

Private Forest Accord Rulemaking: Compliance Monitoring Program



PRIVATE FOREST LAND

Summary

Changes to the Notification of Completion rule support the new Compliance Monitoring Program.

Notification of Completion

The Notification of Completion improves the Compliance Monitoring Program by providing information on the completion of forest operation activities. Landowners are required to report completed activities to the State Forester after submitting an initial notification. This change modifies OAR 629-605-0150: Notification to the State Forester – When, Where, and How.

Using the E-notification system or other methods, landowners will need to notify the State Forester of completed activities:

- At the end of the calendar year the notification was submitted, or
- At the end of the following calendar year for notifications that continue into the following calendar year.

When a Notification of Completion is reported, landowners will need to do so for each activity about which they originally notified.

Compliance Monitoring Program

The purpose of the Compliance Monitoring Program is to assess rule compliance and report findings to the Board of Forestry, legislature, and federal services. It also identifies training and outreach opportunities and enhances public trust in the implementation of the Forest Practices Act (FPA) and FPA rules. Monitoring may be conducted by department staff or contractors.

The new program increases statistical rigor by contracting with a third-party statistician to help with study design and analysis. The program prioritizes monitoring rules for water protection, harvesting on steep slopes, and forest road construction and maintenance. The program is supported by a stakeholder advisory committee that provides input about program development and implementation. This committee includes representatives from the department, landowners, the public and other interested parties.

The program will also contribute compliance information to several reports: an annual public report on the Habitat Conservation Plan performance; every two years a summarized compliance audit results and progress report of ongoing compliance monitoring efforts; and every eight years an aggregate cumulative report that includes compliance trends.

Changes to Compliance Monitoring Access

Forest landowners shall accommodate access for compliance monitoring. The State Forester may petition the circuit court with jurisdiction over the forestland for a warrant authorizing access to conduct compliance monitoring. Landowners will be notified before monitoring occurs and will be provided the opportunity to be present or have a representative present.

