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2009 Oregon Board of Forestry Issue Scan Overview

The 2009 Issue Scan Process

Outreach and response: The Oregon Department of Forestry solicited input for the 2009 issue scan through stakeholder lists, news releases, and use of the Board of Forestry's web site. The issue scan should not be interpreted as a random sample of Oregonians' opinions.

Input also came from Department staff and from a statutory advisory committee to the Board, the Committee for Family Forestlands. Comments were collected electronically and through postal mail for a six-week period ending on May 22, 2009.

The Department received 215 suggestions from approximately 104 individuals and organizations. This is an increase from the 167 suggestions from 90 individuals and organizations who participated in the 2007 issue scan. The comments expressed a cross section of viewpoints on a broad range of subjects. However, some regions of the state, particularly Eastern Oregon, were not well represented in the comments received.

As in 2007, a substantial number of comments addressed the topic of pesticide use on forestlands. A significant number of comments in the 2009 issue scan were also received regarding perceived conflicts of interest within the current Board of Forestry configuration and on the importance of maintaining a diverse mix of native trees species in Oregon's forests. These comments were highly localized to Lane County where an interest group has been active in organizing citizen action on these issues.

Staff analysis: Department of Forestry staff allocated the issues received into 21 general subject areas (Attachment 2). Staff also reviewed each suggestion in relation to the Board's current work plans and recommended inclusion in one of the four following categories. The number of comments is in parentheses.

1. New topics not currently addressed in any of the Board's work plans.
 - 1A. Topics that could become the substance of a new Board work plan. (0)
 - 1B. Input that contains new topics or perspectives that could be incorporated into existing work plans. (23)
 - 1C. New topics that require additional staff work, after which they might become the subject of a Board Work Plan. (4)
2. Topics addressed in current work plans. (111)
3. Comments, often of a general nature, that don't relate to a specific work plan, but that may provide useful guidance to the issue scan work group or to the Board. (31)
4. Topics or comments that appear to be beyond the scope of the board's work.
 - 4A. Matters that are more appropriately addressed by another jurisdiction. (45)
 - 4B. Matters more appropriate for department staff to address rather than Board action. (1)

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Work group: The issue scan work group (Attachment 2), appointed by the Board, reviewed all of the received input. The group met on June 16, 2009 and participated in further dialogue via email to review and discuss the public input and the staff analysis and to formulate its recommendations for the Board. At the meeting, the work group accepted public comments from seven individuals about the issue scan process and on issues already submitted, some of which came from several of the same individuals in written form during the issue scan period.

Work Group Recommendations

General Recommendations

The work group expressed a general concern that some expectations for Board of Forestry action from the 2007 issue scan were not met, particularly in response to issues raised about pesticide use. Citizens expect the Board to be clear in communicating the actions it plans to take or not take in response to issue scans. Leadership is important and when the Board's response is unclear, its leadership is questioned by some citizens.

The work group also noted that concern may be increasing about the future of forests and forestry in Oregon. The fact that the Department of Forestry's own Leadership Team raised a concern about maintaining the relevance of forestry to Oregon highlights this issue. At the same time, the work group noted there is a perception of decreased confidence in the Board of Forestry.

Citizens may be more willing to support funding for the Department of Forestry if they see the Board accomplishing goals that are relevant to their concept of "forest." The group noted that the Board and the Department of Forestry face future challenges with reduced staff and funding but continuing high public expectations for action.

Board Work Plans are the mechanism for Board action. To increase public trust of the Board, Work Plans should include actions and outcomes that can be clearly monitored and accomplished. The work group as well as some issue submitters prefer finite, rather than open-ended, Board Work Plans.

The Board should ensure that multi-resource management is given careful consideration with respect to both State Forests management and services the Department of Forestry provides to the private forest sector and public at large, even where narrower mandates exist. By not doing so, the Board may overlook opportunities for compatible benefits. In addition, the Board should promote greater emphasis on interagency cooperation in addressing issues such as landslides and public safety that involve multiple agencies.

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Standout issues

Pesticide Issues

The 2009 issue scan comments with respect to forestry pesticides deal with five broad topics:

- Public health
- Scientific information
- Private property buffers
- Communication
- Board of Forestry responsiveness and credibility

Addressing the credibility question first will make addressing the other topics easier.

A perception emerged from the 2007 issue scan that a scientific literature review on forest pesticides would take place. While Board of Forestry meeting minutes reflect discussions that did take place on this topic, it remains unclear to some citizens why that review was not completed and why their expectations were not met. Citizens should be respected for their concerns and the Board should communicate better on what it is doing or unable to do to address their concerns. Feedback is important.

The Private Forest Program staff informed the Issue Scan Work Group in 2007 that it recommended a systematic evidence review. It is important to note this is not the same as a literature review. This topic was elevated to the Governor's Office since it had implications for multiple state agencies, but the integrated, multi-agency response did not take place. Follow-up communication with the citizens whose comments originally triggered this proposed action was inadequate and not timely.

The issue scan work group recommends that the Board direct the Department of Forestry to develop responses to the pesticide issues that have been raised and to support those agency responses. At a minimum, existing information on the toxicity and environmental and human health risks of common forestry pesticides could be compiled and made publicly available. Such a compilation could build on the pesticide-related elements of the forest practices cumulative effects study done for the Department of Forestry in the 1990s and the record that led to the adoption of the current forest practice chemical and other petroleum product rules in 1996.

Some members of the work group believe front-line Department of Forestry personnel would likely appreciate having more information available to respond to citizen concerns regarding pesticides. They are currently doing their best with limited information.

Given the localized, organized nature of the comments received on forest pesticides, the Board may wish to learn more about extent and substance of public concerns about forest pesticide use in the state.

There is still interest in elevating the issues raised for forest pesticides up to a multi-agency response, as similar issues exist in other land use settings. The 1995 Memorandum of Agreement between the Oregon Department of Agriculture and the Board of Forestry highlights

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the interagency approach Oregon uses regarding pesticide regulation. Further clarification of the extent and limits of the Board's role is needed. Even within current limits, the Board may have the capacity to influence how other state agencies address forest pesticide use. The Board may also wish to review and, if necessary, update the Memorandum of Agreement and the 1995 guiding principles it adopted prior to development of the current Chemical and Other Petroleum Product forest practice rules (OAR 629 Division 620).

The Department of Forestry staff analysis of the issue scan comments allocate many of the pesticide issues submitted to Category 2: Topics addressed in current Work Plans. But the staff comments on multiple issues seem to indicate some of these issues are outside the Board's authority. This creates confusion and situations where the Board or Department may appear unresponsive. Either the Category 2 pesticide issues should be redirected to another appropriate state agency or the relevant Work Plan(s) should be modified to truly address these issues.

Board of Forestry Communication

Board of Forestry credibility is dependent on excellent two-way communications with Oregonians and an attitude of humility and continual learning. A perception by some citizens that the Board believes some issues or comments are less important than others does not build credibility. The public expects a Board culture of continued shared learning and not an attitude that the experts always know what's best.

The Board needs to be clearer in identifying issues it intends to address and those issues that will be addressed by Department of Forestry staff. Focus and prioritization are important.

Major issues before the Board and related upcoming decisions could be highlighted more prominently on the Department of Forestry web page (see also comments under "Forest Practices"). The Board could take steps to ensure that organizations and individuals are informed when topics in which they have a high level of interest are coming before the Board for action or discussion. Department staff is already increasing the presence of Board information on the Department web site and updating Board's stakeholder and email lists.

Conservation of Native Plant and Animal Populations and Habitats

The Oregon Department of Fish and Wildlife has used the Oregon Wildlife Conservation Strategy as a valuable product to increase the relevance of the Department and its work. The Conservation Strategy is designed to address voluntary wildlife conservation emphases. But even with the Conservation Strategy in place, Oregon continues to lack an overarching state policy on native plant and animal population and habitat conservation to guide regulatory and non-regulatory policies across land uses. This issue was raised in the 2003 *Forestry Program for Oregon* and appears again in the proposed revisions to the Board's Private Forests Work Plan. However, this issue is broader than just Private Forests and applies to public forests also. The Board may want to consider expanding discussions linking the Conservation Strategy to this broader policy discussion. The Board may also want to direct the Department of Forestry to play a more active role in the next update of the Conservation Strategy and in Strategy implementation.

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The 2008 Farm Bill requires an upcoming statewide forest assessment that should be coordinated with the Wildlife Conservation Strategy, local governments' natural features inventories, and rural and urban reserves designation processes. All of this information will be useful for future Board of Forestry work.

Forest Practices

Beyond pesticide use and clearcutting, the Board and the Department of Forestry should be more actively engaged in two-way communication regarding today's forest management practices and the benefits and risks associated with their application. A recent Oregon Forest Resources Institute report on clearcutting is an example of a useful tool for promoting informed dialogue.

Current budget cuts threaten to short-change education and outreach regarding forest practices. Building partnerships outside the Department of Forestry can create "ambassadors," individuals and organizations who can share forest management information and knowledge and explain current forest practices and regulations with colleagues and members.

The Department of Forestry website could be redesigned to lead interested citizens more quickly to information about forest practices that are of wide concern. Current fact sheets are useful but just the tip of iceberg -- other references and links to more detailed information would help address more specific questions and concerns.

Climate Change

Climate change adaptation and mitigation may be an issue that warrants its own stand-alone Board Work Plan. At the very least, citizens should be able to gain a clearer picture of the Board's response to climate change from actions proposed in its other Work Plans. Highlighting a climate change policy response will enhance Board credibility. For example, it is not clear how climate change was considered in the recent State Forests management plan change. Addressing forest ecosystem services may be part of the Board's response to climate change.

Urban and Community Forestry

The issues surrounding urban and community forestry need further Board consideration. Measureable products were not evident from the first urban and community forestry Board Work Plan. The topic is highly relevant to urban and suburban Oregonians and provides a chance to build new partnerships. The Board may wish to explore ways local governments can capitalize urban and community trees to secure bonds for funds for tree maintenance.

Invasive Species

The Board of Forestry's response to invasive species issues should be coordinated with the Oregon Invasive Species Council and, in particular, with the Oregon Department of Fish and Wildlife's policies and programs. This is another area where continued partnerships with outside agencies and non-governmental organizations could benefit forest owners and users.

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Other Work Group Comments on Specific Issues

Issue 182: Leave tree banking. The work group thought this was an interesting concept worthy of further review and discussion.

Issue 200: Manual vegetation release pilot program. The work group believes existing information is available to evaluate the costs and benefits of manual versus chemical vegetation release methods.

Issues 164 and 201: Funding and program delivery. To preserve its ability to protect and enhance private forests and to ensure best practices, the Board needs to tackle alternative Department funding mechanisms, including examination of program delivery models that can be implemented with realistic funding.

Issue Scan Critique

1. The issue scan work group liked the new formats for the two issue scan summary reports produced by the Department. The database should be modified to allow issues to be assigned to multiple Department programs for comment when they apply to more than one program.
2. Clarification is needed on the intended disposition of issues allocated to Category 3: General comments not related to a specific Work Plan. If these issues are not added to a Work Plan, how are they addressed by the Board and the Department?
3. Parties who submitted comments should be informed about their disposition prior to presentation of the work group report to the Board of Forestry. The Board should do a better job of letting citizens know how the Board will respond to their issues.
4. The Board should use the issue scan process to probe for the larger issues that may be behind the submitted topics. Oregonians want to be confident that the Board is on top of the big issues and not just dwelling on details.
5. The Board should evaluate the effectiveness of the current issue scan process in helping the Board understand what is on the mind of Oregonians and whether there are reasonable ways to improve the issue scan to maximize its usefulness.
6. The Board may wish to examine whether the relatively small number of responses to the 2009 issue scan reflects a lack of Oregonians' interest in or concern about the Board's work or Oregonians not being as aware as they could be about the availability of the issue scan process. The Board should also continue to evaluate whether the issue scan is reaching stakeholders in all parts of the state, including developing alternative ways to generally assess and consider the views of the many Oregonians who did not submit comments.

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7. Department staff was given a very short time period to respond to a large, diverse set of submitted issues. In the future, the Board should schedule the work group's first meeting several weeks after the close of the issue scan submission period. For the 2009 issue scan, department staff should be given additional time to modify its staff comments made on the submitted issues in light of the work group's evaluation prior to presentation of the work group report to the Board.
8. The addition of recent Oregon Forest Resources Institute Oregonian values and beliefs survey results to the issue scan work group process was useful. However, it would have been helpful if the slides used in the presentation could have been provided in advance. Consider a similar presentation at an upcoming Board meeting.
9. Allowing public comments at work group meetings within the context of issues already submitted during issue scan work group deliberations was useful, although time limitations could present some challenges if many individuals ask to speak or if duplicative comments do not markedly illuminate the issues.
10. One example of an issue where it may be helpful and appropriate to learn more is the question of the breadth, depth, and nature of concern about herbicide use in the state. Is this a localized issue or one that exists on a larger geographic scale?
11. The Board may wish to consider the addition of an unaffiliated public member and an unaffiliated forest landowner to future issue scan work groups.
12. Consider making audio recordings and a written record of future issue scan work group meetings, including copies of presentation materials, available to the public to ensure the process is transparent and accountable.
13. A more structured, facilitated format is recommended for future issue scan work group meetings.