

Board of Forestry Meeting Minutes

January 3, 2018

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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

- (1) Presentation, [HR Dashboard Powerpoint](#), Agenda Item 2
- (2) Handout, [Steve Zika Testimony](#), Agenda Item 5
- (3) Presentation, [Trask Watershed Study \(Part 1\)](#), Agenda Item 7
- (4) Presentation, [Trask Watershed Study \(Part 2\)](#), Agenda Item 7
- (5) Handout, [Mary Scurlock Testimony](#), Agenda Item 7
- (6) Handout, [Oregon Administrative Rules for FMP](#), Agenda Item 8
- (7) Handout, [FMP Guiding Principles, Vision, and Goals](#), Agenda Item 8
- (8) Presentation, [Forest Management Plan](#), Agenda Item 8
- (9) Handout, [Dave Ivanhoff Testimony](#), Agenda Item 8
- (10) Handout, [Ray Jones](#), Agenda Item 8
- (11) Handout, [Oregon Forest Industries Council- Seth Barnes Testimony](#), Agenda Item 8
- (12) Presentation, [Bob Van Dyk](#), Agenda Item 8
- (13) Presentation, [Eastern Oregon/Siskiyou Rule Review Powerpoint](#), Agenda Item 9
- (14) Handout, [Eastern Oregon Regional Forest Practice Committee Testimony](#), Agenda Item 9
- (15) Handout, [Mary Scurlock Testimony](#), Agenda Item 9
- (16) Handout, [Stacy Detwiler Testimony](#), Agenda Item 9

In accordance with the provisions of ORS 526.016, a meeting of the Oregon Board of Forestry was held on January 3, 2018 at the Oregon Department of Forestry Headquarters on 2600 State Street Salem, OR 97310.

Chair Imeson called the public meeting to order at 9:00 a.m.

Board Members Present:

Sybil Ackerman Munson (arrived late)
Nils Christoffersen
Tom Imeson
Tom Insko
Cindy Deacon Williams

Absent:
Mike Rose

Chair Imeson stated that the Forest Trust Land Advisory Committee were not testifying and that the executive session at the end of the meeting was canceled.

CONSENT AGENDA:

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

A. OCTOBER 11, 2017, MEETING MINUTES

Approval of Board Meeting Minutes

Action: The minutes of the October 11, 2017 Board meeting were approved.

B. NOVEMBER 1 & 2, 2017 MEETING MINUTES

Approval of Board Meeting Minutes

Action: The minutes of the November 1 & 2, 2017 Board meeting were approved.

C. SB 116 – VETERAN’S SPECIAL ACCESS PASS RULEMAKING

Approval of SB 116 – Veteran’s special access pass

Action: Approve the Department to begin the formal rulemaking process according to the Oregon Administrative Procedures Act and return in April with the summary of public comment and proposed final rule language for Board adoption.

D. APPOINTMENT OF JACOB GIBBS TO EFCC

Action: Approval of the appointment of Jacob Gibbs to the Emergency Fire Cost Committee to a four year term expiring the end of January 2022.

ACTION AND INFORMATION:

1. STATE FORESTER AND BOARD MEMBER COMMENTS

[Listen to audio](#) MP3 – (12 minutes – 5.9 MB)

State Forester Daugherty commented on

- His optimism for the coming year,
- The fire season,
- Elliot State Forest changes,
- Record high harvest levels and revenues to the counties,
- Water quality issues,
- Riparian rules and Bald Eagle rules, and
- Electronic public subscription service to our e-notification system.

State Forester Daugherty went over recent personnel changes and recognized the nine new stewardship foresters. He went over strategic initiatives and an effort towards a sustainable agency that works across the divisions in collaboration. The complete and coordinated protection system is still a highly functional model for the wildfire seasons, but the strain on the militia continues to increase and sustainability initiatives are necessary. Partners, stakeholders, the governor, and the emergency fire cost committee will be involved. These initiatives will be tied into the overarching goals of the agency.

The Board gave an update on the Federal Forest Subcommittee meeting that was held on January 2, 2018. They talked about how the session created a work plan to move forward and reaffirmed the role and purpose for the subcommittee and that it aligns with the original direction given in 2013. They will be giving oversight and guidance for the Federal Forest Restoration Plan and the Good Neighbor Authority. They are also keeping in mind the goals of the Cohesive Wildfire Strategy and using that as a framework going forward. They touched on policy issues and the wildfire funding fix as a top priority.

1A. PUBLIC COMMENTS: None

2. HR DASHBOARD

[Listen to audio](#) MP3 – (29 minutes – 13.6 MB)

Jonathan Herman, Oregon Department of Forestry Human Resource (HR) Director, went over the HR Dashboard and data in his presentation ([attachment 1](#)) that included appointments, age distribution, diversity, retirements, retention data, leadership team recruitment, and safety.

The Board appreciated seeing the demographic of the dashboard. In a social context the board mentioned the #metoo movement and applauded staff on the diversity of the leadership team.

State Forester Daugherty briefly discussed the role of the Environmental Justice Board and gave an update on where they are at now. He also mentioned including diversity in the Board's value statements.

The Board mentioned looking at the candidate pool in regards to diversity. They also made a comment on retirement due to high income because of the fire season and retirement payments that would be higher. The Board discussed the overall ethnicity rate in the state of Oregon compared to the diversity of the personnel at the Oregon Department of Forestry (ODF) and how to increase those numbers. The Board felt that the safety incident numbers seem high and asked if HR has looked at the impacts as a result of those incidents.

The Board asked for the future presentations to have the kinds of incidents listed that ODF is running into, to better understand the safety numbers.

Information Only.

3. GUIDING PRINCIPLES FOR 2019-21 AGENCY REQUEST BUDGET

[Listen to audio](#) MP3 – (7 minutes – 3.4 MB)

James Short, Budget Director for the Department presented information to secure the Board's input and approval on the initial set of guiding principles developed by the agency's Executive Team for the 2019-21 budget development. The twelve guiding principles include:

1. Promote an open and transparent process with employees, stakeholders, and the public.
2. Maintain core business functions and customer service as a priority.
3. Identify and address service gaps that exist between the current budget and the budget needed to implement legal mandates, the Board of Forestry work plans, and key components of the agency's strategic initiatives. Development of policy option packages.
4. Promote creative and proactive concept development and proposals, addressing needed resources, budget climate, stakeholder and legislative expectations, and revenue constraints.
5. Maintain a viable, effective, highly-skilled, and empowered workforce and organization.
6. Identify and capture opportunities to increase efficiency and effectiveness.
7. Ensure that individual revenue sources fund a fair and equitable portion of the internal service costs that are in direct relation to services and products utilized by the program.
8. Align with the Board and agency missions, legal mandates, strategic initiatives, agency/program performance measures and the Governor's priorities.
9. Partner with natural resource agencies and tribal governments on mutual interest issues.
10. Innovate new ways for revenue generation, providing services, and stakeholder outreach and involvement that aim to reduce vulnerability to cyclical fluctuations.
11. Be responsive to changes in the socio-economic situation during the development process itself and be flexible to change direction or course if needed.
12. Communicate the results of the budget that impact forest resources and prioritize services that directly benefit, protect, and sustain Oregon's forest resources.

The Department recommended that the Board review the proposed guiding principles, provide the Department input if there is any, and approve them for the 2019-21 budget development.

The Board recommended that number eight and number three could be combined.

The Board asked how stakeholder involvement is taken for this process. This is done through Board of Forestry public comment period, association meetings, interest groups, and prior to

that, Public Affairs does a formal outreach strategy, and they also have regular meetings with stakeholder groups.

Information Only.

4. 2017 LEGISLATIVE CONCEPT GUIDING PRINCIPLES AND INITIAL IDEAS

[Listen to audio](#) MP3 - (4 minutes – 1.9 MB)

Chad Davis, Director of Partnership and Planning and Legislative coordinator for the Oregon Department of Forestry went over one legislative principle and concept, the Forest Product Harvest Tax, with the Board. Discussion was held on how this tax is crucial for the Oregon Department of Forestry Budget, Oregon State University, and support to the OSU Forest Research Lab. Potential approval and decision for this initiative will be held at the March Board meeting.

The Board discussed the clarification between legislative concepts and Policy Option Packages (POPs).

Information Only.

5. DISCUSSION OF 2018-19 DRAFT BOARD WORK PLAN

[Listen to audio](#) MP3 – (60 minutes – 38.1 MB)

Chad Davis, Director of Partnership and Planning introduced the division chiefs and their board work plans. The purpose of the topic was to get feedback from the Board on the work plans thus far. The Division Chief's introduced and went over their work plans in this order: Liz Dent, State Forests Division Chief, Lena Tucker, Private Forest Division Chief, Ron Graham interim Fire Division Chief, James Short interim Director of Administrative Service, and Chad Davis Director of Partnership and Planning and Emerging Issues including ecosystem services.

The Board commented about a comprehensive cost economic analysis for ecosystem services, specifically in cost/benefit analysis for the emerging issues. They also commented on not just having a need for a study for the sake of education, but for applying to the core mission of the Board. It also needs to work towards keeping forests as working sustainable forests. Another Board member elaborated on this idea, by indicating the need to also keeping forests as ecological functioning forests. They need to be clear about the value and the cost and who incurs the cost and look into equity and policy.

The role of Forest and Carbon Policy and senate bill 1070 was also discussed. Work items proposed include a report out of the work done, a science presentation regarding recent work at OSU, and then bringing together a panel to look at current opportunities in Oregon.

Chad Davis went over land use and working forests.

The Board asked about the definition of qualitative vs. quantitative and if that puts at risk transition areas between forests and non-forests? Chad replied that those would need to be better defined as to what constitutes a forest and a non-forest. The Board mentioned that these transition zones will need to be accounted for and part of the analysis.

Board Work plans will be approved at the March meeting.

Public Testimony

Steve Zika provided oral and written testimony ([attachment 2](#)) to the Board.

6. Forest Trust Land Advisory Committee did not testify.

Information Only

7. TRASK PAIRED WATERSHED MANAGEMENT PLAN

[Listen to audio](#) MP3 – (56 minutes – 26.7 MB)

Liz Dent the Division Chief of State Forests introduced Dr. Sherri Johnson, a supervisory research ecologist with the United States Forest Service (USFS), and Dr. Bob Bilby, a Senior Science Advisor for Warehouser Company. She mention about the value of partnerships that have helped make the Trask project happen. She indicated that these kind of studies are expensive and take time. The studies were designed to deal with managing forests around streams. This topic of managing all non-fish bearing streams remains a pressing policy question and possible ecological ramifications.

Dr. Bob Bilby went over project history and project objectives and the experimental design in a presentation ([attachment 3](#)).

Dr. Sherri Johnson went over project preliminary results in her presentation ([attachment 4](#)).

The Board asked about the natural variability and how well the reference streams matched the treatment streams. They were curious on what kind of signal strength detection staff was able to pick up. Also how big a difference did it have to show in order to detect a change in the study?

Dr. Sherri Johnson responded that is something they are working through. They are looking at how to compare going forward, weather it is based on most similar, closes to the test streams, ect. These are all things they are looking at.

The Board asked about the history of forest management in the studied area prior to the initiation of the study.

Dr. Bob Bilby responded that most of the area was involved in the Tillamook burn back in the forties and fifties, so they were working with about fifty year stand.

The Board asked if there was other management in the area during the study. Dr. Bob Bilby responded that there was not.

The Board asked what were are the areas that staff would want to gather data if there was more funding. Dr. Bob Bilby said that they would be interested in tracking recovery at the watersheds where they saw some responses. USFS plans to continue to work and some of the districts of ODF are looking at additional information going forward.

Dr. Sherri Johnson mentioned that the study is pretty much wrapped up at this time and will not be extended at those sites

The Board and staff summarized and clarified the results of the study.

Public Testimony

Mary Scurlock provided oral and written testimony ([attachment 5](#)). She asked the board to keep the researchers and the experts that are involved in this kind of research involved in their consideration of the implication of this research. She asked how they can extrapolate this kind of information from a very small sample size study to other locations and make policy decisions around it. She suggested they use other tools and look at other research and modeling and create a watershed classification system. She emphasized to the board that as the papers come out, to be careful of interpretation and responsibly use these results.

Information Only

8. OREGON STATE FORESTS MANAGEMENT PLAN PROJECT

Listen to audio ([part 1](#)) & ([part 2](#)) MP3 – (81 & 84 minutes – 38.2 & 39.7 MB)

Handouts: [Attachment 6](#) & [Attachment 7](#)

Liz Dent, Division Chief of State Forests introduced herself and Justin Butteris, operations and policy analyst for State Forests. The Forest Management Plan (FMP) has been reinitiated.

They covered four areas:

1. Technical review of the inventory growth and yield data (completed spring of 2017)
2. Revised district implementation plans (10 year plans completed early 2017)
3. Explore a programmatic ESA compliance tool such as a habitat conservation plan or safe harbor agreement.
4. Work on Business improvements to control cost and increase revenue.

In the presentation ([attachment 8](#)), Division Chief Dent and Justin Butteris outlined the highlights of the previous effort from the Alternative Forest Management Plan process and lessons learned from that process. She talked about how this work fits into the Board of Forestry Work plan which Justin Butteris covered in the presentation. Lastly they went over the tool they have proposed to help the Board and division work through the process with the engagement of the counties and stakeholders to focus direction of the plan.

The Board asked about timelines with the Habitat Conservation Plan (HCP) and FMP plan. They also discussed terminology and measureable outcomes and including those in the plan.

State Forester Daugherty brought up the point that depending what is put into the plan it may affect the flexibility of adaptive management.

The Board also pressed for a tighter schedule and talked about the aggressiveness of the plan and the negotiation piece in regards to a financial viability standpoint. They discussed the starting point for the HCP in negotiations and what outcomes that may produce. The Board also talked about having the staff pull together everything they have learned to come forward and start the discussion.

[\(Part 2 audio\)](#)

Public Comment

Dave Ivanhoff, from Hampton Lumber gave public and written testimony ([attachment 9](#)). He commented on the previous process failures and indicated the lack of sense of urgency. He is concerned about an “Elliot North” outcome. He covered unresolved questions and issues that he feels were never answered, current management, the proposed work plan, facts, and requested actions. These requests included a clear forecast of harvest levels, develop a base-line harvest model, and create an end product that meets policy direction while also generating cash flow requirements.

Ray Jones, from Stimson Lumber Company gave public and written testimony ([attachment 10](#)). He commented on the need for timely and transparent decision making. He also recommended a wood emphasis model for the FMP. He thinks there needs to be clear cost and benefits as well as the social costs to small communities. He feels that there needs to be more revenue created from this inventory. He encourages the Board to think about what an acceptable rate of return is and make better decisions for the Northern Districts.

Seth Barnes, Director of Forest Policy for Oregon Forests Industry Council (OFIC) ([attachment 11](#)). He encouraged the board to “be quick, but don’t hurry”. He also encourage a baseline to quantify costs and benefits and shares an urgency to move forward in the process.

Bill Clouding, from Carpenters Industrial Council gave public testimony. He talked about how the Trask study was good because it told the truth. He spoke about looking at the whole picture and not letting one small instance and a single picture of forest management represent all forest management. He is concerned about the HCP and the cost of it. He feels that there is plenty of information already done that can be applied and moved forward. He likes the current Forest Management Plan and feels we can build off of that. He doesn’t want this to end up in court or end up like the Elliot.

Kathleen Sullivan, a Clatsop County Commissioner gave public testimony. She is concerned that the Forest Trust Land Advisory Testimony was withdrawn due to the Linn County Law Suit. She wants it to be known that Clatsop County supports a balance management and the greatest permanent value rule. She encourages the Board to work with Clatsop County to ensure that their voice is also heard. She also mentioned that they support exploring an HCP.

Bob Van Dyk from the Wild Salmon Center gave public testimony and gave a presentation ([attachment 12](#)). He touched on subjects on increased revenue and harvest since the Greatest Permanent Value Rule was passed. He talked about a 41% increase in budget, but a loss of 20 staff members. He concludes that the Forest Plan is not the problem, but they do need an HCP. He suggests controlling costs more aggressively and finding out if part of the program can be managed by the private sector and encourage public investment.

The Board asked Mr. Van Dyk about his experience with the HCP and the Elliot. He responded that he feels that the HCP will give ODF the stability they need and will also provide some conservation benefits as well, though perhaps slightly less revenue.

Liz Dent came back before the board and offered the recommendations to the board to approve

1. The FMP Project Work Plan and direct staff to proceed with the next steps indicated on the Project Work Plan.
2. Approve or direct staff to revise the FMP Content Table
3. and direct staff to draft FMP Guiding Principles.

The Board asked Chief Dent if her recommendation shifts based off the testimony heard. She replied that it does a little bit. She heard that it would be helpful to put together a set of measurable objectives. She also heard that they want the Staff to work on populating the table to get the process moving along a little more quickly.

The Board also asked for impacts analysis, to create context for how they fill out the tables. Liz summarized that they would like her to add in measureable outcomes and populating the table and have some description around impacts and what they do in respect to financial viability and conservation outcomes.

The Board discussed if measurable objectives will be included in the plan or out of the plan. They also covered the difference between guiding principles and goals. They also voiced their disappointment in not having FTLAC weigh in. They voiced their request to get to two or three alternatives that they are going to make their final decision on as soon as possible. The Board requested clarification on wording for the original twin goals. They discussed financial viability and the requirements of the law.

Liz Dent talked about characterizing tradeoffs and she indicated that the Board will have to make decisions based on those tradeoffs.

Nils Christoffersen made a motion for the board to:

1. Approve the FMP Project Work Plan and direct staff to proceed with the next steps indicated on the Project Work Plan,
2. Approve or direct staff to revise the FMP Content Table and populate to the extent staff can and add outcomes and measurement of impact or leverage effect of changing the targets for that outcome.
3. Direct staff to draft FMP Guiding Principles.
4. Bring Definitions of conservation and financial viability to the next Board meeting.

Cindy Deacon Williams seconded the motion. Voting in favor of the motion: Nils Christoffersen, Tom Imeson, Tom Insko, and Cindy Deacon Williams. Against: none.

The Board

1. **Approved the FMP Project Work Plan and directed staff to proceed with the next steps indicated on the Project Work Plan.**
 2. **Directed staff to revise the FMP Content Table and populate. Add outcomes and measurement of impact to the table.**
 3. **Directed staff to draft FMP Guiding Principles.**
 4. **Directed staff to bring definitions of conservation and financial viability to the next Board meeting.**
9. **EASTERN OREGON/SISKIYOU RULE REVIEW- UPDATE**
[Listen to audio](#) MP3 – (57 minutes – 26.8 MB)

Lena Tucker, Private Forest Division Chief, introduced Marganne Allen, Manager for Forest Health and Monitoring and Terry Frueh, Monitoring Coordinator for Private Forests.

Division Chief Tucker gave some background of the topic and went through the presentation along with Terry Frueh and Marganne Allen ([attachment 13](#)).

The Board asked about the feedback and why certain things were left out and asked questions on how the survey was done.

Lena Tucker spoke about the tally of relevant science that they will be bringing forth at the March Board meeting. ODF will be able to bring forward recommendations to the Board on possible questions they may want to use going forward with this topic.

The Board asked about the tally and how they will come up with relevant material. They also requested a list of the studies so that they could look at them ahead of time. Marganne replied that they don't have all the studies together yet, because the Board hasn't chosen the question to study on yet.

The Board requested that Private Forests send them the bibliography of what they are tallying prior to the meeting. They also discussed looking at what their motivation is, since that will drive the final question that they are asking. They mentioned that they feel this is relevant because with the riparian rules, there was an obvious federal driver, where this topic is somewhat different.

Public Testimony

Lena Tucker introduced Joe Justice, a member of the Eastern Oregon Regional Forest Practice Committee, who gave public and written testimony ([attachment 14](#)).

Mary Scurlock, from the Oregon Stream Protection Coalition gave public and written testimony ([attachment 15](#)). She voiced her confusion around the survey and its usefulness. She asked the Board to consider compliance with water quality standards as their priority due to the Forest Practices Act (FPA). She stated that the Board has provided assurance under the FPA that these water quality standards will be met by the rules that they implement and have shielded landowners from persecution for water quality standards violations. She felt that, on the east side in particular, they have not checked to see if that is the case. She also mentioned that she feels that the Eastern Oregon/Siskiyou area was not included in the original studies due to one Board member's ties to landowners in that area. She wanted to make sure that they are not avoiding doing something just so that they don't find out something they don't want to know.

The Board responded that they have worked with many stakeholders in the Eastern Oregon area that work in the riparian areas, and they feel that the results have been improving in the last 20 years or so. They feel there is a committed effort by many entities working collaboratively to address issues with the water sources on the east side. They also made the point that much of the uplands in the area that affect the watershed are federal lands and the conditions of those lands affect the water flowing into the private land area. The Board mentioned Joseph Creek and how well the Steelhead are doing there despite water temperature standards.

Stacy Detwiler submitted written testimony ([attachment 16](#)).

10. EXECUTIVE SESSION **CANCELED**

With no further business before the Board, Chair Imeson adjourned the public meeting at 5:16pm.

Respectfully submitted,

/s/ Peter Daugherty



Peter Daugherty, State Forester and
Secretary to the Board

JN

Meeting Minutes Approved at the March 7, 2018 Board Meeting.