

Attachment K. Legal Constraints Matrix.

The matrix below documents all the possible legal constraints affecting forest management in the project boundary.

Rule/Regulation	Lead Agency	Description	Notes						
Oregon Forest Practices Act	Oregon Department of Forestry	<p>The Oregon Forest Practices Act and Rules makes clear the stewardship expectations of the public and ensures that landowners operating under its rules can manage their forests for a variety of objectives. This was the first forest practices act legislated in the United States (1971).</p> <p>Riparian Areas The requirements of the Oregon Forest Practices Act are intended to protect fish, wildlife and water quality when forest management activities occur near waters of the state and within riparian management areas. Protection measures are based on how the water body near an operation is classified, as well as the geographic region. Protection measures apply even when the water body is dry.</p> <p>A Riparian Management Area (RMA) is the defined portion of the riparian area adjacent to a stream, lake, or open water wetland where RMA guidelines apply. RMA area is dependent on use and size.</p>	<p>The baseline model will respect and adhere to the applicable legal requirements within the RMAs for the duration of the planning period (100 years).</p> <p>Other elements of the FPA regarding road construction, stream crossings, and logging systems are assumed to be followed and do not require alterations to the baseline modeling.</p>						
Clean Water Act	US Environmental Protection Agency	Through a variety of programs (including, as appropriate, non-regulatory or regulatory programs), states assist and encourage producers to follow state forest practices to reduce or prevent instances of nonpoint source pollutants migrating into waters.	The baseline model will adhere to all required FPA stream buffers in the RMAs which will reduce runoff and protect water quality for the duration of the planning period (100-years).						
Endangered Species Act (ESA);	US Fish and Wildlife Service; Oregon Department of Fish and Wildlife	The Endangered Species Act (ESA) provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found.	<p>It is assumed that all aspects of this law will be followed in normal timber harvest operations and any necessary permits will be obtained. No specifics of this law are required to be modeled as legal constraints in the baseline. All federally protected species identified within the project area are listed in the table below:</p> <table><tr><th>Common Name</th><th>Scientific Name</th><th>Status</th></tr><tr><td>Steelhead trout</td><td><i>Oncorhynchus mykiss</i></td><td>Threatened</td></tr></table> <p>All timber management activities on the site would avoid any taking of these species or damage to the habitat. There are no spatial or timber management restrictions for these species which will be modeled in the baseline.</p>	Common Name	Scientific Name	Status	Steelhead trout	<i>Oncorhynchus mykiss</i>	Threatened
Common Name	Scientific Name	Status							
Steelhead trout	<i>Oncorhynchus mykiss</i>	Threatened							
Local Ordinances		n/a	There are no local ordinances or regulations affecting timber harvesting in the Project Area.						

Table 1: List of Threatened, Endangered, and Candidate Species in Oregon (ODFW)

Common Name	Scientific Name	State Status*	Federal Status
FISH			
Bull Trout (range-wide)	<i>Salvelinus confluentus</i>		T
Columbia River Chum Salmon	<i>Oncorhynchus keta</i>		T
Green Sturgeon (Southern DPS)	<i>Acipenser medirostris</i>		T
Hutton Spring Tui Chub	<i>Siphateles bicolor ssp</i>	T	T
Lahontan Cutthroat Trout	<i>Oncorhynchus clarki henshawi</i>	T	T
Lost River Sucker	<i>Deltistes luxatus</i>	E	E
Lower Columbia River Chinook Salmon	<i>Oncorhynchus tshawytscha</i>		T
Lower Columbia River Coho Salmon	<i>Oncorhynchus kisutch</i>	E	T
Lower Columbia River Steelhead	<i>Oncorhynchus mykiss</i>		T
Middle Columbia River Steelhead	<i>Oncorhynchus mykiss</i>		T
Oregon Coast Coho Salmon	<i>Oncorhynchus kisutch</i>		T
Pacific Eulachon/Smelt (Southern DPS)	<i>Thaleichthys pacificus</i>		T
Shortnose Sucker	<i>Chasmistes brevirostris</i>	E	E
Snake River Chinook Salmon (Fall)	<i>Oncorhynchus tshawytscha</i>	T	T
Snake River Chinook Salmon (Spring/Summer)	<i>Oncorhynchus tshawytscha</i>	T	T
Snake River Sockeye Salmon	<i>Oncorhynchus nerka</i>		E
Snake River Steelhead	<i>Oncorhynchus mykiss</i>		T
Southern Oregon/Northern California Coast Coho Salmon	<i>Oncorhynchus kisutch</i>		T
Upper Columbia River Spring Chinook Salmon	<i>Oncorhynchus tshawytscha</i>		E
Upper Columbia River Steelhead	<i>Oncorhynchus mykiss</i>		T
Upper Willamette River Chinook Salmon	<i>Oncorhynchus tshawytscha</i>		T
Upper Willamette River Steelhead	<i>Oncorhynchus mykiss</i>		T
Warner Sucker	<i>Catostomus warnerensis</i>	T	T
AMPHIBIANS AND REPTILES			
Green Sea Turtle	<i>Chelonia mydas</i>	E	T
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	E	E
Loggerhead Sea Turtle	<i>Caretta caretta</i>	T	E

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Olive Ridley Sea Turtle	<i>Lepidochelys olivacea</i>	T	T
Oregon Spotted Frog	<i>Rana pretiosa</i>		T
BIRDS			
California Brown Pelican	<i>Pelecanus occidentalis californicus</i>	E	
California Least Tern	<i>Sternula antillarum browni</i>	E	E
Marbled Murrelet	<i>Brachyramphus marmoratus</i>	T	T
Northern Spotted Owl	<i>Strix occidentalis caurina</i>	T	T
Short-tailed Albatross	<i>Phoebastria albatrus</i>	E	E
Streaked Horned Lark	<i>Eremophila alpestris strigata</i>		T
Western Snowy Plover	<i>Charadrius nivosus nivosus</i>	T	T (Pacific Coast population DPS)
Yellow-billed Cuckoo (Western DPS)	<i>Coccyzus americanus</i>		T
MAMMALS			
Blue Whale	<i>Balaenoptera musculus</i>	E	E
Canada Lynx	<i>Lynx canadensis</i>		T
Columbian White-tailed Deer (Columbia River DPS)	<i>Odocoileus virginianus leucurus</i>		T
Fin Whale	<i>Balaenoptera physalus</i>	E	E
Gray Whale	<i>Eschrichtius robustus</i>	E	
Gray Wolf	<i>Canis lupus</i>		E1
Humpback Whale	<i>Megaptera novaeangliae</i>	E	E
Killer Whale (Southern Resident DPS)	<i>Orcinus orca</i>		E
Kit Fox	<i>Vulpes macrotis</i>	T	
North Pacific Right Whale	<i>Eubalaena japonica</i>	E	E
Red Tree Vole (North Oregon Coast DPS)	<i>Arborimus longicaudus</i>		C
Sea Otter	<i>Enhydra lutris</i>	T	T
Sei Whale	<i>Balaenoptera borealis</i>	E	E
Sperm Whale	<i>Physeter macrocephalus</i>	E	E
Washington Ground Squirrel	<i>Urocitellus washingtoni</i>	E	
Wolverine	<i>Gulo gulo</i>	T	