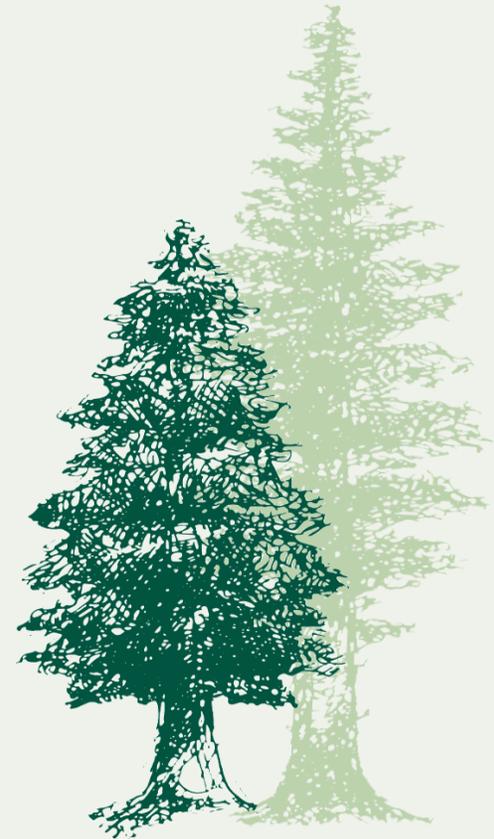


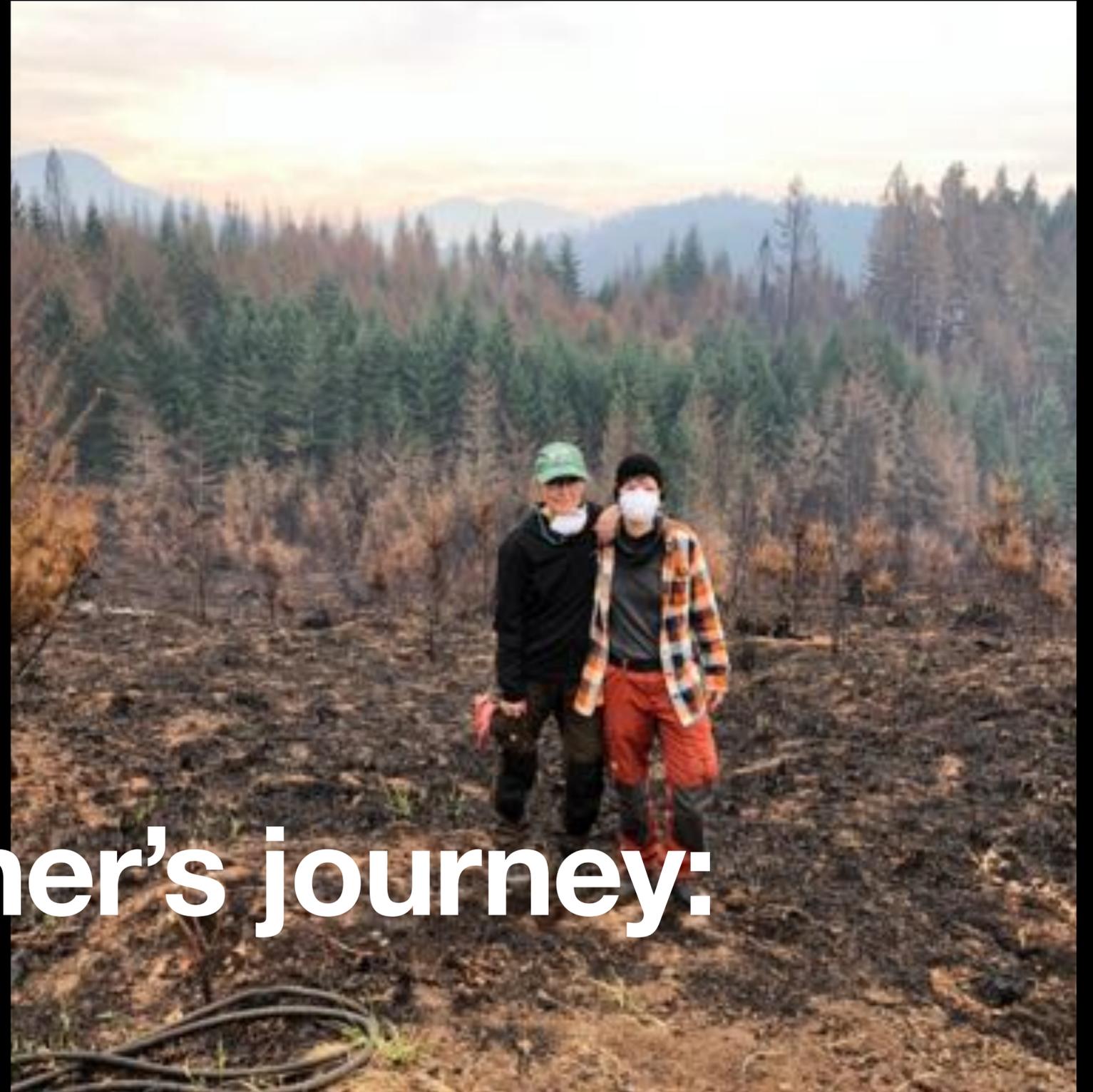


Committee for  
Family Forestlands



Annual Report July 20, 2022





**one woodland owner's journey:  
reprise & update**







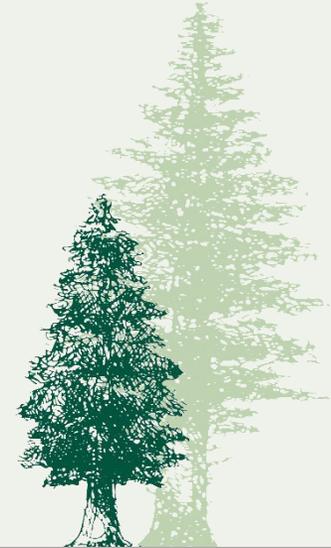








Committee for  
Family Forestlands





## **Oregon Department of Environmental Quality Collaboration Update**

**July 20, 2022**

**Presenters:**

**Josh Barnard, Division Chief, Forest Resources Division**

**Adam Coble, Forest Health and Monitoring Manager, Forest Resources Division**

**Rebecca McCoun, Riparian & Aquatic Specialist, Forest Resources Division**

**Jennifer Wigal, Water Quality Administrator, Oregon Department of Environmental Quality**

# Overview

- **Background - ODF & DEQ MOU**
- **Designated Management Agency (DMA)**
- **MOU Implementation/ Collaboration**
- **Total Maximum Daily Load Plan(s)**
- **Plan Components, Implementation Matrix, Dates**



# Reminder: Regulatory Framework

- **DEQ identifies Designated Management Agencies (DMA).**
- **ODF is the DMA for water quality protection from nonpoint sources resulting from forest operations on nonfederal forestlands**
- **DMA's have legal authority**



# Designated Management Agencies (DMA's)

- **Urban DMAs (local cities and Counties)**
- **Oregon Dept. of Agriculture (ODA)**
- **Oregon Dept. of Forestry (ODF)**
- **Oregon Department of Transportation (ODOT)**
- **U.S. Bureau of Reclamation (USBR)**
- **U.S. Forest Service (USFS)**



# Collaboration

## ODF & DEQ MOU Updated and Signed in December 2021

### Revisions included:

- **DOJ Clarified authority**
- **ODF & DEQ's Commitment/Roles**
- **Flow chart on interagency collaboration**
- **Increase Accountability**



# Collaborative Efforts (January - June 2022)

- **Monthly ODF-DEQ manager and staff meetings**
- **Updates on TMDL development across the state**
- **Updates on forest practices rule amendments**
- **Increase in staffing**
- **Coordination on development of ODF Willamette Mercury TMDL implementation plan**
- **Federal re-engagement on full approval of Oregon's Coastal Nonpoint Source Control Plan**
- **Planning on integration of climate change considerations in TMDLs**



## DEQ participation in ODF efforts:

- ❖ **Forest practices rulemaking - Advising**
- ❖ **Adaptive Management Program Committee - Seat**



# DEQ shared opportunities for ODF:

- ❖ **Nonpoint Source Plan update and annual report preparation**
- ❖ **Commenting on Draft Integrated Report and TMDL Priorities**
- ❖ **Rule revision - Aquatic life beneficial use map update**
- ❖ **Upper Yaquina River Watershed Bacteria and Dissolved Oxygen TMDLs advisory group**

**ODF staff recently appointed to RAC**



# ODF TMDL Implementation Planning

- Under the new MOU
  - ODF will develop implementation plans for each TMDL
- First: ODF Willamette Mercury TMDL Implementation Plan
- Future: Statewide Approach (Example, Statewide Temperature TMDL Plan)
- DEQ initiates plan development order



# Implementation Plan

- **Background**
- **Geographic Scope**
- **Sources**
- **Management Strategies & Implementation Goals**
- **Compliance & Effectiveness Monitoring**
- **Adaptive Management**
- **Public Engagement**



# TMDL Implementation Plan Matrix

- Pollution TMDL**
- Potential Source(s)**
- Strategy**
- Action**
- Timeline**
- Measurable Outcome**

## **Example:**

- **Mercury in Total Suspended Solids**
- **Roads**
- **Forest Road Inventory Assessment**
- **Pre-Inventory Process Year 1**
- **2024-2025**
- **# Large Industrial Landowners**  
**Types of HCV per HUC**  
**# HCV initiated or completed**

# Temperature TMDL Planning

Per the District Court's final order and judgement, DEQ must amend and submit replaced temperature TMDLs to EPA for approval or disapproval.

**Jan. 15, 2024**

**7-15-2025**

- Southern Willamette Subbasins\*
- Mid-Willamette Subbasins\*
- Lower Willamette, Clackamas, and Sandy Subbasins\*

ODF will have approximately  
18 months

**Feb. 28, 2025**

**8-28-2026**

- Willamette River mainstem and major tributaries
- South Umpqua and Umpqua Subbasins

**Apr. 17, 2026**

**10/17/2027**

- Applegate, Illinois, Lower Rogue, and Middle Rogue Subbasins
- John Day River Basin
  - Upper Rogue Subbasin

**June 4, 2027**

**12/4/2028**

- Snake River - Hell's Canyon
- Lower Grande Ronde, Imnaha and Wallowa Subbasins
- Middle Columbia-Hood, Miles Creeks

**May 29, 2028**

**11/29/2029**

- Walla Walla Subbasin
- Willow Creek Subbasin
- Malheur River Subbasins

# Moving Forward

- **ODF & DEQ managers and staff will continue to convene regularly.**
- **Work together on the ODF's Willamette Basin Mercury TMDL implementation plan.**

**Draft Plan due February 17, 2023**

**Final Plan due August 17, 2023**

- **Work together on integration of climate change considerations in TMDL implementation and forest practice best management practices**





**Questions?**

MGO RECOMMENDATIONS

# Implementation Management Plan



PRESENTED TO  
Board of Forestry

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July 2022

**mgo**

PRESENTATION  
**AGENDA**

01

REVIEW  
METHODOLOGY

02

IMPLEMENTATION  
STATUS AND  
HIGHLIGHTS

03

MANAGEMENT  
UPDATE

04

SHARED  
DISCUSSION  
AND  
FEEDBACK

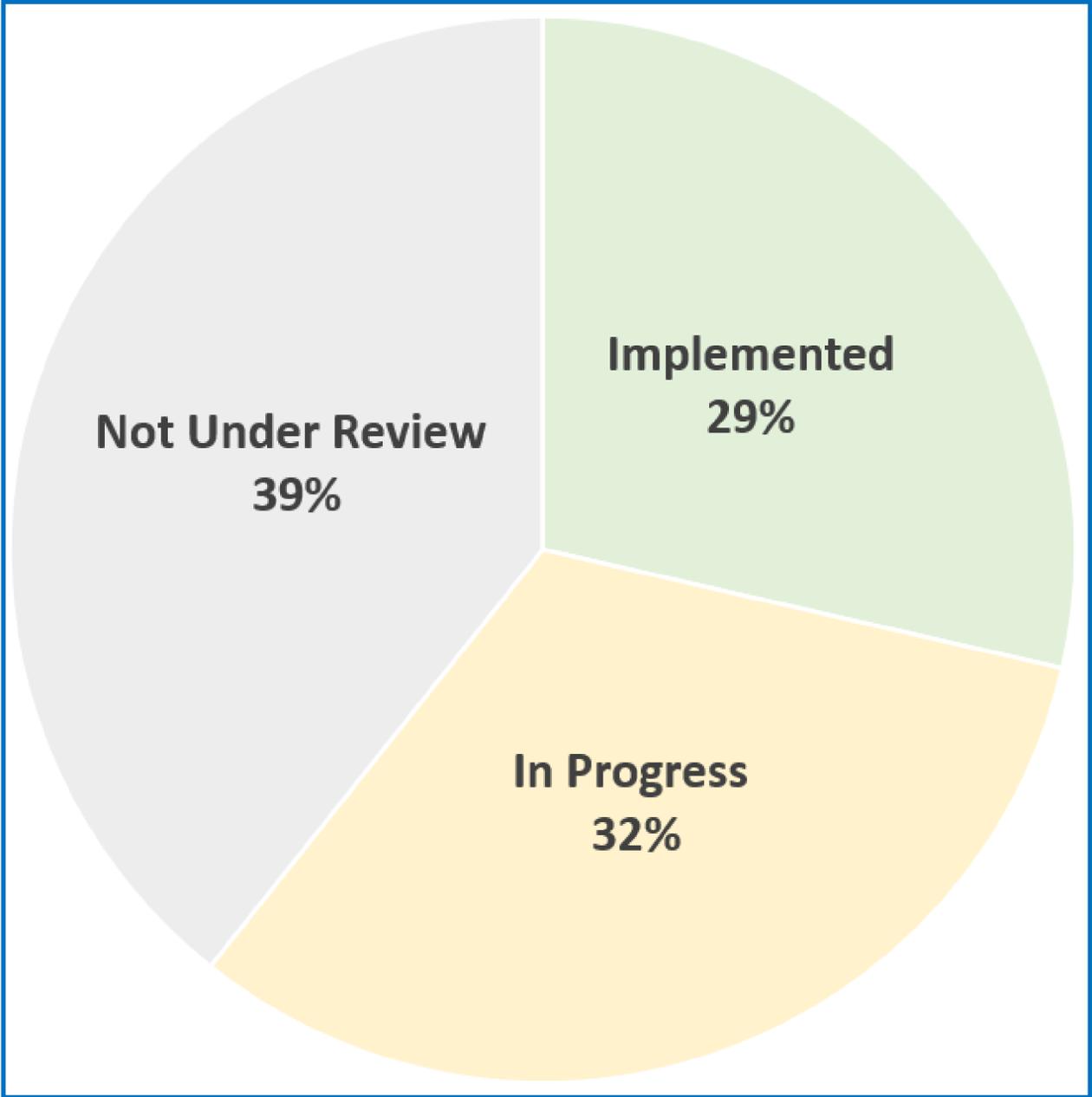
DISCUSSION  
TOPICS

# METHODOLOGY



- **Identify Documentation to Satisfy Each Recommendation**
- **Prioritize Recommendations for Review**
- **Request Documentation**
- **Conduct Analysis**
- **Summarize Status and Rationale**

# IMPLEMENTATION STATUS OVERVIEW

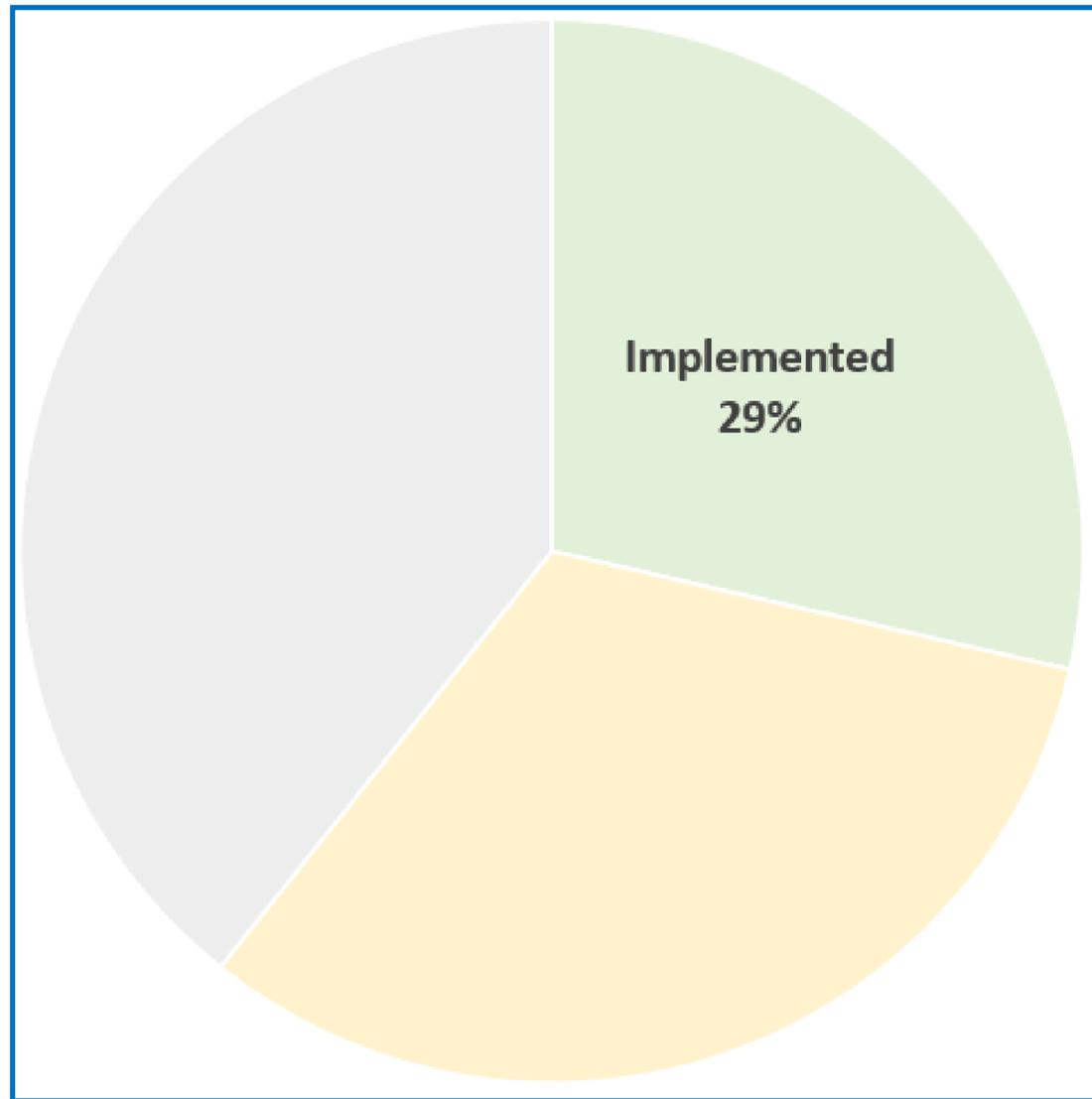


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## PERIOD RESULTS

- **Eight Recommendations Implemented**  
Five Implemented in April 2022 Review  
Three Implemented in June 2022 Review
- **Significant Progress with Nine Recommendations**  
Seven In Progress in April 2022 Review  
Two In Progress in June 2022 Review

# RECOMMENDATIONS - IMPLEMENTED

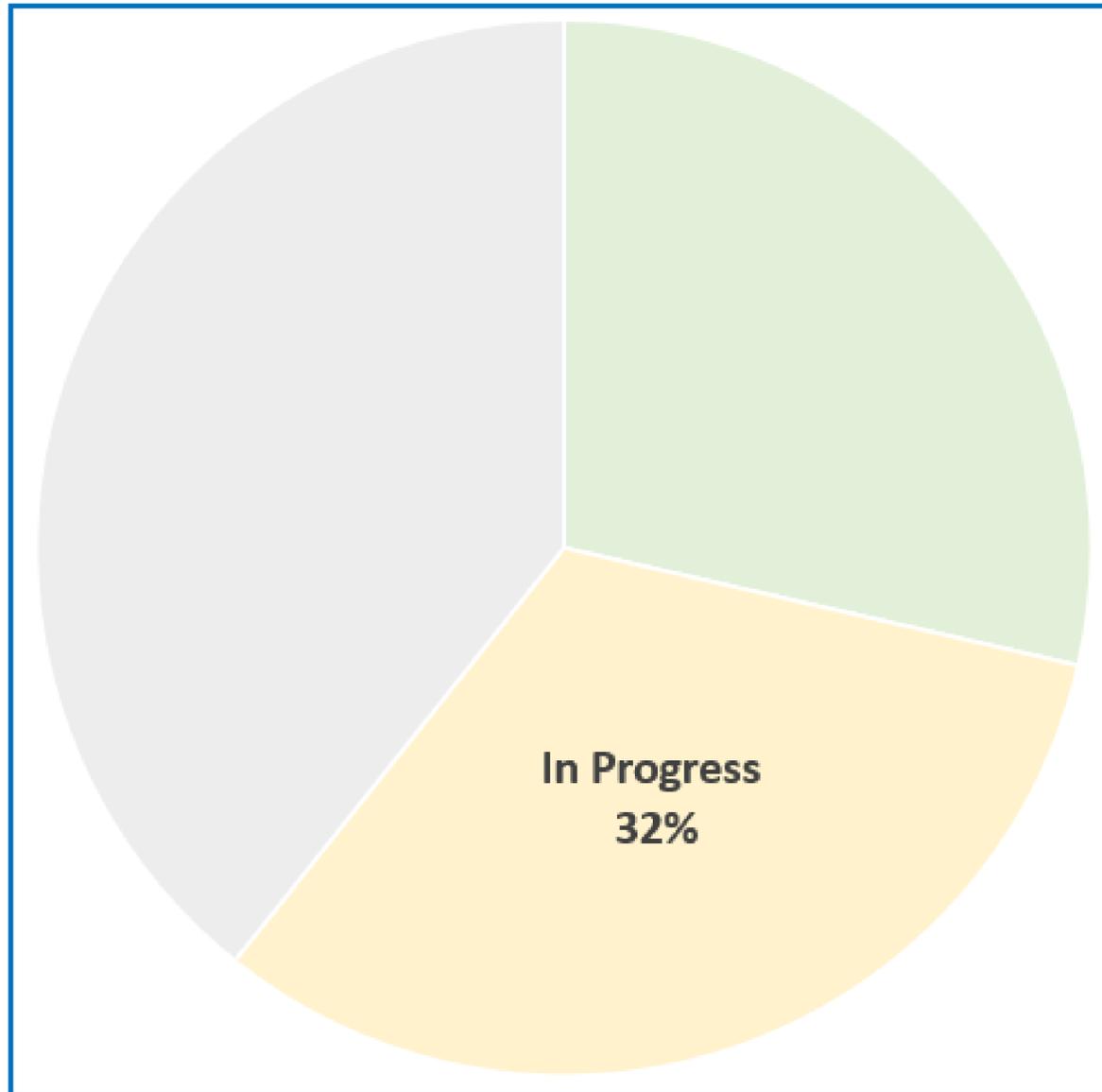


During April 2022 Review Cycle, Recommendations 1, 2, 3, 16, and 27 were deemed implemented.

Rec #	Theme	Risk Rating as of June 2022		
		High	Medium	Low
12	Annual Rate Assessment	↓		X
23	Budgeting Requirements		↓	X
24	Budgeting Reconciliation		↓	X

X is the current rating of the recommendation as of June 2022.  
 ↓ in the box of the June 2021 risk rating means the risk rating as of June 2022 has been lowered  
 – in the box of the June 2021 risk rating means the risk rating as of June 2022 has not changed.

# RECOMMENDATIONS - IN PROGRESS



Rec #	Theme	Risk Rating As of June 2022		
		High	Medium	Low
18	Change Management		-X	
26	FEMA Claim Status Reporting			-X

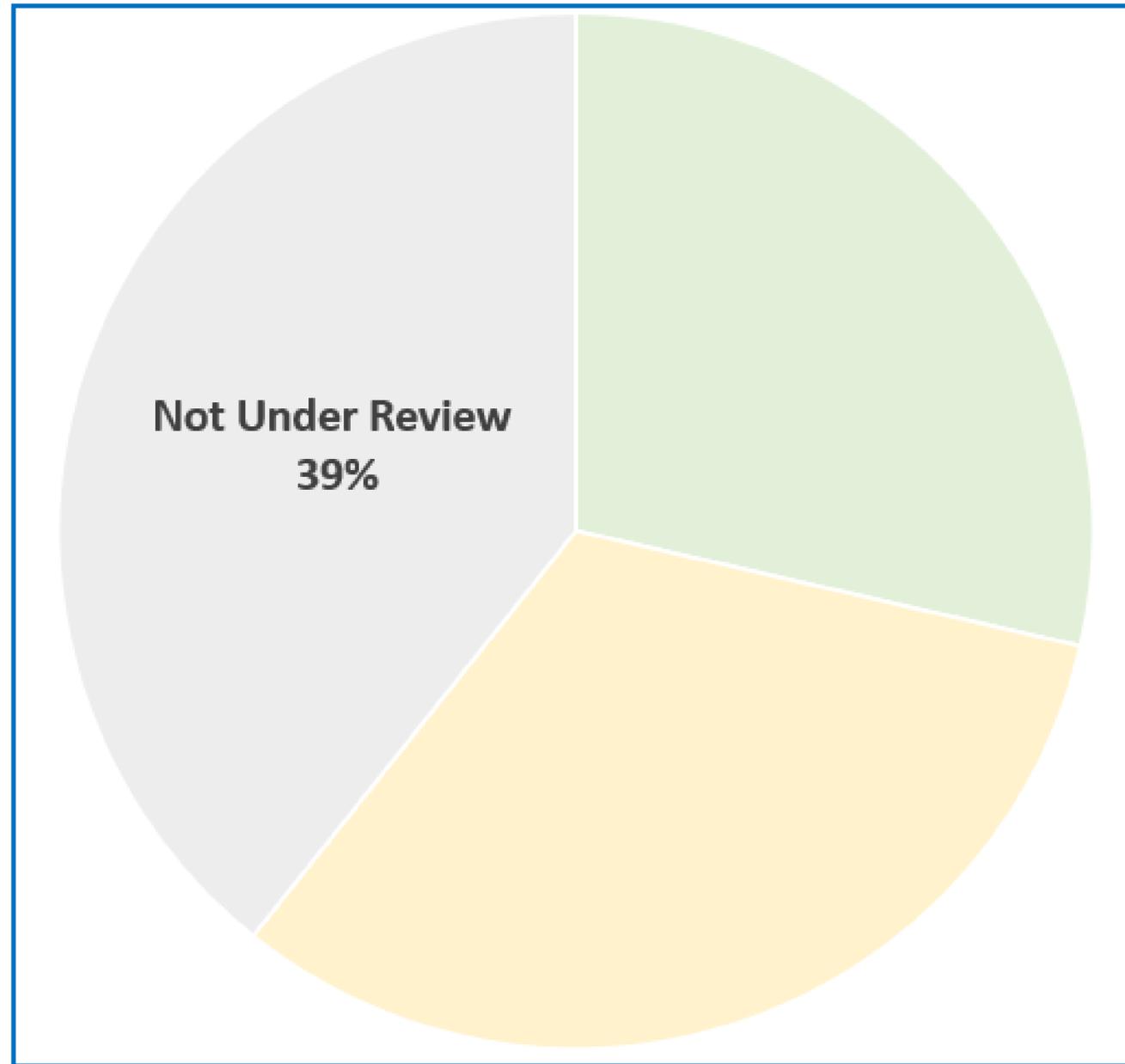
X is the current rating of the recommendation as of June 2022.

↓ in the box of the June 2021 risk rating means the risk rating as of June 2022 has been lowered

– in the box of the June 2021 risk rating means the risk rating as of June 2022 has not changed.

During April 2022 Review Cycle, Recommendations 4, 7, 9, 13, 15, 17, 20 were deemed in progress.

# RECOMMENDATIONS - NOT UNDER REVIEW



**5 Recommendations - High Risk Rating**

**4 Recommendations - Medium Risk Rating**

**2 Recommendations - Low Risk Rating**



# ODF MANAGEMENT UPDATE



**Implementation**



**Successes**



**Opportunities**



# ODF MANAGEMENT UPDATE



## IMPLEMENTATION

- Recap from ODF IMP Version 4

### **Total: 28 Recommendations**

- 16 Active
    - 13 progressing
    - 3 recently initiated
  - 4 Pending/On Hold
  - 3 Not Started
  - 5 Complete
- Future: Aligning ODF IMP Version 5 with MGO assessments, reduction of risks, and prioritizing remaining work.



# ODF MANAGEMENT UPDATE



## SUCCESSSES

- Progress
- Outcomes



# ODF MANAGEMENT UPDATE



## OPPORTUNITIES

- Fire Funding Structure
- Recruiting
- Continued Policy Development
- Admin Modernization Program  
I.T. Application Development

# SHARED DISCUSSION & FEEDBACK



**Work Products and Process**

**Information for Oversight Role**

**Priorities for Next Review Cycle**

**Areas for ODF to Prioritize**

**Requests for Next Presentation**

July 20, 2022, Board of Forestry Testimony

Chair Kelly, members of the Board of Forestry, State Forester Mukumoto. These written comments are provided to you as part of FTLAC's 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 is concerned about the proposed HCP. In this letter we provide the testimony provided at the BOF meeting by FTLAC Chair and Tillamook County Commissioner David Yamamoto with figures added, as well as additional comments.

### **FTLAC BOF Meeting Testimony**

Chair Kelly, members of the Board of Forestry, State Forester Mukumoto, Staff: I am David Yamamoto, Tillamook County Commissioner and Chair of the Forest Trust Land Advisory Committee (FTLAC). I am here today representing FTLAC in order to fulfill our statutory responsibility to advise the BOF and the State Forester on matters which affect management of the State Forest Lands (ORS 526.156).

Board members, at these BOF meetings, I have heard much talk about the HCP, and FMP goals and strategies, and I have raised many questions, many not fully answered. What I have not heard much about is vision. Today, I pose to you the question: what is your vision for management of our State Forest Lands?

At the last board meeting, we heard Board Member Chambers talk about her forestry tour in Finland, sustainable forest management, and the multiple products generated from sustainably harvested timber. We also heard that simple, top-down directives threatened that sustainable economy.

I have not heard a discussion here, at the BOF, of an integrated view of what the State Forest Lands provide. Instead, there are siloed statements about narrowly defined values. Discussion of the next Forest Management Plan has centered on the number of meetings hosted and number of comments collected. The plan itself is built on at least 21 goals and a host of strategies, each seemingly developed in isolation, without consideration of the tension between goals, or overarching needs: the need support the residents in our rural communities, the need to manage lands sustainably, the need to respond to environmental changes, disturbance and climate change.

The Tillamook Working Lands & Waters Cooperative recently hosted two tours of working lands and waters in Tillamook County. On the tours, one in April for the House Energy and Natural Resource Committee, and the second in June for County Commissioners from across the State as well as several other VIP's from across the State, we saw what I think is an inspiring vision for sustainable land management. We toured farms and forests in Tillamook County managed by local residents, while producing raw materials for local manufacturing, all in a community known for its recreational value. We saw the cows that produce milk for Tillamook cheese and ice cream, and trees that supply timber to the Hampton and Stimson mills in Tillamook which makes building materials used right here in Oregon and in neighboring states. We heard from land managers who work with their neighbors to ensure community values are met, that water quality is maintained, and fish habitat restored. As a result of their work, Tillamook County is home to some of the strongest Coho runs in the state.

An alternative vision I hear at the BOF is that we should not utilize our local natural resources. We hear that use is merely exploitation. We hear that we do not need the wood products we manufacture locally. What we do not hear is that data do not support this view.

Demand for softwood lumber, the primary material produced by purchasers of timber from State Forest Lands, is driven by home building, repair, and remodeling (Figures 1 and 2). As we hear about the housing shortage facing this country, including right here in Oregon, and ever escalating housing prices, it is clear that more homes will be needed. Since the Great Recession housing starts are down. Analysis by Freddie Mac shows that the housing deficit has grown to over three million homes as of 2020<sup>1</sup>, the number is certainly larger now. Over the decades, domestic lumber production has come to meet only a portion of our collective demand even as mills have become more efficient and able to manufacture more lumber per board foot of timber. Imports make up the difference. Looking regionally, West Coast lumber production has been generally stable, again, even as efficiency has improved, while production in the US South and imports have surged (Figure 3).

I do not have to tell you that the South and foreign countries do not have the same rigorous environmental standards we have here in Oregon. Nor should I have to tell you that increased home building will only lead to more imports unless we can sustainably source timber locally.

With all this in mind, I will turn to the decisions ahead of you for the proposed HCP and proposed FMP.

We recently learned that ODF has no financial plan to support the HCP even as all budget projections show ODF not generating enough revenue to support the department in the long run. I am stunned by this. ODF says it is pursuing an HCP to ensure management certainty. There is no certainty if there is no financial plan. Without a financial plan, ODF cannot ensure that it can continue to manage state forest lands as required by state law (ORS 530.050), it cannot provide vital revenue to Counties and Taxing Districts, and it cannot fund implementation of the HCP. I must note here that the Federal Services' HCP handbook states, "the HCP and permit... should contain a clear commitment on the part of the applicant to fund the plan...."<sup>2</sup> ODF clearly cannot make this commitment without a long-term financial plan.

Inability to fund management under the HCP is an existential threat to the department, and to rural communities in our Counties. The Counties depend on the revenue from State Forest Lands to fund essential public services. Our communities also depend on the family wage fully benefited jobs provided by timber harvest and manufacturing, and associated support services. I believe that we are reaching a tipping point in harvest levels in Oregon, below which we will not be able to sustain the skilled workforce and manufacturing infrastructure needed to maintain the sustainable production of timber in Oregon.

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<sup>1</sup> Freddie Mac. 2020. The housing supply shortage: state of the states.

<https://www.freddiemac.com/research/insight/20200227-the-housing-supply-shortage>

<sup>2</sup> USFWS and NOAA. 2016. Habitat Conservation Planning and Incidental Take Permit Processing Handbook. Page 16-5.

In September, ODF will ask you to provide direction on the HCP. ODF will also provide you with a summary of public comments submitted as part of the NEPA process. A summary of public comments sent to the Federal Services is inadequate for you to provide direction. In addition to the public comments, you need to see the comment responses. More importantly, you need to understand why the proposed HCP is appropriate, something ODF has not been able to show.

Why the proposed HCP is appropriate is FTLAC's overarching question behind the numerous questions we have asked of ODF here in our testimony, in writing, and at FTLAC meetings with staff. ODF continues to be unable to show quantitatively that the HCP protects the economic interests of the Counties, mitigates the impacts of take under the HCP, or even what the expected take is under the HCP. ODF describes the development of the HCP only as a collaborative effort with partners – USFWS, NOAA, ODFW – notably, this list does not include the Counties. ODF has not described how science informed the development of the HCP, how impacts are quantified, or how mitigation is quantified. We have not even seen a map of where current and projected habitat is located! When we ask for this information, ODF states that it is NOAA or USFWS that does this analysis, or that there is no time for analysis due to an artificial NEPA timeline. Meanwhile NOAA and USFWS tell us this is an applicant driven process. Excuse me as I must exclaim: What a bureaucratic runaround! If ODF cannot articulate how the proposed HCP meets ESA requirements, provides management certainty, and protects the Counties' interests, I must recommend that you not support the HCP.

Board, you have the opportunity, and the duty, to consider impacts of management decisions broadly and to understand how the decisions you make ripple through the economy. State Forester Mukumoto, you have a duty under law to ensure management practices are “based on the best science available” (ORS 629-0350-0020 (3)(e)). I implore you to use this opportunity to ask what is right for the Counties and Oregon's rural communities. Ask questions that probe at why the HCP is appropriate in scale and scope. Ask, what are the scientific foundations of the proposed HCP and what analyses justify the extent of the plan. Further, ask whether a Forest Management Plan with 21 widely varying goals, some seemingly in conflict with others, with dozens of implementation strategies is appropriate for ODF.

Finally, ask yourself what is your vision for State Forest Lands?

Respectfully submitted,

David Yamamoto  
Tillamook County Commission, Chair  
Forest Trust Lands Advisory Committee, Chair

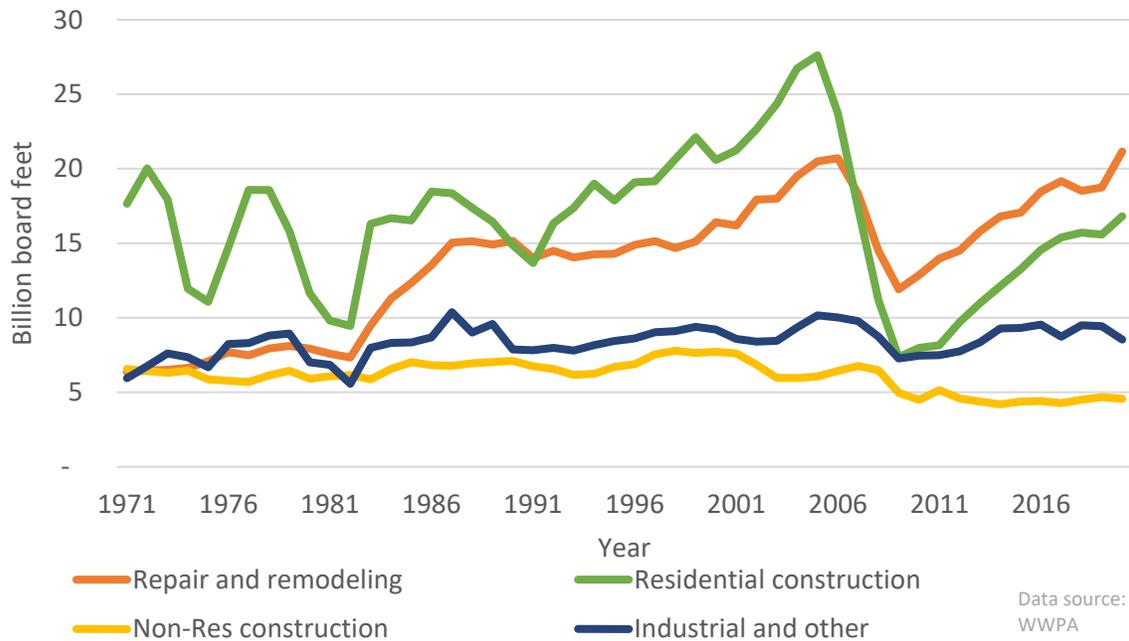


Figure 1. US softwood lumber use by sector, 1971-2020.

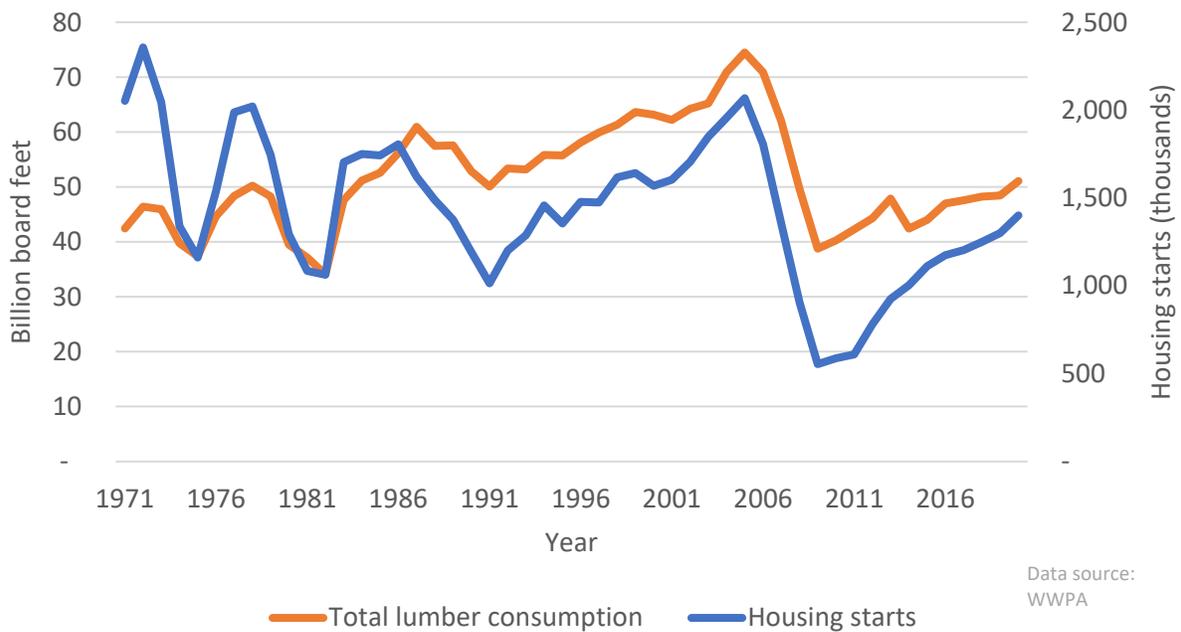


Figure 2. US softwood lumber consumption and housing starts 1971 – 2020.

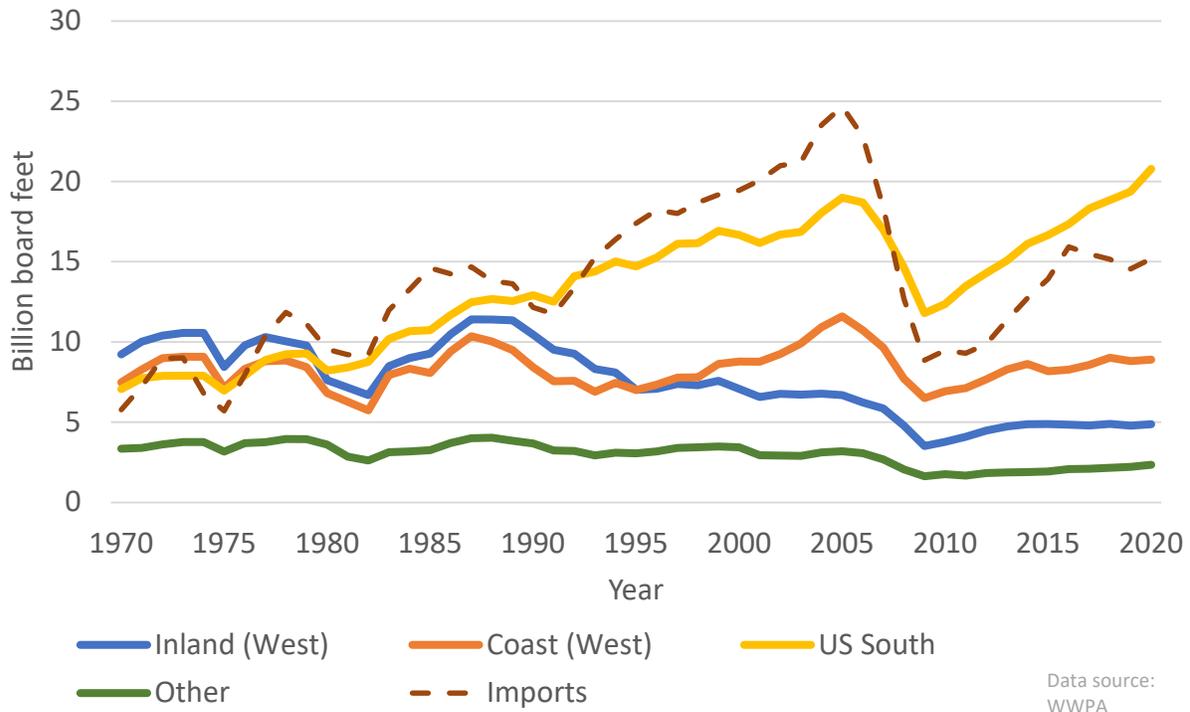


Figure 3. US softwood lumber production by region, and US softwood imports, 1970-2020.

**Maintaining mills and a skilled labor force is vital to the Counties and the environment.**

Decades of declining timber harvest in Oregon has put pressure on wood products manufacturers. Many communities have seen mills close, and jobs lost. Continued reductions in harvest, as projected under the proposed HCP, will only harm investment in critical manufacturing infrastructure and job training. We are reaching a tipping point where, once lost, the industry cannot recover. This will lead to the loss of not just mills, but many businesses that support these mills and provide services to mill workers. Rural communities will suffer. We have already seen this in parts of eastern Oregon and in Washington State, where the lack of mills and skilled workers results in the inability to implement needed forest management to the detriment of workers, communities, and the environment.

These losses are occurring at the same time as ODF is actively engaged in developing new uses for timber, including mass timber for modular housing. Maintaining a skilled timber management, milling, and mill services work force is necessary for innovative, environmentally sustainable projects like this to succeed. The BOF must consider the impact continued reductions in timber harvest have on the workers, and on ability of Oregon to become a world leader in sustainable building.

**State Forest Lands provide vital revenue for essential services that cannot be replaced**

Revenue from State Forest Lands is vital for the delivery of essential public services to Counties. Without this revenue public education, public safety, health services, and community services would suffer. Most counties that receive funds from State Forest Lands are rural and, as a result, have small tax bases.

These rural counties cannot replace revenue generated on State Forest Lands through tax increases. The impact on residents would be substantial. As a result, reduced funding will directly result in cuts to services.

### **Timber production on State Forest Lands provides fully benefited, family wage jobs that cannot be replaced**

Timber-related jobs, from harvesting to milling, provide thousands of workers across Oregon with fully benefited family wage jobs in rural communities. Wages for these jobs exceed the average pay of private sector jobs in rural counties, according to the Oregon Employment Department. Opponents of timber harvest point to tourism jobs as a replacement for timber jobs. Jobs in the leisure and hospitality sector pay on average 60% less than that of wood products manufacturing jobs. In addition, leisure and hospitality jobs tend to be seasonal and lack benefits. While tourism can add to rural economies, it is no substitute from timber-related jobs.

### **The CFTLC proposed alternative has been ignored by both ODF and the Federal Services, even as both ODF and USFWS continue to support elements of the CFTLC alternative**

The Counties developed an HCP proposal based on removal of barred owls and corvids (crows and ravens) to protect endangered northern spotted owls and marbled murrelets, respectively. The Counties based this proposal on scientific studies that show that removal of these threats could do more to recover these species than habitat protection alone. ODF has reported it would participate in future barred owl management and US Fish and Wildlife Service scientists have released peer-reviewed scientific papers that state northern spotted owls “face extirpation if the negative effects of barred owls are not ameliorated.”<sup>3</sup> Nonetheless, ODF has largely ignored the Counties’ proposal and in the DEIS NOAA rejected the alternative calling barred owl removal “experimental.”

We believe the following analyses should be conducted by ODF or NOAA to determine if the CFTLC proposed alternative is appropriate for State Forest Lands:

1. Endangered species population modeling
2. An assessment of take and mitigation
3. Harvest level modeling

Unfortunately, both ODF and NOAA have not released to the public any quantitative analysis of the CFTLC proposed alternative leaving the BOF and the public uninformed of the potential benefits of the CFTLC alternative.

### **Thorough, transparent analysis is needed**

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<sup>3</sup> Franklin, Alan B et al. 2021. Range-wide declines of northern spotted owl populations in the Pacific Northwest: A meta-analysis. *Biological Conservation* 259. <https://doi.org/10.1016/j.biocon.2021.109168>.

ODF should produce for the BOF and the public thorough, transparent analyses showing how scientific literature informs the conservation measures in the HCP. For example, analyses should explain how ODF justifies:

- 1) The size of HCAs
- 2) Allowing thinning for only the first 30 decades of the HCP and not providing for more flexible long-term management
- 3) Limiting salvage after disturbance even when the resulting conditions no longer provide endangered species habitat
- 4) Restricting treatment of stands affected by Swiss Needle Cast
- 5) Restricting treatment of senescing alder stands

Without these analyses and an explanation of how the proposed HCP provides management certainty and protects the Counties' interests, FTLAC cannot recommend supporting the proposed HCP.