Combined Northwest/Southwest Oregon Regional Forest Practices Committee Meeting
Minutes – October 25, 2018

Pursuant to public notice made by news release with statewide distribution, a combined committee meeting of the Northwest and Southwest Oregon Regional Forest Practice Committees [an advisory body to the Oregon Board of Forestry with authority established in Oregon Revised Statute 527.650] was held on October 25, 2018 at the Valley River Inn, Eugene, Oregon.

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<td>Mike Barnes, Chair</td>
<td>Dana Kjos, Chair</td>
<td>Dan Fugate, SW</td>
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<td>Tally Patton</td>
<td>Jay Christensen</td>
<td>Randy Silbernagel, NW</td>
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<td>Candace Bonner</td>
<td>Dave Erikson</td>
<td>Jon Stewart, NW</td>
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<td>Scott Gray</td>
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<td>Jim Hunt</td>
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<td>Wendell Locke</td>
<td>Adam Stinnett (Ted Reiss sub)</td>
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**ODF Staff:**

Kyle Abraham
Lena Tucker
Marganne Allen
Greg Wagenblast
Terry Frueh
Susan Dominique
Jay Walters
Josh Barnard
Sarah Navarro
Jennifer Weikel

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<td>Thomas Whittington</td>
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<td>Keith Baldwin</td>
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**Guests:**

Seth Barnes, OFIC
Mary Scurlock, OSPC
Travis Bower, Starker Forest
Ted Reiss, Seneca Jones Timber Co.
Brendon Garrels, Lone Rock Timber
Kevin Masterson, DEQ Toxics Coordinator
Kirk Cook, ODA Pesticide Stewardship Specialist

1. Welcome and Introductions, Review of Agenda

Barnes, Chair of the NW RFPC opened the meeting by welcoming everyone and asked if members had reviewed the agenda and asked for any changes. None were requested. All present did a roundtable introduction. The Chairs determined that both the Committees were present in quorum. Barnes noted that with the combined meeting structure he and Dana Kjos will share the Chair duties for the day. Then the floor was opened for Public Comment.

- **Public Comment**

Mary Scurlock, OSPC: “It’s not a seriously substantive public comment other than to explain why I came today. My name is Mary Scurlock. I work with the Oregon Stream Protection Coalition. We are primarily interested in the adequacy of the regulatory baseline for private forest practices as it relates to… and I’m going to probably make it a regular practice to try to come and hear your discussions, because of a lot of the detail that goes on here and as concerns come up and later… On today’s agenda I am particularly interested in the Pesticide Stewardship Partnership Report. I did want to express a couple of concerns about the second item, the tethered logging guidance in hopes that my question get answered during the discussion today. Specifically, I (we) are extremely concerned and want to understand better what the proposed guidance, which basically is around an exception, to current rules. How that guidance can result in equal or better protection for public natural resources, even with the additional detail in the guidance of mitigations and understanding of desired effects we are trying to avoid with additional… or procedural safeguards? I would be extremely concerned about setting up an unrealistic expectation that we can achieve that standard of protection that is required for that practice. This is my first experience with this effort and I would like to understand just procedurally where it is and what the next steps are, which I assume will be the natural result of listening to the discussion today. Thanks for having me!”

Barnes confirmed that members will be discussing the template and guidance for Tethered Logging in the afternoon.

- **Approval of the Minutes**

Barnes noted that the Minutes to each of the NW and SW Committees had been distributed electronically and hard copy in their packets. He asked for comment or corrections from the NW Committee. Candace Bonner made Motion...
Kjos asked the SW members for any edits or comments pertaining to the Minutes for their meeting on May 2, 2018. Motion was made to Approve as presented and the Motion was seconded. All were in favor.

2. Private Forests Division Update – Kyle Abraham, Deputy Chief

Abraham thanked everyone for attending and wanted everyone to know that he appreciated everyone’s time and commitment to attend. He began his Division update with the most current staff changes reflected on a new organizational chart provided.

Thomas Whittington, the Incentives Field Coordinator served as the Acting NRCS State Forester in Portland. The interagency perspective that interim appointment brought to both agencies will certainly benefit the cost-share work they are doing together. Thomas returned to ODF in July, spent some time on fires and then was promoted to the Water Quality Specialist position in the Field Support Unit. Kyle wanted to publically appreciate Thomas stepping up for that and filling a big role for the Division and Agency. The Incentives Field Coordinator position will be covered by other staff until filled. Ryan Gordon, the Family Forest Coordinator is filling an interim role as Public Affairs Director until recruitment has finished for that position. The Agency hopes to have that Directorship filled by the first of the year. In the meantime, Danny Norlander, our Aerial Survey coordinator in the Forest Health unit has been filling both roles as Family Forestland Coordinator and Incentives Coordination as well as maintaining his own Survey Coordinator duties. Becky Christensen, Office Specialist has retired and we are filling that vacant position. So constant change within the Division.

So, along with those Division changes there have also been changes to the ODF Executive Team structure. Nancy Hirsch, Deputy State Forester officially retired in August. She like many folks is continuing to work. She will transition out of the Deputy role in December/January to be the Emergency Fire Cost Coordinator which is only a half time position. There will be additional recruitments but not for a Deputy State Forester as the Agency Executive structure will be changed dividing the Deputy position in two: a Deputy Director of Operations Branch and Deputy Director for the Administrative Services Branch. They are hoping to recruit and hire the Operations Deputy by the first part of the new year. Travis Medema, EOA Director will serve in the interim as Deputy Director of Operations through the remainder of the biennium but as a newly hired Director comes in Travis and Nancy will help them to transition into that role. So the Operational Branch will include the three operating programs: Protection, Private Forests, State Forests as well as the Field operations and the three Area Directors. That person will supervise those 6 Program/Area Director positions from Salem. Bill Herber, current Administrative Services Division Chief will be the Deputy Director for the Administration Branch which includes oversight of Human Resources, Information Technology, Public Affairs, Facilities, Procurement, Finance and our Internal Auditor.

Abraham announced that there are three new Board of Forestry appointments as well:

- Brenda McComb, a professor at Oregon State University, Senior Vice-provost, Trustee, Dean, Department head and professor in the Forest Ecosystems and Society.
- Joe Justice, who had been serving on the Eastern Oregon RFPC up until his appointment. Joe graduated from OSU with a degree in Forest Management in 1993.
- Jim Kelley, a business owner and operator of a ranch in Kimberly, Oregon.

Their first full BOF meeting will be November 7th and 8th. There was an additional staffing change to note, the Governor’s Natural Resource Office was down to basically one person, Jason Miner who works quite a bit with ODF. And they hired another person, Amira Streeter to work on other policy issues.

Abraham continued to provide update on this year’s fire season which at the time was still open. He echoed what he heard others discussing before the meeting that we had a pretty significant fire season especially in Southwest Oregon and a few other places as well. Lots of fires, lots of activity, lots of team assignments. Even in Salem we had almost 30% of our staff out on fires assisting in some way. Big fire seasons are felt throughout the entire agency. The ODF Fire Protection gross cost through the end of September was $100 million dollars. That’s a pretty big number for us. Our net suppression costs April through September was $42 million dollars. Our 10 year average is around $34 million. So above average net suppression costs. Statewide costs through September for all lands $432 million dollars.

Member brought up the question of just how the Department delivers on its whole broad array of jobs and responsibilities and activities during fire season. Abraham didn’t defend the tradeoffs but shared that an Agency-wide Strategic Initiative Budget Ask was created and sent to the CFO’s for that reason. That legislative ask would give us more capacity to maintain our services during Large Fire emergencies, in all Programs across the Agency.
Scott Swearingen, Asst. to the Area Director for the Southern Oregon Area, responded that they enact drawdown plans in fire season to try and maintain the minimum workload needed for forest practices, but when the severity of the season demands it we actually are exceeding our drawdowns and are left catching up in the fall. Field offices have stuff they have to do forest practices-wise, as well as State Forests-wise throughout the summer so districts try to manage the best they can.

Abraham filled in that the Policy Option Package was submitted with the Agency’s Budget the end of July to the CFO’s office. The Department will have to see how the package fairs in the Governor’s Recommended Budget. ODF in this strategic initiative has asked for 55 FTE across all operating programs and requested $27 million in General Funds across all programs that participate in fire in some capacity. Scott mentioned they try and ‘keep the doors open’ while supporting the fire effort regardless of the operating program. Hopefully by May 2019 we will have a pretty good understanding of what that looks like. Doug Grafe, Protection Division Chief was the lead on Phase 1 of the Agency Initiative involving internal and external stakeholders. That effort transitioned to Lena Tucker, Private Forests Division Chief who moved it through to the budget request phase handling all the details of the budget numbers and narratives and getting that package completed. Travis Medema will be the lead during the Legislative Session networking with the folks downtown and getting extra stakeholders affirmed for that package.

The last thing Abraham wanted to update members on was the Wildlife Food Plots rulemaking effort. For the November 7th Board meeting Food Plots will be a consent agenda item asking the Board to direct the Department to move forward with draft rule language for wildlife food plots. Danny Norlander has been working on that. The Committee for Family Forestlands has been tagged as the rule advisory committee. The current effort is to get draft rule language to the Board in the spring. He assured members that they will see the recommended rule language for comment when that gets ready. Tucker clarified that as the statute applies only to private forestlands less than 5000 acres the CFF was the appropriate touch point to work with us on the rule language, but she suggested it should go pretty smoothly as the statute itself is pretty prescriptive.


Kirk Cook began noting they were invited to provide an overview of how pesticides are managed in the State of Washington and Oregon. Kevin Masterson will talk specifically on the Pesticide Stewardship Program and Whittington will join them with a presentation on the South Yamhill Project.

The Pesticide Water Quality Management Team (WQPMT) was a group set up by several state agencies to provide an umbrella of guidance regarding pesticide occurrences and what to do with them in the State of Oregon. Currently, the group consists of five agencies and OSU as technical advisor to us. Other agencies can be added as necessary as subjects arise from the group. This group was formed to officially address protection of Waters of the State from pesticide contamination and developed a Pesticide Management Plan for Water Quality Protection. Main goals are identifying and prioritizing pesticide risks, use and watersheds; facilitating plans, activities, management solutions and improving communication with all water use entities. They also annually evaluate and analyze monitoring results to prevent or reduce pesticide contamination in water. The group develops what the Statewide Pesticide Concerns are and prioritize geographic areas of concern. The WQPMT supports further pesticide monitoring and facilitates the application of voluntary management measures to mitigate the risk. The WQPMT communicates out recommended measures based on those benchmarks. So with the multiple agencies involved developing a consistent statewide communication strategy ensures that the WQPMT becomes more transparent and is available for all the residents of the State of Oregon to see. Information regarding education and outreach is the primary method that they use right now. As an interagency process the Pesticide Management Plan highlights roles and responsibilities describing the various authorities. Within that plan is a matrix, one for surface water and one for groundwater. Primarily the activities in Oregon are surface water related. In Washington, they are surface and groundwater concerns. And in Idaho there are focused on groundwater.

Cook noted that Kevin Masterson will specifically go over the Pesticide Stewardship Partnership (PSP). He thought it critical to note that the PSP has no mandatory requirements, it’s operates on a voluntary basis implementing elements of the Pesticide Management Plan as an alternative to regulatory actions pertaining to pesticides and water quality. The Program is extremely beneficial to the pesticide users in the State of Oregon as it allows them to produce beneficial outcomes without regulation. The EPA has told them that as long as the Program continues to be effective and shows results they will back off and the State will not have to be working within the confines of the Clean Water Act to address some of these pesticide issues. Key steps in the Pesticide Stewardship Partnership projects are to:
Monitor for current use pesticides; to identify streams with elevated concentrations or high number of detections; Collaborate on voluntary management practices; and do follow-up monitoring to determine improvements.

Kevin Masterson, DEQ Toxics Coordinator took the floor to provide a little bit about the history of this Pesticide Stewardship Partnership Program. The Program started in Hood River in 1999/2000 but it wasn’t until 2007 that they established this interagency team that Kirk mentioned. It was beneficial for the watershed-based partnerships to have this State team guide the interpretation of the data, to help provide resources and tools that they might not otherwise have. At the outset of this program they really didn’t have that statewide guidance. A goal at that time was to avoid going down the road regarding Total Maximum Daily Loads under the Clean Water Act for current use pesticides. As we monitored for current use pesticides in streams and we found some detections over Water Quality Standards, the growers approached us suggesting an all voluntary approach. So having identified the elevated levels of pesticides in the streams and the locations they then collaborated with the landowners to implement BMPs using customized solutions at the local level through Extension, grower groups and S&WCD. By continuing monitoring long enough to see if there were trends over time we were able to document improvements bringing those levels down below Water Quality Standards. A lot of growers at the time said, if there is a problem, just show us the data and we will take action! So the whole point was to be able to use the data collected as an information tool to drive best practices and to voluntarily achieve the goals of the Clean Water Act faster than they could have been achieved with a regulatory solution. That means if we are seeing these pesticides in the water and best practices are implemented we should be able to see the results of those improvements in a very short period of time. So as the proof was in the data, if our alternative approach didn’t work, they could always have the Clean Water Act approach as a back stop. The success in the mid-Columbia was something everyone wanted replicated throughout the State and that success led to pilot projects in the north Willamette. In 2013 after demonstrating successes in these areas we had a pretty broad coalition that went to the legislature and got more stable state funding. That funding has enabled the addition of new watersheds, bolstered ongoing monitoring efforts and also provided funding for pesticide waste collection events.

There are now 8 active projects and 2 pilot projects. One project that has just wound down is the South Yamhill. There are an array of different basins that are represented and being focused on. Kevin shared that their success in the mid-Columbia was simplified because they had single land use, primarily fruit growing. We could get everybody in the same room and say, this is what we are finding and they all agree to work on practices that they develop and implement themselves. That’s why they’ve been able to see such dramatic reductions in some of the key pesticides in those areas. In the North Willamette for instance it has been a lot harder to achieve because of the variety of Ag land uses in one small sub-watershed! Sometimes they are using the same active ingredients so you can see improvements in one commodity but it could be washed out by increased pest pressures in others. So, what we’ve done is to focus on smaller sub-watersheds where we see the most detections and exceedances of the benchmarks try to work with the landowners there and then mushroom out as resources allow. It turns out to no surprise that the urban contribution is fairly significant in some watersheds and a tough nut to crack when you have 150,000 residents that you are trying to communicate with. So the approaches need to be customized and it’s usually a number of different practices and approaches combined that add up to a benefit for water quality.

Types of voluntary and regulatory actions that have been successfully implemented are:
- Spray Drift reductions
- Weather Station installations
- Biological Controls
- Integrated Pest Management Training and Technical Assistance
- Use of less toxic pesticides
- Buffer strips to minimize spray near streams

He provided some examples of results when there were multiple land uses. The challenges right now are to link our water quality data trends to the actions that are happening in the watersheds as sometimes it’s hard to link action x to result y. Part of it is timing our sampling to coincide with those applications and then to deliver data and technical assistance to the folks that can most use it. He noted that it was also important to effectively communicate those positive trends and successes to promote consistent effort where everybody takes ownership of their part.

South Yamhill Pesticide Stewardship Partnership
Thomas Whittington, newly appointed Water Quality Specialist provided the results of the South Yamhill Project. He directed members to the handout. Slides showed the South Yamhill PSP Evaluation Area as located on the eastern slope of the Coast Range. Monitoring began in 2010 and was suspended in 2017. He noted that one of the main contributors to the report was Kyle Abraham when he was Water Quality Specialist. The results were finalized a couple of months ago. The South Yamhill is a sub-basin of the Yamhill River Basin. In the South Yamhill there were 3
sub-watersheds that were used for collection of the samples. Those three were the: Rogue River; Agency Creek and Gold Creek. There were 54 samples taken between October 2010 and October 2016.

He explained that this effort is an example of where the Pesticide Stewardship Program works within the Plan. The guidance provided was based on detection frequency, concentration levels and locations/land use types and prioritized for concern. The lowest level corresponds to the sites with the lowest frequencies and lowest concentrations according to the Water Quality Management Plan. There were detections of six different herbicides or herbicide derogates that were detected through this sampling period. None of the detections were above the EPA Aquatic Life benchmarks. The highest level was still only 14% of the benchmark. The Aquatic Life ratio, is a ratio used to give a better scale. That is taking the highest result that was found and dividing it by the lowest EPA benchmark for that pesticide. For the ones that were found the highest one was 14% of the Aquatic Life Ratio that was calculated for that particular active ingredient. He followed with the results for each sub-watershed and including the percentage of forestland in each. Agency Creek is the largest sub-watershed at 16,080 acres and 96% of which is forestland. Gold Creek, the smallest sub-watershed at 3,470 acres is 95% forestland as well. This one had a few more active ingredients detected. You see those on the top there, it looks like April had a few detections in 2012 and then didn’t have others. The last watershed was the Rogue River sub-watershed. The second largest with 3,760 acres, 87% forestland. He pointed out challenges with doing this kind of work in forestland because it’s not like typical agriculture where we have a routine applications. Things happen on a very sporadic basis and there are a variety of factors. Samples were collected in the spring and fall when the most likely applications were going to take place and then were taken weekly during the sample period.

Bonner shared that from personal experience she spoke to people about testing and said one of the important things to keep in mind was that the carrier chemicals that are not the active ingredient itself often persist much longer in the environment. Compounding the issue, those additives are often proprietary so you don’t always know what they are or what to test for. She asked if the monitoring tested for carrier chemicals as well.

Masterson answered that this program specifically focuses on the active pesticide ingredients. They realize that those non-ethanol phosphetates are much more persistent and toxic then some of the active ingredients. But there are a lot of surfactants and other inert ingredients and as you say, trying to pair it up with some product that was used is hard because that is proprietary. They don’t have the full suite of everything that is listed as a surfactant by EPA which does have a list of all of those inactive ingredients but they don’t pair them with specific products. Cook also responded that there have been more and more questions and concerns regarding what’s really in these inert ingredients and there have been more calls for EPA to provide more information on what those inert ingredients are.

Whittington summarized by saying that in the South Yamhill what they did find in samples were very low concentrations and there were very few detections for the whole time the samples were collected. He referred the members to the report for more details. Here again this project was wrapping up as one where the predominant use was forestry. We want to do more monitoring and sampling in a different watersheds and that’s the South Umpqua watersheds and differentiating out land uses.

He emphasized that the other big thing is establishing some kind of water quality baseline. The problem is the benchmarks that the EPA set are not static, things change all the time, so that kind of makes it harder to interpret the data when we do get these samples. His last take home message on South Yamhill was for the committee to understand that the pest management team is the overarching group that helps identify and prioritize pesticides that might be effecting water quality. Then PSP actually collects and analyzes the data in selected watersheds and helps determining what the responses should be. For forestry use from what we saw in the South Yamhill the FPA rules are doing a good job of minimizing pesticides from waters.

Abraham added that ODF sincerely appreciates the local support of the landowners in that area. Marganne was instrumental in getting that started but we had good support from Stimson, Hancock, Weyerhaeuser, Miami Corporation and also met with many of those folks in 2014 to kind of narrow down some of the spray windows to make sure we are hitting the right time with our limited resources. They even shared that there were a couple of chemicals that we weren’t testing for that we added to the suite of tests. The results that we saw in South Yamhill are pretty similar to other studies that have been done on forestland USGS and OWEB study and NCASI and then our own ODF monitoring study in 2000. For him the take away is low concentrations, infrequent detections from forestry applications!

Cook included appreciation for the Grand Ronde Tribe who were intimately involved and supportive all the way through the monitoring, with the biologist for the tribe actually doing the sampling. He added that each of the watersheds have sub-watersheds. They try to design the monitoring stations to isolate a particular land use. Forestry
sites, orchard agriculture, field crops, rural and urban use. They are certainly sympathetic to some of the publicity that forestry has been received of late. That is a balance we are trying to achieve but they never go out and target a single landowner.

He explained what they called “integrator sites” sampling from the bottom of the creeks near the confluence of major tributaries, or main stem. From that placement we don’t know exactly what land uses the concentrations were coming from. So they try and isolate those land uses a bit more. Again, it’s not totally focused on forestry. But the ag/commodities there don’t seem to be as pesticide intensive as some of the other areas we’re going to, a lot of pasture land and so on. Some grapes. So we’ve tried to isolate Ag and urban and a couple of sites that are designed to capture forestry in two particular locations. So in the South Umpqua Basin, North Myrtle Creek, everything above that site has multiple landowners including the Cow Creek Tribe and a couple of private forest landowners. In the results of the first year, seven of the twelve pesticides we detected were herbicides that had forest use registrations, but they also could be used in other applications. Again they are downstream so could be getting additive effects from different uses.

A member noted that he wanted to be clear that on detections in most forestry related applications don’t include sulfometuron methyl anymore, especially in Douglas County and south for growth reasons. He shared that most folks made the change quite a while ago. It’s cheap but it also has effects on root growth in dry seasons. Most forestry applications have not included Oust or that active ingredient unless there is somebody out there using the old application. If you use Oust on your seedlings you will lose all your seedlings. Masterson appreciated that insight as information that can be really helpful in identifying where the detections are coming from. Cook continued agreeing that this is exactly the kind of engagement and input that they are going to need.

Masterson went through the slides and graphs and results from 2017 and early 2018. What they would like to do is establish some kind of baseline, and start getting more information like we got today on what may be used in forestry and other applications to correlate that with what we are finding at these relatively low levels and then reconstitute our steering committee. The Partners for Umpqua Rivers which have a really diverse membership base. They are the ones collecting these samples and shipping them to our lab. We had the Soil and Water Conservation District, OSU Extension and then Cow Creek Tribe. Partners for Umpqua Rivers has the conservation people, forest landowners and agricultural people. And through Kirk we have been able to give them a little bit of money to help collect those samples and they have a lot of experience doing that work.

He suggested having the stewardship forester down help bring people back together to dig into this data and talk about any other refinements to the monitoring we should do. How should the data should be communicated to various landowners? They would like to get the landowners to help us with getting more information on application timing and how we share the data and also when the time comes if it is necessary to help assist us with best management practice information, technical assistance and outreach to their fellow landowners. So that’s our goal. As a voluntary program it really requires that level of cooperation.

Cook added one important change that they have made starting a couple of years ago, that in addition to collecting water quality data now each of our partners have and are collecting discharge measurements from the streams. So starting next year we can talk about changes in loads, pesticide loads instead of concentrations. Sometimes we have concentrations that you will see fluctuations just because of the discharge changes in the stream. So by taking the discharge measurements we’ll be able to negate that. In some cases you will see concentrations going up when the actual loading is going down, or vise-versa this new dataset will help us better communicate what we are finding with more accurate results.

In response to a question regarding the extent of the effort statewide, Masterson replied that they have toxics monitoring that has been done throughout the State that give them an indication from a downstream perspective if there are detections. Also collecting the land use information, endangered species and drinking water vulnerability. Those are all criteria pieces of information that our state team uses to determine where we might go next. Expansion efforts are dependent on the limited resources provided and some studies must wind down before other watersheds are added.

**4. Monitoring Update – Marganne Allen, Forest Health and Monitoring Manager**

Allen delegated her staff to host the presentations. Paul Clements, Monitoring and Training Coordinator began with a discussion on the Compliance Audit.
Compliance Audit Update

Clements reminded members that the Compliance Audit that was begun in 2013 had been completed just last year and he had brought those results to the Committees last spring and the Report was presented to the Board in September. He noted that 2017 Compliance Audit Summary Report is available as an attachment to the Sept. 5th BOF meeting with the full report on the external ODF website. The 2017 report summarized the monitoring of roads and harvest practices and stream protections. The next effort would be focused on reforestation. The question that he hopes to answer is, “How well do people comply with the requirement to plant trees within two years of harvesting them?” The sample sites will be driven from a population of notifications that came into our FERNs system from 2014 to 2016 all the notifications that said, clear cut. From that we apportioned from acreage notified. So NW and SOA is about twice the acreage of EOA and the sample will reflect that. They will survey 100 sites in the Audit. Staff is working on a request for proposal for contractors to collect the data. The RFP requires a legal sufficiency analysis from the DOJ to say that our contracting business is correct. We also have to get permission from landowners to get on their lands and they have begun sending out notifications to landowners and are already getting some back. They hope to put this thing out for bid by the end of the year once they get the legal review then its given to the Attorney General’s Office and they compare it to all the things they have to do and give it back to us when they can, then we’ll be able to issue a RFP and see what the private sector brings to us. The current goal was to have people out there on the land by the second quarter next year. The Program will be asking contractors to go to predetermined spots on the ground, take a 1/50th of an acre plot and tell us what they find. Mostly we just want to be able to answer the question, ‘Did they plant the trees?’ The Audit will also ask to see any herbicide records to compare actual application records to what the notification might say. So far they have selected the sites, and are working with the landowners and our External Review Committee that provide us feedback about our process and matters of style. So, this is what we hope to see in 2019.

Barnes asked about the breakdown in land ownership and site selection. Clements explained that it is stratified by ODF Administrative Area and by Landowner Class. Which is required information in the notification. So there are Non-Industrial Private Landowners, Industrial Private Landowners, and there are Other Landowners such as State Forests, we won’t go on Tribal Lands, the Boy Scouts and Trusts, and Counties. And based on the proportion of notifications we get from them we sample accordingly. It’s sliced about 6 different ways. There will be approximately 81 industrials, 12 others and 18 non-industrials, with notifications with a clear cut activity code. We did not include partial cut notifications in this sample. It’s a reforestation check. And as the free-to-grow requirement deadline doesn’t happen at 24 months that won’t be included in the audit.

The herbicide records review pertains to the requirement in statute for landowners to keep a daily record of chemical application. We hope to get to see them and evaluate how well they are tracking, how complete and thorough they are in comparison to the notification of that activity. But that access will be based on the landowner’s willingness and ability to share them.

Clements added that this will be a smaller effort than the last Audit because we have other monitoring efforts going on around the State and they can’t commit the resources needed to get into the greater detail. So we are going to go count little trees. Tucker reminded members that the Department had lost half of the budget to do the Audit this biennium so they are developing this new protocol with that in mind.

Allen shared that the ultimate vision for monitoring is conceivably to have protocols built for every rule and statute under the Forest Practices Act and coming up with some sort of sampling design over time. For the last Compliance Audit which were most of the harvesting rules, most of the road rules and a smattering of RMA and that was 57 rules! With a lot more Divisions to go they have to keep building on the sampling protocols for each rule set and eventually get to the point that we can sample rules over time and space and pre-determined protocols for data collection.

Stinnett summarized his understanding that there are two main thrusts in this particular effort. One is reforestation success associated with the physical act of putting trees in the ground and the other is asking for application records but not assessing application practices? Clements clarified for this audit they want to see how well the record keeping has been done. Stinnett explained his confusion centered on the fact that as he understood it, ODF’s oversight of pesticides is the application practice on the ground, where it can be applied, where it can’t be. He thought recordkeeping was primarily an ODA responsibility. Paul explained that the Department’s Administrative Rules mirror ODA’s and it’s those rules that dictate records be kept and made available to us. For Audit purposes they just want to see how well landowner pesticide records line up with what they submitted.

Allen emphasized once again that the Department’s goal here is to focus and prioritize education and training with the data they are collecting. So it’s just more, what was notified for? What was recorded? Making that kind of comparison. The Department is not looking to be punitive. The Audit is used to inform what education and training needs could
improve our game on the ground. Clements continued by using the last Audit as an example, that having taken all the information gathered from the past five years and analyzing trends helps to identify and prioritize landowner/operator training needs using the Association of Oregon Loggers, and Oregon Professional Loggers programs to focus training on areas of lower rule compliance.

Effectiveness Monitoring in Western Oregon and the Siskiyou Region.
Frueh presented an update on the current effectiveness monitoring projects. He referenced the handout provided in member packets entitled, Siskiyou Streamside Protection Review and reminded the members that the Board instructed the Program to go forth and do monitoring in the Siskiyou looking at the effectiveness of FPA rules for stream temperature, shade and Desired Future Condition on Small and Medium Streams. To do a literature review and bring the Board back some contextual information on fish and water quality from ODF&W and DEQ. So we are in the process of conducting the systematic review which is a rigorous process that begins by developing a protocol and criteria around how we are going to decide what’s in and what’s out and soliciting feedback on those choices from stakeholders and tribes. At the end of the day the Board will look at all this information and make a call whether the FPA rules are working as designed; FPA rules may not be meeting the stated objectives; more study is warranted or no action is needed. He directed members to the timeline and indicated that all the points in bold are the opportunities for input. Currently in the process they are soliciting stakeholder and tribal input on the protocol and if there are any other studies to consider. And in that context he asked the group if both or either Committee wanted to provide input on the protocols for the Siskiyou review.

Both Chairs responded that when the invitation to comment went out neither heard any interest from members in the protocol review. But Bonner expressed some confusion as to exactly what feedback was desired. Frueh addressed that by assuring members if they had any input on the protocol as designed or the inclusion criteria, or knew of any additional studies to be included he would be happy to meet with folks one on one or as a team to think about how best to provide that information. The literature selected for inclusion, will be able to be referenced and distributed. The Program plans to wrap up the Siskiyou literature review in January presenting the Board with an update of where we are in the process and a summary of stakeholder’s comments. Then ODFW and DEQ will present to the Board the contextual information on fish status and trend and water quality status and trend in the Siskiyou.

Frueh continued explaining the similar process happening in parallel. In Western Oregon they are looking at the sufficiency of rules for Large Wood and Desired Future Condition on Small and Medium Fish streams in the rest of western Oregon accept for the Siskiyou. That involves bringing several products to the Board. One is a similar Systematic Review (and staff are working on the protocol for that to send that out for review). We are doing data analysis on the RipStream data pre-harvest; post-harvest data and we sent out the field methods for review earlier and we’re currently modifying the method based on that input. They are also exploring modeling the RipStream data into the future and we are going to use a request for proposal to find who could do the stand modeling work. So it is a process to get information on how best to move forward in terms of that model. So the plan is to bring this first set of information to the Board late next spring. The Systematic Review and the field data analysis. Exactly what happens with the Stand Modeling remains to be seen. He asked if folks had questions about that process and pointed them to the other handout with a timetable similar to the Siskiyou one.

Tucker shared that with the ambitious workload for the new Board members staff are working one-on-one to bring those 3 new members up to speed on the history of these efforts well in advance of decision-making. Programs are keenly aware of workload and are trying to keep all program topics moving forward in a timely manner but have some sense of empathy for new Board members. She also shared how exciting it is to be fully staffed in the Monitoring Program, moving into the future with the Compliance Audit; full speed ahead on the Siskiyou topic as well as the Western Oregon Large Wood topic and that places us in alignment with the Monitoring Unit strategy we presented to the BOF back in 2016.

Allen let the members know that if they are interested in coming up with opportunities to talk to folks at a local level let them know, SAF meetings, Watershed council meeting, etc. It would be helpful to be able to attend and talk about our work. She emphasized they really do want to make those connections to have more intimate conversations about the work being done and hopefully make that connection a bit more real.

5. Marbled Murrelet Rule Analysis Update – Jennifer Weikel, ODF Wildlife Biologist
Weikel was present to provide an update on the Marbled Murrelet Rule Analysis. Since May, she has finalized the Draft Marbled Murrelet Technical Report. The Board directed us in April to initiate the Expert Review of that report. That review was conducted and she compiled the resulting comments and concerns and has summarized those with the intent of presenting that review to the Board in November. She emphasized that the Report is still in draft format
and hasn’t been revised yet. The Report per the Administrative Rules has to have a background of the ecology and life history of the species, information on habitat needs and also a sense of what information gaps still exist.

They anticipate a lot of discussion with the Board on identification of the resource site. When they started working on this project it became clear pretty early on that this was not going to be a straightforward question. All the other species that we have rules for protect the nest sites which are usually really big and obvious, easy to find and the species biology is really clear that the nest is a key resource site used by that species. But that is not the case for the Murrelet. They are only using forests for nesting but the nests are incredibly hard to find. So, the survey protocol that is in place for Murrelets doesn’t focus on finding nests but recognizing certain behaviors that the birds exhibit when they come in to nest.

So the Technical Report does not recommend a solution to what the resource site should be but describes the complete range of what those options might be so that will be a key policy choice for the Board to make. The report describes potential resource site options based on the current data: Only known nest sites (of which there are roughly 80+ known nest sites in Oregon now). It could be the known nest sites plus locations where "occupied detections" are observed. Or it could be at the other extreme end, the actual habitat itself. Ultimately the protection measures are going to depend on what the resource site is and how that is defined. Prescriptive BMPs which would be similar to what we have for our current rules establish buffers, define habitat for the species, and seasonal protection requirements around sites or within habitat. She also described programmatic approaches like the Safe Harbor Program for Spotted Owls which would encourage voluntary retention of habitat. The prescriptive BMPs as we are envisioning them now could actually be either regulatory or a voluntary measures type approach or some combination.

So the Expert Review is required by our Administrative Rules. The Report has to go through a formal review and a technical review by experts chosen by the State Forester. That Expert Review Summary is submitted to the Board along with the Draft Technical Report. That review is really important for the Board to provide confidence to know that the documentation they are depending on for guidance is well-rounded and unbiased science. Reviewers were asked to identify any missing or pertinent literature; to review our interpretation of the science for accuracy and to weigh in on the scientific merit of the policy options.

Six individuals were chosen to represent a range of backgrounds with an interest in Murrelets and had to have some kind of professional experience with the species, either from the academic research point of view or from the management point of view. She identified the Experts as:
1. Academic/Science background was Marty Raphael, a Murrelet researcher out of the PNW Station;
2. Another research person we have is Jake Verschuyl from NCASI.
3. The private landowner perspective, Mike Rochelle from Weyerhaeuser.
4. From the government landowner community, The Association of Oregon Counties represented by Tim Vredenburg from down in Roseburg area.
5. Conservation interests we had Bob Sallanger from Portland Audubon and
6. Tribal interests we had Jason Robison from the Kalapuya Tribe.

In general there were 33 citations recommended by the Review panel to be added into the report. Two of them were new projects or publications since we originally sent out the draft report. And of those 33 citations they were all supplementing information already in there. So there were no major publications that we missed. We also asked them to identify if we were missing any topics, they noted we did miss a complete subject area that needs to be added into the report. Summarizing the Expert Review we addressed those comments indicating what will be added into the final Report and which information was out of scope. Then on the question of scientific merit, she offered that for a lot of topics it is typical to have some scientific disagreement, but this is especially true for Murrelets. There were a couple of comments that I thought were telling of what the Board is going to face going forward as there were comments that there is just not enough information about this species to make policy decisions. But we heard from other individuals that even with lack of information that we should take a precautionary approach because this is a Threatened Species.

There will be no decision made by the Board in November, it is information-only topic for the agenda. In January, Jim Rivers from the OSU project will come and give a presentation to the Board on what’s going on with new science. In April she will be giving the Board the final version of the Technical Report (having incorporated all the areas addressed from the expert review). That will be a decision point for the Board to accept or reject the information. And at that point we expect them to direct us to go forward with the next steps given their decisions.

6. **SOD: An example of multi-agency forest health cooperation** – Sarah Navarro, ODF Pathologist
Allen introduced Sarah Navarro and her presentation as part of an overall effort to bring forest health topics to the regional committees. Sarah was on this agenda to talk about forestry in relation to quarantines, specifically, Sudden Oak Death. She invited the members to communicate any ideas or questions they may have about forest health as future agenda topics. Navarro emphasized that the entire Forest Health staff is available to provide technical assistance to private landowners as well as ODF field staff.

She began that the management of Sudden Oak Death in Oregon forests is a collaborative effort not only between the Oregon Department of Forestry and the Oregon Department of Agriculture, but also with Oregon State University (who do all of the lab testing and verification for us) and working in concert with the US Forest Service and BLM in our southwestern Oregon forests. More recently the Association of Oregon Counties, joined the effort and were instrumental in forming a Sudden Oak Taskforce. Navarro described the biology of Sudden Oak Death as a disease of tanoak trees here in Oregon caused by the non-native invasive pathogen, *Phytophthora ramorum* likely introduced from Southeast Asia to North America in the mid-1990’s in California. *Phytophthora* in Greek means ‘plant destroyer’, and those pathogens are responsible for highly detrimental plant diseases. The Irish Potato Famine and Port Orford Cedar Root disease is caused by *Phytophthora* as well. USDA Animal and Plant Health inspection service, USDA APHSIS maintains a host list for *ramorum* and it is over one hundred plant species long. But in Oregon tanoak is the only species that is killed by *phytotricha ramonum*. The disease spreads through spores in the canopies of tanoaks and spreads locally by rain and wind events. The spores cause a stem-girdling cankers which then kills the tanoaks. It loves moist, windy environments which we have a lot of on our Oregon Coast. So it is spread by not only local dispersal from rain, or long distance dispersal from wind, but also dispersal through infected plant stock. Nursery plants can also become infected and it’s how the pathogen arrived here in Oregon. So ODA runs a nursery inspection program and regulation program for *Phytophthora ramorum*. We also get infections in Rhododendron, Douglas-fir, Grand Fir, Oregon Myrtle, Evergreen Huckleberry, Red Huckleberry and Redwood as well. But with these understory plants and with our conifer tree species we only see damage to these plants when they are grown underneath an infected tanoak. We’ve had three introductions of Sudden Oak Death discovered in Oregon. 2001 was the first introduction. (Through molecular work we know that it was infected nursery stock most likely from California). A second introduction twelve miles north of any other known infestation in the woods in 2010 in the Cape Sebastian/Pistol River area. And a third introduction in 2015 of a new strain to the Oregon forests the European strain (EU1).

There are currently five different collaborative efforts. ODF’s role is Survey/Detection; further Delineation of Infected Sites; Treatment of Infected Sites; Regulation and Education; and lastly Monitoring and Research. The USFS has a SOD forester and pathologist on staff to help as well running their own aerial surveys, ground surveys as well as surveying stream courses throughout the entire year. ODF treats infected sites on private and state owned lands. The Forest Service and BLM do their ownerships as well.

Treatment protocols require that all tanoak be treated within a 300 foot buffer around an infected tree. Treatments involve herbicide injection of tanoaks to prevent stumps from re-sprouting and then we cut pile and burn all the tanoaks within that 300 foot radius which equates to a six acre labor intensive treatment. It can up to $5000 per acre depending on the density of tanoak and the site conditions. There is no cost but also no compensation to private landowners when treatment is required under the quarantine. So since the first detection we have treated 6300 acres and we’ve been able to slow the spread of this disease in Curry County. 25% of that treated acreage has been on Bureau of Land Management owned land. Without treatment of Sudden Oak Death the disease rapidly intensifies in areas. Navarro shared some slides of high resolution aerial photography taken in 2012 indicating by color the different species and scattered throughout the stands are single red dead tanoaks. In the next 2 years and you see 50% mortality in these stands. In 2 more years and you see 80 to 100% mortality of the tanoak in these stands. She pointed out that just last year this imagery shows these stands have just completely fallen apart and she cautioned that these dead trees are a safety and wildfire risk to landowners.

In Oregon, Sudden Oak Death is managed using both Federal quarantine and State quarantine protocols. ODF operates under the regulatory authority of the Oregon Dept. of Agriculture who are tasked with regulating plant diseases. 2012 is when the generally infested area was designated under the quarantine. And under the quarantine regulations treatment is required on private lands as well as state-owned lands. The quarantine restricts the movement of tanoak outside the quarantine area from a known infested site. Landowners who do want to harvest tanoak are required to request a special permit. Those permits are issued for a set time frame and must have a ground survey done to ensure they are not harvesting from known infested sites. Extensions of time require additional surveys. Throughout the history of the program 95% of the landowners that we work with have been highly cooperative and understanding need for disease management and removal of this tree species from their properties but if getting permission is difficult, under our regulatory authorities we do have the ability to get administrative warrants if necessary to do treatment.
Most recently a Sudden Oak Death Task Force was convened in 2016 from a block grant given to the Assoc. of Oregon Counties. The first meeting was then co-convened by U.S. Senator Merkley and State Representative David Brock-Smith. They brought in over 30 organizations and stakeholders to look at the issues of SOD. The following sub-committees were formed from that taskforce to address specific issues:

a) A Core Science Team to look at what research is out there and what we need to know in order to properly manage for this disease.

b) An All Lands Committee which recently signed a MOU so that everyone is working together.

c) A Communications and Civic Engagement Team which is leading how to best communicate with the public.

d) ODF has just funded an Economic Impact Analysis to be completed at the end of this year looking at not only the economic impacts of this disease and the quarantine but also the ecological, and qualitative impacts.

e) An Adaptation Group, trying to find resources and get money on the ground for treatment.

Navarro shared that future efforts would be centering on eradication of the new European strain (EU1) of Sudden Oak Death down in Curry County. She highlighted the risk reporting that in the UK 30,000 acres of Japanese Larch plantations there were destroyed due to EU1. It turns out that the Japanese Larch is a highly susceptible host producing two to three times more spores than it does on our tanoak. The UK has seen damage to conifer trees they hadn’t seen before. Douglas-fir; Grand fir, Western Hemlock and Port Orford Cedar grown next to these infected Japanese Larch plantations have these stem-girdling cankers on them. They are actively managing for the disease there but detection of it here is a major concern. And again they have tracked the introduction to the nursery system.

Continuing she reported that they will continue efforts in Oregon to contain this disease as a major threat to eastern Oak species which are highly susceptible. Their goal is to protect Tanoaks as they are an ecologically important tree species in our southwest Oregon forests. They are the only acorn producers, a vital wildlife food source which is irreplaceable. Oaks are also of high cultural significance to our tribes. Navarro was optimistic that working with the USDA ARS Lab at OSU we will have a simple field test to identify the strain with just a piece of infected tissue. Other efforts include acorn collection from inside and outside infected areas to collect as a potential future seed source and to look at any potential for breeding for disease resistance.

Allen added that there are more Invasives on the radar as well. Emerald Ash Borer has gone from the east coast as far west as Colorado so we are collecting Ash seed to be proactive to preserve our genetic stocks. And quarantines are a tool to eradicate or manage threats to our native species.

7. Tethered Logging Guidance – Josh Barnard, Field Support Manager

Barnard began by updating members on the work being done drafting guidance for tethered logging operations. Back in May he had shared the draft with the field staff and in August was able to meet with an interested sub-group from the RFPCs four members, 2 each from the Southwest and Northwest. They discussed what parts of the guidance might be confusing, need to be improved, or modified. He thanked RFPC members: Jay Christensen, Jim Hunt, Steve McNulty and Dave Erickson for their time and feedback.

Barnard began the discussion with what changes were made after feedback was received. Starting right from the top and the title of the document. He shared that the actual rule set references disturbance created by specific equipment but it’s probably broader than that. One thing that was changed in the guidance document was to broaden guidance to include any other causes of disturbance from ground-based operations on this type of slope. Another change was to do an internal check that we didn’t move too far away from rule or tech note language in the guidance and could include appropriate rule references. There was a fair bit of discussion around organization of the document. But they ended up not completely reformatting the document, as some suggested, but removed some content from the top where there were some quasi-definitions and concepts that were duplicated later in the document. They made a concerted effort to put in an actual definition section and keep the beginning contextual. The next biggest change (coming from an internal discussion) was looking at how to calculate that 10% slope disturbance in relation to where that tethered equipment operated and how we measure everything else on a unit basis. It was determined that it should be expanded to all acreage within the unit greater than 60%. That would bring the guidance closer to alignment with our typical use and definition of unit and how we measure that. They also added a few things that wouldn’t be included into the calculation of the 10% disturbance threshold. So that was a new addition since the last version. He went on that they removed any terminology around equipment tracks exclusively as it may not actually be the tires that are causing the disturbance. Maybe one end of the tree is dragging on the ground. So less reference to the specific equipment but keeping the primary concept looking at soils that are altered in such a way that it changes how that water infiltrates or flows down the slope. A site specific evaluation of what that looks like whether or not that is specific to a tracked piece of equipment. Looking at headwalls, they pulled in language from the tech notes. There was a request to define the term ‘unsatisfactory condition’ which can significantly depend upon individual site soil...
conditions. If it is creating a moist consistency to the soil and pushing water out that could be an unsatisfactory condition. So instead of creating several definitions or more metrics that we might debate as we go along, we are thinking that may be a broader approach to address different site conditions is preferable.

Other significant changes to the guidance were to tighten up a section around some of the high landslide hazard location stuff, so it would be aligned more closely with rule. They also changed the characterization of the ‘watch out’ situations provided. That terminology is borrowed from fire training, but in this context it’s more about operational planning concerns. Other types of land formations, thin soils, old slides, wet areas? We still have the operational best management practices in here but didn’t delve into the details which already exist in the rule set. As far as major changes, there were some grammatical and housekeeping changes to make the document read better. Barnard then invited questions or comments from the members.

- Is the underlying assumption that if these guidelines are followed tethered logging is equivalent to any other forest activity that may deliver sediment to the waters of the state?

Barnard replied that in his opinion it is still equivalent to the purpose statement of the rules. So the 0150 rule set applies to slopes over 60% unless you are in an erosion-prone area which begins at 40%. The real purpose statement is to reduce the potential of delivering sediment to the Waters of the State. And in that context with the BMPs that we are currently implementing through a Plan for Alternate Practice we haven’t been seeing any delivery to Waters of the State. In regards to a question on whether staff had been able to find any scientific data collected relative to this new system. Allen noted that there is not a lot of information out there that we can take, make and base a decision on. Most of what they have found have been anecdotal observations. Staff have been on several tours trying to observe what we can and learn about the technology and along with that we’re conducting a literature review.

Allen asked Adam Coble to fill folks in on the literature review effort. Coble shared that in terms of core literature that’s directly related to tethered logging, there has been some work that compared ground disturbance, but nothing specifically related to tethered logging and sediment delivery to streams. So at this point operator experience is definitely a key component. There’s certainly a lot of literature for ground-based equipment in general but not specifically for tethered logging. Barnes noted that the main point is protection of the resources but ultimately there needs to be some real data to defend the practice. Coble shared that there is research going on but the data isn’t available yet.

Barnard clarified that at this point there isn’t a blanket assumption being made, it is a site-by-site review, actually a dialog between the submitter and the stewardship forester and possibly the geotech. A site-by-site approval that those BMPs are going to meet those goals. When you look at 0150 rules when they were created they used equipment specific terminology to limit that disturbance in that first 100 feet. So the rule language was framed with the equipment that was in use at the time. Part of the argument here has been that the new method isn’t creating a skid trail so the rules shouldn’t apply and landowners should be free to operate. The Department is encouraged to look at new, economical, efficient forest practices under ORS 527.630. For tethered logging the only way we can truly know is to put it into operation. Visually, they haven’t seen it contribute to Waters of the State. So a Plan for Alternate Practice gives us the mechanism (if we do believe it’s going to achieve the same outcomes) to operate. Abraham wanted to emphasize that the key piece of this is in terms of outcomes that successfully minimizes sediment delivery. That is still the intent of that rule is what we want to achieve.

- McNulty commented that there are two different types of tethered systems that they use. There are systems that tether cut and log where they swing the wood to a landing. And then there are systems that we only cut with the tethered machine and still use a yarder, a cable logging system to bring the wood to the roadside. He offered that those are two scenarios where this technology is employed.

Abraham asked those that participated in the sub-group workshop on this topic whether it was helpful and a good use of their time? McNulty replied he was very pleased with how this document came together and the input they were able to put towards it. He thought it was very useable guidance that provided clarification on how the technology needs to be deployed to mitigate and eliminate those risks. Others agreed.

Barnard shared that in addition, they have created a new Plan for Alternate Practice template which asks questions specific to tethered logging. Once any additional concerns are addressed this draft will be finalized as the operational guidance for tethered operations. Members will receive a final copy of the guidance when available and were encouraged to share it within their organizations. Barnes suggested pairing up Stewardship Foresters (those with experience in tethered operations with those who hadn’t seen it yet), for training. Barnard shared that the guidance
will be conveyed to operators as part of their planning if tethered logging is considered. Members were encouraged to let their industry partners know the guidance was being finalized.

8. Operator of the Year
Wagenblast started off the presentations with a quick reminder of the three different levels of recognition. Operator of the Year, the Merit Award and then the Letter of Commendation that comes from the District. The Merit Award is something the Committee could award to somebody that was nominated for OOT but was not selected as Operator of the Year for that Area. The standards nominations are evaluated on are: Consistency of the operator (verify that they have not had any civil penalties/violations in the last two years) and they meet or exceed FPA requirements; Degree of difficulty; Innovation and Extra Efforts; Results and Financial Risk. He introduced the nominations hitting some of highlights from notes he took on tour. Southern Oregon Area had one nomination and Northwest had two nominations. Next part of the Operator of the Year presentation were videos of the three nominations:

- Wilkerson Logging (SOA nominee)
- J.M. Browning (NWOA nominee)
- Gwin & Sons Logging (NWOA nominee)

After the videos were shown Northwest and Southwest members split into groups for discussion and deliberation. As they returned from those discussions, Tucker instructed them to verbally announce their choices.

Barnes announced that the Operator of the Year Award for the NW was J.M. Browning. He noted that it was a difficult decision because both operators did an equally good job. They wanted to give a Merit Award for Gwin & Sons Logging for their excellent work as well. Kjos announced for the SOA that they agreed unanimously that Wilkerson Logging was deserving of that Operator of the Year and wanted to have a Letter of Commendation awarded to Weyerhaeuser (the landowner) for the extra leg work and public relations they did with the town.

At the close of this voting, the meeting adjourned.