

Agenda Item No.:	5
Work Plan Title & #:	Board Strategic Planning, Implementation and Monitoring Work Plan 1
IBI # & Title:	IBI 4 – Develop and Implement Board Work Plans
Presentation Title:	Principles and Guidance for 2011 Legislative Concept Development
Date of Presentation:	November 6, 2009
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SUMMARY

Work is beginning on development of concepts for bills that may be introduced during the 2011 legislative session. These bills represent an important opportunity to advance Board and Department goals, objectives and priorities, or to address barriers. The legislative concept development process, part of the Board’s and Department’s strategic planning cycle, begins with the crafting of guiding principles, and with presentation of an initial list of high-level concepts as a starting point for Board consideration. This agenda item seeks Board input and direction on proposed principles and on the initial concept list.

CONTEXT

Development of legislative concepts begins in the fall of odd-numbered years. The process involves interaction among multiple groups, including the Board, Department leadership, stakeholders and the Governor’s Office. Consistent with past cycles, it is expected that 2011 concepts will be due to the Department of Administrative Services (DAS) and the Governor’s Office in April 2010. Review at those levels generally focuses on alignment with agency and statewide budget and policy considerations, and with the Governor’s priorities.

Based on guidance received through this agenda item, staff will continue developing concepts, returning for additional direction at the January 2010 Board meeting, and presenting a near-final list of concepts at the March 2010 meeting.

Work generally continues after the April submission date, to refine concepts or to complete placeholder concepts not fully developed by that time. Staff will continue to consult with the Board throughout the process.

BACKGROUND AND ANALYSIS

Guiding principles

The agency's Leadership Team (District Foresters, Area Directors, Program Directors, Division Chiefs and Deputies, the Associate State Forester and the State Forester) has proposed a set of principles to guide development of legislative concepts. These are submitted for the Board's consideration:

2011 legislative concept development will . . .

- **Draw on key inputs.** Legislative concepts must align with other elements of the Board's and Department's strategic planning cycle, such as budget development focus areas; *Forestry Program for Oregon* objectives; sustainable forestry indicator information; Board and Department work plans and initiatives; and public input from the periodic issue scan and other sources. Other key inputs include the Governor's priorities, and proposals pending from past legislative sessions.
- **Consider the political and economic environments.** These factors may render some legislative concepts more viable, necessary or timely than others. This will require ongoing assessment as concepts are developed.
- **Consider feasibility / workload.** The number and complexity of concepts should reflect the Department's capacity to engage in the necessary outreach and legislative interaction.
- **Strive for balance in focus and scale.** Some concepts are relatively simple, non-controversial, and / or offer opportunities for "housekeeping changes." Others are larger in scale, and may connect to or establish major statewide policy direction. In addition to any concepts of the first type, it may be desirable to focus on just one or two strategically selected concepts of the latter type.

Initial concept list

The following list, presented for Board consideration and discussion, represents preliminary thinking about possible 2011 concepts.

Protection from Fire

- **Capacity and funding mechanisms and structures** to address issues including increasing costs and fire danger, landowners' economic capacity to keep forestland in forest use, and affordability of fire protection on lower site class lands. Proposed legislation could also identify new funding streams and provide efficiencies through use of advanced technology, such as statewide deployment of smoke detection cameras currently operating in a limited number of locations. Elements of the Wildfire Reduction Act, developed for the 2009 legislative session, may be adapted or retooled.
- **Solutions to address landowner liability concerns** associated with forest health-related prescribed burning.

- **Issues involving unprotected lands**, including funding streams, with possible provisions for emergency funding beyond normal sources when large wildfires occur on these lands.

State Forests

- **Seeking legislative authority for the Board to promote wind resource development on state forests.** Some state forestlands have significant potential to generate revenue from wind power. Ensuring that the Board has sufficient legislative authority is one of several major work areas that would need to be addressed prior to wind development. At the Department level, contracting mechanisms would have to be developed that comply with state law while meeting potential wind energy developers' needs. And the Board would need to address policy issues in integrating wind development into state forest settings.

Private Forests

- **Market-based incentives**, such as carbon markets or other ecosystem services, could assist in keeping forestland in forest use.
- **Transfer of development rights**, building on work of the 2009 Legislature, could also encourage retention of forestland.
- **Revisions to the Forest Practices Act in light of budget reductions** (particularly addressing mandates that the Department is not currently funded to fulfill).

Agency-wide

- **Possible changes in funding sources and structures across the Department.** An open-ended "placeholder" at this point, pending further, broad-based discussions.

RECOMMENDATION

The Department recommends that at the November 6, 2009 meeting, the Board review and discuss the proposed guiding principles and initial list of potential concepts, and provide direction on changes, additions or deletions.

NEXT STEPS

Based on Board guidance, the Department will engage with stakeholders and others in the continued development of legislative concepts, with ongoing Board consultation as the process proceeds.