



# Legislative Concept Guiding Principles and Initial Ideas

## Presentation to the Oregon Board of Forestry

Adam Meyer, JD  
Agency Legislative Lead  
Oregon Department of Forestry

*January 5, 2022*



# 2022-23 LC Timeline & Process

January 2022: Board to review proposed guiding principles and initial list of potential Legislative Concepts (LCs).

March 2022: Board to approve the Legislative Concepts for submission to DAS.

April 2022 and July 2023: Update on legislative session outcomes.

2023 Legislative Session: Introduce legislative concepts and support passage.



# Legislative Concept vs. Policy Option Package

## Legislative Concept (LC)

- Stand alone idea for legislation later introduced as a bill
- Can contain fiscal or not
- Can touch multiple agencies
- Often a new policy

## Policy Option Package (POP)

- Attached to an agency budget / administrative process
- Often advances existing policy / budget / service level



# Draft Guiding Principles

## 1. Seek input and ensure alignment

- Board and Department's strategic initiatives
- Board and Department work plans
- Governor's priorities
- Public input from Board meetings and other sources

## 2. Consider the political and economic environments

## 3. Consider feasibility / workload



# ODF Division Recommended LCs

Fire Protection Division: Prevention Program  
Advancement (addition to 762)

Forest Resources Division: Forest Products  
Harvest Tax Rate

Administrative Branch: Large Fire Funding Fix



# Next Steps & Board LC Suggestions

1. Discuss LCs during 1.5-hour workplan this afternoon.
2. ODF's Administrative Branch will go over Agency (2023-25) budget process next on BOF agenda. Includes discussions on POPs.
3. Proposed agency LCs for 2023 will be reviewed by Board along with Agency Request Budget (ARB) in August 2022 and approved by Board in July 2022.





**Questions?**



# Associated Oregon Loggers, Inc.

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PO Box 12339 • Salem, Oregon 97309-0339 • (503) 364-1330 • Fax (503) 364-0836

Chair Kelly, State Forester Mukumoto and members of the Board,

For the record, my name is Amanda Astor, and I am the Forest Policy Manager at Associated Oregon Loggers. Thank you for allowing me to provide public comment today on agenda item 3.

AOL represents hundreds of small family forest businesses and our forest contracting members are critical for the success of ODF to fulfill its core business. The Department must look to the ways in which this workforce is maintained and can grow. The Governor's Office has created a Workforce Development Plan Proposal that will be presented during the House Economic Recovery and Prosperity Committee Hearing next week during legislative days.

AOL asks that guiding principle #5 reflects the needs of the Department to ensure the forest contracting workforce is also viable which is in line with the Governor's workforce initiative. Principle 5 should be expanded to say, "Support **and develop** a viable, effective, highly-skilled, diverse, and empowered workforce and organization **that maintains or enhances the department's core business function.**" AOL believe this change would clarify and allow the Department to consider developing Policy Option Packages for new positions as needed under the Guiding Principles of Budget Development.

Conversely, a new guiding principle could be added to call out the priority to develop a more robust forest contracting workforce similar to the request for a specific guiding principle on climate change. Without a robust forest contacting workforce, implementation of SB 762, the Departments FMP, reforestation across the state and other forest management objectives cannot be implemented.

AOL has hired a Workforce Development Manager and we are building out a new workforce development program at AOL. We want the Department to be a partner in this work.

*"Representing the Logging Industry since 1969"*

[www.Oregonloggers.org](http://www.Oregonloggers.org)



# Associated Oregon Loggers, Inc.

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I am available for questions and again, thank you for the opportunity to testify and I am available for any questions.



# 2022 – 2024 Draft Board Work Plans Discussion

**January 2022**



# Presenters and matrix key

- Kyle Abraham for overview and topic facilitation
- Danny Norlander for Emerging and Overarching Issues
- Danny Norlander for Climate Change and Carbon
- Derek Gasperini for Senate Bill 762 Implementation
- Mike Shaw for Fire Protection
- Josh Barnard for Forest Resources
- Kate Skinner for State Forests
- Bill Herber for Administrative

## Matrix Key:

**TBD** – To be determined

**i** – Informational item

**d** – Preceding Decision item

**D** – Final Decision item



# Emerging and overarching issues

Emerging & Overarching Issues	2022							2023							2024	
	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar	Apr	Jun	July	Sep	Nov	Jan	Mar
<b>Revise the Forestry Program for Oregon (FPFO)</b>																
<b>Revise FPFO – Scope and Process</b>																
• Adopt a plan for revision scope and process		i	D													
<b>Revise FPFO – To be determined (TBD)</b>																
• Full revision TBD based on Scope and Process decision																
<b>Revise FPFO Indicators</b>																
• Review past indicators		TBD														
• Develop current indicators		TBD														



# Climate change and carbon

Climate Change Work Plan	2022							2023							2024	
	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar
<b>Topic A: Climate Change and Carbon Plan Tracking</b>																
<i>Milestones</i>																
❖ Tracking of CCCP adoption and progress							i								i	
<b>TOPIC B: Framework for Climate Change Assessment</b>																
<i>Milestones</i>																
❖ Develop a framework the Department can utilize to conduct analysis of policy changes, rule development, or rule revisions			i		d				D							
❖ Climate change assessment of rule development or revision following the above framework											TBD →					
<b>TOPIC C: American Forests – Carbon &amp; Climate Change Modelling</b>																
<i>Milestones</i>																
❖ Complete scenario modeling and project work											i					
<b>Topic D: Participation in the Temperate Forest MOU and Work with the USFS PNW Research Station on Forest Carbon Co-Production efforts</b>																
<i>Milestones</i>																
❖ Work with other Pacific states and British Columbia on the Temperate Forest MOU		TBD →														
❖ Carbon flux in forests		TBD →														
❖ Enhanced forest change awareness											i					
<b>Topic E: Estimation of the Department Greenhouse Gas footprint</b>																
<i>Milestones</i>																
❖ Estimation of the Departments GHG footprint											i					



# Senate Bill 762 implementation

Senate Bill 762 Implementation Work Plan	2022							2023							2024	
	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar
<b>SB 762—Fire Protection (sections 3, 7, 25, 27, 28, 30, 30a)</b>																
<i>Milestones</i>																
❖ WUI definition and boundary criteria		d		D												
❖ Wildfire risk classification		d		D												
❖ Enforcement rule clarification	d		D													
❖ Certified Burn Manager/Prescribed Fire program					d		D									
❖ Base-line fire protection standards					d											D
<b>SB 762—Forest Resources updates (sections 18–20, 24)</b>																
<i>Milestones</i>																
❖ Landscape Resiliency	i						i									
❖ Small Forestland Grants	i						i									
<b>SB 762—Planning Branch (section 18)</b>																
<i>Milestones</i>																
❖ 20-year strategic plan				i												



# Fire Protection

Fire Protection Work Plan	2022							2023						2024		
	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar	Apr	Jun	July	Sep	Nov	Jan	Mar
<b>WORK IN PROGRESS OR EXPECTED ITEMS</b>																
<b>Issue: Agency Budget &amp; Senate Bill 762 Implementation</b>																
<i>Milestones</i>																
• WUI Definition & Criteria		d		D												
• Wildfire Risk Classification		d		D												
• Certified Burn Manager/Prescribed Fire Program					d		D									
• Baseline Fire Protection Standards					d											D
• Prevention Program Advancement					i				d		D					
• BLM West Oregon Operating Plan (i)		TBD														
<b>Issue: Annual and Ongoing Topics</b>																
<i>Milestones</i>																
• Approve Forest Protection District and Rangeland Protection Association Annual Budgets				D							D					
• Review Letters from FPA's to State Forester				i							i					
• Fire Season Reports				i	i	i					i	i	i			
• Smoke Management Annual Update		i							i							
• Appointment for Emergency Fire Cost Committee (As Needed)																
• Approve Forest Protection Association Agreements (As Needed)																
• Rangeland Protection Association Formation (As Needed)																



# Forest Resources

(formerly known as Private Forests)

Private Forests Division Work Plan	2022							2023							2024	
	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar
<b>Issue: Water Quality Topics</b>																
<i>Milestones</i>																
❖ Western Oregon Streamside Protections Review										i						
❖ ODF-DEQ Sufficiency Review Alignment					i											
<b>Issue: Forest Practices Act (FPA) Rule Policy Review</b>																
<i>Milestones</i>																
❖ Specified Resource Sites Rule Analysis: Marbled Murrelet***																
❖ Specified Resource Sites Rule Analysis: Coho Salmon***																
❖ Specified Resource Sites Policy Review***																
<b>Issue: Implement Legislative Direction</b>																
<i>Milestones</i>																
❖ Private Forests Accord Placeholder																
<b>Issue: Fire Recovery</b>																
<i>Milestones</i>																
❖ Post Fire Restoration and House Bill 5006, grants to increase nursery capacity and supply	i									i						
<b>Issue: Climate Change and Carbon</b>																
<i>Milestones</i>																
❖ Develop Climate Smart Forestry award										i						



# Forest Resources (continued)

Private Forests Division Work Plan	2022							2023							2024		
	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar	
<b>Issue: Board Updates</b>																	
<i>Milestones</i>																	
❖ Climate Smart Forestry Award																	i
❖ Operator of the Year	i																i
❖ Committee for Family Forestlands Report and Appointments					D								D				
❖ Forest Practices Agency Meeting Report		i								i							i
❖ Forest Health Report																	i
❖ Forest Practices Monitoring Report																	i
❖ Urban and Community Forestry Program Update																	i
❖ Non-industrial Forest Landowner Program Update	i																i
❖ Federal Forest Restoration																	i
❖ Regional Forest Practices Committee Appointments																	D



# State Forests

State Forests Work Plan	2022							2023							2024		
	Jan	Mar	May	Jun	Jul	Sep	Nov	Jan	Feb	Mar	Apr	May	Jul	Sep	Nov	Jan	Mar
<b>Issue: Western Oregon Habitat Conservation Plan</b>																	
<i>Milestones</i>																	
❖ Draft Environmental Impact Statement – special session of the Board			i														
❖ Summary of the Western Oregon HCP from the NEPA Process.				d													
❖ Board direction to move the proposed action forward																	
❖ Board approval of HCP											D						
<b>Issue: Draft Western Oregon Forest Management Plan</b>																	
<i>Milestones</i>																	
❖ Review Management Focus of the Lands	D																
❖ Strategies, Performance Measures, Engagement Update		i															
❖ Draft FMP, Engagement Update						i											
❖ Final Draft FMP, Engagement Update							d										
❖ Initiate rulemaking							d										
❖ Board approval of FMP												D					
<b>Issue: Endangered Species Management Plan</b>																	
<i>Milestones</i>																	
❖ Agency role and ESMP content framework		d															
❖ Progress update					i												
❖ Board approval of ESMP							D										



# Administrative

Administrative Work Plan	2022							2023							2024	
	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar
<b>Board of Forestry Work Plan Management</b>																
<i>Milestones</i>																
❖ Review draft Board Work Plans	d														d	
❖ Approve final Board Work Plans		D														D
❖ Assessment of Issues and Trends						i								i		
❖ Annual Planning Retreat in October						Oct.								Oct.		
❖ Mid-course Work Plan Updates								TBD	TBD							
<b>Development of Legislative Concepts and Legislative Updates</b>																
<i>Milestones</i>																
❖ Review proposed guiding principles and draft list of potential concepts	d														d	
❖ Approve the legislative concepts for submission to DAS		D														D
❖ Update on legislative outcomes			TBD										i			
<b>Agency Budget Development and Request</b>																
<i>Milestones</i>																
❖ Review proposed guiding principles and provide direction	d														d	
❖ Review and provide input on draft budget concepts			d													
❖ Review and provide input on final budget concepts				d												
❖ Approve the 2023-25 Agency Request Budget and conceptual Board letter of transmittal to the Governor					D											
❖ Update on budgetary outcomes								i					i			
<b>Board Governance Best Practices Self-Evaluation</b>																
<i>Milestones</i>																
❖ Individual review of the annual Board governance self-evaluation criteria	d								d							d
❖ Review any proposed changes to criteria; approve and initiate self-evaluation process			D							D						
❖ Approve summarized evaluation report and metrics of Board governance best practices criteria					D							D				
❖ Collective discussion on evaluation results						Oct.							Oct.			



# Administrative (continued)

Administrative Work Plan	2022							2023							2024	
	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar	Apr	Jun	Jul	Sep	Nov	Jan	Mar
<b>Key Performance Measures (KPM) Review</b>																
<i>Milestones</i>																
❖ Review the Annual Performance Progress Report summarizing the agency's 14 key performance measures					i									i		
<b>Financial Oversight</b>																
<i>Milestones</i>																
❖ Financial Report	i	i	i	i	i	i	i	i	i	i	i	i	i	i	i	i
❖ Annual Approval of the State Forester's Financial Transactions		D							D							D
<b>Human Resources Dashboard</b>																
<i>Milestones</i>																
❖ Human Resources Dashboard				i							i					
<b>Facilities Capital Management Plan</b>																
<i>Milestones</i>																
❖ Facilities Capital Management Plan				i							i					
<b>Public Affairs Report</b>																
<i>Milestones</i>																
❖ Public Affairs Report				i							i					
<b>Macias, Gini &amp; O'Connell LLP (MGO) Recommendations</b>																
<i>Milestones</i>																
❖ MGO #16 Board Policy on Financial Oversight	i	d/D TBD	d/D TBD	d/D TBD	d/D TBD	d/D TBD	d/D TBD									
❖ ODF Implementation Management Plan Updates	i		i		i		i			i						
❖ MGO Interim Update	i		i		i		i			i						
❖ MGO Final Implementation Report											i					
<b>Emergency Fire Financial Administration</b>																
<i>Milestones</i>																
❖ Emergency Fire Cost Committee Administration & Membership						D							D			D
❖ 2021-2022 Firefighting Expense Insurance Policy Overview	i															
❖ Large Fire Funding Fix		TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD



# Next steps and questions





To  
The Board of Forestry  
2600 State St,  
Salem, OR 97310

Date: 01.03.2022

Chair Kelly and Members of the Board of Forestry

I am writing to you to submit the following request on behalf of Defenders of Wildlife. Defenders is a national wildlife conservation organization with over 1.3 million members and supporters nationally, and over 33,000 in Oregon alone. The comments pertain specifically to agenda item 4 and on page 72 of the Board Materials of the January 5th 2022 Board meeting to the a petition submitted in June 2016 to initiate rule making under specific resource site riles for the marbled murrelet under Forest Practices Act (FPA). I urge the Board to direct Oregon Department of Forestry (ODF) staff to move forward with this urgent issue as it has been subjected to significant delays already and any further delay could jeopardize the recovery of this imperiled species.

Findings from an expert review of the draft technical report prepared by ODF in response to the petition were presented to the Board in November 2018 and the final technical report was approved by the Board in April 2019. To inform the Board's future decision-making work, ODF had planned a third-party facilitated meeting of stakeholders; however, the pandemic stalled the stakeholder process even before it could take off. ODF had initially consulted stakeholders (including Defenders) on our preference for an in-person versus virtual setting for such meetings. This consultation was within the first four months the pandemic when none of us could foresee the restrictions would go on for almost two years. Now, with more insights and understanding of the situation, it would be shortsighted to not think of a hybrid model or a fully virtual model of the stakeholder process. Delaying stakeholder meetings on the grounds of preference for in-person meetings by some stakeholders is poor decision making from the agency.

Additionally, the Private Forest Accord (PFA) and the implied increased workload for ODF staff has been cited as another reason to decrease priority in working on the mar-



bled murrelet issue. While we acknowledge that the PFA will require resources, we do not agree that it justifies taking resources, including staff time, away from this critical issue. The adoption of PFA agreements by the legislature and further implementation of those agreements will likely take a year or more. Meanwhile, the agency has already stalled this process for two years to date, and marbled murrelet habitat continues to face several threats, including poor management and climate change impacts. This will significantly impact murrelet's recovery — a species that Oregon Fish and Wildlife Commission recently updated the status from “threatened” to “endangered” under Oregon Endangered Species Act because of the uncertainty around its habitat conservation and the poor resiliency of the species to climate change. With increased protection under Oregon ESA, now is a prime opportunity to make provisions under FPA consistent and complementary to species protection measures at Oregon Department of Fish and Wildlife, and make an intentional and comprehensive effort to prevent the marbled murrelet from further edging toward extinction.

I, therefore, urge the Board to direct ODF to move forward with the stakeholder process as soon as possible and not delay addressing the issue any further.

Thank you for taking considering my request and I will be happy to address any further questions you might have. My email address is [skamal@defenders.org](mailto:skamal@defenders.org)

Sincerely

*Sristi Kamal*

Sristi Kamal Ph.D.  
Senior Representative  
Defenders of Wildlife

# 2021 Operators of the Year



All Around Logging LLC

Plikat Logging, Inc.

H Timber Contracting LLC

# GOALS

- Recognize operators
- To improve public understanding of the Forest Practices Act



# Authority

- **ORS 527.630** [E]ncourage economically efficient forest practices that assure the continuous growing and harvesting of forest tree species . . . .
- *Forestry Program for Oregon's Goal D*



## Oregon Forest Practices Act: *Adaptable and informed by sound science*

The Oregon Forest Practices Act reflects Oregonians' desires to use and enjoy Oregon's forests and protect its natural resources. It was the first law of its kind in the U.S. when the state Legislature passed it in 1971, and the Act and its rules have been changed many times in response to new scientific findings and evolving public needs and interests.

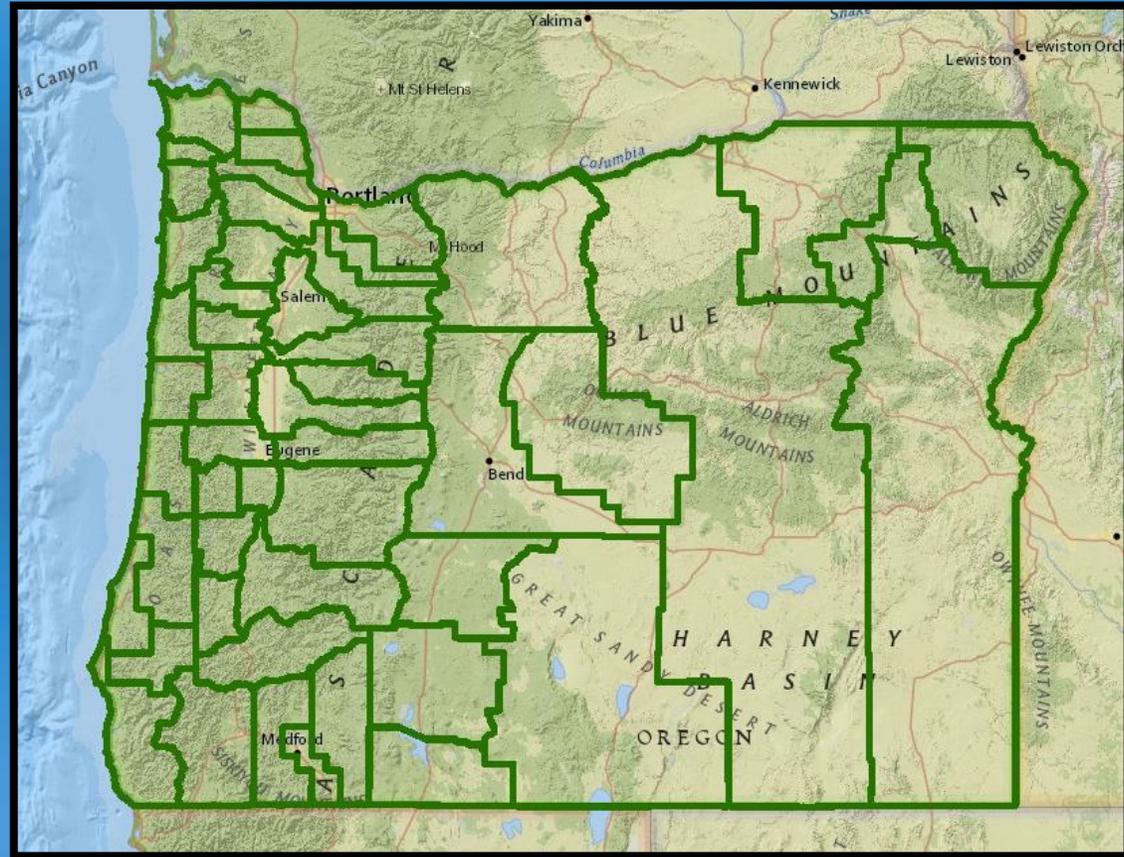
In a process that incorporates public input, the Board of Forestry – a seven-member citizen board appointed by the governor and confirmed by the state Senate – approves detailed rules to implement the Act's requirements. Here is a list of significant changes in the Act and its rules, which regulate forestry on private and state-owned lands.



Sept. 2017	Changed bald eagle rules revised to match their successful recovery!
July 2017	Increased streamside buffers around salmon, steelhead, and bull trout streams north of the Siskiyou region and west of the Cascades.
Jan. 2016	Set a minimum aerial pesticide no-spray buffer around homes and schools. This adds another pesticide law to existing state and federal laws for protecting people.
Mar. 2015	Improved wildlife food and habitat conditions by allowing landowners to change small forested areas to plants that can substantially contribute to wildlife food supply.

# Honoring Work that Exceeds Natural Resource Protection Requirements

- Operators of the Year
- Merit Awards
- Commendation Letters



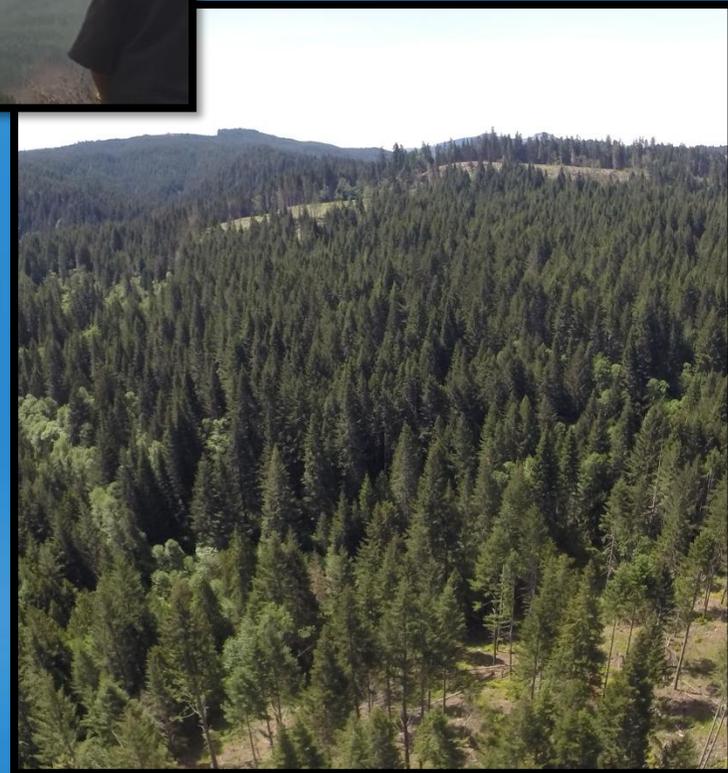
# Who nominates?

- ODF Stewardship Foresters
- Logging Association Members
- Industry Members
- Communities
- Watershed Councils
- Anyone



# Criteria

- Consistency
- Difficulty
- Results
- Innovation and extra effort
- Financial risk to operator



# Selecting

## Regional Forest Practices Committees

- Tour sites
- Review written nominations and video
- Deliberate



# Recognizing Quality

- Media
- Associated Oregon Loggers
- Oregon Logging Conference
- Oregon Small Woodlands Association
- Board of Forestry
- ODF outreach venues



# Merit Award – SW Oregon Blaylock, Inc.



**Blaylock Inc.**

Logging contractor



# Merit Award – Eastern Oregon Sisters Forest Products LLC



Dave Elpi  
*Sisters Forest Products LLC*



# Merit Award – NW Oregon F & B Logging



**Mike Falleur**  
Owner  
F & B Logging LLC



# Merit Award – NW Oregon Marshall Logging LLC



**Drew Marshall**  
Owner  
*Marshall Logging LLC*



# Merit Award – NW Oregon Pacific Forest Contractors Inc.



**Alex Trent Davis**  
*Manager Co-Owner  
Pacific Forest Contractors Inc.*



# Questions



# H Timber Contracting LLC Eastern Operator of the Year



**Tony Hauth**  
*Owner Operator  
H Timber Contracting*



**Play the video for H Timber Contracting  
Eastern Oregon Operator of the Year**

***H Timber Contracting***

# Plikat Logging, Inc. Southwest Operator of the Year



**WALLY PLIKAT**

Plikat Logging, Inc.

Play the video for Plikat Logging, Inc.  
Southwest Oregon Operator of the Year



# All Around Logging, LLC

## Northwest Operator of the Year



**Aaron Silbernagel**  
*Owner*  
*All Around Logging LLC*



# Play the video for All Around Logging, LLC Northwest Oregon Operator of the Year



# Questions



# Congratulations!



# 2021 Operators of the Year





**Congratulations**  
**H Timber Contracting**

# Congratulations Plikat Logging



# Congratulations All Around Logging



# Thank You!



*H Timber  
Contracting*



## Congratulations

# 2021 Operators of the Year



# Forest Trust Land Advisory Committee

Local Government Center  
1212 Court Street  
Salem, OR 97301

David Yamamoto – Chair  
Commissioner  
Tillamook County

John Sweet – Vice Chair  
Commissioner  
Coos County

Erin Skaar  
Commissioner  
Tillamook County

Courtney Bangs  
Commissioner  
Clatsop County

Margaret Magruder  
Commissioner  
Columbia County

Will Tucker  
Commissioner  
Linn County

Bob Main  
Commissioner  
Coos County

## Board of Forestry Testimony – January 5, 2021

Chair Kelly, members of the Board of Forestry, State Forester Mukumoto, Staff: I'm David Yamamoto, Tillamook County Commissioner and Chair of the Forest Trust Land Advisory Committee (FTLAC). I'm here today because FTLAC has a statutory responsibility to advise the BOF and the State Forester on matters which affect management of the State Forest Trust Lands (ORS 526.156). FTLAC's comments cover four topics: the management focus of the lands, the Draft Forest Management Plan goals, the draft FMP strategies, and the HCP economic analysis.

- The management focus of the lands is important to the Counties. It is also the subject of a lawsuit currently under appeal. The Counties believe, and the jury in the *Linn County* case agreed, that the State has a contractual obligation to manage these lands first for the generation of revenue. Due to the appeal, the Counties have no additional comments on the management focus at this time.
- Last month FTLAC provided comments on the Draft FMP goals. We believe the goals fail on four points:
  - The goals do not reflect ODF's contractual obligation to provide sustainable timber harvest and revenue to the Counties.
  - The Draft Goals appear to go beyond the 1997 GPV administrative rule (OAR 629-035-0020).
  - The Draft Goals do not recognize the "management focus" in the administrative rule.
  - The Forest Management Planning administrative rule (OAR 629-035-0030) requires that forest resource management goals state what "the State Forester intends to achieve." The Draft Goals do not do this.

We have seen no change in the goals to address these concerns. As we said last month, The Counties appreciate ODF's willingness to engage in the discussion regarding these Draft Goals. However, the Counties cannot support the Draft Goals until they are consistent with the contractual obligation and administrative rules.

- We have reviewed the strategies provided by ODF. We believe the strategies should provide a plan of action designed to achieve a major or overall aim. The current set of strategies appears to be simply a list of possible management activities. In part this is due to the failure of the goals to state, “what the State Forester intends to achieve” as required by OAR 629-035-0030. Without this aim, the proposed strategies are not specific enough. We cannot tell, for example, if ODF intends to continue Structure Based Management. We heard from ODF that the department is currently “strategy mapping” to determine the relationships and conflicts between different strategies. We expect that strategy mapping will result in a set of strategies that more clearly defines what actions will occur and what the outcomes will be on the Counties’ lands. We look forward to hearing the results of that exercise.
- The decisions in front of the BOF – the FMP and the HCP – both have impacts on timber harvest and revenue generation. The Counties have provided NOAA Fisheries data for the economic analysis in the forthcoming Draft Environmental Impact Statement for the HCP. The revenue generated by Counties’ lands and the services the revenue supports should be key considerations in the BOF’s decision making. Why does ODF not already have data on the use of revenue from the Counties’ lands, given its objective of managing the lands for “full range of social, economic, and environmental benefits” (OAR 629-035-0020(1)). The social benefits the revenue provides is an important way the State Forest Trust Lands benefit the people of Oregon.

Revenue from the Counties’ lands provides vital non-tax revenue to rural communities across the state. The revenue funds basic services including public safety, roads, and community services. In Tillamook County, for example, the lands generated \$700 of revenue per person in FY 2021<sup>1</sup>. Without this funding County services would have to be cut. As the BOF considers the FMP and HCP you must consider the impacts on the Counties, the front line in delivery of community services, in your decision making.

- As the BOF considers the HCP, ODF should explain why protections in the Administrative Draft HCP exceed those in the recent Private Forest Accord for the same resources. Riparian buffers in Draft HCP are up to 50% wider than those in the PFA and the Draft HCP places buffers on streams not buffered in the PFA. The Counties are concerned that the Draft HCP inappropriately limits harvest on the Counties’ lands compared to private lands and compared to the requirements for an HCP. If the State is willing to sign onto an HCP on private lands with the PFA buffers, why would the BOF approve larger buffers on State Forest Trust Lands? Why are county services being asked to give up more than private timber interests?

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<sup>1</sup> Based on FY 2021 CFTLC annual report and 2020 Census data.

# Management Focus Review

Oregon Board of Forestry

January 5<sup>th</sup>, 2022

# Management Focus

- Established by Oregon Administrative Rule (OAR)
- Review required at least every 10 years

# Policy Context

## Board Principles and Findings (OAR):

- Counties have recognizable and protected interest
- Management not required to:
  - Maximize revenues
  - Exclude non-revenue uses
  - Produce revenue from every acre

# Policy Context

Management must:

- Result in a high probability of maintaining and restoring properly functioning aquatic habitats for salmonids, and other native fish and aquatic life;

# Policy Context

Management must:

- Protect, maintain, and enhance native wildlife habitats;

# Policy Context

Management must:

- Protect soil, air, and water; and

# Policy Context

Management must:

- Provide outdoor recreation opportunities.

# Current Management Focus

“To secure the greatest permanent value of these lands to the state, the State Forester shall maintain these lands as forest lands and actively manage them in a sound environmental manner to provide sustainable timber harvest and revenues to the state, counties, and local taxing districts.”

# Review

Current social, economic,  
scientific, and silvicultural  
considerations

# Options

**Option 1:** No Change (recommended)

**Option 2:** More Info Needed

**Option 3:** Modify Focus

# Next Steps

**Option 1:** No Change – Division continues policy work

**Option 2:** More Info Needed – Division provides information needed by Board

**Option 3:** Modify Focus – Division begins rulemaking process; ceases policy work

# Discussion

**Option 1: No Change (recommended)**

**Option 2: More Info Needed**

**Option 3: Modify Focus**



# Associated Oregon Loggers, Inc.

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PO Box 12339 • Salem, Oregon 97309-0339 • (503) 364-1330 • Fax (503) 364-0836

Chair Kelly, State Forester Mukumoto and members of the Board,

Good afternoon. For the record, my name is Amanda Astor, and I am the Forest Policy Manager at Associated Oregon Loggers. Thank you for allowing me to provide public comment today on agenda item 8.

AOL represents hundreds of small family forest businesses of which a portion help to achieve Greatest Permanent Value on state lands.

With all of the changes the Department is undergoing, AOL does not feel changes to the GPV management focus would be helpful in achieving the Department's core business. A change would delay development of the Forest Management Plan and make no meaningful change to the current practices of the Department.

The analysis in the Board Packet is clear, the current management focus does not limit the Department in its efforts to address current issues such as developing resilient forests, mitigating climate change, ensuring a robust forest sector workforce, pursuing environmental justice inequities and much more.

The management focus provides critical sideboard to ensure state forest management is completed in an economically viable and scientifically sound manner.

Thus, AOL believes the Board should affirm that the management focus is sufficient for meeting GPV in light of current social, economic, scientific, and silvicultural considerations.

Priority of the Board should be placed on development and implementation of the proposed HCP, FMP, wildfire mitigation rules, MGO requested fixes and all of the other various projects the Department is currently managing rather than opening up the complicated work of adjusting the GPV management focus.

*"Representing the Logging Industry since 1969"*

[www.Oregonloggers.org](http://www.Oregonloggers.org)



# Associated Oregon Loggers, Inc.

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Please consider the realistic ability of the Department to meet its core business before opening up a possibly controversial rule like GPV. AOL does not believe now is the right time to address the management focus.

AOL looks forward to the opportunity to engage with the Board in the future on any proposed changes of the management focus to meet GPV on state lands.

I am available for questions and again, thank you for the opportunity to comment on this agenda item today.

January 03, 2022



Oregon Department of Forestry  
2600 State Street  
Salem, Oregon 97310

**Re.: January Board of Forestry Agenda Item: "State Forests Management Focus"**

Dear Chair Kelly and Members of the Board:

At your January 05, 2022 Board meeting, the agenda notes a decision item on "State Forests Management Focus" tied directly to the Greatest Permanent Value Rule for these public lands. We submit the following comments and information for your consideration in advance.

We appreciate the Board's ongoing attention to the matter of achieving Greatest Permanent Value (GPV) for Oregonians with respect to state public forest lands managed by ODF. Indeed, GPV is the driving statutory mandate for these lands. That said, and as you know, how this term is interpreted remains a matter of controversy. In that context, we appreciate ODF and Board's adherence to a GPV that recognizes and embraces balancing the broad values these lands provide for Oregonians.

In various fora and over time, including but not limited to the ongoing *Linn County* litigation, ODF and the Board have advanced a view of GPV that balances timber production with non-timber values. We appreciate that the Staff Report associated with your January 05 agenda item continues to reflect this balance and clearly indicates GPV is not a timber or revenue maximization mandate. We would hope the Board remains steadfast in its adherence to balance.

In our view, what remains out of balance today is the reflection of non-timber values on these lands as well as the agency's performance on measures related to habitat, fish and wildlife, water, recreation and climate change. Whereas timber harvest rose to high marks and has been maintained as such since the early 2000's, many species have been and remain listed under the Endangered Species Act, with more likely in the near future. Since the early 2000's, ODF has both reduced its goal for late old structure habitat and then managed to the low end of that revised range (i.e., high end of the harvest range). And, as reflected by its associated performance measure, ODF remains a significant distance away from achieving even that level of older forest habitat on the state forest landscape. And while the Board recently adopted a Climate Change and Carbon Plan (CCCP), it has yet to be put into firmer direction through objectives with performance measures and measurable metrics on state forests.

One major overarching pressure that threatens balance is climate change. Climate change is and will continue to fundamentally re-shape Oregon's public forests and each of what have come to be known as the three legs of the GPV stool (economic, social, environmental). That said, Oregon's state forests also have an important positive role to play in addressing climate change. We believe the current GPV rule language provides the Board with the space and tools it needs to address climate change and the pressures it will place on the many public values at hand. That said, if the Board is inclined to do anything with respect to revision of GPV rule language, it should be through the lens of addressing climate change and its impacts.

We are **not** asking for the creation of a new GPV rulemaking process at this time because we believe the current rule provides adequate policy space for relevant work, and also because we believe any rulemaking could be protracted and result in potential further delays in ongoing Forest Management Plan and related Habitat Conservation Plan efforts. We do not wish to see staff resources diverted from these efforts but rather put into work that integrates them, including the recent CCCP and how climate-related issues and values will be addressed through the FMP planning structure.

Finally, to the extent some argue the history of western Oregon's state forests demands a change in the GPV rule to assure timber and revenue are further prioritized, we wish to point out the following:

- Original deed language under which ODF accepted much of today's state forest land contains management purposes much broader than just timber and revenue.
- The FTLAC counties agreed with the current GPV language when it was adopted in 1998. Since that time, timber harvest and revenue has increased. Why would this history argue for a timber-primacy / production-based rule change now?
- The history is not as simple as the message you often hear. After the Tillamook burn(s) across much of today's state forest landscape, Oregonians as a whole passed a constitutional amendment providing bond funding for post-fire reforestation and management. This was **not** a situation of counties fronting their own money to pay for forest management that would later return revenue to them. In fact, many revenue-receiving "trust counties" voted against this bond measure (including Tillamook), and without supportive votes out of urban areas in Multnomah and other counties where these forest lands do not exist, the funding would not have occurred. And as a result, the trees that some counties today contend should be logged to provide them more revenue would not exist.
- While many resources exist covering this history, the following 2003 article (updated in 2018) by the Astorian provides a summary:  
[https://www.dailyastorian.com/news/tillamook-burn-set-the-stage-for-todays-arguments-over-s-tate-forests-future/article\\_83bb4503-187a-5650-bc94-bbcc2b7a64fe.html](https://www.dailyastorian.com/news/tillamook-burn-set-the-stage-for-todays-arguments-over-s-tate-forests-future/article_83bb4503-187a-5650-bc94-bbcc2b7a64fe.html)

Thank you for your consideration.

Sincerely,  
Brett Brownscombe



# **MGO Recommendations Implementation Management Plan**

**Board of Forestry | January 5, 2022**

# Presentation Outline

- **Part 1 – Implementation Management Plan v3**
  - MGO Assessment of ODF IMP
  - Successes and Opportunities
  - Implementation Progress
  - Discussion / Questions on IMP
- **Part 2 – Board Policy Development**
  - Overview of MGO Recommendation #16
  - Discussion Prompts – Attachment 1
- Next Steps



# ODF Implementation Management Plan

## MGO Project Status

### STEP 1: Design

- Assessment of IMP by recommendation
- Review identified actions/deliverables to assess whether the recommendation was addressed

### STEP 2: Implementation

- Assessment of the completed status of deliverables
- Walkthrough of supporting documentation (if transactional, review of one transaction)

### STEP 3: On-Going Monitoring

- Assessment of risk reduction by implementation
- For deliverable status changes, assessment of implementation (STEP 2)



# ODF Implementation Management Plan

## MGO OBSERVATIONS

- **STEP 1: DESIGN**

- Status – Initial assessment completed, processes/ procedures/ policies identified appear to address the recommendations included in our prior report

- **STEP 2: IMPLEMENTATION**

- Status – In progress, update to provided during the subsequent board meeting

- **STEP 3: ON-GOING MONITORING**

- Status – To be completed in conjunction with Step 2
- Significant risk reduction noted resulting from early implementation of a portion of recommendation #20, MGO to confirm status



# ODF Implementation Management Plan

## Successes

- Early implementation of #20 (06/30/2023)
  - Reorganization of finance staff from Fire to Admin
  - Opportunity for alignment and efficiencies
  - Leverage for further implementation of recommendations
- Significant progress in #12, 23, 24 (06/30/2022)
  - Supported by LD MGO position
  - Fiscal analysis of historical agency budgeting
- Progressing in policy and procedure development



# ODF Implementation Management Plan

## Progress in Version 3 from Version 2

- Total: 4 of 28 recommendations complete and moved to enhanced status for modernization/maintenance
- 4 completed were targeted for June 30, 2021
- 1 targeted for October 31, 2021 is related to BOF
- 4 targeted for December 31, 2021, progressing, dates extended to June 30, 2022
- Other interim deliverables extended within recs
- 11 have had no change, 4 of those not started
- 3 had significant progress in-line w/targets
- 1 early implementation



# ODF Implementation Management Plan

## Opportunities

- Resource capacity
  - Vacancies (mandated, voluntary, promotion, new positions)
  - Retirements (Finance and Audit)
  - Pace of Recruitments
- Agency realignment and reorganization
- Technical assistance and further assessment (MGO)
- IT personnel for administrative modernization
- IT system implementation and adaptation



# ODF Implementation Management Plan

## Questions and Discussion



# Board Policy Development

## Attachment 1 – Implementation of MGO #16

- **MGO #16 - Board of Forestry Financial Oversight**
  - Medium risk
  - Observation: inconsistent, limited reporting
  - Recommendation: formal policy and procedures should be established by the Board including clear definition of reporting requirements



# Board Policy Development

## Attachment 1 – Implementation of MGO #16

- **Board and Agency Policies**
  - Federal law, Oregon Revised Statutes, Oregon Administrative Rules, DAS Statewide Policies, Oregon Accounting Manual, GAAP - Accounting Principles....then
  - BOF / ODF policy, directives, procedures, guidance
- **History of Financial Reporting**
  - Started in January 2012 - quarterly
  - 2020 revamp of information - monthly
  - 2021 combined legislative and board reporting



# Board Policy Development

## Reference Attachment 1 - Several Draft Policy Concepts Board Discussion Prompts



# Next Steps

- **January Legislative Days Presentation to Interim Committee on Ways & Means**
  - First view of the Implementation Management Plan
- **Ongoing Policy Development with the Board #16**
- **April 2022 - Version 4 of the Implementation Management Plan and further assessment by MGO**

