

Comments to the Oregon Board of Forestry
Donald Fontenot, State Lands Issue Coordinator, Oregon Chapter Sierra Club

August 18, 2008

Board Members,

Thank you for the opportunity to address you today. My name is Donald Fontenot, and I am here today to express my deep concern regarding a recent inaccuracy in the Board of Forestry minutes.

As you know, at your June 4 meeting, the Board had an extensive discussion near the start of the meeting regarding a potential letter from the Board to the Governor and Senate leadership. At the end of the discussion, the Board came to consensus that such a letter would be written, signed, and sent. The State Forester, your Secretary, advised against such a letter.

Given this Board consensus, I expected the minutes to reflect this decision, and I expected that the content of the letter might be made public at the July 24 Board meeting. Instead, I was shocked to read the minutes of the June 4 meeting. The BOF formally came to consensus on June 4 that you would write and send a letter, yet the minutes read as follows:

The Board discussed the vacant chair position and two open appointments, as well as the appropriate venue to convey the message to the Governor and State Senate Leadership.

The minutes omit the fact that the Board came to consensus about sending this letter, and thus the minutes mischaracterize the events in a public meeting and the decision of a public body. We do not believe this omission accidental.

I am deeply disheartened by this manipulation of the public record. Why don't the minutes reflect the decision of the Board? If the Board decided not to write a letter, when and how was that decision made?

Our members rely on the minutes of Board meetings to accurately inform them of Board actions. And we also rely on the public meeting laws to inform us of the times and locations at which a quorum of the Board will assemble for decision making.

Expunging Board decisions from the minutes casts a dark light on the credibility of this body and reduces the confidence Oregon citizens can have in what should be an open, transparent, and fair public process.

My concern about this failure to record a Board decision is so high, that today I am submitting a public records request for ALL communications to and from the Board's

Secretary, Mr. Brown. I will provide a copy of this request to ODF staff. I hope you will direct Mr. Brown's prompt compliance with this request.

Sunshine is the best disinfectant. The Board could help remedy this unfortunate situation by providing the documents requested. The State of Oregon and its natural heritage deserve better.

Thank you again for the chance to address you today.

Donald Fontenot
State Lands Issue Coordinator,
Oregon Chapter Sierra Club

Mr. Brown, Jeff Foreman

Oregon Public Records Request

August 18, 2008

To: Jeff Foreman

cc: Marvin Brown

I am writing to officially request records under the Oregon Public Records Act.

- 1) Please provide all correspondences to and from State Forester Marvin Brown beginning Sept 1st 2007 to present. This should include all emails, text messages, and all correspondences from office and cell phones as well as personal digital assistants.
- 2) Please also provide a copy of the daily schedule for Marvin Brown beginning September 1st 2007 to present.
- 3) Please send to me the revised GIS layers for the SLI of the Complex Forest Structure in all three NW Districts. I'm willing to accept the draft version if it is not complete.
- 4) Please provide the decision paper regarding ODF changes to the stand structure algorithm.

Because several of the requests are quite simple and readily available, I would favor receiving information as it becomes available rather than waiting until you have gathered all the material. I would be more than willing to come in and inspect those documents if that could save time and/or expense. I am willing to accept these documents in digital or printed form.

Finally, I would like to request a waiver of fees. The Oregon Chapter Sierra Clubs feels that our ability to digest and disseminate the requested information will serve to better protect the best interest of the citizens of the State of Oregon from actions of the Oregon Department of Forestry. We believe the requested information relating to State Forest Management over the past 12 months and the information derived from those documents will assist in promoting ecologically sound and fiscally responsible forest management and would contribute significantly to public understanding of the operations and activities of the listed agencies. Our volunteers and staff have over a century of combined legal and forestry experience. We can disseminate information through our web site, newsletter and lobbying efforts and the results of this public records request may lead to litigation.

If you plan to deny the fee waiver, or plan to incur substantial costs, please inform me immediately.

Donald Fontenot

Oregon Chapter Sierra Club

235 NE Emerson St

Portland, Or 97211

503-704-3116

wildflag1@comcast.net