Southwest Oregon
Regional Forest Practices Committee
Meeting Minutes – November 18, 2013

Pursuant to public notice made by news release with statewide distribution, a committee meeting of the Southwest Oregon Regional Forest Practices Committees [an advisory body to the Oregon Board of Forestry with authority established in Oregon Revised Statute 527.650] was held on November 18, 2013 at the Douglas Forest Protective Association meeting room in Roseburg, Oregon.

Committee members present:
Brian Schlaefli
Dana Kjos
Dave Erickson
Mike Meredith
Dale Cuyler
Mike Maguire
Sanford Hillman
Eric Farm

Not Attending:
Dan Fugate

ODF staff present:
Angie Johnson
Lena Tucker
Marganne Allen
Susan Dominique
Kristina Sheppard
Kathy Mathews
Jay Morey
John Seward
Keith Waldron
Jay Walters
Tuch Koreiva
Stacy Savona

Guests:
Gary Springer, Board of Forestry/Starker Forests
Bud Long

Call to Order
Chair, Brian Schlaefli called the meeting to order at 09:15 a.m. He provided explanation to new members of how the meetings are run by parliamentary procedure. New members the BOF appointed are Dave Erickson, Mike Meredith, Eric Farm and Sanford Hillman who is the new public member for this committee. Members who had finished their term were Bud Long, Nancy Ames, Shaun Harkins and Ken Hendrick.

Item 1 - Welcome, Introductions – Brian Schlaefli
Brian welcomed Gary Springer, Member of the Board of Forestry to the meeting, and asked the members to review the agenda items. Brian asked the members to review the minutes from the last meeting which was a joint meeting with the NWRFPC in July. Dale Cuyler motioned that the minutes be approved as presented, Mike Maguire seconded that motion. All present were in favor; none opposed; none abstained. July minutes were approved.

Brian invited public comment. None was offered.
**Item 2 – RFPC Orientation for New Appointees** – Lena Tucker

Brian provided an introduction to the committee’s functions, structure and term of service. New members were mailed a packet of materials after their appointment by the Board of Forestry last September. The packet included a contact list for the committee; RFPC Charter; the Forestry Program for Oregon; two different sets of the Forest Practices Act Rules; copies of the applicable Oregon Revised Statutes and Oregon Administrative Rules and a handout explaining the role of the committee to the Board of Forestry. These documents are to be used as a resource for their committee work.

Lena went on to explain that the BOF appoints RFPC members for 3 year extendable terms but the chair and vice chair positions are elected by the group. This committee had made the decision to rotate the vice chair responsibility among the members. Brian Schlaefli serves as chair at the committee member’s agreement.

In review, Brian explained that the committee meets quarterly or as necessary to their role of reviewing ODF policy. Once a year the NW and SW committees have a joint meeting at a common location when there are sufficient and common agendas that benefit from a larger discussion. At those times Brian and Chris Jarmer (NWRFPC Chair) share chair responsibilities. Lena Tucker, Deputy Chief Private Forests Division, is a non-voting member and committee secretary and Peter Daugherty, Private Forests Program Chief is an Ex-Officio member. All committee members are considered volunteers and can be reimbursed for any travel expenses on Committee business.

When directed by the BOF the RFPC members will review Forest Practices Act Rules for clarity, technical correctness and the affect of a policy or rule change on private and industrial decision-making as well as looking at factors in the implementation. All members were invited to get to know the Stewardship Foresters in the Southwest Area, many of whom were present at the meeting. Lena addressed retirements and new personnel in the Southwest.

As part of the RFPC official duties members are encouraged to nominate operators in their area for the Operator of the Year recognition. Each year the members can participate in a tour of the nominated operations as part of their review prior to final discussion and voting in the fall. Members present will be voting on the 2013 Operator of the Year at this meeting.

BREAK

**Item 3 – Operator of the Year Nomination Review** – Angie Johnson, ODF Operations and Policy Analyst & Nick Hennemann, Public Affairs

**Presentations**

Brian prefaced the presentations by commending the Stewardship Foresters and others for putting forth so many nominations for this year. Angie shared the nomination process and judging criteria. Individual nominations from Stewardship Foresters or committee members are reviewed and screened at the Area level and then the operators that meet the criteria for Operator or Merit Awards are pushed to the Program level and displayed through the Area Tours. Video’s are taken during the tours and used in presentations to the committee members to aid in their deliberation. Rating criteria is as follows: Consistency, Difficulty, Innovation or Extra Effort in the FPA, Results Achieved and Financial Risk. Angie noted that those who did go on the Tours should provide some feedback to the rest of the committee.
Nick added that after the video presentations the person nominating the operation can provide background on the projects.
(Summary are taken in part from hard copy nominations.)

**Weyerhaeuser – Hodges Creek Culvert Replacement & Stream Enhancement**
Nominated by Nick Morris, Stewardship Forester.

This operation was in the Coos Watershed. The original stream crossing on Hodges Creek was a trestle bridge at a curve. Hodges Creek is a medium fish bearing stream tributary to the East Fork of the Millicoma River. The 8’ culvert that replaced the bridge was undersized with an elevated entrance which hindered fish passage and could plug and cause a flood event. It contributed to the impediment of Salmon and Steelhead recovery and increased sediment delivery. They anticipated the project to replace the culvert would take 6 months of work but their in-water-work window was only 2.5 months. There was about 12,000 man-hours on the project. The project included fish relocation, stream water diversion; sediment abatement which are practices Weyerhaeuser consistently apply when working on their lands. Weyerhaeuser removed over sixty feet of fill during excavation and replaced the old culvert with a 26x260’ open bottom arch culvert placed on concrete footings. The project design far exceeded what would have been required by the FPA and Natl. Marine Fisheries Service and met goals set by the Oregon Plan for Salmon Recovery.

Filling in a couple of points, they re-routed the stream around the pipes, they used the same rocks for the stream beds as were there before and washed the rocks with hoses in a contained area to reduce sediment in placement.

**Lone Rock Logging Company – Harvest Operation on Lone Rock Timberlands Company tract in the King Creek drainage.**
Nominated by Bud Long, Retired Forester, Lone Rock Timberlands Co.

The 45 acre harvest unit contained a medium type F stream (King Creek), railroad crossing, stream protection zones and in stream large wood placement. They chose a management design allowed harvest on both sides of the stream without yarding through protection zones which saved myrtles and alders in the riparian area. This was a critical salmon stream drainage which required innovative application of stream protection rules during harvest. Lone Rock partnered with ODF, ODFW, BLM, Coquille Watershed Assoc. and NMFS. Downed wood structure design was constructed with help from ODFW. All log placements were done within 4 hours. The south line neighbor had a domestic water source on his own property. Spraying was monitored to eliminate drift to neighboring property. Lone Rock’s crew was actively engaged and proactive about following the FPA above and beyond.

The historically degraded basin where this harvest unit resides has been restored by Lone Rock Logging, now there are Coho, Steelhead and Chinook in that basin.

**Western Pacific Tree Service/Brian Woosley - Sudden Oak Death Eradication Activities**
Nominated by Stacy Savona, ODF South Coast Stewardship Forester

Brian Woosley, owner of Western Pacific Tree Service, acted as an ODF contractor (since 2007) conducting SOD eradication services in southern Curry County. This has been an ongoing contract to help prevent the spread of SOD. Most times infected tanoak trees must be removed and burned usually in mixed species stands without damage to surrounding environment and with landowner preferences under consideration. Most operations are on
private land with residential settings or county/city lands. The operations also involved a high degree of technical difficulty in removing tanoak without damaging residual vegetation, structures, roads or utilities in the surrounding environment. Sanitation of equipment was also a factor to avoid spreading the pathogen. Brian worked consistently to reassure reluctant landowners and his landowner considerations went above and beyond expectations and have been instrumental in the success of the Sudden Oak Death Eradication program. Because of ODF’s efforts using contractors like Brian, we haven’t had to quarantine county-wide.

Stacy added that SOD work project doesn’t have a requirement to comply with FPA as the work does protect the resources that the FPA is there to protect. She emphasized that even without having to provide notification, the innovation is consistently applied.

Dave Erickson, although a member excused himself from the discussion and vote because of opportunities for conflict of interest.

Discussion and Vote on Finalist

Angie led the deliberations. She noted that these were three very different projects, which made it more difficult. Each project speaks to different parts of the Forest Practices Act. She explained to the members that they can select only one for Operator of the Year. Runners up can be awarded for Merit. Districts may choose to offer letters of commendation as well. It is an option to recognize all three at some level. Of the criteria items; ‘Results’ is weighted highest. Concern for the Resource and Consistency are the next highest, and then Difficulty and Innovation and Effort are the lowest weighted points.

Brian: We have three candidates. Are there any that should be disregarded prior to scoring?

Lena explained that as nominations came to the department they were reviewed by the Area. Scott Swearingen, Asst. to the Area Director shared that all nominees in front of the committee met the requirements criteria.

General discussion of the members:

Brian asked members who went on the tour for feedback.

Brian suggested that because of the three distinctly different operations and difficulty in the choice, the committee could use the scoring criteria and score sheets by assigning a numeric score for each item in the criteria. Scores will be tallied by non-voting meeting participants to select the top operator.

Results

Lone Rock Logging – 1st place with 625 points
Western Pacific – 2nd place with 588 points
Weyerhaeuser – 3rd place with 582 points

The closeness of the scoring results was noted.

Motion was requested to accept Lone Rock Logging as SWO Operator of the Year top scoring project and to award the 2nd and 3rd place projects, Western Pacific and Weyerhaeuser for Merit.
Mike Maguire motioned for acceptance, Dana Kjos seconded the Motion. All present except one voted in favor of the selections, Dave Erickson abstained from the voting process.

Brian offered his intent to write a letter to all people involved with the nominations and review process regarding the committee’s appreciation for their efforts. Gary Springer, BOF member shared his feeling that this process and these awards are a highlight in his work with the Board of Forestry.

Nick provided the presentation calendar dates:

January 2014 Association of Oregon Loggers (First formal presentation)
March 2014 Board of Forestry
Also the Logger Conference which showcases this award for operators going above and beyond.

2014 Tour Dates

Lena reminded members that it is not too early to get nominations considered for the next operating period for 2014. The work can overlap 2013/14 calendar years. We will be starting early getting word out to the Stewardship Foresters and encouraging them to photo/video the operations over time to provide the best presentations possible. The framework provided for the tour worked well this year with the first week tour dates in October in the Northwest, SW Tour will be October 15th and 16th and the 3rd week in October in Eastern Oregon. Pre-setting tour dates helps everyone to get their work scheduled around the tour and promotes attendance.

Brian asked members to consider the next operating period be the fall of 2013 through fall of 2014 for nominations. This is not by the notification dates but the operating period of actual activity.

Item 4 – Board of Forestry Activities Update

- FPA Compliance Audit update – Marganne Allen

In 2002 ODF performed a random compliance audit, which was a comprehensive look at randomly selected harvest units. That audit was a helpful look at how the FPA was implemented in the field. One of the agency’s Key Performance Measures (KPM) is statewide compliance with the Forest Practices Act. Formerly done as a calculation of the number of inspections versus the number of citations. What we found was as we laid off Stewardship Foresters you got a better compliance rate! That result showed us that the calculation obviously wasn’t a good measure of compliance. In 2009, the budget reductions left the program downsized, prevented on the ground monitoring and reporting that was planned. In 2011, the legislature concerned about Key Performance Measures added a Budget note to have FPA compliance be a mandated effort to collect data and dictated that collection of the data be done through use of a 3rd party contractor. While using contractors is a usual way of doing business in the SFI checks, focused on the metrics used by SFI, we were unaware of the use of contractors in the field in this type of audit. The legislature concluded there was a sense that contractors may be more successful implementing and improving the quality of the audit.

Why did legislators want outside contractors rather than the department personnel to conduct the audit?
Chris answered that during ODF layoffs there was a lack of capacity in the department to complete audit needs.

The contract was sent out to bid. Barnes & Associates won the bid to do compliance auditing using local sub-contractors. The sub-contractors have currently visited over 150 out of 200 random sites selected from the Notification of Operation Applications. We are obligated to do Quality Assurance/Quality Control (QAQC) on 10% of the site. The contracted work is scheduled to be completed in the field by December 2013.

One of the things we learned along the way was the difficulty of contacting and acquiring permissions from small landowners. Some were absentee landowners. All attempts at contact were recorded, none responses were noted as well. When evaluating the sampling units, it was difficult to ascertain whether units activities were completed in districts where Stewardship Forester positions were unfilled. The audit is not a qualitative assessment; because we are using a 3rd party contractor there was a concern of judgments in applying nuances to the FPA. Contractors are making measurements and gathering data using a specific protocol which was provided by Salem. This allows it to be quantitative decision. The focus was on harvesting and roads closely associated to the harvest. Working on analysis of the early numbers in the data collection we are seeing some consistencies with the previous audit in 2002. We want to have confidence in the numbers being generated. Nick Hennemann, Public Affairs is working on the communication of the reports and this committee will be pivotal in reviewing the report formatting to ensure usability.

Future audits will focus on different rules. We have been providing field management on the QAQC process and been training contractors on the protocols. The current goal is to update the Board of Forestry at their March meeting.

**Action Item** – *Include the Audit Report draft in the committee’s first quarter meeting.*

Dave Erickson asked how many times each rule is found to be in compliance or out of compliance and if there is an individual rule that is repeatedly violated or confusing.

In answer to that it depends getting a large robust sample size from small landowners to eliminate any bias from a predominance of industrial unit samples. ODF will be looking at education and outreach for any violations. If it is a case of unclear language in the rules, the rules can be evaluated for re-write if necessary.

We expect to mitigate some of the inefficiencies in the communication portion of the audit and for example make the landowner contacts directly from Salem rather than adding to the work of the districts and make more comprehensive industry lists to ask permissions once from the landowner rather than multiple requests. Salem program staff will be encouraged to establish earlier relationship building with landowners over the long term for future audits and the use of unbiased third parties.

Members suggested discussions with landowners at the time of notification about potential future audits. Doing the audits in conjunction with the normal inspection process is a process being considered.

Brian asked if industry wanted the results of the audit how it could be made available.
Marganne explained that the way the results are being collected electronically we will have to figure out the reporting process for getting back to the landowner. If there was any significant “surprises” on an audited operation we would contact the district for the forester to provide one-on-one immediate assistance to prevent further damage.

- **Riparian Protection Standards Rule Analysis Update** – Peter Daugherty, Private Forest Division Chief

[Handout: *Staff Report on Systematic Review Findings and Riparian Rule Analysis Alternatives for Rule Development*]

During the October BOF retreat they worked on determining their priority issues.

One main BOF item is the Riparian Protections Standards Rule Analysis started in January of 2012 and the analysis that led up to it started before that. There were concerns for the sufficiency analysis of the adequacy of the riparian protection buffers on small and medium fish bearing streams. The RipStream Study was designed to address that question, whether or not the riparian buffers met the Water Quality Standards. The monitoring focused on the biological and numeric criteria which say streams have to be 16-18 degrees C because they are cold water fisheries. And a second standard called Protecting Cold Water Criterion that says that even if it’s below 16-18 degrees C it can’t have any human warming activity to it. The analysis indicated that we are meeting the biological base criteria but there was evidence that if we continue with current FPA rules on riparian buffers it is unlikely that we will ensure continued meeting of the Protecting Cold Water Standards. The BOF voted that that constituted degradation of resources. The resource impacted was cold water. These standards are required by statute.

The BOF needs to make findings in order to pass rules. One of them is that the objectives of the current rules are clearly defined. The BOF set the objective in April, then began an initial alternatives development including non-regulatory practices. The BOF must consider an appropriate range of alternatives. In November the Board came up with a definition of Maximum Extent Practicable. We need to ensure that you are meeting the Water Quality Standards to the maximum extent practicable. The BOF needs to make sure the Rule reflects the best scientific evidence. Struggling with dueling sciences, the BOF adopted the Systematic Evidence Review. In March Terry Frueh took the protocol to the Board for approval. In November we presented the results of that scientific review. The decisions made reflected available scientific information. The last step in March will be to bring a set or range of alternatives to the Board to select the least burdensome for landowners.

What we found in the Systematic Review supported different alternatives. We found 1456 publications; only 25 were relevant to the question of riparian buffers, from 19 distinct studies focused on temperature and shade. 7 on temperature, 9 on shade, 9 on both. There were large variations in study design and quality. Papers were rated for quality. Scientific studies are based on evidence/data not on someone’s interpretation. We tried to do two things with this review, one was to see if there was science available to support the alternatives and see if it informed the geographic extent, where the evidence should apply to. Only two classes of alternatives have substantial evidence that they would meet the Protected Cold Water criteria. The No-cut Buffer and Variable Retention Buffer.

A No-Cut is some width of no harvest. Variable Retention defines some width that requires some level of retention within that width. These are the most studied alternatives.
It is asking if the buffers on Small and Medium F/S are adequate?

Was it the original concern on both the basal area and prescriptions that brought this rulemaking about?

There is a normal variability when you try to manage to a standard. But everyone did their best to manage to FPA standards. Technically we don’t have a general prescription per se. It’s up to the landowner to do a no-cut or down to standard target.

We also talked to the BOF about The Plan for Alternate Practices, one of the alternatives counted in the 16, which is designed to give flexibility in achieving outcomes. The BOF at the beginning of this process directed us to develop a Plan for Alternate Practices for this rule analysis. The RipStream Analysis will provide criteria for a Plan for Alternate Practice. When looking at geographic scope, the studies didn’t compare geography. But we didn’t see wide scope application or direction as to where this rule should apply.

The Department provided three recommendations to the BOF:
- Find for the final report and extensive rigorous analysis under the SER.
- Direct department to develop draft prescriptions a new rule considering Variable Retention, No-Cut and try to develop a plan for Alternate Practices.
- Direct the department to analyze for geographic regions in Western Oregon in which the rule should apply.

Next steps:
- BOF approved alternatives, No-Cut and Variable Retention.
- Analyze the RipStream relationships; basal area, shade and temperature to develop specific prescriptions with assessment on the confidence of these analyzes.
- Determine Geographic areas the rule should apply.
- Directed the program to develop prescriptions collaboratively with stakeholders and to include the FPA and FMP alternatives in the Variable Retention analysis.

There was an extensive discussion by the Board on the appropriateness of the Cold Water Standard. There are audio files posted to the BOF website of Terry’s presentation to the Board and Public Testimony and follow up discussion.

Sanford asked about the other alternatives provided in the report. Peter replied that there was not enough scientific basis for many of them to warrant consideration.

Brian summarized the BOF has determined that there is degradation is occurring and they’ve directed folks to come up with the alternatives to deal with the degradation and at this point the two mitigations would be the Variable Retention and Buffer Width as well as the plan for Alternative Practice.

The BOF doesn’t have to choose only one least burdensome alternative, but can choose to adopt two alternative rule concepts.

Brian asked if the decision was made to increase basal area would that be just conifer basal area.
Marganne answered that Jeremy Groom, Monitoring Coordinator has been working with a model, just a proof of concept phase, based on the previous analyses done with RipStream results as to what metrics were significant as related to shade and stream temperature, basal area was one of those and buffer width was one of those. We did not see or evidence was not detectable, to have a difference between a % of hardwoods and a % of conifers. We are waiting for feedback on the sensitivity of that model. How we deal with the conifer versus hardwood part of that, will be an interesting part of the discussion. What we can make a model speak to or not.

Mike Meredith wanted clarification on the temperature targets. What will happen keeping the current rules?

The FPA was meeting the 16/18 degrees C for the Biologic Numeric criteria. The average on harvest sites is a raise of temperature by 7/10 degree rise and at about a 30% greater frequency than under no harvest conditions. This factor indicates we are not consistently compliant with the Cold Water Protection Standards. You cannot warm up water. This rule was set by the EPA. DEQ does analysis for that commission and set the standards. The rule states that you cannot raise temperature, and the temperature requirements are based on the beneficial use which includes fish but also included all aquatic species sensitive to cold water. One of the statutes in the FPA is that forest operations ensure meeting CWS set by EQC. Turbidity, temperature, mercury, dissolved oxygen are all evaluated. We have the responsibility for forest practices.

Marganne gave notice to the committee about the need to get a plan of action for how we are going to incorporate input and that the committee should consider an early 1st quarter meeting to meet the deadline for the BOF Meeting in March.

**Action Item**: The next BOF meeting in March will be vital for substantive actions on prescriptions for rule alternatives. Lena recommended a combined 1st quarter meeting with SW and NW RFPC to provide feedback.

Peter went on to report that the BOF retreat in October focused on what issues weren’t completed from 2011, 2012 retreats and the 2013 Legislative directions. The two remaining issues were:

- Focus on Water Quality (RipStream, TMDL, and other topics)
- FPA rule enforcement policy review. (specific resource sites, landslides, public safety)

From 2012 they wanted to ensure we are following up on the impact of the Private Forest Budget Notes (FERNS) and the implementation of legislative direction on the “truffle bill”.

So at the last meeting they had quite a range of discussion on Riparian Rule Protections and a short presentation on the truffle bill. For the focus on Water Quality we are continuing the Riparian Rule Analysis on S/M Fish Streams and RipStream analysis of data, downstream effects, large wood and riparian conditions. We are going to the Board in March on the Riparian Rule Analysis and doing an update on RipStream results with our September Monitoring Report. There will also be information on the TMDL process and update on the ODF/DEQ MOU and the relationship between ODF and EQC.

In 2014 we plan to finalize and report out on the Two Up and Two Down monitoring and recommendations. In July we want to begin to discuss the rulemaking we need to do on Bald Eagle delisting by the Feds and State. They are no longer threatened and endangered our rules do not reflect that. We can’t treat them as a specified resource site if not T&E. We will be
introducing our approach to that in the Strategic Monitoring Plan updates. Monitoring Plan needs to be updated, to begin to reprioritizing our monitoring. A FERNS update will be presented and we are going to take the Compliance Report to the Board in June, as well as finalizing the truffle rulemaking.

2Up/2Down is a monitoring effort. That effort was a combination of a basic compliance monitoring and the element of effectiveness.

We have a dashboard of progress on topics broken down by: information gathering stage, analysis, Board discussion, recommendations and decision-making. As with the RipStream Analysis the information gathering is complete but some analysis is still pending and we haven’t taken it to the Board yet.

The other topics to track are:
- Invasive Species
- Annual Forest Health/Monitoring Report
- Update on Urban & Community Forest Program update in Portland area with tour.

On deck: (No sufficient data yet.) These are added so the Board is aware they are on the list to look at.
- EO riparian policies for non-fish stream policy
- Landslides (Trask Watershed Study should inform this.)
- Public Safety rule-making
- Specified Resource Sites Review

Gary offered that if they use the SER process on Eastern Oregon the studies may be sparse.

Marganne expressed hesitation to speculate, but that information on east side science is probably in our current review, but you may be correct on lack of information and published papers.

- **HB2615 Harvesting Special Forest Products** – Angie Johnson

The HB2615 legislation and rule-making changes were brought to the Legislature by OSWA as regarding theft of truffles on private property. The landowner’s property was not signed (no trespassing) as required by statute and so the trespass was not applicable and could not be charged and truffles were not designated as a Special Forest Product with permit requirements. Mushrooms are already listed but truffles are fungi not mushrooms. There was significant damage done to the landowner’s property and no enforcement was achieved. Law enforcement and OSWA presented this to the legislature and the lawmaking under an emergency clause we are to update forms to provide landowners with legal protections over all special forest products on their property. It will be in rule rather than statute. Buyers will also have to track purchases. We will use the RFPC as advisory committee to this rule-making process. We are looking also to set the process for adding or deleting products from the list. Rules need to be ready by June for the July 1st deadline to get forms in landowner hands by October 1st. ODF will not be enforcing agency on private lands, Oregon State Police will be. This doesn’t have a nexus with the FPA but will define what special forest products are.
This is under direction from the legislature, and landed on ODF for our work for private landowners. It provides guidance to law enforcement.

State and Private Forests are working on the form. When it comes to private landowners we will provide that form template to use between private parties for transporting special forest products. This is not intended for orchard growers who are specifically inoculating trees to produce truffles. There is a long list of special forest products covered under this rule.

- **Hwy 36 Investigation Update** – Marganne Allen

Prior to the topic discussion, Marganne provided an invitation to Roads and Water Workshops that ODF and AOL are sponsoring around the state. Gary mentioned that the turnout has been about 80% operators and noted that it would have been good to have more landowners than they did.

On the Hwy 36/Triangle Lake investigation, Marganne provided background that the current investigation began in 2011 but that there were similar concerns historically. At a Board session focusing on pesticides, members of the public provided independent test results and analysis. The results did show that they had been exposed to pesticides. The investigation was in the Hwy 36/Triangle Lake area in the West Lane District (Veneta). Urine sample test results for the Highway 36 area showed evidence of pesticide exposure, but none of those tested had exposure surpassing the threshold for health concern on 2,4-D and Atrazine. There were detectable levels prior to the spray season, and elevated levels after spraying started. There was a report made to the Pesticide Analysis Response Center (PARC) a combined group of agencies. Our obligation as a department is to inform a variety of groups on exposures (PARC, ODA, DEQ, OHA, and ODOT). We also report/monitor findings to Water Quality Pesticide Management Team. With the Governor’s direction was born The Hwy 36 Pesticide Exposure Investigation. We were to collect the pesticide application records from 8 townships from 2009-2011. Part of this assessment was to identify potential risks to the local community for pesticide application on forestland. ODA was supposed to do the same for that time period on agricultural lands. The Public Health Authority drafted a Public Health Assessment release to the public earlier this year and it made available for public comment closing on August 9th. Investigation section of the CDC, Agency For Toxic Substances and Disease Registry, was informed as well. ATSDF was formed as part of the superfund site issues. OHA is responding to public comment. Some comments were sent to ODF by Oregon Health Authority for feedback and concern for missing data. The final release of the report will be coming out soon. We’ve been seeing different groups around the state start to voice concerns in Curry, Rockaway, Collard Lake and Josephine Counties on pesticide use on forest and agricultural land.

The Governor’s Natural Resource office is looking into consistency of pesticide application recordkeeping spurred by the heightened public interest. This is looking at the Right-To-Know and timing of applications. The EPA is reviewing plans for “Air Monitoring” protocols. The protocol was out for internal review. Peter shared that EPA is still planning to monitor with passive air samplers, although they are still working on the feasibility. The investigation will be ongoing till they are able to monitor. They are looking at better advance warning procedures before chemical applications occur. We need to improve consistency in our recordkeeping. There was a suggestion about looking at what other states are doing about contacting people with chemical sensitivity concerns. There is no decisive conclusion on concentration levels and public safety; it is now on a case by case basis. One issue that ODF has is that the applications
didn’t have the notification number, so it has complicated the situation. Agriculture system is different as it is only required for commercial applications, and only on restricted use products for non-commercial use. There is misleading information out there as well. It will be a challenge for a long time.

Item 5 - FERNS Demonstration and Q&A – Joe Touchstone, Private Forest Business Analyst & Mark Wigg, FERNS Project Manager/Trainer
[Handout/Presentation: FERNS Electronic Notification Submission PowerPoint]

FERNS stands for the Forest Activity Electronic Notification System. Joe will be providing a project update, what has been done, and what we should expect. This has been a year long process. This will be an integrated mobile solution to notification of operation. The project will impact internal and external stakeholders, landowners and subscribers. Stewardship Foresters are already equipped with iPads to facilitate use of this system and for inspections and communications. The Agile approach that the Timmons Group, contractor for the system, is using to design the software produces product every two weeks with releases of the system every 6-8 weeks. The work is being directed through “user stories” from the forestland owner community and internal staff, office specialists, foresters and management. Stories are reviewed and prioritized for system uses and needs. The objectives must meet the legal requirements of the notification process. The first “sprints” focused on account management (setting up accounts), the next set are dedicated to account management, notification process, and creation of accounts. Sprints 5-7 will be the creation of the NOAP, submission and confirmation. Development is reviewed through ‘wire screens’ which are mock ups of how the page will look like in each function. There is a mapping function for activity location and data on site conditions. While the system is being developed, ODF is also working on a communication plan for the roll out next year. At this time there will be no fee for use of the system. Chemical applications do not require knowledge of the chemical name only, but will accept brand names. There will be an ability to do bulk upload of notifications through an interface to industrial notifier’s proprietary systems.

One reoccurring question has been addressing the availability of FERNS to non-internet users. In these cases there will be district workstations available with assistance from district staff. Maps must be drawn in FERNS but there will be the capability to attach PDFs to the notification. Notifications will be assigned to the appropriate unit and forester through the GIS layers of the mapping. There is a landowner advisory group (large, midsize and small industrial landowners), involved in the development and well as staff advisors. All information will stay in the system for future notifications, you won’t have to repeat information that is common to your account and reported units.

Go live date, they are looking at May 2014 as a release date for the basic system functions. Joe can bring the committee periodic updates on FERNS.

Item 6 - 2014 Meeting Dates – Lena Tucker

Looking at a way to incorporate feedback from the committee to the Board packet materials by their deadline, a Doodle Poll will go out to choose dates for a combined meeting with NWRFPC in January in Springfield.

Action Items
• Include the Audit Report draft at the committee’s first quarter meeting (January).
• The next BOF meeting in March will be vital for substantive actions on prescriptions for rule alternatives. Lena recommended a combined 1st quarter meeting with SW and NW RFPC to provide feedback.

For the Good of the Order
Marganne offered her staff and herself as available to answer any questions that come up.

All in attendance agreed on Brian Schlaefli to continue on as chair of the committee.

Meeting adjourned - There being no further business, the meeting was adjourned at 3:00 p.m.

/s/ Lena Tucker
Committee Secretary
Regional Forest Practices Committee