

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action: Do Pass
Vote: 8 - 0 - 0
Yeas: Boone, Cowan, Esquivel, Johnson, Schaufler, Sprenger, Clem, Jenson
Nays: 0
Exc.: 0
Prepared By: Beth Herzog, Administrator
Meeting Dates: 2/28, 3/4

WHAT THE MEASURE DOES: Stipulates written plan is not required for operation within 100 feet of stream if operation will not directly affect riparian management area and State Forester (Forester) waives written plan requirement. Requires written plan for operation that occurs within 100 feet of resource site inventoried as significant wetland unless State Board of Forestry provides plan is not required because operation will be conducted according to general vegetation retention prescription; not directly affect riparian management area and Forester has waived written plan requirement; or operation will be conducted pursuant to stewardship agreement. Extends number of days Forester has to make copy of notice or written plan from three to six working days. Changes requirement that Forester must provide copies of written plans and notices instead of sending them.

ISSUES DISCUSSED:

- Eliminates approximately 3,000 hours of paperwork per year without compromising natural resource protection
- Allows requirement for written plans to be waived if operation would not impact riparian area
- Authorizing Department to “provide” or “make available” notifications helps implement plans for web-based availability of documents

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Oregon Forest Practices Act (Act) provides for the protection of natural resources on non-federal lands during timber harvest, road construction and other forest operations. The Act requires operators to submit a written plan for operations that will occur within 100 feet of streams used by fish or for domestic use in homes. A written plan is also required for operations within 300 feet of significant wetlands, which are estuaries, bogs, certain streams in Eastern Oregon and wetlands larger than eight acres. In some cases, the width of the protected area adjacent to streams and wetlands, known as the riparian management area, is less than the distance within which a written plan is required. House Bill 2165 would authorize the Forester to waive the written plan requirement for operations outside of the protected area but within the 100 foot or 300 foot zone if the operation would not directly affect the protected areas.