

Oregon Board of Forestry – Public Meeting

Oregon Department of Forestry -
2600 State Street, Salem OR, 97310

Wednesday, March 8, 2017

Prior meetings' audio and this meeting's written material available on the web www.oregonforestry.gov. The matters under the Consent Agenda will be considered in one block. Any board member may request removal of any item from the consent agenda. Items removed for separate discussion will be considered after approval of the consent agenda. Public comment will not be taken on consent agenda items.

Consent Agenda

- 9:00 – 9:01 A. November 29, 2016 Meeting Minutes .....State Forester Peter Daugherty
9:00 – 9:01 B. January 4, 2017 Meeting Minutes .....State Forester Peter Daugherty
9:00 – 9:01 C. Approval of Agency Director Financial Transactions, Fiscal Year 2016..... Satish Upadhyay
Presents the State Forester's financial transactions from the past fiscal year for the Board's review and approval.
9:00 – 9:01 D. Forest Practice Annual Rule Review Meeting Report ..... Lena Tucker
This report describes the annual meetings the State Forester conducted during 2016, to ensure proper coordination among state agencies with an interest in the forest environment and forest practice rule sufficiency.

Action and Information

- 9:01 – 9:30 1. State Forester and Board Member Comments
A. Public Comments [topics not on agenda – see over] .....Sign in at entrance
9:30 – 10:15 2. Specified Resource Sites Rulemaking for Bald Eagles..... Jennifer Weikel, Lena Tucker
On July 20, 2016, the Board of Forestry decided to continue protection for bald eagle nest sites by directing the department to develop modified rules for nest sites under OAR 629-665-0100 Species Using Sensitive Bird Nesting, Roosting and Watering Sites. The Board will review proposed rule language and make a decision on initiating the formal administrative rule making process.
10:15 – 10:45 3. Fire Prevention Rule Making..... Tom Fields
A brief presentation will be given on the content of proposed rules to update some of the existing fire prevention rule changes to OAR 629-043. The Board will be requested to approve filing rulemaking notice with the Secretary of State, conducting rule hearings and returning to request the Board to approve final rules at a later date.
10:45 – 11:00 Morning Break
11:00 – 11:30 4. 2016 Forest Practices Operator of the Year Awards..... Josh Barnard, Jay Morey
This will be the Board of Forestry's presentation of the Forest Practices Regional Operator of the Year awards for 2016. The Operator Recognition program encourages protecting forest resources and values by recognizing operators who have excelled in effort, innovation, cooperation, consistency, and prevention to achieve or surpass the standards of forest resource protection.
11:30 - 12:30 Operator of the Year Celebration with Food, Hors d'oeuvres, & Cake
12:30 –12:45 5. Forest Trust Land Advisory Committee Testimony ..... Commissioner Tim Josi
Advisory committee testimony on State Forest topics.
12:45 –1:45 6. Specified Resource Sites Rulemaking for Marbled Murrelet..... Jennifer Weikel, Lena Tucker
In November 2016, the Board of Forestry met to reconsider their decision to deny a petition for the creation of rules for the protection of marbled murrelets. The Board voted to withdraw and reverse its previous decision on the rulemaking petition. The Board will receive information on the required process for considering forest practices rule-making for threatened and endangered species, a summary of existing data of marbled murrelet resource sites, and preliminary evaluation of the petition.
1:45 – 2:45 7. Executive Session ..... Chair Imeson
The Board will meet in executive session for the purpose of conferring with legal counsel regarding the Board's rights and duties related to current litigation likely to be filed pursuant to ORS 192.660(2)(h).

Times listed on the agenda are approximate. At the discretion of the chair, the time and order of agenda items—including addition of an afternoon break—may change to maintain meeting flow. The board will hear public testimony [\*excluding marked items] and engage in discussion before proceeding to the next item.\* A single asterisk preceding the item number marks a work session. Public testimony/comment will not be accepted.

**BOARD WORK PLANS:** Board of Forestry Work Plans result from the board's identification of priority issues. Each item represents commitment of time by the Board of Forestry and Department of Forestry staff that needs to be fully understood and appropriately planned. Board Work Plans form the basis for establishing Board of Forestry meeting agendas. Latest versions of these plans can be found on the board's website at: [www.oregonforestry.gov](http://www.oregonforestry.gov)

**PUBLIC TESTIMONY:** The Board of Forestry places great value on information received from the public. The board accepts both oral and written comments on agenda items except Work Session items [see explanation below]. Those wishing to testify or present information to the board are encouraged to:

- Provide written summaries of lengthy, detailed information;
- Recognize that substance, not length, determines the value of testimony or written information;
- Endorse rather than repeat the testimony of others;
- Sign-in at the information table located near the entrance.

Written comments for public testimony provide a valuable reference and may be submitted before or during the meeting for consideration by the board. Please bring 10 copies for distribution. Written comments received before or during the meeting will be distributed to the board. Oral or written comments may be summarized and attached to the minutes.

The board cannot accept testimony on a topic for which a public hearing has been held and the comment period has closed. If you wish to provide comments to the board, you must sign-in on the sheet provided at the Information Table, located near the meeting room's entrance. (Note: All persons attending a board meeting are requested to sign in, whether or not they intend to provide comment.)

Three minutes will be allotted for each individual. Those wishing additional time for testimony should contact the Board Support office at 503-945-7210 at least three days prior to the meeting. The maximum amount of time for all public comments under this agenda item will be thirty minutes.

**WORK SESSIONS:** Certain agenda topics may be marked with an asterisk indicating a "Work Session" item. Work Sessions provide the board opportunity to receive information and/or make decisions after considering previous public comment and staff recommendations. No new public comment will be taken. However, the board may choose to ask questions of the audience to clarify issues raised.

- During consideration of contested civil penalty cases, the board will entertain oral argument only if board members have questions relating to the information presented.
- Relating to the adoption of Oregon Administrative Rules: Under Oregon's Administrative Procedures Act, the board can only consider those comments received by the established deadline as listed on the Notice of Rulemaking form. Additional input can only be accepted if the comment period is formally extended (ORS 183.335).

**GENERAL INFORMATION:** For regularly scheduled meetings, the board's agenda is posted on the web at: [www.oregonforestry.gov](http://www.oregonforestry.gov) two weeks prior to the meeting date. During that time, circumstances may dictate a revision to the agenda, either in the sequence of items to be addressed, or in the time of day the item is to be presented. The board will make every attempt to follow its published schedule, and requests your indulgence when that is not possible.

Audio files of the board's meetings are posted within one week after the meeting at: [www.oregonforestry.gov](http://www.oregonforestry.gov)

In order to provide the broadest range of services, lead-time is needed to make the necessary arrangements. If special materials, services, or assistance is required, such as a sign language interpreter, assistive listening device, or large print material, please contact our Public Affairs Office at least three working days prior to the meeting via telephone 503-945-7200 or fax 503-945-7212.

Use of all tobacco products in state-owned buildings and on adjacent grounds is prohibited.