

Department of Forestry

Chapter 629

Division 645

WATER PROTECTION RULES: RIPARIAN MANAGEMENT AREAS AND PROTECTION MEASURES FOR SIGNIFICANT WETLANDS

[629-645-0000](#)

Riparian Management Areas and Protection Measures for Significant Wetlands

(1)(a) The purpose of these rules is to protect the functions and values of significant wetlands, including wetlands larger than eight acres, estuaries, bogs and important springs in eastern Oregon on forestlands.

(b) Significant wetlands on forestlands provide a wide range of functions and values, including those related to water quality, hydrologic function, fish and other aquatic organisms, and wildlife.

(c) Estuaries are unique systems because they form transitions between terrestrial, marine, and freshwater environments. Because of this link, estuarine systems are among the most biologically productive in the world. Estuaries support many resident species. Estuaries also provide food, spawning area, and shelter for numerous other species at critical points in their life cycles. Removal of shoreline trees reduces the overall productivity of the estuary by reducing leaf and litter fall, thus depriving the estuary of substrate, and by removing feeding and resting habitat for birds and small mammals.

(d) Bog communities are a result of specific hydrologic, soil, and nutrient conditions. Bogs are usually saturated, low in nutrients, and highly acidic. Changes in runoff, sediment loading, and nutrient loading can alter the plant community composition. The peat soils have evolved over time. Compaction damages plant communities and may encourage the invasion of exotic species. Harvesting may disrupt shade tolerant vegetation, alter plant community characteristics, and hasten succession. Compaction, saturated conditions, and poor nutrient status make reforestation difficult.

(e) In arid parts of eastern Oregon, springs provide a critical source of water. These important springs have established wetland vegetation, flow year round in most years, and are used by a concentration of diverse animal species. By reason of sparse occurrence, important springs have a major influence on the distribution and abundance of upland species. Important springs shall be identified by the State Forester.

(2)(a) The goals of significant wetland protection are to maintain the functions and values of significant wetlands on forestlands over time, and to ensure that forest practices do not lead to resource site destruction or reduced productivity, while at the same time ensuring the continuous growth and harvest of forest tree species. To accomplish these goals, the rules focus on the protection of soil, hydrologic functions, and specified levels of vegetation.

(b) The intent of the rules is to minimize soil disturbance and to minimize disturbance to the natural drainage patterns of the significant wetland.

(c) Vegetation retention (including understory vegetation, snags, downed wood, and live trees) is needed to prevent erosion and sedimentation into the significant wetland, minimize soil disturbance and hydrologic changes, and to maintain components of the vegetation structure to provide for other benefits, particularly fish and wildlife values.

(3) Significant wetlands other than estuaries, bogs or important springs in eastern Oregon shall have riparian management areas extending 100 feet from the wetlands. When an operation is proposed within 300 feet of an estuary or within 100 feet of a wetland larger than eight acres (non estuary), bog or important spring in eastern Oregon, the resource site evaluation process in OAR 629-665-0020 shall be followed by the landowner, operator or timber owner. If the proposed operation conflicts with the significant wetland, the operator shall submit a written plan to the State Forester before starting operations. The written plan shall comply with the requirements of 629-605-0170, Written Plans.

(4) For all significant wetlands, operators shall provide the following to the wetlands and riparian management areas:

[OARD Home](#)

[Search Current Rules](#)

[Search Filings](#)

[Access the Oregon Bulletin](#)

[Access the Annual Compilation](#)

[FAQ](#)

[Rules Coordinator / Rules
Writer Login](#)

- (a) Live tree retention (OAR 629-645-0010);
 - (b) Soil and hydrologic function protection (OAR 629-645-0030);
 - (c) Understory vegetation retention (OAR 629-645-0040); and
 - (d) Snag and down wood retention (OAR 629-645-0050).
- (5) For forested significant wetlands, written plans must address reforestation.
- (6) When an operation is proposed within 300 feet of an estuary, bog or important spring in eastern Oregon, the State Forester shall determine the riparian management area during the resource site inspection required by OAR 629-665-0020. Riparian management areas shall extend outward 100 to 200 feet from the estuary, 50 to 100 feet from the bog, or 50 to 100 feet from the important spring in eastern Oregon. The distance determination of the State Forester shall depend on:
- (a) Stocking level of the timber stand adjacent to the estuary, bog or spring;
 - (b) Ability of the area to withstand windthrow;
 - (c) Size of the estuary, bog or spring. As the size increases, the size of the riparian management area shall increase; and
 - (d) For bogs and springs only, topography and erodibility of adjacent uplands.

Statutory/Other Authority: ORS 527.710

Statutes/Other Implemented: ORS 527.715 & 527.765

History:

DOF 2-2013, f. 7-11-13, cert. ef. 9-1-13

DOF 8-2005, f. 12-13-05, cert. ef. 1-1-06

DOF 6-2005(Temp), f. & cert. ef. 8-2-05 thru 1-27-06

DOF 6-2002, f. & cert. ef. 7-1-02

FB 9-1996, f. 12-2-96, cert. ef. 1-1-97

FB 3-1994, f. 6-15-94, cert. ef. 9-1-94, Renumbered from 629-057-2300

629-645-0010

Live Tree Retention for Significant Wetlands

- (1) In significant wetlands and their riparian management areas, operators shall retain approximately 50 percent of the original live trees, by species, in each of the following diameter classes (DBH):
- (a) 6 to 10 inches;
 - (b) 11 to 20 inches;
 - (c) 21 to 30 inches; and
 - (d) larger than 30 inches.
- (2) As part of the live trees in subsection (1) above, operators shall retain trees bordering significant wetlands.
- (3) For estuaries and the adjacent riparian management areas, operators shall protect live trees that are:
- (a) Perch and nest trees for predatory birds and colonial nesting birds;
 - (b) Likely to provide for future large woody debris to the estuaries' perimeters; and
 - (c) Contributing to bank stability.

Statutory/Other Authority: ORS 527.710

Statutes/Other Implemented: ORS 527.710 & 527.765

History:

FB 3-1994, f. 6-15-94, cert. ef. 9-1-94, Renumbered from 629-057-2310

629-645-0020

Site-Specific Vegetation Retention Prescriptions for Significant Wetlands

- (1) Operators are encouraged to develop site specific vegetation retention prescriptions for significant wetlands in a plan for an alternate practice.
- (2) The functions and values of forested wetlands vary with species composition, stocking levels, and geographic location. Operators are encouraged to propose site specific vegetation retention prescriptions in a plan for an alternate practice that allow for changes to the live tree requirements in OAR 629-645-0010 and that provide equal or better

protection of the functions and values of forested significant wetlands and forested stream-associated wetlands, and address operational concerns.

Statutory/Other Authority: ORS 527.710

Statutes/Other Implemented: ORS 527.674, 527.710 & 527.765

History:

DOF 8-2005, f. 12-13-05, cert. ef. 1-1-06

DOF 6-2005(Temp), f. & cert. ef. 8-2-05 thru 1-27-06

FB 3-1994, f. 6-15-94, cert. ef. 9-1-94, Renumbered from 629-057-2320

629-645-0030

Soil and Hydrologic Function Protection for Significant Wetlands

(1) In significant wetlands and their riparian management areas, operators shall protect soil from disturbances that result in impaired water quality, hydrologic functions, or soil productivity. Operators shall protect hydrologic functions by minimizing disturbances and shall prevent accelerating the natural conversion of the wetland to uplands.

(2) The written plan required under OAR 629-605-0170 shall describe how the operation will be conducted to prevent adverse effects on water quality, hydrologic functions or soil productivity. The following practices shall be addressed in written plans when they are proposed in significant wetlands:

- (a) Filling within wetlands;
 - (b) Machine activity within wetlands; and
 - (c) Road construction within wetlands.
- (3) Operators shall not drain significant wetlands.

(4) Notwithstanding subsection (3) of this rule, minor drainage for reforestation is allowed. Any drainage for reforestation must be designed so the significant wetland is not converted to an upland.

Statutory/Other Authority: ORS 527.710

Statutes/Other Implemented: ORS 527.674, 527.715 & 527.765

History:

DOF 2-2013, f. 7-11-13, cert. ef. 9-1-13

DOF 8-2005, f. 12-13-05, cert. ef. 1-1-06

DOF 6-2005(Temp), f. & cert. ef. 8-2-05 thru 1-27-06

FB 9-1996, f. 12-2-96, cert. ef. 1-1-97

FB 3-1994, f. 6-15-94, cert. ef. 9-1-94, Renumbered from 629-057-2330

629-645-0040

Understory Vegetation Retention for Significant Wetlands

(1) The purpose of retaining understory vegetation is to provide soil stability and bank stability in and along significant wetlands, to maintain cover and shade for wildlife habitat and aquatic habitat, and to protect water quality.

(2) To achieve the purpose of understory retention, the operator shall limit disturbance of understory vegetation within significant wetlands and their riparian management areas to the minimum necessary to remove timber harvested from the area and achieve successful reforestation.

(3) The written plan required in OAR 629-605-0170 for operations within 300 feet of estuaries and 100 feet of wetlands larger than eight acres (non-estuaries), bogs and important springs in eastern Oregon shall describe how disturbance to the understory vegetation will be minimized during harvest or site preparation for reforestation.

Statutory/Other Authority: ORS 527.710

Statutes/Other Implemented: ORS 527.710 & 527.765

History:

DOF 2-2013, f. 7-11-13, cert. ef. 9-1-13

FB 3-1994, f. 6-15-94, cert. ef. 9-1-94, Renumbered from 629-057-2340

629-645-0050

Snag and Downed Wood Retention for Significant Wetlands

(1) For significant wetlands, operators shall retain all snags and downed trees within the wetlands and the applicable riparian management areas.

(2) Notwithstanding subsection (1) of this rule, any snag defined to be a safety hazard under the safety requirements found in OAR 437, division 7, Forest Activities, or determined to be a fire hazard by the State Forester, may be felled.

Any snag felled because of a safety or fire hazard shall be left unyarded.

(3) The retention requirements in subsection (1) of this rule may be modified for reasons of forest health for trees that are dying or recently dead because of fire, insect or disease epidemics, or other catastrophic events when addressed in a plan for an alternate practice approved by the State Forester.

(4) Snags and downed wood left pursuant to subsection (1) of this rule may not be counted toward the requirements of ORS 527.676.

Statutory/Other Authority: ORS 527.710

Statutes/Other Implemented: ORS 527.674, 527.715 & 527.765

History:

DOF 2-2013, f. 7-11-13, cert. ef. 9-1-13

DOF 8-2005, f. 12-13-05, cert. ef. 1-1-06

DOF 6-2005(Temp), f. & cert. ef. 8-2-05 thru 1-27-06

FB 9-1996, f. 12-2-96, cert. ef. 1-1-97

FB 3-1994, f. 6-15-94, cert. ef. 9-1-94, Renumbered from 629-057-2350

v1.9.1

[System Requirements](#) [Privacy Policy](#) [Accessibility Policy](#) [Oregon Veterans](#) [Oregon.gov](#)

Oregon State Archives • 800 Summer Street NE • Salem, OR 97310

Phone: 503-373-0701 • Fax: 503-378-4118 • reference.archives@oregon.gov