

BEFORE THE BOARD OF FORESTRY
STATE OF OREGON

In the Matter of the

JOHN AND MARIAN FORD
Appeal of Notice of Civil Penalty

) **DENIAL OF PETITION FOR**
) **RECONSIDERATION OR**
) **REHEARING**
)
) ODF Case No: 06-CN020

HISTORY OF THE CASE

On December 11, 2007, a contested case hearing was held in the matter of a Notice of Civil Penalty issued to John and Marian Ford. The relevant issue at that hearing was whether the Fords were liable to pay a civil penalty in the amount of \$500. A Proposed Order was issued December 31, 2007. On June 19, 2008, the Board of Forestry issued a Final Order incorporating the Proposed Order affirming that John and Marian Ford owe a civil penalty of \$500. On August 18, 2008, Mr. Ford filed by facsimile a request for Reconsideration or Rehearing. The Board of Forestry met by teleconference on October 15, 2008 to consider the request and after discussion, adopted this order denying the petition for reconsideration or rehearing.

OPINION

As his argument for reconsideration or rehearing, Mr. Ford alludes to a number of issues that are irrelevant to the request for reconsideration or rehearing or have been addressed in previous proceedings. Mr. Ford raises some issues about Board of Forestry ("Board") procedures. Copies of the hearing record were given to the Board members prior to making their decision. Pursuant to Oregon Department of Forestry regulations, a quorum of Board members met June 4, 2008, and as part of the day's agenda, adopted the Administrative Law Judge's proposed order as the Board's Final Order.

ORDER

Mr. Ford's Petition for Reconsideration or Rehearing is denied.



Marvin Brown
State Forester and
Secretary to the Board of Forestry

ISSUANCE AND MAILING DATE: October 15, 2008

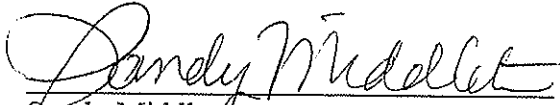
APPEAL

You may appeal by filing a petition for judicial review with the Oregon Court of Appeals within 60 days following the date this order denying the petition for reconsideration or rehearing was issued.
ORS 183.480

CERTIFICATE OF SERVICE

I certify that on October 15, 2008, I served the attached Order, Denial of Petition For Reconsideration or Rehearing, by mailing first class mail, in a sealed envelope, with postage prepaid, a copy thereof addressed as follows:

JOHN AND MARIAN FORD
39129 FISH HATCHERY DR
SCIO OR 97374



Sandy Middleton
Civil Penalty Specialist