

APPENDIX 4 - 4
EXCERPTS FROM FOREST PRACTICES ACT

24-400 PURPOSE: Prompt reforestation of forest land following harvesting operations is an important factor in assuring continuous growing and harvesting of forest tree species on economically suitable forest lands. The purpose of administrative rules relating to reforestation of such lands is to define economic suitability as a basis for designating the forest land subject to reforestation requirements, to describe the conditions under which reforestation will be required, to specify the minimum number of trees per acre, the maximum period of time allowed after an operation for establishment of such trees, and to require stabilization of soils which have become exposed as a result of operations.

24-401 LANDS AFFECTED: All Class I and II forest land classified pursuant to ORS 526.305 through 526.370 shall be considered forest land economically suited for reforestation. Class III forest land shall not be so considered.

24-402 STOCKING LEVELS/TIME LIMITS: Whenever, as a result of an operation, the stocking of acceptable species is reduced below either 25 percent - based on estimated crown closure; or 80 square feet of basal area per acre of trees 11 inches in diameter breast height and larger; or at least 100 seedlings or saplings per acre, or any combination thereof well distributed over the operation area shall be left or established within six years.

In computing basal area per acre, trees over 36 inches diameter breast high will be counted as 36" diameter breast high trees.

24-404 EXEMPTION: Ownerships smaller than 11 acres in one contiguous tract are exempt from the reforestation requirements of the Forest Practices Act regardless of the land classification.

24-405 LANDS NOT AFFECTED - ACTION REQUIRED: Within one year following harvesting on lands not subject to the reforestation requirement, and on which reforestation is not being planned, some form of vegetative cover shall be required sufficient to provide continuing soil productivity and stabilization. Consider the use of plants suitable for wildlife habitat and domestic livestock.

24-421 ROAD LOCATION: Roads should be located on stable areas and constructed in such a manner as to minimize the risk of material entering streams.

01. Fit the road to the topography so that a minimum alteration of natural features will be necessary.
02. Where practical alternatives exist; avoid steep and narrow canyons, slide areas, slumps, marshes, wet meadows, or natural drainage channels. Where alternatives do not exist, and where there is a risk of material entering streams; obtain prior approval from the State Forester.
03. Minimize the number of stream crossings.
04. When it is practical, cross streams at right angles to the main channel.
05. Leave or re-establish areas of vegetation between roads and streams to act as a buffer strip.
06. Avoid unnecessary duplication of road systems by making use of existing roads where practical. Where roads traverse land in another ownership but will adequately serve the operation, attempt to negotiate with the owner for use before resorting to location of new roads.
07. Avoid excessive side-hill cuts and fills near stream channels.

24-446 STREAM PROTECTION: During and after harvesting operations, stream beds and stream-side vegetation shall be maintained in as near natural state as possible in order to maintain water quality and aquatic habitat.

01. Avoid tractor skidding in or through any streams. When streams must be crossed, provide adequate temporary structures to carry stream flow. Remove all temporary crossings immediately after use and where applicable water bar road ends.
02. Avoid cable yarding through any Class I stream. When yarding across such streams is necessary, do it by swinging the yarded material free of the stream bed and banks.
03. Cable yarding through Class II streams should be avoided.

When unavoidable, the yarding shall be done to minimize streambank vegetation and channel disturbance.

04. Provide the shading, soil stabilizing, and water filtering effects of vegetation along Class I streams by one or more of the following:
 - A. Leave hardwood trees, shrubs, grasses, and rocks wherever they afford shade over a Class I stream or maintain the integrity of the soil near such a stream.
 - B. Where insufficient non-merchantable tree species exist to provide up to 75 percent of original shade over the stream, a fringe of undisturbed merchantable trees may be required. This requirement may be waived if an acceptable harvest plan of staggered cuttings or other means is developed which will not result in a significant increase in stream temperatures or remove a substantial amount of cover necessary for wildlife.
 - C. Carefully log the mature timber from the buffer strip in such a way that shading and filtering effects are not destroyed.
 - D. Neither an optimum nor a minimum width can be set arbitrarily for buffer strips for shading streams. It must be realized that the necessary width will vary with steepness of terrain, other topographic features, the nature of the undercover, the kind of soil, and the amount of timber that is to be removed.
 - E. Where it is difficult to leave buffer strips of timber to shade a stream, plan to re-establish cover - without delay - along the stream after cutting is completed.
05. Leave stabilization strips of undergrowth vegetation along all Class II streams in widths sufficient to prevent washing of sediment into Class I streams below.
06. Keep machine activity in beds of streams to an absolute minimum.

24-448 MAINTENANCE OF PRODUCTIVITY AND RELATED VALUES:

Harvesting practices should first be designed to assure the continuous growing and harvesting of forest tree species by suitable economic means and to protect the soil, air, water, and wildlife resources.

01. Where major scenic attractions, highways, recreation areas, or other high use areas are located within or traverse forest land, special consideration should be given to scenic values by prompt cleanup and regeneration.
02. Give special consideration toward preserving any critical wildlife or aquatic species classified by the Fish Commission and Oregon Wildlife Commission as being rare or endangered. Such habitat could be nesting trees used by large birds of prey.