Committee for Family Forestlands
Meeting Minutes
May 22, 2012

Pursuant to public notice made by news release with statewide distribution, a meeting of the Committee for Family Forestlands [an advisory body to the Oregon Board of Forestry with authority established in Oregon Revised Statute 526.016] was held on Tuesday, May 22, 2012 at the Oregon Department of Forestry, Operations Building D, Santiam Room, Salem, Oregon.

Committee Members Present:
Craig Shinn              Rick Barnes
Susan Watkins           Sarah Deumling
Mike Cloughesy          Joe Holmberg
Scott Gray              Brad Withrow-Robinson
Rex Storm               Roje Gootee
Sara Leiman

ODF Staff Present:   Guests:
Lena Tucker             Eric Crum
Linda Ellis             Gary Springer
Cynthia Orlando         Marganne Allen

A. Welcome and Review of the Agenda
No changes to the agenda.

B. Approval of Meeting Minutes
Revisions were made to clarify the Oregon Health Authority (OHA) discussion on pesticides and test results by performed by PARC. Gootee’s comments in particular were also appended to clarify the intent of her observation and concern regarding OHAs position on unmanaged forests. Minutes were approved as revised.

Leiman expressed concern that the draft minutes are on the public website for everyone to see.

Action Item: Ellis will not continue to post a link to the draft minutes on the webpage but will instead send a link to committee members only.

C. Eastside Forest Summary and Landscape Assessment Toolkit – Eric Crum & Mike Cloughesy (Handout: Eastern Oregon Forest Summary, authors Eric Crum and Mike Cloughesy)

Eric Crum provided an overview of the toolkit and maps available on the website (knowyourforest.org) which is managed by OFRI. The toolkit was developed for the Federal Forest Advisory Committee collaborative groups to assist with direction in managing federal forests.

The maps detail conditions on eastside federal forestlands and are interactive allowing the user to compare the different attributes of a particular tract of forestland.

The Committee provided suggestions to Crum and Cloughesy for improved usability, one being to expand the toolkit to include private forestlands data layers.
End of presentation discussion points:

- **Barnes**: Very useful tool. Suggestions: Ensure the colors are consistent from map to map. Log mill competition issue on the eastside is an important issue. Regarding the model: Who owns the model and can data be added to expand to the westside?
- **Crum**: All the data sources are public and the GIS data would be available for use. Decision needs to be made on where the data is stored.
- **Shinn**: Suggested that INR be the logical data warehouse.
- **Gootee**: Suggest refining the ownership map to break out the private ownership category into industrial and family forestlands. Refine the forest type map to include those forest types that are missing. Fabulous and exciting tool.
- **Shinn**: In the NE corner there may be additional mixes of forest types (i.e. cool/moist-mix conifer type)
- **Gootee**: Lodgepole pine is a smaller component; however, it isn’t showing up in the data.
- **Gray**: Likes the idea of the table for the mills; focus on what type of product/log the mills prefer. Update the timber harvest data. Include text to show the change in federal harvest levels from the 1980s to present time. Great presentation.
- **Deumling**: Reaffirm Gootee’s comment to delineate the small family forestlands ownership. Perhaps include text to explain that this is a snapshot in time and things do change.
- **Springer**: Include a statement or subtitle to show who the intended audience is for this document.
- **Watkins**: The tool with the layering aspects would be helpful for a mill or biomass facility owner to help understand who to reach out to. Suggest using an editor to refine the text in the document.
- **Holmberg**: Vital tool. Useful to take this powerful visual tool to an elected official and show the insect/disease or fire issues and convince politicians that management is needed.
- **Storm**: Add family forestland ownership layers. Suggest that a 10-year image of insect/disease and fire trends would be helpful. Show sawmills and biomass facilities but also include chip facilities. Refine the distance to the mill map layer so that reality on the landscape is not misrepresented. Could use maps that show which lands have more than one market. Final map should consider integration of multiple variables (distance to the mill, multiple markets, and which product groups mills accept).
- **Withrow-Robinson**: Perhaps a small case study in the text that describes the situation regarding mills, product groups and distance from forestlands.
- **Deumling**: Who is the intended audience?
- **Cloughesy**: The collaborative groups are the intended audience.
- **Leiman**: Fill-in the gaps of forest types in the forest type layer. How is juniper defined as forestland in the maps? Can forestland be delineated from range land; agricultural land; juniper? Refer to forestland vs. non forestland map.
- **Springer**: A different story could be told if the mill infrastructure map was expanded to include western Oregon.
- **Crum**: How could this be put into a broader tool that is helpful for the collaboratives? What makes this helpful in the broader sense?
- **Shinn**: Ownership types are important to delineate. Overall this tool tells the right story.
- **Cloughesy**: Is this group interested in reviewing another draft? - Yes.
- **Gootee**: Collaboratives focus on helping to manage the federal forests. Need to remember that private lands are interlinked. Need to think outside the silos – insects/disease/fire crosses ownership boundaries.
- **Shinn**: Choose a date for when this product is considered finished.
D. Mid-Coast TMDL Process Update – Marganne Allen

Overview of the Clean Water Act – requires states to establish water quality standards.

What is a TMDL (total maximum daily load)? Calculation of the maximum amount of a pollutant that a water body can receive and still safely meet water quality standards. Data analysis would include review of natural pollution sources, waste load allocation for point sources and load allocations for non-point sources to establish if a water body meets the water quality standard. Focus is on eliminating the excess load in a water body after load allocation (point source and non-point source), reserve capacity, and a margin of safety are identified.

- *Shinn*: TMDLs were identified as a strategy to assist with the challenge of managing non-point source pollutants.

Allen reviewed the Mid-Coast TMDL project timeline. Links are available on the CFF website.

- Landowner Stakeholder Advisory Committee started in March 2012.
- Emphasis is on temperature and sediment. Bacteria are another area that will be reviewed. Review will continue into 2013. Implementation will continue into 2014.
- Implementation-ready TMDLs differ from a standard TMDL in that a review of existing rules and plans is completed to determine if they are sufficient to meet the needs of the TMDL. This sets the baseline BMPs and provides a recommendation on how to solve the issue. ODF will work closely with DEQ to maintain the relationship and maintain the enforcement of the BMPs in one agency (ODF). The implementation-ready TMDL is the desired process to resolve the CZARA lawsuit.
- This process has to be developed by ODF/DEQ together and accepted by EPA. The intent is that the process be determined to be sufficient to satisfy the lawsuit.
- Temperature will be the first topic for the technical working groups. The Technical Working Groups (TWGs) will focus on the specific pollutants and the issues surrounding them.
- Dr. Jeremy Groom will represent ODF on the Temperature TWG.
- DEQ will be doing a modeling exercise on site potential vegetation (another component of the temperature standard review).
- While the BOF is conducting a rulemaking process for riparian protections on small and medium fish streams, the BOF process will not be sacrificed to meet the TMDL deadline. These are two different processes.
- Ongoing sediment technical work includes roads, landslides, large woody debris and stream bank conditions.
- The Roads TWG begins work in July; Landslides TWG in September. ODF will have members on these groups.

*Questions and comments:*

- *Shinn*: How will the CFF be involved in the TMDL process? One take-home message is that this process will likely be precedent-setting as it is expanded to apply to the North and South Coast areas.
- *Allen*: When the technical working group finishes their work, this would be a good point for this group to offer comments.
- *Shinn*: Suggest we keep in touch with the process and participate in the formal public review.
• *Allen:* The Local Stakeholder Advisory Committee (LSAC) meetings are open for public participation.

• *Storm:* Are the technical working groups open for anyone? Could members of this committee get involved?

• *Allen:* The TWGs are open to people other than the LSAC members. **Will look into membership requirements to see if Rex can get involved.**

• *Shinn:* Can a committee member monitor the DEQ website to keep the group updated on the timelines and progress?

• *Barnes:* Volunteered to check the website regularly and alert the group on timelines and work progress.

Note: Questions raised by the CFF have been researched by Marganne Allen with the DEQ. The answers are provided in the attached Addendum.

E. **Working Lunch - Riparian Protection Standards Rulemaking Analysis – Marganne Allen**

(Refer to handouts)

Allen provided a handout for public input describing a range of alternatives for the ongoing rule analysis of riparian protection standards on small and medium fish streams. The goal is to develop alternatives for riparian protection standards that maintain and promote shade conditions on small and medium fish streams and achieve the protecting cold water criterion. The initial list was generated from the May 2012 meetings of the North- and Southwest Regional Forest Practice Committees and will be circulated to receive input from the Eastern Regional Forest Practices Committee as well. This document will continue to be updated as Committee member ideas and comments are incorporated. CFF's comments are also welcome.

A condensed version of all the alternatives provided will be presented to the BOF at its July meeting.

All comments and input should be submitted to Marganne Allen (Field Support Manager, 503-945-7240, mallen@odf.state.or.us) no later than Friday, June 8 (refer to handout for additional details).

Comments:

• *Leiman:* Concern on defining regulatory vs. non-regulatory approaches.

• *Shinn:* Take into consideration that if the guidance becomes too complex, the response from family forestland owners is that they will not participate.

• *Watkins:* Whatever standards are adopted, they should be flexible enough to change if the data changes over time.

• *Watkins:* Is there a potential for landowners to get a credit if they have done a good job of managing riparian areas and reducing water temperatures?

• Is there a possibility to opt out of certain riparian areas if it can be shown that those riparian areas meet the cold water criterion?

Discussion on stewardship agreements and regulatory certainty:

• *Storm:* Landowner assistance – use ODF riparian specialists to provide education and guidance to assist family forestland owners.

• *Barnes:* Make sure the avenue is left open down the road to review other changing dynamics/science.
Withrow-Robinson: What is the role of time in these alternatives? Operations change conditions; however, “no action” also has an impact on conditions. Conditions are not static. This is regulatory focused not ecologically focused.

Allen: It is important to note that this is about not having human disturbance affect stream temperature.

Gray: RipStream only took in data from top of the harvest unit and bottom of the harvest unit; and did not take into consideration the entire watershed.

Allen: The immediate downstream portion of a harvest operation was determined to be the maximum point of impact for temperature.

Cloughesy: Important to include non-regulatory alternatives. Suggest a range of actions that could be built into alternative practices.

Gootee: We should be outcome-oriented. Likes the shade standard option rather than managing for vegetation. Noted that Washington’s regulatory package is tight but there are many voluntary measures that are outcome-oriented. There is also a non-prescriptive alternate plan option for any landowner to utilize.

Leiman: Noted that it is uncommon for landowners to use the alternate plan options here in Oregon.

Shinn: CFF is interested in the outcomes but wants to make sure that family forestlands can “get there” and not just walk away from management.

Watkins: The BOF will also define maximum extent practicable. Can this group weigh in on that definition?

It was noted that this group will have an opportunity to review the refined list of the alternatives and some of the science before the November BOF meeting.

F. Annual Report Preparation – Craig Shinn

Four main topics that were discussed this past year:

- Biomass letter
- Family forest tour
- Eastern Oregon forests
- Water quality related issues

The BOF small woodlands tour was a key highlight in the Committee’s work. Is there potential to include this in the work plan for every other year?

Future Work Plan Ideas: (topics ranked by total points; 1=3 pts; 2=2 pts; 3=1 pt)

1. Water issues - TMDL, RipStream
   ✔ 8-1s = 24 pts
2. Critical infrastructure; capacity of contractors and mills that purchase small woodlot products; connecting across ownerships – large:FF
   ✔ 6-1s; 1-2 = 20 pts
3. Family ownership of forestland (taxes, financial issues, next generations)
   ✔ 6-1s; 1-3 = 19 pts
4. Eastside white paper
   ✔ 5-1s; 1-2 = 17 pts
5. Fire Protection Funding
   ✔ 5-1s; 1-2 = 17 pts
6. Oregon Legislature 2013
   ✔ 5-1s = 15 pts
7. PF program stem to stern review → Information and communication with family forestland owners; outreach to the public regarding family forestland issues
  ✔ 4-2s; 3-3s = 11 pts
8. Spotted owl critical habitat – monitoring
  ✔ 1-1; 3-2s; 1-3 = 10 pts
9. Positive impacts of family forestlands
  ✔ 1-1; 2-2s; 2-3s = 9 pts
10. How can CFF influence federal policy (Farm Bill); explore the range of (state and federal) incentive programs available to family forestland owners
   ✔ 1-1; 2-2s; 2-3s = 9 pts
11. Family forestland owners in the landscape – adjacent lands issues
   ✔ 1-1; 2-2s; 1-3 = 8 pts
12. Recruit federal partner to the committee
   ✔ 1-1; 2-2s; 1-3 = 8 pts
13. Update on uniform plan (topic for a meeting)
   ✔ 1-1; 1-2; 1-3 = 6 pts
14. Compliance audit
   ✔ 1-1 = 3 pts

G. Communication and Other Business

1. Planning for June tour - Gootee
   - Gootee provided a brief overview of planned activities and logistics.
   - Linda will work with Roje in finalizing an agenda and logistics planning. Departure time from the ODF compound was moved to 8:00 a.m. on Sunday, June 3.

2. Charter Revision
   - Minor formatting revisions noted and Linda will prepare final for review at June meeting.

3. Member Renewals
   - It was suggested that an internal ex-officio membership term table be developed for the Committee’s use only.
   - The proposed CFF voting members’ appointment schedule was reviewed and approved.
   - Watkins was unanimously nominated by the Committee for reappointment as Vice-Chair; proposed approval will go before the BOF at their July 26 meeting.
   - Cloughesy suggested Cindy Glick – USFS Sweet Home District Ranger – as the federal partner on the CFF.

Other Business:

Mike Cloughesy was awarded Oregon Forester of the Year by the Society of American Foresters (SAF). Congratulations Mike!

Susan Watkins attended the BOF/EQC meeting and reported her observations on process differences between the two agencies; new board members engagement; and summary of the field tour.

Shinn: Take-home message - take advantage to be engaged with different agencies/stakeholders when the opportunity arises.

Holmberg: June 16th – Howdy Neighbor Tour – Linn County; June 23rd OSWA annual meeting – Washington County tour; June 30th tour in Klamath Falls.
Cloughesy: Starker tour to the Alsea paired watershed study is full; may do an additional tour later in the summer and will send CFF members the details.

Shinn: Will be sending the letter on riparian protection standards to BOF. Watkins is drafting a letter to OHA and will send this out for review. OFRI invited CFF to write an op-ed piece based on the biomass letter that the committee composed last year. Suggest that an op-ed is not the appropriate format, rather review the format of the biomass letter and make sure that it is in a format that could be readily available as a white paper.

Shinn: June is last business meeting of the year. Linda will send out a doodle poll to set September-December meeting dates.

There being no further business the meeting was adjourned by Craig Shinn at 3:15 p.m. The next meeting is scheduled for June 3-5, 2012 in John Day and Rush Creek Ranch in Ritter, Oregon.

/s/
Lena Tucker
Committee Secretary
Committee for Family Forestlands
June 1, 2012
Addendum

Mid-Coast TMDL

Q & A

Committee for Family Forestlands

Questions – ODF
Answers - DEQ

1) Can anyone from the public (non-LSAC members) be on the TWiGs?

TWG members are identified by recommendation from LSAC members (including self-selection) and nominations from others. DEQ retains final invitation/confirmation. From the Operating Principles:

TWGs may include:

- Self-selected members of the LSAC with technical expertise or particular interest
- Other technical experts from stakeholder organizations represented on the LSAC
- Invited “outside” parties with particular expertise on an issue to engage in review, discussions and provide input or opinions, as needed. (TWG members who are not regular, active participants in the LSAC will be encouraged to attend LSAC meetings as observers.)

The desired expertise, knowledge and experience for the Temperature and Sediment TWGs is identified in the Action Items memo from May 16 Meeting. If the number of volunteers and nominations we receive exceeds the objective (also expressed by some LSAC members) of assembling an efficient working group, we need to sort through that list and make final decisions about composition and expertise represented. We received a large number of names for the Temperature TWG and expect a similar robust response for the Sediment TWG.

2) What is the range of outcomes if EPA does not approve the TMDL? We discussed that EPA could step in and conduct the TMDL themselves. Are there other potential outcomes?

That is a hypothetical question and we cannot anticipate or speculate on all possible outcomes. However, two possible outcomes are: (a) EPA has authority to issue TMDLs if the state does not take action or the TMDL is not approved by EPA, and (b) EPA could also disapprove the TMDL and ask the state to redevelop the TMDL.

3) Is the website the main way (aside from the meetings) that DEQ will be communicating progress to the public on the mid-coast TMDL process? Basically, the Committee is wondering how they can best monitor going’s on but not necessarily attend every LSAC or TWG meeting.

Yes, the website is currently the main forum for DEQ to provide information outside the LSAC meetings. In addition, LSAC members are expected to communicate with their constituencies (see operating principles). We are also discussing holding an “Open House” as part of the Mid-Coast TMDLs stakeholder involvement process to reach out to the general public, but nothing has been finalized or scheduled. We would announce the event at least 4 weeks in advance. Finally, a public comment period will be announced on the proposed (draft) TMDLs (OAR 340-042-0050).