited to. . . (3) specifying guidelines for land management plans developed to achieve the goals of the Program which . . . (F) insure that clearcutting, seed tree cutting, shelterwood cutting, and other cuts designed to regenerate an evenaged stand of timber will be used as a cutting method on National Forest System lands only where. . (iv) there are established according to</p>

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			this section shall not apply when the land is being converted to managed conifers or managed hardwoods from brush or hardwood stands that contain less than 80 square feet of basal area per acre of trees 11 inches DBH or greater or when the harvest type 3 results from disasters such as fire, insect infestation, disease, windstorm or other occurrence that the State Forester determines was beyond the landowner's control and has substantially impaired productivity or safety on the unit or jeopardizes nearby forestland. The prior approval of the State Forester shall be required for such conversion or harvest type 3 operations that exceed 120 acres in size. (5) The provisions of this section do not apply to any operation where the operator demonstrates to the State Forester that: (a) The trees are subject to a cutting right created by written contract prior to October 1, 1990, which provides that the trees must be paid for regardless of whether the trees are cut, or subject to a cutting right created by reservation in a deed prior to October 1, 1990; and, (b) If the provisions of this section were applied, the cutting right would expire before all the trees subject to the cutting right could reasonably be harvested. [1991 c.919 §4; 1995 s.s. c.3 §39b; 1996 c.9 §4]\		geographic areas, forest types, or other suitable classifications the maximum size limits for areas to be cut in one harvest operation. FSM 2471.11 Before applying any even-aged regeneration cutting method to a stand, consider the standards and guidelines in the forest plan concerning the culmination of mean annual increment along with the size, shape, dispersal, and duration of openings. Apply clearcutting only where it has been found to be the optimum method of regeneration to meet multiple-use objectives.
7.2.11	Silviculture: Retention & Residual Trees/Stands	<div><input type="checkbox"/> 2.2.a. Forest management practices should make best use of natural structures and processes and use preventive biological measures wherever and as far as economically feasible to maintain and enhance the health and vitality of forests. Adequate genetic, species and structural diversity should be encouraged and/or maintained to enhance stability, vitality and resistance capacity of the forests to adverse environmental factors and strengthen natural regulation mechanisms.</div> <div><input type="checkbox"/> 4.2.h. Standing and</div>	ORS 527.676 Leaving snags and downed logs in harvest type 2 or 3 units; green trees to be left near certain streams. (1) In order to contribute to the overall maintenance of wildlife, nutrient cycling, moisture retention and other resource benefits of retained wood, when a harvest type 2 unit exceeding 25 acres or harvest type 3 unit exceeding 25 acres occurs the operator shall leave on average, per acre harvested, at least: (a) Two snags or two green trees at least 30 feet in height and 11 inches DBH or larger, at least 50 percent of which are conifers; and, (b) Two downed logs or downed trees, at least 50 percent of which are conifers, that each comprise at least 10 cubic feet gross volume and are no less than six feet long. One downed conifer or suitable hardwood log of at least 20 cubic feet gross volume and no less than six feet long may count as two logs. (2) In meeting the requirements of this section, the operator has the sole discretion to determine the location and distribution of wildlife leave trees, including the ability to leave snags, trees and logs in one or more clusters rather than distributed throughout the unit and, if specifically permitted by the State Board of Forestry by rule, to meet the wildlife leave tree requirements by counting snags, trees or logs otherwise required to be left in riparian management areas or resource sites listed in ORS 527.710, subject to: (a) Safety and fire hazard regulations; (b) Rules or other requirements relating to wildlife leave trees established by the State Board of Forestry or the State	<i>Structure based management utilized on all state forest lands contains provisions for retention of important stands and structural components within stands.</i> From the 2003 Forestry Program for Oregon: (KEY ACTION) E.4. The board will support continued active management of Oregon's state forests through the use of structure-based management combined with ongoing science-based implementation monitoring and evaluation.	[NWFP] The natural regime of patchy fires that leave an abundance of large dead trees and lesser amounts of scattered live trees, as individuals and in patches, is the basis for silvicultural methods such as retention of green trees as individuals and in patches. [NWFP] Example: Green Tree Retention Requirements - National forest timber sales already laid out at the time of the Record of Decision may use green tree retention requirements in the Draft SEIS if this eliminates the need to rework, redesign, or re-cruise a sale. All sales laid out after the date of the Record of Decision will comply with green tree retention requirements in these standards and guidelines. [NWFP] Retention of green trees following timber harvest in the matrix provides a legacy that bridges past and future forests. Retaining green trees serves several important functions including snag recruitment, promoting multistoried canopies, and providing shade and suitable habitat for many organisms in the matrix.

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	fallen dead wood, hollow trees, old groves and special rare tree species should be left in quantities and distribution necessary to safeguard biological diversity, taking into account the potential effect on health and stability of forests and on surrounding ecosystems.	Forester; and, (c) All other requirements pertaining to forest operations. (3) In meeting the requirements of this section, the State Forester: (a) Shall consult with the operator concerning the selection of wildlife leave trees when the State Forester believes that retaining certain trees or groups of trees would provide increased benefits to wildlife. (b) May approve alternate plans submitted by the operator to meet the provisions of this section, including but not limited to waiving: (A) The requirement that at least 50 percent of wildlife leave trees be conifers, upon a showing that a site is being intensively managed for hardwood production; and, (B) In whole or in part, the requirements of this section for one operation if an alternate plan provides for an equal or greater number of wildlife leave trees in another harvest type 2 or harvest type 3 operation, that the State Forester determines would achieve better overall benefits for wildlife. (c) May require, for operations adjacent to a fish-bearing or domestic use stream, in addition to trees otherwise required to be left in riparian management areas, up to 25 percent of the green trees required to be retained under this section to be left in or adjacent to the riparian management area of the stream. (d) May require by rule, for operations adjacent to a small, nonfish-bearing stream subject to rapidly moving landslides as defined in ORS 195.250, that available green trees and snags be left in or adjacent to the stream. The operator must leave available green trees and snags under this paragraph within an area that is 50 feet on each side of the stream and no more than 500 feet upstream from a riparian management area of a fish-bearing stream. (4) When a harvest type 2 or harvest type 3 unit occurs adjacent to a prior harvest type 2 or harvest type 3 unit, resulting in a combined total contiguous acreage of harvest type 2 or harvest type 3 under single ownership exceeding 25 acres, the wildlife leave tree and downed log requirements of subsection (1) of this section apply to the combined total contiguous acreage. [1996 c.9 §9 (enacted in lieu of ORS 527.675); 2001 c.340 §1];		<p>[NWFP] Large snags and green trees should be well distributed throughout the matrix because bats compete with primary excavators and other species that use cavities.</p> <p>[NWFP] Green-tree retention standards for the matrix exceeding 15 percent in current plans and draft plan preferred alternatives for National Forests are superseded by the 15 percent retention direction in these standards and guidelines unless local knowledge indicates such direction must be retained to meet management objectives</p>
7.2.12	Silviculture: Reforestation--Site Preparation	<p><i>Rules include general statement recognizing slash treatment as a necessary tool for protection of reproduction and residual stands [OAR 629-615-0000].</i></p> <p><i>Rules require planning and conducting slash treatment to protect residual timber stands and reproduction to optimize conditions of forest tree species [OAR 620-615-0100]. Rules for mechanical site preparation focus on soil and water resource protection [OAR 629-615-0200 and 0250]. Rules for prescribed burning require adequate protection of reproduction and residual timber [OAR 629-615-0300].</i></p>	<p><i>Site preparation requirements are specified in each individual timber sale contract.</i></p>	<p>FSM 2472.03 (1.) Base reforestation treatments, including site preparation, on silvicultural prescriptions written to meet site-specific resource requirements.</p> <p>FSM 2496.11a (3.) Immediately following wildfires or other natural disasters, make an analysis and diagnosis to estimate the net acres in need of reforestation treatments (FSM 2478.2). Include areas</p>

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					deforested by the fire or natural disaster, deforested plantations, as well as stands that will require reforestation treatment following salvage operations in the estimate of net acres.
7.2.13	Silviculture: Reforestation-- Genetics	<div><div><input type="checkbox"/> 2.2.b. Appropriate forest management practices such as reforestation and afforestation with tree species and provenances that are suited to the site conditions or the use of tending, harvesting and transport techniques that minimise tree and/or soil damages should be applied.</div><div><input type="checkbox"/> 4.2.a. Natural regeneration should be preferred, provided that the conditions are adequate to ensure the quantity and quality of the forests resources and that the existing provenance is of sufficient quality for the site.</div><div><input type="checkbox"/> 4.2.b. For reforestation and afforestation, origins of native species and local provenances that are well adapted to site conditions should be preferred, where appropriate. Only those introduced species, provenances or varieties should be used whose impacts on the ecosystem and</div></div>	<i>Rules require use of commercial and marketable species that are ecologically suited to the local site; plans for an alternate practiceis required for reforestation primarily with hardwoods [OAR 629-610-0050]. Plans for an alternate practice is needed for natural regeneration [OAR 629-610-0030] or use of non-native species [OAR 629-610-0060] to meet state minimum stocking requirements. Seedlings or seeds for artificial reforestation should be from sources genetically adapted to the site [OAR 629-610-0050].</i>	629-035 definitions: (10) "Forest tree species" means trees ecologically suited to the site. (13) "Native" means indigenous to Oregon, not introduced. OAR 629-035-0020 (2) To secure the greatest permanent value of these lands to the state, the State Forester shall maintain these lands as forest lands and actively manage them in a sound environmental manner to provide sustainable timber harvest and revenues to the state, counties, and local taxing districts. This management focus is not exclusive of other forest resources, but must be pursued within a broader management context that: (a) Results in a high probability of maintaining and restoring properly functioning aquatic habitats for salmonids, and other native fish and aquatic life; (b) Protects, maintains, and enhances native wildlife habitats; (c) Protects soil, air, and water; and (d) Provides outdoor recreation opportunities. (3) Management practices must: (a) Pursue compatibility of forest uses over time; (b) Integrate and achieve a variety of forest resource management goals; (c) Achieve, over time, site-specific goals for forest resources, using the process as set forth in OAR 629-035-0030 through 629-035-0070. . .	FSM 2472.03 (2.) Use genetically improved seed and planting stock to the full extent consistent with tree improvement plans. Do not use seed and seedlings of exotic tree species or native species from an offsite source, except where: a. Scientific studies have proven they are adaptable to the area in question. b. Administrative studies or tests are being carefully planned with the cooperation or assistance of knowledgeable Research scientists. FSM 2473.03 (1). Forest Service nurseries shall produce quality seedlings in requested quantities for use on National Forests located within an area of similar physiographical and biological characteristics. FSM 2475.03 (1.) All reforestation shall be done with reproductive material resulting from a level 1 or higher program (FSM 2475.3). FSM 2475.03 (3.) Design tree improvement programs to produce only enough reproductive material for reforesting National Forest System lands. FSM 2475.03 (4.) Maintain communication with State and Private Forestry, Research, other Federal agencies, State, and private landowners conducting tree improvement programs. When appropriate and mutually beneficial: (a.) Exchange reproductive material from trees growing on intermingled or reasonably close ownerships, thereby broadening the genetic variation sampled; (b.) Establish uniform standards for selecting superior trees; (c.) Share data to evaluate the breeding

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		on the genetic integrity of native species and local provenances have been evaluated, and if negative impacts can be avoided or minimised.			potential of selected trees; (d.) Share knowledge gained during the programs; (e.) Work with national and international organizations in efforts to manage and conserve forest gene resources; (f.) Maintain a broad genetic base in reproductive material used to restock National Forest land to ensure genetic variability; (g.) Maintain flexibility in tree-breeding programs; (h.) Maintain identity of reproductive material through all stages of collection, processing, storage, nursery production, distribution, and other activities, including final use in reforestation or tree-improvement projects; (i.) Use seedlings from distant sources only after successful performance in evaluation trials; and, (j.) Develop all phases of tree improvement through close cooperation of Research, State and Private Forestry, and National Forest System staffs.
7.2.14	Silviculture: Stand Management-- Stocking Control	<input type="checkbox"/> 1.2.b. Appropriate silvicultural measures should be taken to maintain the growing stock of resources at - or bring to - a level that is economically, ecologically and socially desirable.	No laws/rules requiring stocking control to maintain or enhance forest productivity (e.g., pre-commercial or commercial thinning), except when stocking control results in basal area or tree counts below specified numerical limits for various site classes; such situations trigger local reforestation requirements due to understocked conditions [OAR 629-610-0020, see regeneration section].	Stocking control is based on inventories and structure based stand management prescriptions. Thinning is a common tool in structure based management.	FSM 2479.02 - Develop a standardized format for timber stocking level charts to increase the understanding and application of stand density management. FSM 2496.11b (1.): Report by Forest, State, and productivity class all acres with diagnosed treatment needs for release, pre-commercial thinning, pruning or fertilization necessary to meet the growth rate, health, and species composition, and/or to improve the quality of the stands for timber or other resource uses on suitable lands as determined in the Forest plan. FSM 2496 11c-2 The line officer at each reporting level must certify [an] area as satisfactorily treated. Certify all timber stand improvement activities upon completion of the activity (FSM 2476.04). If additional work is determined to be needed through monitoring examinations, recertify the area when work is completed. Also, include the area in the timber stand improvements needs report (FSM 2496.11b).

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				<p>FSM 2496.11 Each Region shall submit input for needs, accomplishments, and certification of reforestation and timber stand improvement activities through the TRACS-SILVA portion of the Timber Activity Control System (FSH 2409.14). Forests and Districts must use the annual reforestation and timber stand improvement needs report as the basis for building current and future year programs of work, and must be able to disaggregate and identify by funding code at least the first 3 years of the total program. Report summaries shall be compiled from an automated stand database.</p> <p>FSM 2496.11c (1.) The line officer at each reporting level must certify that the area is satisfactorily stocked. For reporting purposes, a satisfactorily reforested area is an area with acceptable levels of live seedlings at the time of survey as set forth in the prescription for the area, and which the silviculturist has determined requires no additional work (except from protection and surveys) to meet the minimum stocking level established in the prescription (FSM 2478). Certify acres after the third growing season for artificially regenerated sites and after the fifth growing season for naturally regenerated sites (FSM 2472.03). Any areas that have previously been certified and have subsequently become unsatisfactorily stocked must be reentered as a reforestation need and recertified (FSM 2496.11b). See 36 CFR 219.27(c)(3) for time requirements for ensuring adequate restocking for varying silvicultural systems.</p>
7.2.15 Silviculture: Stand Management-- Application of Pesticides	<input type="checkbox"/> 2.2.c. The use of pesticides and herbicides should be minimised, taking into account appropriate silvicultural alternatives and other biological measures. d. In case fertilisers are used	<p><i>Pesticide licensing is done through the US-EPA and Oregon Department of Agriculture</i></p> <p><i>In general, State [OAR 629 Division 620, ORS Chapter 634] and Federal [FIFRA] laws and rules regulate forestry use of chemicals such as pesticides, and fertilizers].</i></p> <p><i>Operators are also subject to laws of ODA, DEQ, OSHD (ORE – OSHA), WRD, OHO, and EPA.</i></p>	<p><i>Pesticide applications follow rules that apply to all private lands under the Oregon Forest Practices act and other laws.</i></p>	<p><i>Note:</i> The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA; 7 U.S.C. 136 et seq.) sets requirements related to hazardous materials in pesticide management (FSM 2150.1)</p> <p>FSM 2150.3 (1.) Base actual use and recommended uses of pesticides on analyses of effectiveness, specificity, environmental impacts, economic efficiency</p>

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	they should be applied in a controlled manner and with due consideration to the environment.	<p><i>Specific licensing and training requirements for handling of restricted use pesticides, and for commercial and public applicators and consultants. This licensing is administered by the Oregon Department of Agriculture. OAR Chapter 603-057.</i></p> <p><i>Operators are encouraged to use integrated pest management (IPM) strategies. Pesticides are mentioned as only one effective tool, implying that other methods should be considered and used where appropriate.</i></p> <p><i>Notification is required for all chemical applications – chemical type, method of application, location, date, material to be used.</i></p> <p><i>Use must not negatively impact soil, air, water, wildlife or aquatic organisms.</i></p> <p><i>Many specific forestry directives regarding use, including: Spills and leaks must be controlled and reported; Water protected during mixing, including location; Water protection during application; Disposal of chemical containers; Daily record of chemical applications; Notification of water system operators; Aerial applications require full 15 day waiting period</i></p>		<p>and human exposure.</p> <p>FSM 2150.3 (3.) Use pesticides in designated Wilderness only when necessary to protect or restore significant resource values within the Wilderness or on public or private lands bordering the Wilderness after receipt of the public or private landowner's written permission.</p> <p>FSM 2150.3 (4.) Ensure safe pesticide use.</p> <p>FSM 2150.3 (5.) Ensure the judicious and effective application of all pesticides.</p>
7.2.16	Silviculture: Stand Management-- Prescribed Fire \	<p><i>Rules include general statement that recognizes prescribed burning as a tool used achieve reforestation, maintain forest health, improve wildlife habitat and reduce wildfire hazard; directives for the conduct of prescribed burning operations include those that address concerns for air quality, soil and water protection, forest regeneration and snags and down wood [OAR 629-615-0300]. Permits for burning are required [ORS 477.515, OAR 629-43-0076].</i></p>	Prescribed fire is a tool used under structure based management if conditions allow for it.	<p>FSM 5140.31 (1.) All proposals and decisions to use prescribed fire or wildland fire are subject to the agency's analysis, documentation, and disclosure requirements for complying with the National Environmental Policy Act (FSH 1909.15); (2.) All fire use projects require an implementation plan that meets the requirements established in FSM 5142.2. A Prescribed Fire Burn Plan (RxBP) must be prepared and approved prior to prescribed fire ignition (FSM 5142.1). A Wildland Fire Implementation Plan (WFIP) must be prepared and approved for wildland fire use (FSM 5143.2); (3.) A fire use project may be implemented only with trained and qualified personnel (FSM 5145.1). No less than the organization described in the approved RxBP or WFIP may be used to implement the project; (4.) The size and complexity of each fire use project (FSM 5142.1 and 5143.1) determine the size of the organization needed to safely achieve objectives of the project; (5.) Work force and equipment needs must be coordinated to ensure that fire use and contingency actions do not exceed</p>

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				Regional capabilities and are coordinated with National needs (FSM 5121.2); (6.) If fire use exceeds or is anticipated to exceed planned limits, a Wildland Fire Situation Analysis (WFSA) must be prepared to determine the appropriate suppression response if the Fire Use Manager (FUMA) or Burn Boss determines that the fire use cannot be returned to planned limits with available resources within 48 hours; (7.) Before a prescribed fire may be implemented, the RxBP must be approved in writing by the appropriate line officer. Each prescribed burn must be conducted by a qualified burn boss. Similarly, before a wildland fire use project can be implemented, the WFIP must be approved in writing by the appropriate line officer. Each wildland fire use project must be conducted by a qualified fire use manager or other qualified fire manager, such as a Type II Incident Commander. A decision to amend an RxBP or a WFIP requires approval at the same or a higher level of authority as required to approve the initial plan (FSM 5140.42, para. 2); (8.) Approval of an RxBP or a WFIP constitutes firm limits on the prescription to be applied and the objectives to be achieved. Deviation from these limits requires prior written approval by a line officer at the same or higher level of authority as approved the initial plan (FSM 5140.42, para. 2 and 3); (9.) On any unit where severe burning conditions exist or are anticipated, the responsible line officer must report this situation to the Regional Forester who, in turn, must decide whether or not to exercise the authority to approve new fire use or to approve the continuation of existing fire use on that unit.
7.2.17 Special Treatments: <input type="checkbox"/> Salvage Harvests		<p>ORS 527.341 Forestland owners to implement strategies to carry out resource management objectives. Every owner of forestlands or timber shall implement prevention and suppression strategies to meet their own forest resource management objectives. [1991 c.686 §5]</p> <p>ORS 527.346 State Forester to assist landowners unable to take action against</p>	<p>629-035-055 Types of Management (4) Types of Management. (a) General Stewardship lands shall be actively managed, in compliance with OAR 629-035-0020, to provide healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social,</p>	<p>FSM 2403.3 (4.) Recognize the needs and opportunities for salvage sales and sales of non-chargeable material. Emphasize use of the salvage sale fund (FSM 2430.1, para. 1).</p> <p>FSM 2403.3 (8.) Ensure that resource management</p>

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		<p>pest. (1) Whenever the State Forester determines, using criteria approved by the State Board of Forestry, that owners are unable to take action against a pest that is threatening Oregon's economic, social and environmental well-being, the State Forester shall, using funds appropriated by the Legislative Assembly, declare a control district and implement the appropriate strategy. (2) The State Forester shall, within 15 days after receiving state funds, notify in writing all owners of forestlands within the control district of the declared control project. The notice shall be served by return receipt mail addressed to the last-known address of the owner. In addition, there shall be published an article describing the nature of the control district, including a legal description of the area and vicinity map, at least once a week for two consecutive weeks in a newspaper having a general circulation in the area in which the control district is situated. Other methods of notification may be used in the future as new technology becomes available. [1991 c.686 §6]</p> <p>OAR 629-610-0070 Suspension of the Reforestation Rules (1) A landowner [may request from the State Forester a suspension of]must submit to the State Forester a plan for an alternate practice to suspend the reforestation rules for the salvage or conversion of low value forest stands, to establish forest stands that are adequately stocked and free to grow.</p>	<p>economic, and environmental benefits to the people of Oregon. Lands within this classification which are designated as Silviculturally Capable will be actively managed to meet the requirements of OAR 629-035-0020(2). Lands within this classification which are designated as Non-Silviculturally Capable are not managed for sustainable timber harvest and revenues, but are managed to be consistent with the remaining management direction provided by OAR 629-035-0020(2). All management practices shall be consistent with the direction provided by OAR 629-035-0020(3).</p> <p>ORS 527.321 Implementation of process by State Forester. The State Forester shall implement the integrated pest management process as provided in ORS 527.315 on department-managed lands and encourage the process on other nonfederal lands by setting examples on department lands and through training workshops, demonstration areas and on-site technical advice.</p>	<p>objectives, which are established and displayed in the Forest plan, and identified salvage needs guide the timber sale program on a forest.</p>
7.3	(C&I) 7.3: Extent to which the economic framework (economic policies and measures) supports the conservation and sustainable management of forests.			
7.3.1	Financial Management/Stability of Operations	<i>Not specified under statute. Private operations do go bankrupt.</i>	<p>629-035-0020 Greatest Permanent Value (1) As provided in ORS 530.050, "greatest permanent value" means healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social, economic, and environmental benefits to the people of Oregon. These benefits include, but are not limited to: (a) Sustainable and predictable production of forest products that generate revenues for the benefit of the state, counties, and local taxing districts</p>	<p>FSM 2420.3.1. Except for Region 10, Regions shall use the transaction evidence appraisal method as the primary timber appraisal method. Region 10 shall use the appraisal method approved by the Chief.</p> <p>FSM 2420.3 .2. Forest Service officers shall not fix stumpage prices before an appraisal of the timber is made.</p> <p>FSM 2420.3 .3. Although transaction evidence appraisal is the primary method for appraising timber, other valid appraisal methods may be used for small sales where a detailed appraisal is not warranted, such as appraisal by comparison of similar sale offerings and the use of</p>

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				<p>standard rates.</p> <p>FSM 2430.3 (6.) Generally, manage the timber sale program so that the total benefits equal or exceed the total costs over time. Provide financial and economic information as guided by FSH 2409.18 to allow for prudent timber sale investment decisions. Operate timber sale programs and projects in the most cost-efficient manner practicable within applicable standards and guidelines to achieve the objectives outlined in Forest plans.</p> <p>FSM 2431.04a (3.) [Regional Forester] Provide guidance to Forest Supervisors to assure that timber sale programs are operated in a cost-efficient manner.</p> <p>FSM 2432.04 The responsible official must be able to determine how each proposed project is expected to affect the financial position of the overall timber sale program, and whether non-market and/or non-monetary benefits will outweigh net costs if the financial analysis is negative. It is important to consider these criteria prior to making substantial investments in the project (beyond Gate 1) and in the selection of a preferred alternative (at Gate 2).</p> <p>FSM 2432.22c: Complete a financial and, if necessary, economic analysis, as guided by FSH 2409.18, for each timber sale in the project proposal expected to exceed \$100,000 in advertised value, and evaluate unusual requirements on sales of lesser value.</p>
7.3.2	Asset Maintenance and Improvement	<i>Forest practice act requires that land remain stocked with commercial forest species, that roads be kept in good condition and that soil, wildlife, fish and cultural sites be protected. (ORS 527)</i>	OAR 629-035-0010 (6) Based on existing Board principles and policies and current scientific and silvicultural information, the Board finds that forest lands that are actively managed as provided in subsection (5) of this section can produce economic value over the long term and promote healthy, sustainable forest ecosystems that: (a)	FSH 1909.17,10.13.11 In preparing an economic efficiency analysis, include all costs up through that stage of processing at which the benefits are valued or environmental effects are achieved. Consider expenditure costs (costs or inputs for which funds are paid) and it may be appropriate to consider costs of resources or inputs already owned and diverted from

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				Produce timber and revenues for the state, counties, and local taxing districts	other uses. 1. Costs of activities required by Forest Service policy, in addition to the costs of activities necessary to produce controlled outputs. These activities include:a. Maintaining land productivity, protecting the environment, and assuring public safety. b. Protecting and efficiently maintaining resources, roads and other facilities. Specific standards for the most efficient level of road maintenance and fire protection are in FSM 7732.11 and FSM 3100, and FSM 5100 and FSH 5109.19 respectively. 2. Non-Forest Service costs of public agencies, private firms, and individuals, whether co-operators or users of outputs. Examples of these costs are: a. When costs are incurred under cooperative arrangements to increase output, include costs up through the processing stage when outputs are valued, such as ranchers' costs installing and maintaining cooperative range improvement treatments, or cooperative funds for brush disposal following timber harvest. b. When evaluating differences in logging, transport, and other access costs of forest users, all user costs do not need to be included unless differences in costs are incorporated into output values. Only the cost differences between the proposed and base alternatives, such as the cost savings to loggers and recreation users that result from building a road that reduces distance and traveling time are necessary. FSM 2472.03 (3.): Use Knutson-Vandenberg Act fund the primary means of financing reforestation on timber areas (FSM 2477, FSM 6513).
7.3.3	Long-term Economic Decision-Making	<input type="checkbox"/> 3.1.b. Forest management planning should aim to achieve sound economic performance taking into account possibilities for new markets and economic	Not specified under statute	629-035-0030 Forest Plans(2) Forest Management Plans must contain the following elements: (e) General guidelines for asset management, which provide overall direction on investments, marketing, and expenses.	FSM 1930.3 (1.) Prepare program budget proposals consistent with long range direction provided by the Resource Planning Act (RPA) program, Regional guides, Forest land and resource management plans, State forest resources programs, and research program

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		activities in connection with all relevant goods and services of forests.			plans. 16 U.S.C 1601 Section 6 (l) The Secretary shall (1) formulate and implement, as soon as practicable, a process for estimating long-terms 1 costs and benefits to support the program evaluation requirements of this Act.
7.4 (C&I) 7.4: Capacity to measure and monitor changes in the conservation and sustainable management of forests.					
7.4.1	Inventory & Monitoring Data Scope, Scale, & Intensity	<div><div><input type="checkbox"/> 1.1.d. Monitoring of the forest resources and evaluation of their management should be periodically performed, and their results should be fed back into the planning process.</div><div><input type="checkbox"/> 2.1.b. Health and vitality of forests should be periodically monitored, especially key biotic and abiotic factors that potentially affect health and vitality of forest ecosystems, such as pests, diseases, overgrazing and overstocking, fire, and damage caused by climatic factors, air pollutants or by forest management operations.</div></div>	<p><i>Oregon's Forest Practices Act/Rules include some requirements or inferences related to landowner/operator monitoring: Operations shall inspect and maintain roads drainage systems before rainy season [OAR 629-625-0600]; For natural reforestation, plans for an alternate practice shall include how reforestation progress will be evaluated (i.e., monitored) [OAR 629-610-0030]. Landowner may cooperate with state monitoring activities (e.g., Water Protection Rules – OAR 629-635-0110).</i></p> <p><i>Oregon Department of Forestry Stewardship Foresters examine each notification of operations submitted and are responsible for monitoring any operations that may pose a significant risk of resource damage or those requiring an alternate plan. Stewardship foresters are distributed throughout the timber areas of the state and are available year round.</i></p> <p><i>In addition, because state may inspect properties during and after operations, there is some incentive for landowners to formally/informally monitor compliance and results.</i></p> <p>ORS 527.335 Investigations by State Forester concerning pests; access to privately owned lands. (1) The State Forester shall conduct surveys and evaluations on nonfederal forestlands to determine the presence, extent, trend and impact of native and exotic pests, as well as overall forest health monitoring. In so doing, the forester or representatives of the forester may go upon privately owned lands with permission of the respective owners thereof, and should any owner withhold such permission and the forester believes an emergency exists, the forester may petition that circuit court of this state having jurisdiction over the lands involved for a warrant authorizing the forester or representatives of the forester to go upon such lands. Upon petition being made the court shall forthwith summarily determine whether or not such emergency exists, and if determining such emergency exists, immediately issue a warrant authorizing the forester or representatives of the forester to go</p>	<p>629-035-030 Forest Plans (2) Forest Management Plans must contain the following elements: (b) Description and assessment of the resources on state forest lands within the planning area and consideration of the surrounding ownership in order to provide a landscape context. The description and assessment includes general statements of the current conditions of each of the resources, and the laws, policies, and programs that affect the resources and their management.</p>	<p>FSM 1909. 14 11.1. As a minimum, plan inventories to provide the land, soil, timber, forage, water, air, fish and wildlife, aesthetics, recreation, wilderness, and energy and mineral information needed for the 1999 Resources Planning Act assessment and, as appropriate, for National Forest Planning. During the planning phase, consider the following to meet additional local needs: (1.) Users of the inventory information. (2.) Inventory unit (size, location, variability, use, condition, access); (3.) Dominant issues, concerns, and opportunities within the inventory unit; (4.) Information required to address the concerns and issues; (5.) Applicability of current information, remote sensing, and geometronics technology to provide needed information; (6.) Required precision and statistical reliability for additional information; (7.) Sample design and intensity; (8.) Scheduling of the inventory to meet budgets and time frames; (9.) Integration of other existing and proposed resource inventories through the use of coordinated data collection and geographical information systems (GIS); (10.) Analysis procedures, interpretations to be made, and report format (tables, data bases, reports); (11.) Dissemination of the resulting information (who gets what, where, when, why, and how); (12.) Maintenance and monitoring requirements; (13.) Schedules for reinventories or updates; and (14.), Useful lifespan of collected data.</p> <p>[NWFP] Analysis of site-specific characteristics may</p>

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		<p>upon such lands for the purposes of this section. (2) The State Forester may cooperate with the United States or agencies thereof, other agencies of the state, county or municipal governments, agencies of other states or other public or private organizations or individuals and may accept such funds, equipment, supplies or services from cooperators and others as it may deem appropriate for the purposes of subsections (1) and (4) of this section. (3) The State Forester is authorized to enter into contracts for selected services or accept moneys from private and public sources for the purposes stated in subsections (1) and (4) of this section; provided, however, that such moneys shall be placed in the State Forestry Department Account and shall be continuously appropriated for such purposes.</p> <p><i>State taxes levied against timber harvest partially fund state administered compliance and effectiveness monitoring activities which are ongoing.</i></p>		<p>warrant Riparian Reserves that are narrower or wider than the prescribed widths.</p> <p>[NWFP] Watershed analysis is required in Key Watersheds, for roadless areas in non-Key Watersheds, and Riparian Reserves prior to determining how proposed land management activities meet Aquatic Conservation Strategy objectives. Watershed analyses must be completed before initiating actions within a Key Watershed, except that in the short term, until watershed analysis can be completed, minor activities such as those that would be categorically excluded under National Environmental Policy Act regulations (except timber harvest) may proceed if they are consistent with Aquatic Conservation Strategy objectives and Riparian Reserves and standards and guidelines are applied.</p> <p>[NWFP] Watershed analysis consists of technically rigorous and defensible procedures designed to identify processes that are active within a watershed, how those processes are distributed in time and space, the current upland and riparian conditions of the watershed, and how all of these factors influence riparian habitat and other beneficial uses. The analysis is conducted by an interdisciplinary team consisting of geomorphologists, hydrologists, soil scientists, biologists and other specialists as needed. Information used in this analysis includes: maps of topography, stream networks, soils, vegetation, and geology; sequential aerial photographs; field inventories and surveys including landslide, channel, aquatic habitat, and riparian condition inventories; census data on species presence and abundance; water quality data; disturbance and land use history; and other historical data (e.g., streamflow records, old channel surveys).</p> <p>[NWFP] A stratified monitoring program [for watershed analysis] examines watersheds at several spatial and</p>

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					temporal scales. Information is provided on hillslope, floodplain, and channel functions, water quality, fish and wildlife habitat and populations, and vegetation diversity and dynamics. Monitoring plans must be tailored for each watershed. Significant differences in type and intensity of monitoring will occur based on watershed characteristics and management actions.
7.4.2	Monitoring Environmental Considerations	<input type="checkbox"/> 2.1.b. Health and vitality of forests should be periodically monitored, especially key biotic and abiotic factors that potentially affect health and vitality of forest ecosystems, such as pests, diseases, overgrazing and overstocking, fire, and damage caused by climatic factors, air pollutants or by forest management operations.	<p>ORS 527-710 (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; (B) Sensitive bird nesting, roosting and watering sites; (C) Biological sites that are ecologically and scientifically significant; and, (D) Significant wetlands</p> <p>From FPFO 2003: E.6. The board will promote continued monitoring and evaluation of both the short-term and long-term effects of current forest practices on Oregon's biological resources.</p>	<p>629-035-0030 Forest Management Planning (2) Forest Management Plans must contain the following elements: (f) General guidelines for implementation, monitoring, research, and adaptive management. The guidelines shall describe: (A) The process for implementing Forest Management Plans; (B) The approach for determining whether the strategies are meeting the goals of the Forest Management Plans; and (C) The process for determining the validity of the assumptions used in developing the strategies. (d) The plans shall include strategies that utilize the best scientific information available to guide forest resource management actions and decisions by: (A) Using monitoring and research to generate and utilize new information as it becomes available.</p>	<p>36 CFR 219.20.a Ecosystem diversity and species diversity are components of ecological sustainability. The planning process must include the development and analysis of information regarding these components at a variety of spatial and temporal scales. These scales include geographic areas such as bioregions and watersheds, scales of biological organization such as communities and species, and scales of time ranging from months to centuries. Information and analyses regarding the components of ecological sustainability may be identified, obtained, or developed through a variety of methods, including broad-scale assessments and local analyses (Sec. 219.5), and monitoring results (Sec. 219.11).</p> <p>FSM 2525.03. Watershed monitoring activities must be consistent with direction, criteria, and standards specified in the Forest plan. Design and implement soil and water resource monitoring to evaluate effects of each forest management activity or program on basic soil and water quality and productivity.</p> <p>FSM 2496.11b (2.): Each Region shall track the need for timber stand improvement activities on <i>unsuitable</i> lands [PIC: e.g. to meet desired future condition based on biological needs—codes 710-800)] separately from needs on lands designated as suitable for timber production. Include lands determined through Forest planning to be unsuitable for any reason.</p>

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7.4.3	Monitoring Forest Management Practices	<input type="checkbox"/> 2.1.b. Health and vitality of forests should be periodically monitored, especially key biotic and abiotic factors that potentially affect health and vitality of forest ecosystems, such as pests, diseases, overgrazing and overstocking, fire, and damage caused by climatic factors, air pollutants or by forest management operations.	<p><i>Oregon Department of Forestry Stewardship Foresters examine each notification of operations submitted and are responsible for monitoring any operations that may pose a significant risk of resource damage or those requiring an alternate plan. Stewardship foresters are distributed throughout the timber areas of the state and are available year round.</i></p> <p><i>Oregon Department of Forestry also conducts an annual insect and disease survey for all forest lands in the state, and conducts various monitoring projects.</i></p> <p>OAR 629-605-0140 Under the provisions of ORS 527.670: (1) Notification to the State Forester shall be given for the following types of operations: (a) Harvesting of forest tree species including, but not limited to, felling, bucking, yarding, decking, loading or hauling. (b) Construction, reconstruction and improvement of roads. (c) Site preparation for reforestation involving clearing or the use of heavy machinery. (d) Application of chemicals. (e) Clearing forestland for conversion to any non-forest use. (f) Disposal or treatment of slash. (g) Pre-commercial thinning. (h) Cutting of firewood, when the firewood will be sold or used for barter. (i) Surface mining.</p> <p>OAR 629-605-0150 Notification to the State Forester - When, Where and How (1) The operator, landowner or timber owner shall notify the State Forester as required by ORS 527.670(6), at least 15 days before starting an operation. (2) The State Forester may waive the 15 day waiting period required in section (1) of this rule, except as prohibited in ORS 527.670(9) for aerial applications of chemicals and ORS 527.670(10) for operations requiring a[n] [approved]written plan under ORS 527.670(3)(a)[(A) and (B)]and (b). Waivers may be granted when the State Forester has already previewed the operation site or has otherwise determined the operation to have only minor potential for resource damage. Waivers shall be made in writing, and on an individual notification basis. (3) Once an operation is actually started following proper notification of the State Forester, the operation may continue into the following calendar year without further notification under ORS 527.670(6), provided: (a) There are no changes to the information required on the notification; (b) The operator gives written notice to the State Forester of their intent to continue the operation within the first two months of the following calendar year; and (c) The operation actively continues within the first six months of the following calendar year. (4) No notification is valid after the second calendar year, unless: (a) The landowner or operator submits a written request to extend the notification</p>	<p>629-035-0030 (d) The plans shall include strategies that utilize the best scientific information available to guide forest resource management actions and decisions by: (A) Using monitoring and research to generate and utilize new information as it becomes available. (B) Employing an adaptive management approach to ensure that the best available knowledge is acquired and used efficiently and effectively in forest resource management programs.</p>	<p><i>Note: Relevant Legislation and appurtenant FSM and FSB guidance significantly exceeds certification requirements.</i></p> <p>16 U.S.C 1601 Section 6 (g). . . the Secretary shall . . . promulgate regulations, under the principles of the Multiple-Use Sustained-Yield Act of 1960, that set out the process for the development and revision of the land management plans, and the guidelines and standards prescribed by this subsection. The regulations shall include, but not be limited to. . . (3) specifying guidelines for land management plans developed to achieve the goals of the Program which . . . (C) insure research on and (based on continuous monitoring and assessment in the field) evaluation of the effects of each management system to the end that it will not produce substantial and permanent impairment of the productivity</p> <p>FSM 2496.1: Each Region shall submit plantation survival reports estimating the average planted tree survival, after the first and third growing seasons following planting. Base the reports on the staked tree method of survival examination, which each Region has determined is best suited to its specific situation and which meets the standards of FSM 2472.4. (Report No. FS-2400-M).of the land.</p>

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		<p>before the end of the second calendar year; (b) There are no changes to the information submitted on the original notification; and (c) The State Forester approves the request. (5) Notwithstanding sections (3) and (4) of this rule, nothing in this rule relieves an operator, landowner or timber owner of the responsibility to comply with ORS 477.625, requiring a permit to use fire or power-driven machinery; or ORS 321.550 requiring notification of intent to harvest provided to the Department of Revenue through the department for tax collection purposes. (6) For the purposes of ORS 527.670 a notification will be considered received only when the information required by the State Forester is complete and the necessary forms are on file at the department district or unit office responsible for the area in which the operation will take place. Notifications not properly completed shall be promptly returned to the party submitting them. Properly completed notifications submitted to an incorrect department office will be forwarded to the correct office. (7) Notifications required by ORS 527.670(6) shall be completed in detail, on forms provided by the State Forester. The notification shall include a map to scale, or aerial photograph that is corrected for distortion, on which the boundary of the operation unit is clearly marked. When more than one type of operation activity or more than one unit is submitted on a single notification, each operation unit shall be identifiable as to the type of operation activity, by legal subdivision, and drawn on a map to scale, aerial photograph corrected for distortion, or other appropriate means. Operations involving harvesting in more than one county may not be combined on the same notification because of tax collection requirements. (8) When operations include the application of chemicals, properly completed notifications shall include the common name of the chemicals to be used; the brand name, if known at the time of notification; the application method; and, for fertilizers, the intended application rate per acre. Public information on allowable application rates of commonly applied forest chemicals will be maintained at department field offices. Additional information on chemical applications shall be collected and recorded by operators at the time of application, and made available upon request to the State Forester, pursuant to OAR 629-620-0600. (9) The operator, landowner or timber owner, whichever filed the original notification, shall contact the State Forester and report any subsequent change to information contained in the notification. Additions to the geographic location, however, shall require a separate notification.</p>		

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			<p><i>From the 2003 Forestry Program for Oregon:</i></p> <p>E.6. The board will promote continued monitoring and evaluation of both the short-term and long-term effects of current forest practices on Oregon's biological resources D.5. The board will promote renewed, long-term watershed research to study the effectiveness of the most current forestry best management practices in providing protection for soil and water resources. D.6. The board will promote continued research and monitoring on the condition of forest roads and the effectiveness of forestry best management practices for roads.</p>		
7.4.4	Improvement of Management Practices Over Time	<input type="checkbox"/> 1.1.d. Monitoring of the forest resources and evaluation of their management should be periodically performed, and their results should be fed back into the planning process.	<p><i>Land certified under SFI, FSC and Tree Farm program must strive for continuous improvement over time. Federal forest lands include special adaptive management areas, where monitoring and feedback system is designed for continual improvement.</i></p> <p><i>From the FPFO:</i></p> <p>A.3. The board will promote active, adaptive forest management and the outreach monitoring, assessments, research, and evaluations that support it as a continuous learning and improving process for all seven strategies. (KEY ACTION)</p> <p>ORS 527.714 Types of rules; procedure; findings necessary; rule analysis</p> <p>(1) The rulemaking authority of the State Board of Forestry under ORS 527.610 to 527.770 consists generally of the following three types of rules: (a) Rules adopted to implement administration, procedures or enforcement of ORS 527.610 to 527.770 that support but do not directly regulate standards of forest practices. (b) Rules adopted to provide definitions or procedures for forest practices where the standards are set in statute. (c) Rules adopted to implement the provisions of ORS 527.710 (2), (3), (6), (8), (9) and (10) that grant broad discretion to the board and that set standards for forest practices not specifically addressed in statute. (2) When considering the adoption of a rule, and prior to the notice required pursuant to ORS 183.335, the board shall determine which type of rule described in subsection (1) of this section is being considered. (3) If the board determines that a proposed rule is of the type described in subsection (1)(a) or (b) of this section, or if the proposed rule is designed only to clarify the meaning of rules already adopted or to make minor adjustments to rules already adopted that are of the type described in subsection (1)(c) of this section, rulemaking may proceed in accordance with ORS 183.325 to 183.410 and is not subject to the provisions of this section. (4) If the board determines that a</p>	629-035-0030 (B) Employing an adaptive management approach to ensure that the best available knowledge is acquired and used efficiently and effectively in forest resource management programs.	<p>16 U.S.C 1601 Section 3. . . .[The] Secretary of Agriculture shall prepare a Renewable Resource Assessment (hereinafter called the "Assessment"). The Assessment . . . shall be updated . . . each tenth year thereafter, and shall include but not be limited to. . .an evaluation of opportunities for improving their yield of tangible and intangible goods and services, together with estimates of investment costs and direct and indirect returns to the Federal Government.</p> <p>16 U.S.C 1601 Section 8 [Renewable Resource Program] (e) . . . reports shall indicate plans for implementing corrective action and recommendations for new legislation where warranted.</p> <p>FSH 1909.17,30.6,Ex.01 (FSM 1970, references the NEPA Process 40 CFR 1500 – 1508) Help evaluate and compare the social and economic effects of each alternative so that these are considered along with other factors. Observe the effectiveness of program implementation, including mitigation efforts, through direct observation and conversation with knowledgeable people. Provide suggestions for program improvement.</p>

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			proposed rule is of the type described in subsection (1)(c) of this section, and the proposed rule would change the standards for forest practices, the board shall describe in its rule the purpose of the rule and the level of protection that is desired. (5) If the board determines that a proposed rule is of the type described in subsection (1)(c) of this section, including a proposed amendment to an existing rule not qualifying under subsection (3) of this section, and the proposed rule would provide new or increased standards for forest practices, the board may adopt such a rule only after determining that the following facts exist and standards are met: (a) If forest practices continue to be conducted under existing regulations, there is monitoring or research evidence that documents that degradation of resources maintained under ORS 527.710 (2) or (3) is likely, or in the case of rules proposed under ORS 527.710 (10), that there is a substantial risk of serious bodily injury or death; (b) If the resource to be protected is a wildlife species, the scientific or biological status of a species or resource site to be protected by the proposed rule has been documented using best available information; (c) The proposed rule reflects available scientific information, the results of relevant monitoring and, as appropriate, adequate field evaluation at representative locations in Oregon;. . .		
7.4.5	Monitoring: Noxious Weeds/ Pests/ Pathogens	<input type="checkbox"/> 2.1.b. Health and vitality of forests should be periodically monitored, especially key biotic and abiotic factors that potentially affect health and vitality of forest ecosystems, such as pests, diseases, overgrazing and overstocking, fire, and damage caused by climatic factors, air pollutants or by forest management operations.	<i>Oregon law allows the Oregon Department of Forestry to conduct pest surveys on private lands and enter into agreements to assist landowners in pest control activities, including provisions for some (but not necessarily all costs) financial assistance [ORS 527.310 to ORS 527.370].</i> ORS 527.335 Investigations by State Forester concerning pests; access to privately owned lands. (1) The State Forester shall conduct surveys and evaluations on nonfederal forestlands to determine the presence, extent, trend and impact of native and exotic pests, as well as overall forest health monitoring. In so doing, the forester or representatives of the forester may go upon privately owned lands with permission of the respective owners thereof, and should any owner withhold such permission and the forester believes an emergency exists, the forester may petition that circuit court of this state having jurisdiction over the lands involved for a warrant authorizing the forester or representatives of the forester to go upon such lands. Upon petition being made the court shall forthwith summarily determine whether or not such emergency exists, and if determining such emergency exists, immediately issue a warrant authorizing the forester or representatives of the forester to go upon such lands for the purposes of this section. (2) The State Forester may	<i>Oregon Department of Forestry conducts inventories of pests on state forest lands along with surveys on private lands.</i>	FSM 2082 Cooperate with State agencies, landowners, local governments, universities, and other Federal agencies to coordinate programs for the prevention and control of noxious weeds. FSM 2082.2.1. Assist in identifying, rearing, releasing, and distributing biological control agents in North America. FSM 2082.2.2. Formulate and implement Integrated Weed Management prescriptions and measures based on beneficial uses of noxious weeds. FSM 2082.2.4. Develop an interagency data base and share noxious weed inventory information.

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		<p>cooperate with the United States or agencies thereof, other agencies of the state, county or municipal governments, agencies of other states or other public or private organizations or individuals and may accept such funds, equipment, supplies or services from cooperators and others as it may deem appropriate for the purposes of subsections (1) and (4) of this section. (3) The State Forester is authorized to enter into contracts for selected services or accept moneys from private and public sources for the purposes stated in subsections (1) and (4) of this section; provided, however, that such moneys shall be placed in the State Forestry Department Account and shall be continuously appropriated for such purposes. (4) The State Forester shall also provide on-site technical advice regarding insect and disease management to nonfederal land owners who request such services. [1961 c.212 §1; 1991 c.686 §7]</p> <p><i>From the 2003 Forestry Program for Oregon:</i></p> <p>F.3. The board will encourage state and federal; agencies to closely monitor and aggressively; act to prevent and mitigate the adverse; effects of air pollution and invasive, nonnative; species on Oregon's forests.</p>		
7.4.8	Monitoring: Species	<p>Private owners are responsible for identifying and protecting certain threatened and endangered species on private lands. 629-680-0000; (1) OAR 629-680-0000 to 0430 shall be known as the Resource Site Inventory and Protection Process Rules. (2) The purpose of the rules in OAR 629, Division 680 is to set criteria to inventory and protect special resources described in ORS 527.710 (3)(a) on forestlands regulated by the Forest Practices Act.</p> <p>OAR 629-680-0100 Special Resource Sites; Process for Board Evaluation of Threatened and Endangered Fish and Wildlife Species that use Resource Sites that are Sensitive to Forest Practices; (1) When a species is listed as threatened or endangered by state or federal authorities, the Board shall adopt rules to protect resource sites that are used by those species and that are sensitive to forest practices. The following process shall be used when the Board develops protection rules for these resource sites: (a) The Board's evaluation shall be based on the best available information summarized in a technical review paper. The paper must be submitted by those proposing protection for resource sites used by a threatened or endangered species. The paper may be written by the State Forester, another agency, an organization or a person. The paper shall demonstrate how the resource sites are sensitive to forest practices. The paper may rely upon information used during the listing process and must: (A) Identify the resource sites used by the species; (B)</p>	<p><i>Focused stewardship areas on state forest lands include:</i></p> <p>OAR 629-035-0055 (viii) Plants -- lands where a specific plant species or a community of plants exist and where those resources are the focus of the supplemental planning, modified management practices, or legal requirements described above.</p> <p>(xiii) Wildlife Habitat -- lands where wildlife habitat for a specific species or group of species exists and where that habitat is the focus of the supplemental planning, modified management practices, or legal requirements described above.</p> <p>In addition the ODF cooperates with the U.S. Fish and Wildlife Service, National Marine Fisheries Service, Oregon Fish and Wildlife Department, Environmental Protection Agency and others in monitoring Threatened and Endangered Species on state forest lands.</p>	<p>FSM 2672.24 The Regional Forester shall prepare multi-year, multi-phase implementation recovery strategies to help monitor and accomplish the Forest Service portion of recovery objectives and actions agreed to in an approved Fish and Wildlife Service or National Marine Fisheries Service recovery plan.</p>

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		Identify forest practices that conflict with the resource sites; (C) Evaluate the biological consequences of the identified conflicts; and, (D) Propose protection requirements and exceptions for the resource sites. (b) The State Forester shall review the technical paper submitted under subsection(1)(a) of this rule. The review shall include an evaluation of the literature used, consultation with technical experts and a technical review by experts chosen by the State Forester. The State Forester shall submit a report of this review to the Board. (c) The Board shall review and accept or reject the information presented in subsections(1)(a) and (b) of this rule; (d) Using the technical review paper and the State Forester's report, plus other available information for the species, the Board shall: (A) Identify the resource sites for the species; (B) Identify forest practices that conflict with the resource sites and evaluate the consequences of those conflicts; (C) Determine the protection requirements for the resource sites; and, (D) Determine any exceptions criteria. (2) The Board shall adopt protection requirements and exception criteria for resource sites used by the threatened or endangered species. (3) The State Forester shall maintain an inventory of protected resource sites that are used by threatened or endangered species. (4) When a threatened or endangered species is de-listed by the Oregon Fish and Wildlife Commission or the U.S. Fish and Wildlife Service, the Board shall determine whether continued protection of resource sites is warranted: (a) If the Board determines that continued protection rules are warranted, the rules shall be promulgated under the appropriate statutory authority; (b) If the Board determines that continued protection rules are not warranted, existing rules shall be repealed. Stat. Auth.: ORS 527.710; Stat. Auth.: ORS 527.710 ;		
7.4.7	Monitoring Socioeconomic Concerns	<i>From the 2003 Forestry Program for Oregon:</i> A.3. The board will promote active, adaptive forest management and the outreach monitoring, assessments, research, and evaluations; that support it as a continuous learning and improving process for all seven strategies. (KEY ACTION) A.5. When forest practice regulations are necessary, the board, consistent with state statutes, will work to minimize the adverse financial effects of regulations that may require private; landowners to contribute forest resources to provide increased public benefits. A.6. The board will continue to support local land-use planning to stabilize the forestland base and encourage long-term investments; in forestland. A.7. The board will encourage the use of non-regulatory methods,	<i>Oregon Department of Forestry employs as staff of resource planners who assess a wide range of concerns regarding the management of forests, including socioeconomic ones.</i>	CFR 40 1508.14 . When an environmental impact statement is prepared and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment. FSH 1909.17,30.6, Ex.01 [FSM 1970, references the NEPA Process 40CFR 1500 – 1508] Initiate social effects analysis when the potential effects of agency policies or actions are important to the decision. Conduct a preliminary investigation to identify or

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		such as landowner incentives, to achieve public-policy goals on; private forestlands. A.8. The board will promote collaboration, partnerships, dialogue, and consensus building as preferred pathways to resolve; natural resource conflicts. A.9. The board will promote policies and programs that will reinvigorate rural areas by promoting active forest management, economic and community investment, urban/rural partnerships, and public education about the benefits that forests and rural; areas provide all Oregonians. A.10. When developing Oregon forest policies, the board will consider them in the context of the Oregon environment and economy, but also in the context of the global environment; and the global economy.		validate issues, select key variables for areas, and assess data needs and sources. Help identify public and agency concerns and management opportunities. Assist in formulating alternatives that respond to all important public and agency social concerns. Consider effects on lifestyles; attitudes, beliefs, and values; social organization; population and land use, and civil rights. Estimate social and economic changes that would result from each alternative. Report effects by alternative on forest users, by forest-dependent communities, urban areas, others who value the forests, women and minorities civil rights, and consumers.
7.5	(C&I) 7.5: Capacity to conduct and apply research and development aimed at improving forest management and delivery of forest goods and services.			
7.5.1	Cooperative Outreach/Education	<p>Oregon has an extensive outreach and education system that encompasses children and adults. Oregon State University maintains the largest Forestry Extension Program in the United States of America with more than 20 professional staff.</p> <p>The Oregon Forest Resources Institute is a publicly funded organization that annually conducts public education programs that reach hundreds of thousands of Oregonians.</p>	Oregon Department of Forestry collaborates with Oregon State University, Oregon Forest Resources Institute and other educational providers to educate Oregonians about Oregon forests.	<p>Title 7 Section 6614 The Secretary may use the Secretary's authority under the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101 et seq.) and other Federal, State, and local governmental authorities in implementing action plans. [referencing action plans designed to <i>promote diversification, and enhance local economies dependent on NFS resources</i>—with special reference to training programs for education and re-training]</p> <p>FSM 2082.2.5. Develop educational and public awareness material and handbooks.</p>
7.5.2	Cooperative Research	<i>Oregon Forest Research Laboratory and other associated research centers in Corvallis Oregon represent possibly the largest collection of forestry researchers in one city in the world.</i>	<i>Oregon Department of Forestry collaborates with Oregon Sate University, USDA Forest Service, Oregon Department of Fish and Wildlife and other research providers in testing new techniques for management of state forests.</i>	<p>FSM 4110.2 The objectives of the Timber Management Research Program are to:1. Develop cost effective and reliable regeneration strategies to improve the composition, growth, and quality of developing stands. 2. Genetically improve trees for rapid growth, high quality, resistance to insects and diseases, and adaptability to a wide range of environmental conditions.3. Improve understanding of physical, biological, and genetic factors that control development of individual trees and forest stands through basic research and to develop and perfect biotechnology and</p>

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				genetic engineering. 4. Develop and refine computer models that predict growth and yield of forest stands as a basis for management and investment. FSM 4210.3 Wildlife and fish habitat research emphasizes:1. Study of relationships of vertebrate communities to habitats and alteration of habitats by land management and natural events.2. Investigations of habitat requirements and determination of quantitative relationships between abundance and habitat for specific species or groups of species.3. Development of new concepts, methods, and systems for monitoring abundance and habitat trends for species or groups of species at project and Forest-wide levels. 4. Study of the extension and application of ecological concepts to management of wildlife and fish. <i>FSM 4711.03 Provide basic knowledge and technology for increasing the recovery of high-value products from each log and expands the use for low-value trees, residues, dead trees, and mill wastes.</i> FSM 2082.2 Emphasize cooperative research that defines the ecological requirements of noxious weeds, cost-effective management strategies, and beneficial uses. FSM 2082.2.3. Research and use desirable plant species that are competitive with noxious weeds.
7.5.3 Cooperative Conservation Planning & Species Protection		629-020-0000 ; Purpose; The purpose of these rules is to establish the procedures used by the Department of Forestry in implementing the provisions of its State Agency Coordination Program, as required by ORS 197.180 and OAR Chapter 660, Divisions 030 and 031. The State Agency Coordination program will assure that the Department's land use programs comply with statewide land use planning goals and are compatible with acknowledged city and county comprehensive plans and land use regulations. It is not the intent of these rules to prevent either the Board of Forestry or the Department of Forestry from carrying out their statutory responsibilities. <i>Oregon Plan for Salmon and Steelhead has been highly successful in</i>	629-605-0110 Annual Review The State Forester shall, at least once each year, meet with other state agencies concerned with the forest environment to review the Forest Practice Rules relative to sufficiency. The State Forester shall then report to the Board of Forestry a summary of such meeting or meetings together with recommendations for amendments to rules, new rules, or repeal of rules. OAR 629-605-0120 Consultation Department	CFR 36: 241.2 The Chief of the Forest Service, through the Regional Foresters and Forest Supervisors, shall determine the extent to which national forests or portions thereof may be devoted to wildlife protection in combination with other uses and services of the national forests, and, in cooperation with the Fish and Game Department or other constituted authority of the State concerned, he will formulate plans for securing and maintaining desirable populations of wildlife species, and he may enter into such general or specific

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			<i>leveraging private dollars to improve habitat for T&E and other fish species.</i> From the 2003 Forestry Program for Oregon: A.8. The board will promote collaboration, partnerships, dialogue, and consensus building as preferred pathways to resolve; natural resource conflicts.	personnel shall consult with personnel of other state agencies concerned with the forest environment situations where expertise from such agencies is desirable or necessary. FSM 2532.40 Coordinate Forest Service land management planning with water quality management planning by State and local agencies pursuant to Section 208 of Public Law 92-500, as amended (FSM 2500). FSM 2150.3 (2.) Coordinate pesticide projects, as appropriate, with Federal and State fish and wildlife management agencies.	cooperative agreements with appropriate State officials as are necessary and desirable for such purposes. Officials of the Forest Service will cooperate with State game officials in the planned and orderly removal in accordance with the requirements of State laws of the crop of game, fish, fur-bearers, and other wildlife on national forest lands. FSM 2672.12 Regional Foresters, in cooperation with the Fish and Wildlife Service (FWS), shall identify sensitive species that qualify for conservation agreements. Such agreements provide the Forest Service an opportunity to take the initiative in removing any threats to FWS "Federal candidate species," so that they no longer qualify under the Endangered Species Act criteria for formal listing as threatened or endangered. 16 U.S.C 1601 Section 12 In carrying out this Act , the Secretary of Agriculture shall utilizes information and data available from other Federal, State, and private organizations and shall avoid duplication and overlap of resource assessment and program planning efforts of other Federal agencies. FSM 2670.32.1. Assist States in achieving their goals for conservation of endemic species.
8.0	(PIC) 8.0: OTHER/SPECIAL CATEGORIES				
8.1	Best Management Practices	<input type="checkbox"/>	ORS 527.765 Best management practices to maintain water quality; rules. (1) The State Board of Forestry shall establish best management practices and other rules applying to forest practices as necessary to insure that to the maximum extent practicable nonpoint source discharges of pollutants resulting from forest operations on forestlands do not impair the achievement and maintenance of water quality standards established by the Environmental Quality Commission for the waters of the state. Such best management practices shall consist of forest practices rules adopted to prevent or reduce pollution of waters of the state. Factors to be considered by the board in	<i>No specific references, but all State forest operations must meet or exceed Oregon Forest Practices rules.</i>	FSM 2532.03 (1.) Promote and apply approved best management practices to all management activities as the method for control of non-point sources of water pollution, and for compliance with established state or national water quality goals. [NWFP] Compliance with State requirements shall be met through planning, application, and monitoring of Best Management Practices.

Categories of Evaluation	Pan-European Operational Level Guidelines (PEOLG)	OR Statutes/ Administrative Rules/ Programs for Forest Management (voluntary and mandatory)	Oregon State Forest Lands	Relevant Laws & Regulations Governing the Management of National Forests in Oregon (includes The Northwest Forest Plan)
		establishing best management practices shall include, where applicable, but not be limited to: (a) Beneficial uses of waters potentially impacted; (b) The effects of past forest practices on beneficial uses of water; (c) Appropriate practices employed by other forest managers; (d) Technical, economic and institutional feasibility; and, (e) Natural variations in geomorphology and hydrology. (2) The board shall consult with the Environmental Quality Commission in adoption and review of best management practices and other rules to address nonpoint source discharges of pollutants resulting from forest operations on forestlands. (3)(a) Notwithstanding ORS 183.310 (8), upon written petition for rulemaking under ORS 183.390 of any interested person or agency, the board shall review the best management practices adopted pursuant to this section. In addition to all other requirements of law, the petition must allege with reasonable specificity that nonpoint source discharges of pollutants resulting from forest operations being conducted in accordance with the best management practices are a significant contributor to violations of such standards. (b) Except as provided in paragraph (c) of this subsection, if the board determines that forest operations being conducted in accordance with the best management practices are neither significantly responsible for particular water quality standards not being met nor are a significant contributor to violations of such standards, the board shall issue an order dismissing the petition. (c) If the petition for review of best management practices is made by the Environmental Quality Commission, the board shall not terminate the review without the concurrence of the commission, unless the board commences rulemaking in accordance with paragraph (e) of this subsection. (d) If a petition for review is dismissed, upon conclusion of the review, the board shall issue an order that includes findings regarding specific allegations in the petition and shall state the board's reasons for any conclusions to the contrary. (e) If, pursuant to review, the board determines that best management practices should be reviewed, the board shall commence rulemaking proceedings for that purpose. Rules specifying the revised best management practices must be adopted not later than two years from the filing date of the petition for review unless the board, with concurrence of the Environmental Quality Commission, finds that special circumstances require additional time. (f) Notwithstanding the time limitation established in paragraph (e) of this subsection, at the request of the Environmental Quality Commission, the board shall take action as quickly as practicable to prevent significant damage to beneficial uses identified by the commission while the board is revising its best		

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		management practices and rules as provided for in this section. [1991 c.919 §20; 2003 c.75 §95; 2003 c.749 §11];		

WEBSITES FOR INFORMATION:
Oregon Department of Forestry: <http://oregon.gov/ODF/index.shtml>
Oregon Administrative Rules: http://arcweb.sos.state.or.us/rules/OARS_600/OAR_629/629_tofc.html.
Sustainable Forestry Partnership: (2001 comparative certification study)