

**Draft Board of Forestry Meeting Minutes**

**November 2, 2016**

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*Items listed in order heard.*

Complete audio recordings from the meeting and attachments listed below are available on the web at [www.oregonforestry.gov](http://www.oregonforestry.gov)

- (1) Public Comment, [Chuck Huntington](#), Agenda Item 1
- (2) Public Comment, [Stacy Detwiler](#), Agenda Item 1
- (3) Handout, [FTLAC Testimony](#) , Agenda Item 5
- (4) Public Comment, [Bob Van Dyk](#), Agenda Item 5
- (5) Presentation, [State Forests](#), Agenda Item 6
- (6) Presentation, [Private Forests Monitoring Strategy](#), Agenda Item 7
- (7) Public Comment, [Mary Scurlock](#), Agenda Item 7
- (8) Presentation, [Good Neighbor Authority](#), Agenda Item 8
- (9) Presentation, [EQC and BOF Smoke Management](#), Agenda Item 9
- (10) Public Comment, [Rex Storm](#), Agenda Item 9

In accordance with the provisions of ORS 526.016, a meeting of the Oregon Board of Forestry was held on November 2, 2016 at the Ashland Hills Hotel & Suites-Cosmos Ballroom on 2525 Ashland Street Ashland, OR 97520.

Chair Imeson called the public meeting to order at 10:05 a.m.

*Board Members Present:*

Nils Christoffersen  
Cindy Deacon Williams  
Tom Imeson

Tom Insko  
Sybil Ackerman-Munson

*Absent*

Mike Rose

**CONSENT AGENDA:**

Listen to audio MP3 – (xx minutes –xx MB)

Tom Insko motioned for approval of the consent agenda. Cindy Deacon Williams seconded the motion. Voting in favor of the motion: Tom Insko, Cindy Deacon Williams, Sybil Ackerman-Munson, Nils Christoffersen, and Tom Imeson, against: none. With Board consensus, Items A through D were approved.

A. AUGUST 24 MEETING MINUTES

Approval of Board Meeting Minutes

**The minutes of the August 24, 2016 Board meeting were approved.**

B. SEPTEMBER 7, 2016 MEETING MINUTES

Approval of Board Meeting Minutes

**The minutes of the September 7, 2016 Board meeting were approved.**

C. APPROVAL OF CFF MEMBER APPOINTMENT

**The Board Approved the Appointment of Gilbert Shibley for the Landowner at Large Position on the CFF.**

D. REQUEST TO EXPAND ASHWOOD-ANTELOPE RANGELAND FIRE PROTECTION ASSOCIATION BOUNDARY

Fire Protection Work Plan –Ongoing Topic

The Board and State Forester received a letter on February 25 from the Chair and Secretary of the Ash Butte Rangeland Protection Association and some rangeland owners in Wasco County requesting a public meeting on the subject expanding the protection boundary of this area.

**The Board Approved the Inclusion of Rangeland in Portions of Wasco County into the Ashwood-Antelope Rangeland Fire Protection Association.**

**ACTION AND INFORMATION:**

## 1. STATE FORESTER AND BOARD MEMBER COMMENTS

[Listen to audio MP3](#) – (29 minutes –13.9 MB)

State Forester Daugherty provided a brief update on activities since the last Board Meeting. At the end of September Oregon Department of Forestry participated in legislative days and gave a report on the fire season to the Emergency Board which was well received. On Friday Jim Pena the Regional Forester and Meg Mitchell the United States Forest Service liaison joined with Doug Decker, Chad Davis and Peter Daugherty to meet with legislatures to discuss the Good Neighbor Authority and the Federal Forest Restoration Program which was received very positively in both programs. Jim Pena made an observation that Oregon's partnership with the forests service represents a new middle ground on federal forest land management. We are having a debate across the west about the role of Federal land about if they should be state owned or remain as Federal forest managed Lands, but Oregon has found a really good middle ground on collaboratively managing these lands for common objectives.

Rains brought formal close to fire season on October 13th. Overall we have had a very successful fire season with moderating conditions compared to the last 3 years. There was a lot of support which kept 96% of our fires at 10 acres or less. In this fire season we have experienced 807 fires for a total of 5,554 acres burned.

Comparing to the 10 year average that was quite a bit less compared to our average of 964 fires with a total of 34850 acres on average this fire season. \$17.4 Million was our gross cost our exposure was \$13.2 million we are now in a different place compared to previous years. The severity program has really helped and there were times where the severity was as bad as previous years, so there were chances that the fires could have gotten away.

In early October the Emergency Fire Cost Committee and Oregon Department of Forestry hosted a tour with the Lloyds of London underwriters for our Insurance policy program for Fire Protection. Toured started in Salem and then went to Veneta to meet district folks and then High Pass Burn near Junction City. Our wildfire policy is unique in that it is hard to figure out risk and there is a lot of elements to take into account so it is imperative for the underwriters to have the best understanding possible. Their assessment of risk is dependent on their understanding of our complete and coordinated system and how well we do our jobs. The tour was a good investment in maintaining our relationship with them.

At September meeting we decided to move forward with draft rule language changes, and are holiday public hearing. The first one was at the Oregon Garden. We have eleven scheduled so Kudos to staff and field folks, who managing those hearings. The final hearing will be December 15<sup>th</sup> in Portland at the Eco Trust.

Final shout out, that the American Tree farm system has picked an Oregon Tree Farmer as the National Tree Farmer of the Year. This award goes to the Defrees family in Oregon, the award recognizes sustainable land management, protecting forestland, wildlife habitat, and water quality for over a century. They are the first Oregon recipients in over a decade.

Comments from Board Members:

Cindy Deacon Williams welcomes everyone to this part of the state. For all the Travelers it looks like some nice weather will make the tour tomorrow even better. The tour should get us out to see what is unique and special to this part of the world and to see what partnerships we have here in Ashland.

Tom Insko apologized for lack of being here in person and knows the department puts a lot of work into the tours, he wanted to mention for information to the Board that Nils and he worked on a ceremonial signing of a memorandum between Wallowa resources of eastern Oregon University and United States Forest Service, Wallowa National forest forming a charter ranger district and it is a collaborative effort to work together to address many needs and there are mutual benefits as a result of that agreement. Wants to reference Gary Springer's participation in the Good Neighbor authority and looks forward to a new board member to be joining back into the board in the near future.

#### 1A. PUBLIC COMMENTS

Geoff Becker from the Applegate Partnership and Watershed Council provided public testimony recommending that the Board include the Siskiyou in the riparian rule changes. He felt the Board focused too much on values of it, and that eventually the rules will apply, but that the Board is wasting time refusing to include the Siskiyou at this time.

Chuck Huntington a member of the Rouge River watershed council provided public testimony and ([Attachment #1](#)). Work on projects with local landowners and others to maintain or improve watershed conditions near the Rouge Basin and upstream of the Grave Creek Confluence near Guleese. He was there representing the council board to highlight a letter to address the exclusion or their area in the riparian area ruling enhancements. Given the basics of stream heating, the importance of riparian vegetation keeping streams cool, and the sensitivity of the streams to warm they don't see logic in the potential exclusion. He recommends that the Board reconsider their decision to exclude the Siskiyou area to avoid encouraging a lower level of riparian forest stewardship than elsewhere in western Oregon.

Jack Duggan a landowner in Jacksonville provided public testimony. His family has lived in this area for four generations near Forest Creek a major tributary of the Applegate River. In 2014 Forest Creek emerged from their family's upper parcel until it flowed through Bureau of Land Management Land down to industrial land and then entered into their lower parcel of land. In 2014 the industrial land was cut. They had runoff that ran down the road on their property. In June 2015 he took water temperature measurements both above and below the cut. There was a 1.2 degree difference in water temperature June 2015 between the unaffected upper parcel and the now affected lower parcel, eventually by September it reached 3.4 degrees. The industrial land left a voluntary 20 foot buffer since not a fish stream, but it was easily heated up. It was a nice solid compact easy to drive road until used for logging and they tore it up. They put in huge water bars that continue to put silt into Forest Creek which is an Oxygen deprived stream. He strongly encourages the Board to look at all the streams in southern Oregon and to expand stream buffer rules and increase them. He also encourages for the Board to look at the fact that non fish bearing streams flow into major fisheries like the Applegate River and to extend those stream buffers. Lastly he encourages them to look at the headwaters from all streams for as much as a mile downstream from their emergence. He asks the Board to use their authority and responsibility to help do that.

John MacDairmid a landowner that lives on Dean Drive in Jackson County provided public testimony. He recommends that the buffers need to be expanded to filter sediment from the runoff. He is concerned about the granite that smothers the Steelhead in the river with the runoff. Ashland creek is a protected place and they have to physically remove decomposed granite from Reeder Reservoir. So he is asking the board to expand buffers for sediment runoff on the Siskiyou due to these concerns.

Stacy Detwiler a conservation director at Rogue River Keeper provided public testimony ([Attachment #2](#)). On behalf of members she is asking for the needed for changes to the water protection rules for the Siskiyou region under the Forest Practices Act. Concerned that the Siskiyou region will be left with a less protected standard, one that is already considered inadequate for salmonids under the

Clean Water Act. If the Siskiyou is not included in the current proposal they ask the Board to clarify how they will address this region in the 2017 work plan. They proposed and developing a monitoring and research strategy as needed and a defined scope and timeline in conjunction with an interim protection rules to address current needs. They ask the board to develop a timeline to address stream standards in the Siskiyou and to meet the water quality standard and minimize risk to threatened species. There is no evidence to support the decision to exclude the Siskiyou. They ask the board to include their watershed in the new rules as they move forward.

2. THE BOARD OF FORESTRY VALUES DISCUSSION  
[Listen to audio](#) MP3 – ( 9 minutes – 4.2 MB)

Tom Imeson gave an update on the Values Discussion from the October Retreat and the discussion of next steps.

At the public annual retreat the Board took a step back to look at why they are doing things, what they are doing, and how they are doing it. They looked at the values that are outlined in the 2011 Forestry Program for Oregon. These values touched on a global context including active management, how to meet needs, continuous learning, and looking at different kinds of forest ownerships and goals. It is important for the Board to look at these things while we making decisions and is it worth fine tuning them. They are not interested in making a new list, but want to make sure that they are being conscious about this current list. Tom Imeson feels this was a constructive conversation and verified the need to continue this discussion and have further discussions about it.

The Board felt it was a useful discussion and identified a number of things that minor changes would be helpful in order to get to a Board sense for what they are at using to guide decisions. They are hoping they can continue to proceed with that process.

The Board was very pleased that they explored the values discussion. It is important for the Board to periodically reconfirm a common sense of values and vision that then helps provide the framework for them to base the various complicated and complex issues that they deal with from board meeting to board meeting. It was a good discussion and they thanked the work of the staff to make this happen. They are looking forward to refining some of these values and losing them effectively moving forward.

State Forester Daugherty explains that this discussion came out of a board meeting where Doug Decker brought up the sense of values and whether the Board really owns those values and uses them as a compass. It is really important as a support perspective for the staff, who rely strongly on the mission, vision, and values to frame up policy questions and policy discussion. Having that clarity on values and how that would affect policy would really be an important first step. A couple of important things discussed in this talk on values included that some of the values don't seem to be deeply held values but more an inclusion of beliefs and values in general. Some things that seemed to really resonate during this discussion included transparency in its operation, equity, continuous learning, and adaptation. There was some concern that some values were good, but there was a missing connection between the values and achieving the goals and sustainability. Another core value mentioned was the importance of social and ecological wellbeing and its relationship to forest sustainability. Coming out of that conversation it looks that they need to get together to revise the values statements and perhaps address deeply held values first and then move into more beliefs to create fluidity. There was also discussion on revising the Forestry Program for Oregon. They will use these values and mission, vision, statement to create strategic planning. He is looking to create direction for the Board and staff members work on key goals and objectives, and integrating the work plans into these values.

Next steps:

- Look at notes from the October 12, 2016 meeting and make some edits.
- Refine the values statement.
- Work with the board to have those reviewed.
- Come up with a timeline to have a fruitful discussion in a public meeting about them.
- Adopt them and then decide what the next steps are beyond that.

Board question: What is the timeline for this to happen?

State Forester Daugherty indicated a draft will be written up to bring to the March Board Meeting.

The Board Chair indicated the importance to getting input and a reaction to these value changes, but once it is done, it should be useful to those who interact with the board. It is important to look across the universe of the values they have, versus just one. It should help explain their actions going forward.

### **Information only.**

#### 4. **DRAFT RULES FOR CENTRAL OREGON DISTRICT**

Fire Protection Work Plan – District Boundary Change Request

[Listen to audio](#) MP3 – (6 minutes 3 MB)

Doug Grafe, Chief of Fire Protection, discussed how we have engaged statewide on forest land classification with our committees on what areas Oregon Department of Forestry protects and which ones we don't. We are engaging in administrative cleanup and housekeeping around the boundary lines with the landscapes that Oregon Department of Forestry protects. This is the second time they have addressed a topic like this with the Board.

Mike Shaw District Forester for Central Oregon, described that the Department is continuing to make some changes with their boundaries. They are making these changes to address the current district boundaries. There is a current District boundary line that doesn't match up with the protection they provide in that area. In attachment 2 the boundary line is well away from the forest boundary they protect. In attachment 3 the line goes through the city of Bend, where they provide protection now they go through the city itself, looking to move it to the west where is clearly where they should be and where they provide protection. On attachment 4 they are expanding the boundary. It is to clean up and clarify where the boundary needs to be.

The Board asks if this new boundary goes through the BLM area?

Mike Shaw answers that this boundary does go in and out of the BLM land, which we do not classify or protect those lands, but it makes an easier boundary to follow.

Cindy Deacon Williams moved, Sybil Ackerman Munson seconded.

Voting in favor: Sybil Ackerman-Munson, Tom Insko, Nils Christoffersen, Cindy Deacon Williams, and Tom Imeson; against: none.

With an affirming vote of consensus, Chair Imeson ordered:

**Approved to begin the rulemaking process to amend OAR 629-041-0515, the boundary description of the Central Oregon Forest Protection District Boundary.**

3. COMMITTEE FOR FAMILY FORESTLANDS ANNUAL REPORT

[Listen to audio](#) MP3 - (14 minutes – 6.6 MB)

Kyle Abraham, interim deputy chief, and Dr. Edward Weber discussed progress on key issues, and made recommendations on policy topics affecting family forestland owners.

Dr. Edward Webber indicated that this report details their work plan for the year and includes activities and accomplishments in regards to board of forestry issues. It also looks at the 2016-17 work plan.

He highlighted a few things:

Acknowledgments on the support they have received from the Oregon Department of Forestry and the private forest stand as well as the contributions of the partnering organizations. Special thanks to Gary Springer.

Dr Edward Weber addressed Tier 1 issues that have been critical to family forestland owners during the year and in terms of the workload which include:

1. Forest taxes and forest business
2. Water Quality, specifically Coho rearing habitat, more information is needed on this.
3. Ritter Land Management Team Collaborative Project which, now has a strategic plan in place for forest restoration. Actively taking steps to create a mobile sawmill for Juniper removal. Working to secure additional operating funds.
4. Seedling availability for Family Forest Landowners (FFL). Four Key area for discussion under this topic with is:
  - Identify gaps in forest tree seed inventory and diversity in seed zones where FFL live.
  - Forecasting seedlings needs.
  - Sowing of seeds by nurseries- notify the growers what the forecasted need is.
  - Education to FFL about timing of harvest and planning for reforestation.

These are recurring issues for Family Forest Landowners. They address other issues such as the Riparian Rule analysis, the Bald Eagle rules, wildlife food plots, and landowner viability. The end report gives you advice in this area.

One additional note on the bald eagle rule, the, CCF sent a letter after that May meeting that essentially said they could not come to consensus on this item. The memo has general principles though that should be upheld when it comes to thinking about the Bald Eagle rules that the Board will be addressing.

A work plan is in place and they feel they are covering the important issues, but feedback from the Board is always welcome.

The Board asks Dr. Edward Weber to expand on his conversation with Peter Daugherty on this topic.

Edward Weber stated that they started the conversation and plan on continuing it this year, thinking about ecosystem services and what Family Forest Landowners can provide in regards to those kind of things, but have just started that process and are looking to continue the conversation while they are still gathering the information.

State Forester Peter Daugherty asked what was NOAA's response to an incentives based approach to the recovery plan?

Dr. Edward Weber said he wasn't at the meeting during that discussion so doesn't know what the response was from NOAA was but believes it was positive.

State Forester Peter Daugherty specified that this is an ongoing conversation about an incentives based program. One interesting thing about the equity analysis about small and medium Salmon, Steelhead, and Bull Trout streams is that 10% of the land base had 43% of the stream miles, and most of that 10% would be in Family Forestland Ownership. This raised the issue of a special geographical location of Family Forestlands. Oregon Department of Forestry now has the data for the equity analysis, look at the distribution of stream miles with high intrinsic potential and where those stream miles are located. With additional information and the ability to use the database there may be some opportunity there for incentive-based approach. Oregon Department of Forestry can work more on putting data behind this for Coho Habitat recovery.

### **Information Only.**

#### 5. FOREST TRUST LAND ADVISORY COMMITTEE (FTLAC)

Private Forests Work Plan – Implement Legislative Direction

[Listen to audio](#) MP3 – (10 minutes – 4.9 MB)

([Attachment # 3](#)) FTLAC testimony was read by Liz Dent, State Forestland Division Chief. This was a testimony on the work on take avoidance from State Forestlands on threatened and endangered species.

Bob Vandyke from the Wild Salmon Center provided public testimony on this subject ([Attachment #4](#)).

Wanted to draw attention to a couple of items: North Coast State Forest Coalition had one item that is of concern where there is a law suit underway. The main part of the lawsuit is that the management of the forests haven't been of the sort that would have been conducted on industrial forestland and that the difference between industrial forestland management and State Forestland management plan has resulted in this allegation. He also wanted to call attention to a grievous misstatement from the Linn County Commissioner Roger Nyquist, one of the main spokes people for the suit. It was stated October 7<sup>th</sup> from the Oregonian, where Commissioner Nyquist was quoted as saying "they don't have to clear cut anything to properly manage the forests, everyone who owns a pair of hiking boots need not worry that we are going to destroy the resource". He would hope that Roger Nyquist was aware that this year's annual operation plan calls for 6,000 acres of clearcutting on the State Forests and precisely what the suit is claiming, is that the state has not more aggressively clear-cut much more of the forest, which is where these revenues are due to them. So this implies either a falsehood, or a deep misperception on how the forests are actually managed. Timber harvest has increased since the Forest Management Plan has been put in place. These are the things he wanted to call to the Board's attention at this time.

### **Information Only.**

### **Information Only**

6. UPDATE ON STATE FORESTS SAFE HARBOR AGREEMENT AND CANDIDATE AGREEMENT WITH ASSURANCES

[Listen to audio](#) MP3 – (24 minutes – 11.5 MB)

[\(Presentation Attachment #5\)](#)

Nick Palazzotto, State Forests Division Wildlife Biologist, and Liz Dent, State Forestland Division Chief, updated The Board on two alternative ESA compliance mechanism different from “take avoidance” for the Endangered Species. These two mechanisms consisted of a Safe Harbor Agreement for Northern Spotted Owls, and a Candidate Conservation Agreement for fisher.

These efforts are tied to a State Forest Department Strategic Initiative on Threatened and Endangered Species Management on state lands. The primary goals of which are to:

- improve implementation of Take Avoidance strategies,
- explore Programmatic Approaches to Endangered Species Act, and
- track and prepare for any listings.

Under programmatic approaches, essentially, the landowner makes commitments to a species, usually to maintain or grow habitat, and in return receives assurance of no further restrictions on activities for the term of the agreement.

Usually a key part of this assurance is an incidental take permit which allows for take of individuals incidentally as part of otherwise lawful activities such as normal forest operations.

Take Avoidance by comparison is case by case approach, meaning avoid all take of any individuals, with “take” defined as harm or harass.

The US Fish and Wildlife Service Recovery Plan for spotted owls (2011) says “Design and implement large scale control experiments to assess the effects of barred owl removal on spotted owl site occupancy, reproduction, and survival.”

There is an underlying hypotheses that, as barred owls are removed, the number of occupied sites will go down and also that number of sites occupied by spotted owls will increase. So hypothetically the trends should reverse.

There’s been a large scale removal experiment underway for about a year now.

There are four study areas, two in Oregon, and the map on the right shows the Coast Range study removal area, which includes about 70% of our Western Lane district.

They’ve been removing barred owls since fall of last year and we’ve been working on this safe harbor agreement that allows them access and permission for removal, and provides us with formal assurances that no additional restrictions will be required, other than what is in the agreement for existing (or baseline) sites and new (or non-baseline) sites where spotted owls show up after barred owls are removed.

Benefit to spotted owls include:

- Knowledge gained will inform future conservation efforts. Can we reduce barred owl occupancy, do spotted owls in turn recolonize those areas, does that translate to reproductive success and productivity, how much effort is entailed and how much does it cost?
- No incidental take is allowed or authorized in the baseline sites, thus they continue to receive protection during study.
- Non-baseline areas where barred owl are removed allow for some re-occupancy by spotted owls during the study. Without the study, these sites would not come back.

We determined the Safe Harbor Agreement is in the best interests of the state because:

- It would most likely be happening anyway without approval, and would result in new sites that would affect us, thus we needed to protect the interests of the state from these new sites.
- Also our participation improves the likelihood of study success and thus contributes to owl conservation and recovery.
- Provides us with planning certainty over ten years. We know what is allowable in sites and that activities will not be further constrained.
- It provides assurance that our management activities won't violate the ESA via an Incidental take permit allowing for take of individual owls in the, non-baseline sites.

Updates:

- The Safe Harbor Agreement was signed by both parties in late September and thus we officially have a new ESA compliance tool that includes an incidental take permit.
- It expires in August of 2025 (except sales sold prior to end of agreement are covered through 2028)
- We are revising the Western Lane District Implementation Plan and aligning our internal policies accordingly.

### PUBLIC COMMENT

Heath Curtiss from the Oregon Forest and Industries Council gave public testimony on the Fisher CCAA and the department's work on that. He believes landowners are not opposed to these kind of services. Acting proactively is successful when used in exchange for assurances that things are predictable going forward. As an example of that, two private landowners are signing up for the Safe Harbor Agreement which shows that there is clearly a path forward. What are the costs in exchange for the benefits? This can be managed in regards to the risk. An alternative to that, will be understanding the benefits to the species. This would be good for state lands and for the Fisher. He thinks that staff are in a hard place and in this they have thought creatively which is good for state lands and for the species.

### Information Only

#### 7. FINAL REPORT: MONITORING STRATEGY FOR PRIVATE FORESTS

Private Forests Work Plan – Forest Practices Act (FPA) Rule Policy Review

[Listen to audio](#) MP3 – (20 minutes – 9.5 MB)

[\(Presentation Attachment #6\)](#)

Marganne Allen and Lena Tucker presented the final report of the Private Forests' Monitoring Strategy. They described how stakeholders participated throughout the process, what the priority questions are for the Monitoring Unit, and how we will begin to address implementing the plan.

Marganne noted that there were errors in the list of high priority effectiveness questions in the staff report and executive summary of the monitoring strategy (attachment 1) but that the list in the body of the attachment was correct. The staff report and executive summary of the monitoring strategy have been corrected and are available for the public record.

Private Forests' Monitoring Strategy developed in 2002

- Prioritized list of monitoring questions
- Inclusive, transparent process
- Interagency alignment

Strategy clarifies:

- Purpose, methods for including external partners in projects
- Process for studying monitoring questions and subsequent responses
- Staff capacity and maintaining focus on priority projects
- Communicating monitoring results
- Capacity: 1 large OR 2 medium OR 3 small projects
- Workload: re-evaluated at least annually
- New projects
- Preference, high priority questions
- Living document, revisit as new issues arise

A high priority topic in the 2016 Strategy: What fraction of riparian areas in forest operation areas are currently on track to meet FPA riparian "desired future condition" targets? For the fraction that is not on this track, what are the causes (e.g., due to legacy, blow-down, lack of hardwood-to-conifer conversion, insufficient FPA compliance)? Do DFC targets translate into mature forest conditions that meet water quality standards and other goals?

To implement the strategy, knowing that the Board had previously expressed a desire for examining a monitoring topic in the Siskiyou and Eastern Oregon geographic regions, staff asked for direction regarding workload priorities for the monitoring unit.

Specifically, the Department recommended that the Board approve the monitoring strategy and implement the strategy by either delaying work on framing the monitoring questions for Siskiyou/Eastern Oregon until 2018 or to delay the compliance audit expansion and include work on framing the policy questions for Siskiyou/Eastern Oregon now. With this direction, they can begin to scope the monitoring questions and determine scope/scale of work to address the questions and bring that back to the Board for further direction on how to proceed with Siskiyou/Eastern Oregon related work.

Next Steps to implement the strategy:

- Oregon Plan Voluntary Measures
- Rip Stream Desired Future Condition and Large Wood Recruitment analyses
  - If Option 1 selected: -Compliance Audit expansion
  - If Option 2 selected: -Compliance Audit expansion – delay or only minimal work and begin Siskiyou/E. Oregon riparian work

Bob Van Dyk provided public testimony that he hoped that this rule would extend to the Siskiyou as well. Glad to see some options. Happy to see some of the scientific questions to come to bear upon this issue.

Stacy Detwiler provided public testimony in concern on behalf of the priorities of the Board and how they address the Siskiyou. She asks that board develop the monitoring strategy with the Siskiyou included.

Mary Scurlock from the Oregon Stream Protection Coalition provided public testimony and provided written comment ([Attachment #7](#)) indicating she hoped the Siskiyou would be included in the rule proposal when initially addressed. In her opinion the Monitoring Strategy did a good job of soliciting stakeholder input. Some that was even taken into the rule decision. She wanted to highlight the fact about what the Boards response is to the continued disapproval of the Coastal Zone Management Program. In conjunction to that, when looking at the boards thoughts on the monitoring strategy, the public would like to see some kind of response to the list of issues. These are in the monitoring strategy, but they are not necessarily highlighted as being related to an ongoing disapproval of a regulatory program. Urges the Board to speak directly to those issues in a way that connects the dots between the list of issues and the plan moving forward. Seems to be a gap that needs to be bridged there.

Heath Curtiss, with the Oregon Forest Industries Council provided public comment. In regards to the Monitoring Strategy, they previously offered a lot of comments and the Department of Forestry did honor some of the comments. Mr. Curtiss appeals to the Board to look at the whole document and focus on the high priority questions that require the asking of other questions. This indicates a lot of work and chasing of answers. Some main points in regards to the Siskiyou issue, is that there is obviously a work load capacity in staff, the forests in different parts of Oregon are not alike, but they think that the percentage of the light hitting the stream, the amount attributable to harvest compared to its dense second growth forest in western Oregon vs stands in Eastern Oregon which are more sparse and have a lot of light already would be much less and its impact on stream temperature changes would also be different. There should be monitoring or research evidence that needs to be taken into account. In inference of Siskiyou region, make sure that rule changes are necessary before integrating it into the program. I would remind the board that your obligation is not to meet the demands of federal agencies, but to meet the demands of state law. He encouraged the Board to focus on the work in front of them and their priorities.

Simon Hare, a Josephine County Commissioner, provided public comment. Forest management is a complex subject. As was outlined in the BLM management plan there was a special provision made for southern Oregon for fire management. So they have about 25% of the State's fires during the year. Josephine and Jackson county has the most complex system of ownership in most western counties. A different type of prescription may be needed for how they handle their forests.

Motion made to accept or modify the action to approve the Final Draft Monitoring Strategy and direct the department to begin implementing this Strategy.

Sybil Ackerman- Munson motioned for a modification to reduce the compliance audit expansion to find one or more monitoring questions to address the Siskiyou and Eastern Oregon geographical areas, report to the Board in July 2017 or sooner with a list of monitoring questions as needs as suggested was possible to do.

Cindy Deacon Williams seconded the motion.

Nils Christoffersen asked what the motion looks like if it moves forward.

Marganne Allen answered that they don't have a specific monitoring question in hand. We would need to go visit with different stakeholder to better define the question. She suggests a coarse information inventory, more of a survey of available information, since there may be enough information already available. This will help scope the level of information available, identify gaps, and the scope of work to answer the questions.

Nils Christoffersen asked if there would be a stakeholder process that would define the question then look at the existing info and then how we can tackle the info in 6six months.

Lena Tucker: You have it correctly, this will allow us to scope out the needs of time and resources and the work plan. Looking at the latest of July 2017.

Peter Daugherty asked if they would we be bringing back alternative in July of different types of questions, or assorted choices? Would there be more then one option or choice to make?

Lena Tucker indicates that yes, this would be the plan. The questions will be back by July.

The Board asks in terms of tradeoffs as they are presented, could you tell a little more about the impacts of the delay in compliance audit expansion and what you mean in regards to work and priorities and what you mean by uncertainty of work load capacity long term?

Marganne Allen stated that since we don't have a complete audit of laws and rules. We are mainly covering the roads and harvesting side of regulations. As far as workload uncertainty, she doesn't know if she would have to bring back a literature review or a rip stream 2.0, two totally different things, especially in terms of workload. There is no point of doing a review if not a lot of information, and vice versa.

Voting in favor: Cindy Deacon Williams, Nils Christoffersen, Sybil Ackerman-Munson, and Tom Imeson; against: none.

With an affirming vote of consensus, Chair Imeson ordered:

**Approval of modification to reduce or eliminate the compliance audit expansion and to work with stakeholders to propose one or more monitoring questions to address in the Siskiyou and Eastern Oregon geographical areas and report to the Board in July 2017. Proposed methods and timelines to answer the question(s) would also be brought in July.**

#### 8. THE GOOD NEIGHBOR AUTHORITY

The Good Neighbor Authority (GNA), authorizes both the US Forest Service and Bureau of Land Management to enter into agreements with state agencies to implement a wide range of restoration activities on federal lands.

[Listen to audio](#) MP3 – (30 minutes – 14.9 MB)

[\(Presentation Attachment#8\)](#)

Chad Davis, joined by Cale Graves in presentation and Katie Morrison is also here on our federal forest restoration team. Chad indicated that Cale and Katie are the stars of the show and deserve a lot of credit. The Good Neighbor Authority allows the state Oregon to act as an agent of the Secretary of Agriculture or Interior to carry out federal authorized forest, rangeland, and watershed restoration services on National Forest System lands. Relative to the State investment, different then the States' \$5 million investment in the restoration program. We had a master agreement signed in the previous year and are the first to have the governor sign the master agreement for this authority. This allows us to engage as a state instead of an agency by agency approach. This is a critical piece to maintain a collaborative agreement. We are focusing mostly on the 2014 farm bill authority, mostly because it was the permanent authority. This is the most flexible tool and is a two tiered agreement. One of the key pieces is that it is using federal money on federal land using state capacity. In order to get these funds we need to have limitation authority from the legislature to do that, and that is part of the budget request package we put forward into the governor's budget process. There is a wide range of possible roles for us as state agencies. What Good Neighbor does is expand on what is possible.

### State Money vs Federal Money

Federal Forest Restoration Program is state money. Used this to do data collection and presales and feed the pipeline of projects.

Good Neighbor Authority (GNA) is Federal money. Stem to Stern opportunity. It consists of data collection, we can put people on NEPA teams, and the state can get paid to do the work. With this we can get the money on the ground in projects directly.

Other states are doing some similar programs so their results will help us figure out what works and doesn't moving forward. This authority does apply to the United States Forest Service and BLM. The state investment has created great job opportunities that has helped us move forward with this work.

Cale Graves, is the Federal Forest restoration coordinator for the Klamath Lake district. GNA projects are federal projects. NEPA still has to be done, policy, intricate planning, and certain rules must be followed. Where things can change is when it gets on the ground, then we can use our state contracting process to finish out the work. County government can be involved as well. Good Neighbor Authority is not a program, Federal Forest restoration is. Good Neighbor Authority is used as a tool.

A few examples of what we are working on. These agreements are finished.

### **Crooked Mud Honey/Point**

#### Project description:

- Non-commercial thinning in Klamath and Lake counties
- Mechanical by contract, and hand thin by ODF crews

### **Blue Jay**

#### Project description:

- Contract administration for marking and cruising
- Post harvest monitoring by ODF staff

Timber sales allow them to reinvest into the restoration work for the program.

The Forest Service likes the capacity that the Department of Forestry has created so much that they committed to funding us for it. So far in this Biennium \$420,000 of Federal Funds has been given to the Forest Restoration Program through the Good Neighbor Authority. Oregon Department of Forestry can achieve results with that kind of financial base and show stakeholders that Oregon Department of Forestry is willing to do the work. Without capacity at the field level to do this, then the Good Neighbor Authority would be hard to do.

Nils Christoffersen has worked with them on the Lower Joseph Creek Restoration Project, he is hoping to have a final decision on the contract on November 14<sup>th</sup>.

Chair Imeson asks if there an opportunity for this to expand? In a realistic scenario what do you see as possibilities in the next 5 years or so?

Chad Davis sees the Forest Service continuing to specialize, continuing to do what the environmental laws of our country require of them, and step up their game to make that happen. What Oregon Department of Forestry needs to do, is figure out how they can play a longer term role in implementing the work that needs to get done. As the United States Forest Service continue to downsize and as they continue to have requirements, the need will be to figure out the niche for State Agencies to come into play. It is critical for us to look at how we, as a state, address all restoration needs and figure out ways to do it.

State Forester Peter Daugherty asks about the Livingston Project and their concerns. It sounds like this project with its joint burning may address the issue of fire coming off Federal land vs private land and how sometimes there is asymmetry. Would you say that Good Neighbor Authority solves that issue with its joint burning?

Cale Graves responded that it is not conclusive yet. The Livingstons have a lot of trust with the community and they have a good burn plan. Will need to look more into policy and authority to answer that question.

### **Information only.**

#### 9. SMOKE MANAGEMENT AND PRESCRIBED BURNING (JOINT TOPIC WITH ENVIRONMENTAL QUALITY COMMISSION /DEPARTMENT OF ENVIRONMENTAL QUALITY)

##### Strategic Planning and Work Plans

Presentation on the Oregon's Smoke Management Program and the increasing interest in prescribed burning to restore the health and wildfire resiliency of Oregon's forests (Attachment #9). This item will serve as a baseline for discussion and as preparatory material for the joint tour on Thursday, Nov. 3, 2016.

[Listen to audio](#) MP3 – (1 hr 50 minutes – 51.9MB)

##### [\(Presentation Attachment #9\)](#)

David Collier and Doug Grafe thanked the Board of Forestry and Environmental Quality Commission for the opportunity to present this topic, they are looking at the issues with air quality and how the departments are going to work together on this topic, which is centered on awareness. This conversation is an issue of significance for the State of Oregon and this presentation is about understanding the nuances of that.

David Collier started by saying the Department of Environmental Quality and Oregon Department of Forestry have had a very strong and productive partnership over the years. They have been able to balance state objectives, forest health, reducing risk of wildfire, and public health. Nick Yonker does an amazing job of making the magic happen to balance that.

The Oregon Smoke Management Plan is part of our (Clean Air Act) State Implementation plan, it plays some major roles:

- Preventing prescribed burning smoke from causing or contributing to, exceedances of national ambient air quality health standards, leading to “nonattainment”.
  - Nonattainment is a designation given by EPA, meaning that a community has violated federal health air quality standards.
  - Nonattainment is a significant threat to communities, not only because it means the air is unhealthy; but also, a nonattainment designation by EPA can have a major impact on the economics of a community.
  - In places such as Jackson County, Klamath Falls, Oakridge, Lakeview, Prineville and others, we work very hard with local leaders to prevent these communities from violating standards and being designated nonattainment by EPA. And an effective smoke management program is a key part of that strategy.
- Has a role in reducing haze pollution in wilderness areas and national parks.
- Helping protect public health more generally in Oregon communities.

There is a role of prescribed fire in regards to the Regional Haze Program, though there are other factors involved. There is an evolving conversation about this. There is a third and very important aspect of this, which is the protection of public health. There are vulnerable populations and how smoke impacts affect them is an important consideration. The goal then is to minimizing smoke intrusion to the public but still reduce wildfire risk.

Ed Armstrong (from Environmental Quality Commission) asks how does Oregon stack up against the national numbers when it comes to asthma?

David Collier responded that there is some information from the Oregon Health Authority on effects on asthma. Just as we have strategies that reduce and put expectations on major industry, so too the Smoke Management Plan has some strategies like that to address this question. Overall we are looking to accomplish what we want to accomplish while minimizing public health impact.

Morgan Rider (from Environmental Quality Commission) asked about local plans for each counties in regards to communication during incidents and what coordination is there?

David Collier responded that one of great things is that the multiple agencies have come together and talk about the impacts and what the roles are on that both on a local and larger level.

Doug Grafe responded that this response was developed as a result of the Pole Creek fire, that was in legislation and is called the Oregon wildfire, response protocol for severe smoke episodes from wildfire, is a natural event, which is exempt. We are just looking at prescribed burning in this topic.

The Smoke Management Plan comes from the Federal Clean Air act. The Plan is the Board of Forestry rules that are adopted for implementation, we have a law under 477.013 that establishes that the State will have a Smoke Management Plan and the Environmental Quality Commission will coordinate on implementation. The link to Environmental Quality Commission is through the State Implementation Plan to meet the EPA requirements. The Smoke Management Advisory Committee under the law is a five member committee that guides things along in the Smoke Management Program.

Looking at the map in the Powerpoint presentation Doug Grafe mentioned there are 23 smoke sensitive areas where the largest is in the Willamette valley, we also meet regional haze requirements near

Crater Lake. In the Class I Wilderness Areas, 12 total, receive limited protection from prescribed burning smoke from mainly a main plume impact.

Morgan Rider (from Environmental Quality Commission) asked if the Department of Agriculture is involved.

Doug Grafe answered that Oregon Department of Forestry does not provide any kind of support to agriculture burning.

Field Burning happens between July 1<sup>st</sup> to the end of September, so there is not much overlap of field burning and forestry burning. This does highlight the need though, for forecasting and collaboration between agencies.

This policy discussion came to us following the Pole Creek Fire of 2012 and ended in 2015 House Bill 3109 2013 which directed agencies to assess the impacts of this fire on public health, fish and wildlife, and habitats from this fire. Eventually this led to the need to address not only a visibility standard, but also a health standard. Restoration rates were also brought up and looked at in regard to this subject.

The Commission and Board asked what other benefits will there be for prescribed burns in regards to habitat?

Doug Grafe answered that as a state, we are a landowner, two million acres of the 30 million acres across the state. Private landowners are interested in using fire on the landscape to both mitigate the fire risk and for habitat and health. This is all connected and does include habitat health.

The Commission and Board mentioned that over 50 percent of land base in Oregon is federally managed, so how does State management of prescribed fire affect Federal land, or does it?

Doug Grafe replied that the State Smoke Management Plan has authority over federal land burning. This is consistent with other states. Where these discussions, these policy decisions base, and this topic, this is a smoke management with 2.5 microns as the threshold, established by the clean air act. Recognizing this is oversimplified in the presentation between good air and bad air, but to realize there is a designation.

David Collier mentioned on the poor air side there are two aspects of protecting the community from violations of the standard. We would not want to prescribe the burn by itself to violate the standard. During the winter and late fall times the community itself is creating its own pollution from heating their homes, so the wrong prescribed burn can put them over the edge so we need to be mindful of this concern, as well

Doug Grafe responded that this is a 24 hour period standard.

Chair Imeson asked how do you do that when wood stoves are present or prevalent? How do you deal with that conflict?

David Collier responded that the goal would be to not have that problem at all. The risk may be higher in some communities over others, and if things go correctly it shouldn't be a problem.

Chair Imeson asked how does that play out?

Nick Yonker responded that typically the condition that is going to lead to a problem with wood stove burning for air quality, there is a nuance that they can burn a little away as long as it isn't bringing it into the community along with the wood stove smoke. There is also a program called the special protection zones that gives an extra layer of protection for those communities.

David Collier said we can make a correction to a certain zone to try to make boundary more efficient.

Morgan Rider (Environmental Quality Commission) asked is it true that prescribed burns are maybe done during the colder months when the wood stoves are going?

David Collier responded that yes it is true, but usually they get done most of the burning by November.

Doug Grafe mentioned that State regulations in the State of Oregon's management program define an intrusion as visible smoke within a community in the Smoke Sensitive Receptive Area (SSRA). SSRA rule 629.048.120 reads that when a prescribed burn is done in proximity to an outside community or area designated as SSRA's the objective of the smoke management plan is no smoke intrusions into the SSRA. With this policy the State sets when we can burn. This helps us set the targets for the program. Of the 3000 ignitions a year, we have had 7 intrusions, so there is a lot of accuracy. On the other hand there does not seem to be enough days to get all the burning done. If we look at policy tradeoffs what is imbalanced is the reduction of wildfire potential with conditions. It is understood that prescribed burning can reduce our risk. Since 2006 it has been evaluated that 95% of the fuels treatment of prescribed burning was effective in minimizing risk of wildfire. When looking at air quality standards looking at the prescribed burn vs. wildfire, the prescribed burn violated the air quality standards one time where the wildfire violated 470 days.

Morgan Rider (Environmental Quality Commission) asked is there ways to avoid areas that are already high on the list?

Doug Grafe responded that through the smoke management advisement committee, they are looking to do the five year review in 2017 and will be addressing questions like these. We would also be broadening that group to more than just the five people.

Ed Armstrong asked who are the people on the advisory committee?

Doug Grafe answered that a large landowner, a small landowner, a member of the public, a member of the forest service, and a member of the Bureau of Land Management are on the committee. We would be expanding this and broadening it.

Ed Armstrong asked how the DEQ has a voice in this group?

Doug Grafe answered that DEQ has a voice through David Collier.

Ed Armstrong asked if the Oregon Health Authority would be included, if this group is expanded?

Doug Grafe responded that yes, and we receive input from the public, cities, and counties as well.

Cindy Deacon Williams commented on the communication about the Pole Fire. Looking back on the Douglas fire, which caused major smoke in the valley, she was very impressed with how well informed the community was kept. The public doesn't know where the smoke is coming from and it may

have health implications and one dilemma from the public health perspective is that it doesn't matter where it is coming from. The thing about the prescribed fires is that they don't seem to dump as much smoke as with a wildfire. We are in a box on what is and isn't regulated. The burn days are sometimes very small windows. Prescribed fire as a tool is very limited. May be good to look at how we deal with that dilemma. Would be good to talk about the relationship with wildfire smoke and get us out of that management box.

David Collier added that there are many ways that we have to address this issue of public health. Does the agency have enough resources to have this accurate forecasting? The goal is to look at if we have enough resources to execute this.

EQC Board Member asked if people give notice of prescribed burns?

Nick Yonker responded that yes, in some ways we do have this information, when it gets down to the local level the district will let the community know and press releases have been used as well.

### PUBLIC COMMENT

Mark Stern from the Nature Conservancy provided public testimony. Thank you to Board of Forestry and Environmental Quality Commission. This has really been a prevalent topic in their communities. He works with the Nature Conservancy, the Forest Conservation Program, local forest collaborative groups, and legislative issues. Our work with the Forest Service came up with estimates for the Dry forests of Eastern Oregon and SW Oregon a need work on restoration and overstock for four million acres of land. Federal Forest Restoration plan has been critical for helping with this. Mechanical treatment and the follow up of prescribed fire on these landscapes is essential. Provided by the Forest Service there is over 900,000 acres of NEPA approved prescribed fire projects that are "on the shelf." Which speaks to the challenges of this issue. Recommends that the Board find a balance of prescribed fire and manage it in a way that takes into account both nature and people.

Ed Keith, County Forester for Deschutes County, provided public testimony. Works to help reduce the risk of catastrophic fires to homes, business, and communities in the County. Wrote a letter previously to address the need for increased forest management and prescribed fire. They have increased efforts and started an outreach campaign for the need for prescribed fires. Collaborative forest project is on year seven of ten of the implementation plan. We more recently found funding so more forest restoration will be happening. Study coming out that if we don't do prescribed treatments then it may not produce the intended results that we are wanting. Prescribed fire doesn't seem to be happening as planned and there is a backlog of them in implementation. The reality is how the smoke will impact the public. We need to work towards meaningful policy changes to maximize burning and minimizing impacts.

Craig Glazier, Assistant Director for fire management for region six in the United States Forest Service, provided public testimony stating that they realize this is not just about forest health and protecting communities from wildfire but also about public health. They feel that there is a major backlog of prescribed burnings running to close to a million acres that are in need of treatment. They think prescribed burning is the best option for mitigating wildfire and maintaining forest health. He would like the Board to consider policy changes that will help with this issue. Recognition that Public Health is a big player in this.

Rick Graw, Program Manager for United States Forest Service, provided public testimony. He was appointed by State Forester Peter Daugherty and represents the United States Forest Service and Bureau of Land Management on the advisory committee. He has been on fires and helps coordinate the calls with Department of Environmental Quality, Oregon Health Authority, and Oregon Department of Forestry. He

urges the Board to acknowledge the need more flexibility. He was concerned that restoration is being done at too slow of a pace. Only nine days have been able to burn last year in the Bend area. The way we define an intrusion as one hour above the limit is too difficult when fire is a natural part of the ecosystem and is hard on the prescribed burns options. We try to mimic this natural cycle using prescribed burning. We want to do this in a responsible manner. Want to recognize that the ambient air quality standards seem to get tighter at each review. We don't seem to have our priorities straight in regards to minimizing risk of wildfire, but also doesn't want to cause human health issues. EPA is giving some exemptions of the non-attainment status for prescribed burns in some cases now due to a change in their rulings. He urges the Board to look and take into account all these details.

Rex Storm, Certified Forester and Forest Policy Manager for Associated Oregon Loggers (AOL) provided public testimony: ([Attachment #10](#)). They support the Department's 2017 review of the smoke management and prescribed burning programs. They urge the Board of Forestry that the review be completed by a broad representation of forest sector cooperators inclusive of forest contract operators. Burning is an essential tool for them. Contracted relationships create cooperation and success and they have been able to manage smoke well. Modernizing smoke management programs and burning is key. Prescribed burning should be a viable option and is considered a restoration activity. This should be approached with a knowledge and education aspect first, then regulation.

Darren Borgias from the Nature Conservancy provided public testimony. He was part of Mark Stern's team on forest conservation with Cindy Deacon Williams. During his time working with the project he came to realize the need for fire and smoke impacts. Want to mention that there is two million acres forest restoration needed in the rogue basin, they have a whole area that surrounds their smoke sensitive area. This shows a need for restoration areas with prescribed burning. It is a large problem in this area. Add a sense of urgency with climate change with fire season and mega fire this points to a huge potential cost and loss and human assets that could potentially happen. We need to change how we look at fire in our communities and fundamentally change on how we are addressing fire in our landscape and we need to make changes to our cultural expectations on fire and smoke. This affects our livelihoods in many ways, and he is grateful that they are here discussing this issue. We need to adapt and learn to tolerate some smoke on occasion. Hope that we can find goals for communities and for nature in their communities.

Chris Chambers, Forest Division Chief at Ashland Fire and Rescue, provided public testimony that he was happy to be hosting this meeting. When the Douglas fire complex raged it caused closures, losses in ticket sales, impact to local economy up to half a million dollars over a weeks' time. At a local level they want to minimize the fire to come into their community. This can impact public health, wildlife habitat, and the water supply. The standards as they sit, guarantees that we will have these wildfire intrusions. The discrepancy in policy, in instances locally that there will be more and more days that we deal with this and the change in climate. Their strategy is to increase the option and days for prescribed burns. Research is showing more and more that fuel treatments are effective as a management tool. As the landscape is set up, there is little to no piles that have been ok to burn. They have acres even back to 2012 due to not a long enough burn window to get this done, which increases wildfire risk. Smoke from wildfire and smoke from prescribed burn are not equal, the wildfire smoke is a heavier smoke because it can cause extensive damage, increases risk, and concerns to the firefighter safety.

Mark Webb, Blue Mountain Forest Partner's Executive Director, provided public testimony that their goal is that ecologically sound treatments are getting on the ground. He feels that we need ecologically resilient landscapes that can't happen without prescribed fire. He recommends to the Board that we need a much larger more significant footprint of prescribed fire on the landscape for the sake of the landscape and for the community to access it and utilize it for the natural resources. With the current management approach it is not possible to make that happen. What west side needs vs east side, even if the forest

service is working efficiently, there still doesn't seem to have enough days to burn. Looking at health care costs vs the cost of fire is a pertinent issue as well. We have EPA limits and the current State mandated thresholds, but he suggest that we cut things into increments and look at what is happening now and assume simplistically if we could increase it incrementally versus trying to do it all at once and that offers a way to monitor, and will be critical to how we make decisions. He is not trying to reintroduce pollution, but have to figure out a way to manage lands, and prescribed fire is necessary for this.

Morgan Rider (Environmental Quality Commission) mentioned that public outreach and education needs to be addressed in order to help the public understand this better.

Richard Whitman (Environmental Quality Commission) also mentioned that county commissions involvement is crucial.

Amanda Stamper, Fire Management officer for Nature Conservancy of Oregon, made public testimony on behalf of Oregon Prescribed Fire Council. She is a burn boss, has been part of prescribed burns and has had involvement in this issue. Recommends that smoke management plan should manage impacts to human health and safety regardless of the cause of smoke. Intrusions only seem to address prescribed burning, but smoke produced by wood burning is not looked at as an intrusion, yet there has been documentation that indicates the same conditions as what can happen in prescribed burning. The 2007 smoke management plan review needs to look at the definitions of nuisance smoke and intrusions to address their impacts to the restoration and maintenance to fire dependent and fire adapted forests as well as the disposal of hazard fuels produced by forest management activities. The Smoke Management advisor, committee do not have any influence on air standards or the federal clean air act, but these definitions they do have control over and she thinks they need to be addressed.

Marty Main made public testimony, he is a personal landowner, and would like the Board to consider the infrastructure may not be there to do this work. The issues have been covered and the policy tradeoffs. They have tried really hard in his business in burning to not have an intrusion, but it really takes some work and is very challenging. He felt that they have county authority and state authority. There is a concern of the impact of losing ecological infrastructure. He has had experience where State forestry stopped the fire very close to his property, but there is a high cost to that effort. He urges the board to look at the larger framework, a bigger picture

Bob Paulser made public testimony that he has lived in Ashland for 30 years. When he first moved here they exceeded the annual average standard and even in a non-fire event they haven't exceeded it since then. There was a whole measure of things done in the community to deal with that problem. They were able to put on pollution controls to manage this problem. We are stuck with topography and metrological situations that deals with pollution that enters the valley. He was part of the group effort to get them to where they are today with the standards. The EPA has revised their air quality standards and have paired it down. They have done this due to scientific studies. The air quality agencies can check things based on how far you can see. Visibility is a good indicator of the intensity of them. These summer fires are bad for the economy and for the health. He is very concerned that there has been scientific peer review studies to reduce fuel loading and has been overwhelmed by meteorological conditions. There are Places that have done fuel reduction and those that haven't in this area of Southern Oregon. People are scared in the community of having a catastrophic wildfire. Not sure we have found one way to reducing the chances of this wildfire in prescribed burning. There are things that can be done on an individual basis and there are things that need to be done, but if we can avoid burning material that would be good. EPA did not make up these standards out of thin air, there were reasons why these were put into place. He urges the Board to see that this isn't a one-time solution to it all.

**Information only.**

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With no further business before the Board, Chair Imeson adjourned the public meeting at 5:35 p.m.

Respectfully submitted,

/s/ Peter Daugherty

A handwritten signature in cursive script, reading "P. J. Daugherty", is positioned above a horizontal line.

Peter Daugherty, State Forester and  
Secretary to the Board

JN