

ADMINISTRATIVE RULE REVIEW

	Rule No. 150-321-0810	
Amended Rule	Page Page 1 of 2	Last Revised Date October 20, 2016
Permanent Rule	NOTICE OF INTENDED ACTION	
	Bulletin Dated November 2016	Hearing Scheduled November 22, 2016

PURPOSE: To replace the word “one” with “common” as it is used in the definition of “common ownership” in ORS 321.354(6)(b). To provide a definition for “contiguous acres” as it applies to meet minimum acreage requirements.

1 **150-321-0810**

2 **Minimum Stocking and Acreage Requirements for Designation as Forestland in Eastern Oregon**

3 (1) “Contiguous acres” means acres touching along a boundary or at a point.

4 (a) Includes acres separated by a public or county road, state highway or any stream other than a large
5 stream as identified by the state forester using the water classification system in OAR 629-635-0200.

6 (b) Does not include acres separated by an interstate highway or large stream.

7 (2) To qualify, the land must have growing upon it at least the number of established trees per acre set by
8 the state forester in OAR 629-610-0020. The established trees must be of a marketable species acceptable
9 to the state forester as described or set forth in OAR 629-610-0050.

10 (23) If the land does not meet the minimum requirements of section (1) of this rule, the owner must give
11 the assessor a written management plan for establishing trees to meet the minimum stocking
12 requirements. The plan must contain and meet the following requirements:

13 (a) A description of the area that states the location, number of acres, ground cover, present stocking,
14 steepness of slope, and aspect (the direction the slope faces).

15 (b) A list of needed site preparation requirements prior to planting. Examples include brush or grass
16 removal, rodent eradication, disease and insect problem resolution, slash disposal, protection from
17 grazing or browsing animals, and tillage of soil.

18 (c) Planting information that lists the species to be planted, time of year that planting will take place,
19 number of trees per acre to be planted, and method of planting.

20 (d) At least 20 percent, but not less than two acres, of the area in the plan must be planted by December
21 31 of the first assessment year that the land is designated as forestland. Each additional year thereafter, a
22 minimum of 20 percent of the area must be planted. At the end of the fifth year after the assessor
23 approves the designation, 100 percent of the area in the plan must be planted. The assessor may grant
24 extensions to planting requirements if a loss of planted stock occurs due to conditions beyond the control
25 of the landowner.

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- 1 (34) Certain lands do not support sufficient stocking requirements; however, when the use of these lands
2 supports sound management practices and the harvest of forest crops on surrounding lands, these lands
3 may be designated as forestland. Examples of such lands include:
- 4 (a) Roads, landings, and rock pits used for forest roads that are necessary for forest management and the
5 harvest of forest crops.
- 6 (b) Land that is subject to power transmission and distribution easements or gas line easements that are
7 not centrally assessed under ORS 308.505-308.665 or 308.805-308.820 if the lands would otherwise
8 qualify for designation as forestland if, but for the easement, sufficient stocking of trees would be
9 permitted.
- 10 (45) To qualify for designation, the land must meet the minimum stocking requirements of sections (1) or
11 (2) of this rule. However, when the circumstances listed in section (3) of this rule are present, and at least
12 80 percent of the total area applied for meets the minimum stocking requirements, the total area of the
13 application will be assessed as designated forestland.
- 14 (56) To qualify, the area to be designated must be at least two contiguous acres in ~~one~~ common
15 ownership. All other property located within the same county that is owned by the same common owner
16 of at least two contiguous acres may also qualify for forestland designation if it meets the stocking
17 requirements.
- 18 **Stat. Auth.:** ORS 305.100
19 **Stats. Implemented:** ORS 321.805