Pursuant to notice made by press release to newspapers of general and local circulation throughout the state and distributed to persons on the mailing list of the committee and the members of the committee, a regular meeting of the Forest Trust Land Advisory Committee (FTLAC) was held at the Department of Forestry in Salem, Oregon.

**Present Committee Members:** Tim Josi, Tillamook County Commissioner, Chair; Jim Bernard, Clackamas County Commissioner, Co-Chair; Patricia Roberts, Clatsop County Commissioner; Anthony Hyde, Columbia County Commissioner; Chuck Hurliman, Tillamook County Commissioner; Alex Cuyler, Lane County (for Commissioner Stewart)

**Present Department Staff:** Mike Bordelon, State Forests Division Chief; Liz Dent, State Forests Deputy Division Chief; Mary Schmelz, Office Manager, Public Affairs; Mike Totey, West Oregon District Forester; Dan Goody, Tillamook District Forester; John Barnes, Policy and Planning Specialist State Forests; Kevin Weeks, Information Officer, Public Affairs; Dave Lorenz, Southern Oregon Area Director; Mike Cafferata, Forest Grove District Forester; Andy White, NW Oregon Area Director; Ed Deblander State Forests Asset Management Manager

**Present Others:** John Lindsey, Linn County Commissioner; Gary Springer, Oregon Board of Forestry; Gil Riddell, Council of Oregon Counties; Bob Van Dyk, Wild Salmon Center; Kristina McNitt, Oregon Forest Industries Council; Mike Powers

**July 10, 2012 Minutes**
Patricia Roberts: Motion to approve minutes. Second: Anthony Hyde. All in favor. **Minutes approved.**

**Implementation Plans:** Phasing in Harvest Levels: Astoria and Forest Grove districts, Andy White

**Background:** The 2010 revision to the NW Forest Management Plan (FMP) resulted in revision to Astoria and Forest Grove district Implementation Plans (IP’s) so that they aligned with the FMP. Complex structure changed by increasing the harvest level from 40/60 to 30/50 and habitat conservation strategies changed focus from a Habitat Conservation Plan to a Species of Concern approach. These changes were approved with a “phased in” approach which would defer the increased harvest level for up to 12 years while policy issues prompted by the Institute of Natural Resources report were being addressed.

Phase in 2013: The agency is now at a point to phase in harvest levels in the Astoria and Forest Grove districts for fiscal year 2013. Any volume that was deferred in 2012 will be “picked up” in fiscal years 2014 and 2015.

Tillamook District: Revision of the Tillamook district IP was planned concurrently with the Astoria and Forest Grove districts’ IP revisions, however, there were issues with Tillamook’s data. Those data issues are being addressed. Revisions are now planned for completion by 2014.
**Action Item:** Chair Josi asked that the Tillamook district make him aware when modeling begins.

**Public Comments**  
No public comment.

**WALT Revenue/Timber Accountability Database Update,** Ed Deblander  
**Background:** The database the agency was using for timber sale accounting and revenue tracking was outdated (built in the 1990’s) and not meeting the agency’s needs. Replacement was given high priority. A company called Cengia is working with the agency to create a more efficient database, with the long term goal of integrating most of State Forests’ information systems (i.e., permits, timber sale purchases, purchaser information). Other forestry public agencies (e.g., in Minnesota and Ohio) have worked with Cengia, as well as private companies such as Plum Creek, who was very satisfied with Cengia’s work to improve their business operations.

**Cost:** $900,000 development costs; $80,000 annual license fee: planner/forester/GIS and contractor

**Marbled Murrelet Lawsuit,** Mike Bordelon  
**Background:** A suit was brought against the Department of Forestry, the Department of State Lands, directors for both agencies, and some district foresters. Three environmental groups allege violation of the federal Endangered Species Act requirement to avoid “take”. There are significant implications in this lawsuit for the state and other non-federal landowners. The litigation applies to the Elliott State Forest which is principally Common School Lands and the Clatsop and Tillamook Forests which are principally Board of Forestry lands. A trial date will likely be set for summer 2013. Currently the case is in the discovery stage. Some parties, including forest industry representatives, are intervening in the case.

**NEDC,** Liz Dent  
This case has been accepted for review by the Supreme Court on December 3, 2012 in Washington DC. The state is making the argument that the Ninth Circuit Court overstepped their bounds and unraveled EPA’s interpretation of their own law. The agency is taking the position that when the court declared ditches and culverts as point sources and possible industrial sites, it was a misinterpretation of the EPA and the Clean Water Act.

**November 7, 2012 Board of Forestry agenda items of interest,** Mike Bordelon and John Barnes

- Private Forests: Continuation of Riparian Protection Rule
- Conservation Area rulemaking

**Background on Conservation Areas:** In July 2012 several options were presented to the Board in an effort to make existing conservation areas on state forests more visible.

**Direction from Board of Forestry:** Amend the framework of the Forestland Management Classification System to show areas that are currently being managed to emphasize conservation values. This approach reflects the FMP, which takes into consideration the dynamic nature of forests and has provisions to make those adjustments.

At this point the visibility of these areas will be improved; durability will be addressed in the future. The current land classification has three broad categories: general, focused and special stewardship. The
third category, “special stewardship”, is being divided into two other categories: special use (i.e., easements, transmission categories, etc.) and high value conservation areas (i.e. aquatic and riparian habitat, wildlife habitat, threatened and endangered plants, etc.)

Review of pre-draft language: The definition of a conservation area began with the current language under special stewardship “the areas of the forest where natural resources are present which require a level of protection that precludes the integrated management of all forest resources”. These lands are committed to a specific conservation value and management of these areas is limited practices compatible to that specific conservation value. Opportunities for wordsmithing the pre-draft language will be available during the rulemaking process.

Chair Josi mentioned that the FTLAC has not been able to review the draft rule, which he said impedes the FTLAC’s role as an advisory committee. Chair Josi commented that two tenets need to be met:

1. A provision to take lands in and out of conservation areas
2. The ability for these lands to be managed, in a restricted manner, when it makes sense

The FTLAC expressed that the committee should concur with any lands that would be classified under the high value conservation area. John Barnes said that is addressed in other parts of the rule – for instance, in the chapter entitled “Consultation Forest Trust Land Advisory Committee”.

Summary of next steps: It is expected that the Board will initiate the formal rulemaking process at the November 7 2012 meeting. If planning continues along the current timeline, public hearings will be held in March, 2013. After hearings, the rule and hearing results will return to the Board for review in 2013.

Update on Financial Viability process, Mike Bordelon and Liz Dent
The agency provided the interim report to the Board in July 2012. The interim report addressed short term recommendations, such as the Implementation Plan volume increases in the Astoria and Forest Grove districts, which will bridge funding until long term recommendations can be implemented. A next step is the development of a financial plan which would include 2/3 of the revenue going to the counties, schools and local taxes and the agency retaining 6-12 months of revenue in the Forest Development Fund. Improving the ability to consolidate Board of Forestry and Commons School Lands will be considered. An external high level panel will review the interim report recommendations and offer feedback on a proposed financial plan.

At the July 2012 Board meeting a plan to look at alternative forest management strategies was discussed with the Board because the current strategy doesn’t meet the agency’s goals. The intent is to have scientific analysis of alternative forest management strategies developed for review prior to finalizing policy decisions.

Good of the order: Commissioner Roberts and Commissioner Hurliman were thanked for their service on the committee. Both commissioners’ terms will end in 2012.

Adjourn