

Proposed Rule Language for OAR 629-021-0700(1)

(New rule language in **bold and underlined**, deleted language in strikethrough)

629-021-0700

Decision Authority

- (1) The State Forester is delegated full authority by the Board of Forestry to implement the provisions of ORS 541.423 **and 527.736(4)**, including but not limited to review of management plans and preparation and approval of stewardship agreements.
- (2) Prior to approving a stewardship agreement, the Departments will provide public notice and 21 days for comment on the proposed agreement.
- (3) When the Departments determine that comments from the review process are adequately addressed, the stewardship agreement will be approved.
- (4) The Departments will give notice of approval, termination, and revisions of a stewardship agreement to each other, to the Oregon Department of Fish and Wildlife, and to the Oregon Watershed Enhancement Board.
- (5) If the management plan includes potential chemical application operations related to forest operations, the State Forester will give notice of approval of a stewardship agreement to:
 - (a) Any person with surface water rights pursuant to ORS Chapter 537 who, under the provisions of ORS 527.670(6), has previously requested in writing from the State Forester copies of notifications and written plans for chemical application operations within ten upstream miles of the water right location; and
 - (b) The community water system manager of any community water system where the surface water drainage area upstream of the intake is 100 square miles or less and the management plan includes potential aerial chemical application operations within 100 feet, or ground-based chemical application operations within 50 feet, of the Type D or domestic use portions of Type F streams that provide water used by the community water system.
- (6) The Departments will notify persons who submitted timely comments of the approval of a stewardship agreement. Any person who submitted timely comments and who is adversely affected by the operations conducted under an approved or amended stewardship agreement may file a written request for a hearing to the appropriate Department.
- (7) As provided for in ORS 568.912 and 527.700(1) and (2) a landowner may appeal an order denying approval of a stewardship agreement.

Stat. Auth.: ORS ~~541.423~~, **526.016(4), 526.041(1)**

Stats. Implemented: ORS 541.423, **527.736(4)**

Hist.: DOF 11-2006, f. 11-20-06, cert. ef. 11-21-06