

HB 3226 STAFF MEASURE SUMMARY

House Committee On Agriculture and Natural Resources

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Meeting Dates: 3/30

WHAT THE MEASURE DOES:

Revises Oregon Forest Practices Act. Directs Oregon Board of Forestry (Board) to consult with Department of Environmental Quality (DEQ) and Oregon Department of Fish and Wildlife (ODFW) to establish and keep updated numerical criteria and requirements regarding fish and wildlife habitat; water quality and flow; natural forest cover; road condition; road density; extent of late successional, old growth forest and timber plantations; amounts of permeable and impermeable surfaces; maximum annual timber harvest area and other relevant factors. Requires owner or operator of forestland 5,000 acres or more in size to have forest management plan and prescribes elements required to be in plan, uses for plan, process for review and approval of plan and provision for contesting such a plan. Directs State Forester to maintain list of best practices to inform development of plans and establishes certification program for preparers of plans. Requires owner of forestland to obtain approval of plan before commencing timber harvest operation on forestland. Prescribes rules for riparian management on streams, surface waters and wetlands on forestland. Directs State Forester to ensure forest roads minimize environmental impacts and meet objectives of forest management plans and authorizes State Forester to preclude construction of roads or conducting of timber harvest operation where risk of landslide. Directs State Forester to establish standards for best forest practices for maintaining native fish, wildlife and plant community diversity and cultural and historical resources, and directs Board to research and inventory the same. Repeals statutes currently governing Board, ORS 527.630-722. Directs Board to adopt temporary rules to establish initial numerical criteria to become operative 180 days after effective date of Act.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

BACKGROUND:

The legislature passed the Oregon Forest Practices Act (OFPA) in 1971. The OFPA and its accompanying rules apply to all state and private forestlands, and the state Board of Forestry (Board) is responsible for evaluating, implementing and changing rules as needed. The OFPA and its rules may change over time in response to new scientific information and evolving public needs and interests. For example, in November 2015 the Board ruled to increase streamside buffers on many small and medium fish-bearing streams west of the Cascades that support salmon, steelhead or bull trout. This decision was based on ODF monitoring results that showed the current rules failed to meet cold water temperature requirements set by the Department of Environmental Quality (DEQ). Oregon Revised Statutes 527.610 to 527.785, 527.990(1), and 527.992 make up the OFPA. It provides for sustainable timber harvest consistent with environmentally sound management of water, soil, air quality, fish, wildlife and scenic resources. The OFPA requires leaving streamside buffers and reforestation after harvest.

House Bill 3226 would make significant changes to the Oregon Forest Practices Act, to include requirements for the Oregon Board of Forestry (Board) to establish numerical criteria to protect natural resource values and cultural and historical values on forestland. The measure would direct owners and operators of forestlands to develop and obtain approval of forest management plans prior to commencing timber harvest operations on the forestland and would direct the Board to establish a certification program for preparers of such plans. The measure would establish requirements for management of riparian areas and waterways and would direct the State Forester to evaluate needs related to forest roads. HB 3226 would require forestland owners or operators to have a forest road plan and This Summary has not been adopted or officially endorsed by action of the committee.

would restrict timber harvest operations and road construction in areas where there is a risk of landslide.

PRELIMINARY