

**Oregon Board of Forestry  
Federal Forestlands Advisory Committee Meeting  
February 1, 2008**

Oregon Department of Forestry  
2600 State Street  
Salem, OR

**Meeting Summary**

On February 1, 2008, the Federal Forestland Advisory Committee (FFAC) held a meeting at the Department of Forestry, Salem, Oregon. The primary objectives of the meeting were to:

- Explore older growth issues, and identify potential approaches and solutions
- Review subgroup efforts and continue working on potential solutions and policy recommendations on natural processes and timber harvest/infrastructure
- Develop FFAC message to the Board of Forestry

The following summary was prepared by Department staff, revised by the facilitation team, and is subject to review and clarification by the FFAC members at the March 2008 meeting. The summary contains the following sections:

- Opening Remarks, Review of Meeting Objectives and Agenda
- Panel Discussion on Older Growth
- Public Comment
- Policy Recommendations on Timber Harvest and Infrastructure
- Policy Recommendations on Natural Processes
- Board of Forestry Message
- Draft Meeting Summary Review
- Summary and Next Steps
- Flip Chart Notes
- Attendees
- Written Material

**Opening Remarks, Review of Meeting Objectives and Agenda**

Steve Hobs, Chair of the FFAC and the Board of Forestry, welcomed the Committee members, panel members and others attending the meeting, reviewed the proposed agenda and the meeting objectives.

**Panel Discussion on Older Growth**

The FFAC convened a panel for a discussion of issues pertaining to older growth forests. **John Gordon**, Interforest LLC, **Ivan Maluski**, Oregon Chapter Sierra Club, **Doug Robertson**,

Douglas County Commissioner and **John Shelk**, Ochoco Lumber Co., comprised the panel. Panel members were asked to address the following questions:

- How should older forests be defined?
- What process(es) should be used to determine the appropriate amount of older forest?
- What Federal policies would you change to deal with these issues?
- What barriers exist that would prevent these policies from being implemented and how would you overcome those barriers?

**John Gordon, Interforest LLC**, stated that he was a vector for the National Commission on Science for Sustainable Forestry (NCSSF) report, but the opinions expressed were his own. The NCSSF report included a basic definition of old growth stating it was a forest dominated by large old trees, live and dead, standing and fallen, usually containing many smaller trees, giving the overall impression of diversity, and often including reservoirs for species that are rare or not found in other forest age classes. As old growth characteristics accrue over time, definitions must be biologically flexible, widely accepted and specific to forest type, location and structure. Forests grown on long rotations for ultimate harvest can provide some older forest values and should not be excluded from old forest definitions.

Processes to determine the appropriate amount of old growth, should take into account risk of loss to catastrophic fire, insect attack, disease or other agents of destruction. Additionally, there should be provisions for the full forest cycle. A balanced array of forest ages and location (e.g., low lying stream habitat) are also important determinants.

Policy changes to be considered should include a science of place, more local influence in the form of greater management and regulatory flexibility. There should be incentives to produce older forests, both public and private and especially targeted to locations with lower percentages of older forests. Federal policy change should embody the creation of a balanced network of older forests across the landscape. Additionally, Federal fire policy has been important cause of older forest loss and this should be addressed.

The major barrier to policy change is *existing* policy. Many of the laws and regulations affecting forest policy were passed over thirty years ago. All forest policy must be rethought and changed where appropriate. Another barrier was the continual clash of special interests over public forests.

There is a need for better inventory of older forests and better use of existing Forest Inventory and Analysis (FIA) data, better estimates of ecosystem services provided by older forests, and enhanced minor species knowledge. Reserves are insufficient. On lands managed primarily for timber, there must be restoration, retention and lengthening rotations. Achieving many objectives in the same forest is the only possible future for forest management in the face of the population and development pressures. All streams of values and all streams of income must be realized.

Older forests are important in their role as the evolutionary anvil upon which biological diversity is hammered out. Unless there is a full range of habitats, the full range of biodiversity cannot be expected to evolve, particularly in the face of climate change. Keeping the evolutionary apparatus intact in the face of human intervention is particularly important.

**Ivan Maluski, Sierra Club**, suggested that old growth definitions be scientifically grounded while acknowledging social perspectives on old trees and forests. Trees older than 80 years should be left to develop on their own because the adverse impacts of logging outweigh the ecological benefits. Protecting stands older than 80 years is the best way to address the current deficit of old-growth forest habitat. Research has shown that removal of larger diameter commercial trees in drier stands increases fire risk while damaging wildlife habitat and soils.

The amount of older forests must be enough to provide sufficient habitat for successful recovery of threatened and endangered species, increase the viability of forest indicator species, improve water quality and protect watersheds. The issues on the eastside related to older forests are different and the 21” diameter screen should remain in place to focus restoration on fire management with ecological sideboards such as smaller trees and ladder fuels. In addition to protecting older forests, policies must be established to incentive green jobs in the forest and bring new ideas to the table. For example, an eastside forest restoration job center can provide opportunities for road maintenance, culvert repair, appropriate ecological thinning in the wildland urban interface (WUI).

A core barrier lies in the culture of the federal land management agencies and a lack of trust due to the record of past management. Agencies need specific direction from Congress that older forests are “off limits,” and that resources must be redirected to ecologically justifiable forest and road restoration and appropriate community protection work.

**Doug Roberston, Douglas County Commissioner**, indicated that he was representing the counties in Oregon that contained 2.2 million acres of a unique category of land, the Oregon & California (O&C) land formerly owned by the railroads in 1868 that currently contains approximately 60 billion board feet of old growth timber. O&C lands are managed by the Bureau of Land Management under a federal statute (The O&C Act of 1937) that makes timber production the dominant use for the lands. He stated that there is no consensus definition of old growth forests because the definition depends on goals and is defined according to policy objectives, but there must be agreement on the legal constraints and the objectives before progress can be made. These goals vary from place to place and O&C lands are different from other federally managed timber lands.

Legal constraints define the amount of each agency’s discretion. Knowing what we are trying to accomplish through the preservation of old growth would guide the decision of what is needed, how and where. Some lands are not available for the preservation of old growth. Legal sufficiency must also be established.

The impossibly intricate maze of conflicting laws and procedural requirements must be simplified, or the management plans must be given additional legal protection by Congress. There are those that view the O&C Act as a barrier to be removed. If so, there must be a realistic, achievable plan to compensate the counties and communities for their loss of a critical source of revenue and benefits.

**John Shelk, Ochoco Lumber**, spoke about Oregon’s eastside forests, specifically the Ochoco and Malheur National Forests. The model often cited to describe eastside old-growth forests was one of pre- or early-settlement times around 1870. At that time, the major land-altering activity

taking place on forest lands was livestock grazing and wildfire. The forests were dominated by large ponderosa pine, and were notable for the lack of structure.

The older forests of today, and the future, should respond to identified climate change issues. Drier, warmer climate trends will increase insect and disease activity. There must be a diversity of tree size and species mix to adequately respond to future conditions. Active management must take place to achieve desired future conditions. Commercial forest products are a reasonable output from that activity.

Mr. Shelk suggested that if the USFS had not responded to a push for increasing amounts of old-growth logging in the 1950s, 1960s and 1970s, the situation today would be different. On the Ochoco National Forest, active management did not begin until the 1940s. Commercial timber harvest was characterized by removing the trees most susceptible to disease. In the 1970s, it was recognized that the old growth stands were being depleted. The demand for further timber harvest and products suggested there was not going to be the maintenance of old-growth stands and a movement to plantation style forestry would occur. That recognition moved us to the position of the unreasoned fear of harvesting another old growth tree.

All national forests, outside of special designations, could be used to re-grow an old growth forest. The cessation of logging on the national forests is wasteful. Overstocking and disease issues must be addressed through active management so commercial products can be removed from the forests through competitive bidding, and converted efficiently into well manufactured, dependable wood products. The way to move past the current stalemate is to build a desired future condition among people of good will by going out on the ground together and agreeing upon appropriate management actions and then critiquing those management actions together and making improvements.

**Panel/Committee Interaction.** The Committee held an open discussion with panel members. Comments included the following:

- A common and recurrent theme is the need for community based decision making and collaboration at the local level. Develop community based solutions.
- Define a future desired condition so all groups can work together towards the realization of the condition -- cannot look at map-based, age-based, or diameter-based conservation efforts.
- Address the loss of county infrastructure – counties cannot depend on Treasury funds; safety net will be lost. O & C lands must be managed as legally mandated.
- Timber prices at a ten-year low – need for stability through economic diversification, generate economic activity around other forest activities; create jobs for the industrial workforce. Federal timber receipts will not be available at the appropriate time or amount to make any difference in the shortfall. Smaller diameter material manufacturers will ‘weather’ the current low log prices.
- Eastside communities have lost primary converting capacity - product predictability is vital for new industry.
- Focus where the infrastructure is badly in need of restoration - prioritization is necessary.
- Address the “trust” issue. A holistic approach that encompasses more than woody material helps conservationists with the trust issue.
- A definitive call for older forest protection would make it easier to agree on forest health issues.

- Fire related issues include:
  - A major driver in the forest health debate
  - Home evacuation and human safety is a priority
  - Addressing risk provide an opportunity for ecological restoration
  - Salvage is contentious and dealing with the contention diverts agency resources
- More trees can be harvested while preserving old forest and conservation values [ecological forestry].
- Develop high level range of objective attributes for specific forest types, acknowledging attributes develop at different ages.
- No definition should automatically move any age group from active management.
- Mixing biology with social and political issues does not work.
- Although unlikely federal land will leave the federal estate, the establishment of a public trust is one possibility to:
  - Move the title of the O & C Lands to a public trust with Board of Trustees
  - Keep revenue with the trust, not the Government
  - Bring ODF into management
- Management suggestions included:
  - Define geographical areas
  - Designate legal entity for that area
  - Have entity develop long term vision (address: old growth, forest health, watershed management, species health),
  - Include provisions to allow land exchange
  - Designate commodity stream for businesses to respond to
  - Integration and flexibility are the keys to fine-grained forest management.
- Scientists answer “if – then” questions; questions must be generated outside of science – though scientists also have the responsibility to help advise the framing of some key questions based on their knowledge and expertise.

**Andy Kerr, The Larch Company**, joined the Committee and panel for its discussion. Mr. Kerr reiterated that there is a social component to the definition of old growth that makes agreement difficult, but there is more agreement when groups get out on the ground together. He suggested that due to past management practice the timber industry has lost its social license to log older forests on Federal lands, but the cut must go up on the National forests and must include smaller diameter logs. Many plantations on the west side could benefit from variable density thinning to accelerate the onset of late successional characteristics. On the east side, there is an ecological case for an aggressive thinning program.

He suggested that the Committee should look at solutions and policy changes in the context of legislation, since the laws on the books are antiquated and in need of revision. Legislation could be a positive opportunity to get needed statutory reforms. Addressing the problems by widening the scope of issues considered could be one way to foster creative solutions.

On the Fremont National Forest, attention has been focused on restoration and commercially valuable smaller diameter material. Proposals for tax credits for industry to make the investment in state of the art logging and milling equipment are being developed, but credits will not be enough without a stable timber supply. Twenty-year restoration and goods/services contracts would make industry investments viable. At the same time, old trees must no longer be threatened with harvest to provide security to the conservation community.

Today's surviving timber industry is more adaptive. The conservation community is in the position of needing the timber industry to deal with the ecological consequence of dense plantations on the west-side and fire suppressed stands on the east-side. Active management is a necessary component of comprehensive restoration that would include the reintroduction of fire, removal of unnecessary roads, and solutions for livestock issues.

Generally, there is too much money going to the fire-industrial complex to put out easy fires that should not be put out, and spending huge amounts of money fighting fires that cannot be put out. The USFS has never done an environmental impact statement on its fire fighting program. Fire funding has come at the expense of forest management. Appropriations are unreliable; tax credits are easier to acquire and leverage private investment.

Harvesting smaller diameter logs needs to be made more profitable. When the Collins-Pine established its state-of-the-art small log facility in Lakeview, the amount of commercial timber volume increased 15% on the Fremont National Forest. Restoration can be made feasible by reducing costs, having longer contracts, larger volumes, and less administrative costs. The USFS still marks every tree scheduled for harvest, which is extremely expensive.

It is not illegal, per se, to harvest old growth forests, although it is socially unacceptable. If the old growth is safe, there is more flexibility for creative solutions and management options. Removing the USFS administrative appeals process in exchange for substantive protection could be explored. The ecological backlog must be thinned responsibly, with the right restraints. This restoration would yield a lot of by-product, save the big old trees, and provide more volume to mills. Ultimately any solutions made should be ratified by Congress to ensure social acceptability.

### **Public Comment**

**Andy Kerr, The Larch Company**, provided a description of the three materials he submitted. The first was an abstract titled "Thinning Certain Oregon Forests to Restore Ecological Function." The second was a paper on proposed federal income tax credits for small-diameter state-of-the-art logging, yarding, hauling and milling equipment to stimulate restoration work. The third was his biography with a list of additional reference material. [written material]

**Paul Beck, Herbert Lumber Company**, noted his company harvests old growth in Douglas County. He suggested the FFAC define a goal for what future conditions are desired on federal lands with clarity so that all can work towards those future conditions. If the goal is protection of old growth, protection must be defined. Currently unnatural fuel conditions occur in all age classes of forests and active management, rather than drawing lines on maps, is needed to protect these forests.

**Dick Posekany, Frank Lumber Co. and Wayne Giesy**, urged the FFAC to act without delay for the benefit of rural Oregon by developing a management plan to utilize federal timber for the financial support of county governments and services. [written material]

**Rex Storm, Associated Oregon Loggers**, stated Federal forest managers must have the authority and discretion to manage older forests and older trees, without the current maze of

unworkable red tape and bureaucratic obstacles. He suggested it was the forest management professional, bound by the Society of American Foresters code of ethics, which should make old growth determinations through their forest plans and project silvicultural prescriptions. Mr. Storm also recommended the rescinding diameter limits of the Interim Eastside Screens. Responding to questions, he observed that the forestry profession in Oregon was experiencing a net-loss; more retirees than forestry graduates. Work force challenges of recruitment and retention are a concern for the forest sector. [written material]

### **Policy Recommendations on Timber Harvest and Infrastructure**

The subgroup focused on actionable items during its last two meetings. John Audley, from The Nature Conservancy, served as scribe and presented the subgroup's report [written material]. The subgroup developed five potential solutions with related actions or proposals. The subgroup reiterated the need for local state agency resources to be engaged in processes, for the Governor to champion developed solutions, and the ability to enter into long term commitments by the federal agencies.

The Committee's comments are listed below:

- Regarding community participation in management – if items listed remain the descriptive term should be “encourage” rather than “enable” – if more is meant (e.g., decision making ability) then that should be more explicit and the actionable items should be stronger.
- Solution #2: actions deal with biomass, clarify biodiversity hot spots, and provide more clarity (e.g., what does it mean to revise biological opinions).
- Solution #3: describe the purpose for the priority landscapes; is a state agency tie-breaker needed or is solution based on FFAC policies and philosophies?
- Pay more attention to timber issues and include green timber issues.
- Fire is a tool to thin stands.
- Two issues related to contracting: (1) should have the ability to enter into longer term contracts (20 year stewardship contracts) and (2) funding should be long term.
- Include outcome/performance based environmental assessments – series of pilots on a watershed
- Pilot projects should consider NEPA process issues.
- More discussion is needed about outcome based forestry possibilities.
- Address merchantability issue.

#### Next Steps:

The subgroup will refine its recommendations and actions.

### **Policy Recommendations on Natural Processes**

Annabelle Jaramillo presented the subgroup report, describing the key points of version 3 and the draft *Alternative* prepared by Ralph Bloemers [written material]. The overarching principle was forest health and resiliency and looking at ecosystem solutions.

The *Alternative* was prepared to create a descriptive narrative in place of the bulleted items. The report framework is still evolving, and will be adjusted to be consistent with the other reports.

A preference was stated for a more concise version of the narrative format with clear and specific solution statements. It was suggested that the action items should be written as suggestions for what the Governor and Congress can do, not what the agencies should do.

The Committee's comments are listed below:

- Alternative version - Item #2
  - Restate the first paragraph without questions
  - Pull out or more explicitly identify the assumptions
  - Address the assumption that review avoids litigation – suggest that review allows for identification of patterns to be addressed with collaborative efforts
- Reduce number of studies.
- Suggest finding (or referencing need for) a law department that is researching the history of forest litigation to identify drivers, patterns, and motives.
- Work to make action items/deliverables more tangible with core elements/essentials identified.
- Make stronger reference to the goal of fostering community based collaboration/problem solving.
- Because the bar is continually raised for analysis requirements, emphasize the need for continued funding.
- Consider referencing the Six Rivers National Forest as having a template for applied research.
- Refine solution #2, 7, 8, and 9
- 2.18
  - Conveys impression that road building is occurring at a rapid rate when decommissioning is currently the main objective
  - Recommend allocation of funds to enable completion of travel management plans
- 2.19
  - #12: clarify that this is the result checkerboard management – risk of temporary roads
  - #16: volume targets: there were none – there was a probable sale quantity but no more than an allowable sale quality (for BLM it is a target)
  - #16: NWFP was an amendment to existing plans not a plan itself
  - #16: refine list
- Address transportation system conflicts and “push” the tension through the statements (e.g., road structure, as designed, is not adequate to address a restoration economy and removal of small diameter biomass
- Highlight importance of protection of ecosystem services:
  - Improving forest health conditions as the most cost effective way to address climate change
  - Protection of drinking water supplies
  - Sequestration of carbon

#### Next Steps:

The Natural Processes subgroup will refine the statements/solutions and circulate to the FFAC as soon as possible.

The following report framework was suggested:

- Keep the issue impediment statement

- Develop concise solutions
- Articulate a rationale that elaborates on the solution
- Separate specific action items in bulleted list

### **Board of Forestry Message**

The FFAC will provide an update on its work and direction to the Board of Forestry at their next meeting on March 5, 2008. Steve Hobbs will not be available for the presentation; Allyn Ford and Ralph Bloemers will represent the FFAC.

### **Draft Meeting Summary Review**

The January 7, 2008 draft meeting summary was approved by the Committee.

### **Summary and Next Steps**

#### **Subgroups: Synthesis and Older Forest Issues**

The subgroup work is providing the building blocks for the synthesis and integration work. Each of the established subgroups will meet to produce revised drafts within the next few weeks.

The Synthesis Subgroup will be comprised of Steve Hobbs (chair), Russ Hoeflich, Steve Grasty, Ralph Bloemers, and Chuck Graham. This group will meet by the end of February to draft an outline of the final document for discussion.

Ken Williamson and Dan Edge (chair) have agreed to serve on a new subgroup to address older forest issues. Selection of another member is pending. Rod Krahmer will staff the subgroup.

#### **Next Meetings:**

March 10, 2008 – meeting in Salem; speakers to be confirmed

Local Government: Ben Boswell or Mike McArther

State Government – TBD

Sustainable forest concepts – TBD

Legislative Concepts: Susan Jane Brown; a member of Senator Wyden's staff

WGA coordination issues

Social Sciences – Bruce Shindler, Susan Charnley PNW, or Bob Lee

April 4, 2008 – meeting in Burns – Funding Issues

### **Attendees**

***Committee Members:*** Chair Steve Hobbs, Ralph Bloemers, Allyn Ford, Steve Grasty, Russ Hoeflich, Bill Kluting, Annabelle Jaramillo, R. Wade Mosby, Daniel Edge, Ken Williamson, and Tim Vredenburg

***Staff:*** Rod Krahmer, ODF&W; Lisa Freedman, USFS; Mike Haske, BLM; Gil Riddell, AOL; Kevin Birch, Jeri Chase, Mary Schmelz and Gayle Birch, ODF

***Facilitation Team:*** Robert Fisher and Rob Williams

**Presenters:** John Gordon, Interforest LLC; Ivan Maluski, Sierra Club; John Shelk, Ochoco Lumber; Doug Robertson, Douglas County Board of Commissioners; Andy Kerr, The Larch Company

**Public:** Paul Beck, Herbert Lumber; Gary Springer, Starker Forests; Brett Kenney, Coquille Tribe; Chuck Burley, AFRC; Chris MacWhorter, Coquille Tribe; George Smith, Coquille Tribe; Ralph Saperstein, Boise Cascade; Chris Jarmer, OFIC; Rick Brown, Defenders of Wildlife; Dick Posekany, Frank Lumber; Wayne Giesy; Doug Heiken, Oregon Wild; John Audley, TNC; Rex Storm, AOL; Ian Yan, ODF; Walt Schutt, ODF; Chad Allen, ODF

**Written Material:** *Note - All written material and presentations provided to the Committee and referred to in this meeting summary are available on the Committee's website at:*

[www.oregon.gov/ODF/BOARD/FFAC.shtml](http://www.oregon.gov/ODF/BOARD/FFAC.shtml)

- John Gordon, Interforest LLC, written comments, and NCSSF “Beyond Old Growth” Pre-publication draft
- Ivan Maluski, Sierra Club, written comments
- Andy Kerr, The Larch Company, written comments
- Dick Posekany and Wayne Giesy, written comments
- Rex Storm, AOL, written comments
- Potential Solutions Reduced Timber Harvest Problem, version 1, version 2 and comparison
- Problem Statement/Potential Solutions – Natural Processes, version 2, version 3, comparison and alternative draft
- Western Governors’ Association Policy Resolution 07-13 – Achieving Sustainable Forests
- Most Pressing Problems List
- Meeting Schedule and Speakers