

DRAFT Board of Forestry Meeting Minutes

April 25, 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) Handout, [Oral testimony from Pope on Murrelets](#), Agenda Item A
- (2) Presentation, [Financial Dashboard](#), Agenda Item 2
- (3) Presentation, [Agency Initiative Presentation to BOE](#), Agenda Item 4
- (4) Handout, [Oral testimony from James on Agency Initiative](#), Agenda Item 4
- (5) Presentation, [Update from the USDA Regional Forester, PNW Research Station Director, and Oregon State Forester](#), Agenda Item 5
- (6) Handout, [Testimony from Storm on agenda item 5](#), Agenda Item 5
- (7) Handout, [Testimony from Sullivan on FTLAC](#), Agenda Item 6
- (8) Presentation, [State Forests Forest Management Plan \(FMP\)](#), Agenda Item 7
- (9) Handout, [Testimony from Ivanoff on FMP](#), Agenda Item 7
- (10) Handout, [Testimony from Barnes on FMP](#), Agenda Item 7
- (11) Handout, [Testimony from Willer on FMP](#), Agenda Item 7
- (12) Handout, [Testimony from Scurlock on FMP](#), Agenda Item 7
- (13) Handout, [Testimony from Chu on FMP](#), Agenda Item 7
- (14) Handout, [Testimony from McDonald on FMP](#), Agenda Item 7

- (15) Handout, [Testimony from Eady on FMP](#), Agenda Item 7
- (16) Handout, [Testimony from Steen on FMP](#), Agenda Item 7
- (17) Handout, [Testimony from Byers on FMP](#), Agenda Item 7
- (18) Handout, [Testimony from Dorband on FMP](#), Agenda Item 7
- (19) Handout, [Testimony from Ferguson on FMP](#), Agenda Item 7
- (20) Handout, [Testimony from Brown on FMP](#), Agenda Item 7
- (21) Handout, [Testimony from Eisler on FMP](#), Agenda Item 7
- (22) Handout, [Testimony from Gonzales on FMP](#), Agenda Item 7
- (23) Handout, [Testimony from Anderson on FMP](#), Agenda Item 7
- (24) Handout, [Testimony from Ferrari on FMP](#), Agenda Item 7
- (25) Handout, [Testimony from Whiting on FMP](#), Agenda Item 7
- (26) Handout, [Testimony from Lawrence on FMP](#), Agenda Item 7
- (27) Handout, [Testimony from Scott on FMP](#), Agenda Item 7
- (28) Handout, [Testimony from Linstromberg on FMP](#), Agenda Item 7
- (29) Handout, [Testimony from Gladwin on FMP](#), Agenda Item 7
- (30) Handout, [Testimony from Walsh on Protecting Forests](#), Agenda Item 7
- (31) Handout, [Testimony from Endicott on FMP](#), Agenda Item 7
- (32) Handout, [Testimony from Bender on FMP](#), Agenda Item 7
- (33) Handout, [Testimony from Oxwang on FMP](#), Agenda Item 7
- (34) Handout, [Testimony from Fullan on stream protections](#), Agenda Item 7
- (35) Handout, [Testimony from McMahon on Forest Practices](#), Agenda Item 7
- (36) Handout, [Testimony from Taylor on FMP](#), Agenda Item 7
- (37) Handout, [Testimony from Gulaskey on FMP](#), Agenda Item 7
- (38) Handout, [Testimony from Holmes on FMP](#), Agenda Item 7
- (39) Handout, [Testimony from Jones on FMP](#), Agenda Item 7
- (40) Handout, [Edits made by Board to Guiding Principles](#), Agenda Item 7
- (41) Handout, [Testimony from Yamamoto on Murrelets](#), Agenda Item 8

In accordance with the provisions of ORS 526.016, a meeting of the Oregon Board of Forestry was held on April 25, 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
Nils Christoffersen
Tom Imeson
Tom Insko (left in the afternoon)
Cindy Deacon Williams
Mike Rose

Absent:

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, Sybil Ackerman Munson, Mike Rose, and Cindy Deacon Williams. Against: none. With Board consensus, Items A through E were approved.

- A. MARCH 7, 2018 MEETING MINUTES
Approval of Board Meeting Minutes

Action: The minutes of the March 7th, 2018 Board meeting were approved.

- B. N.W. OREGON FIRE PROTECTIVE ASSOCIATION AGREEMENT MODIFICATION
Confirm the revision to the Northwest Oregon Forest Protection Association Agreement

Action: The Board confirmed the revision to the Northwest Oregon Forest Protection Association Agreement in adherence to the requirements of statute and rule as required by OAR 629-041-0100.

- C. TILLAMOOK COUNTY LAND EXCHANGE
Approval the exchange of the lands with Tillamook County and approve the title for the Sprague Memorial Wayside parcel with the above-described deed reservation and restriction.

Action: The Board approved the exchange of the lands with Tillamook County and approved the title for the Sprague Memorial Wayside parcel with the above-described deed reservation and restriction.

- D. STATE FOREST RECREATION RULES
Approval of the proposed final rules and direct the Department to file the rules as required to the Secretary of State and Legislative Counsel.

Action: The Board approved the proposed final rules and directed the Department to file the rules as required to the Secretary of State and Legislative Counsel.

- E. CENTRAL OREGON DISTRICT BOUNDARY CHANGE
Authorize the Department to amend OAR 629-041-0515, the boundary description of the Central Oregon Forest Protection District Boundary.

Action: The Board authorized the Department to amend OAR 629-041-0515, the boundary description of the Central Oregon Forest Protection District Boundary.

ACTION AND INFORMATION:

1. STATE FORESTER AND BOARD MEMBER COMMENTS
[Listen to audio](#) MP3 – (22 minutes – 10.5 MB)

State Forester Daugherty commented on:

- Recognized the administration staff within the Oregon Department of Forestry,
- 2019-2021 Biennial Budget, governor policy option packages request guidelines,
- Oregon Arbor week recognition,
- Annual Board self-performance evaluations.

The Board gave an update on the Federal Forest Subcommittee meeting that was held on April 24, 2018. Topics discussed HB4118, Federal Forest Restoration, Good Neighbor Authority, and Fuel reduction treatments. Established the Subcommittee will meet regularly.

The Board recognized and looked back on Sybil Ackerman Munson's impressive eight years spent as a member of the Board of Forestry, the April meeting will be her last meeting.

- 1A. PUBLIC COMMENTS

Polk County Commissioner and President of the Association of Oregon Counties, Craig Polk provided oral and written testimony ([attachment 1](#)) regarding decisions on Marbled Murrelets.

2. DEPARTMENT OF FORESTRY FISCAL REPORT
[Listen to audio](#) MP3 – (6.5 minutes – 3.1 MB)

Bill Herber, Administration Director and James Short, Budget Director provided the Board with an update on the Department's current financial situation ([attachment 2](#)). All programs except Fire Protection have expended less than 33.3% of their budget, Protection expenditures are due to the 2017 Fire Season. The agency will need to take a loan out from the State Treasurer's office to meet operating expenditures and obligations, based off of the last five years of severe fire seasons.

Information Only

3. 2019-21 BIENNIAL BUDGET POLICY PACKAGES
[Listen to audio](#) MP3 – (7 minutes – 3.3 MB)

Bill Herber, Administration Director and James Short, Budget Director shared the policy option packages ([attachment](#)) the agency is seeking, these are in addition to the current budget,

including: Fire Season Severity Resources, Agency Strategic Initiative, Sort Sale Other Funds Limitation Increase, and Agency Deferred Maintenance and Capital Improvement.

Information Only

4. AGENCY INITIATIVE: 2019-2021 AGENCY BIENNIAL BUDGET REQUEST
[Listen to audio](#) MP3 - (70 minutes – 33.1 MB)

Doug Grafe, Fire Protection Division Chief currently on assignment as the Department's Agency Initiative Coordinator provided the first presentation to the Board on the Agency Initiative. The Agency Initiative is the Department's approach as it aims to address the increasing workload put on the agency by the past devastating fire seasons, fire seasons that the Department cannot sustain its response with the current capacity. In Doug Grafe's presentation ([attachment 3](#)) he highlighted the challenges the agency has faced with an increase of: acres burned, resource loss, suppression cost, financial implications, and more employees are spending more time responding to fires. After the [Secretary of State Audit](#) and [The Fire Program Review](#) the Department had to address the unsustainable amount of pressure the increased fire on the landscape has put on the Department's staff.

The average ODF protected acres burned has nearly doubled with an 84% increase from two decades ago, and 29% from the past decade. The Department is addressing the issue on how it needs to organize to meet all program missions while supporting large fires. The Department does not see this as a base budget initial attack issue, rather one that leads to a general fund request in a policy option package.

The Board posed the question if the increased hours spent on large fires by the employees has caused any increase cost related to Public Employee Retirement System (PERS). The Department has not looked into the data, but it is evidentially clear that the toll responding to large fires has taken on the Department's employees is unsustainability demanding. The Board wanted to confirm that the data it needed to complement the Fire Program Review has helped build the conversation that the militia response not working. Mr. Grafe addressed capacity within the agency as well outside the agency in the broader context of the Fire Program Review. Mr. Grafe walked the Board through the framework of the general fund request. The Board confirmed that the initiative was a biennial cost, and asked why there was a difference in the Fire Program Review ask of utilizing \$500,000 increments. Mr. Grafe explained that the Fire Program Review was based off of annual cost and did not account for the addition of the next generation air tanker.

The Board asked what drove the allocation of Full Time Equivalent (FTE) to the programs. Mr. Grafe stated that overall it was a 6% increase, and what drove the contributions was the amount of employees, and employee's time that was spent responding to fires and where they fit into the Incident Management Teams (IMT). The FTE request is to help develop those that are on IMT's, as well as those that stay back to maintain core business and stake holder engagement. The Board asked if the Initiative will affect the insurance. State Forester Daugherty mentioned that the Department was successful in obtaining the policy again for 2018, and felt the Initiative would reassure the underwriters. The Fire Summit report will be distributed once it is published.

Public Testimony

Jim James, with Oregon Small Woodland Association provided oral and written testimony ([attachment 4](#)) to the Board complementing the Department's militia concept, but has concerns with the increase cost that could be placed on Oregon forest owners.

The Board reiterated that short timeline under which the Department has to work. Mr. James was trying to work within the time constraint, but raised concerns around the Legislators passing some of the cost onto the landowners.

Information Only

5. UPDATE FROM THE USDA REGIONAL FORESTER, PNW RESEARCH STATION DIRECTOR, AND OREGON STATE FORESTER

No audio available

Jim Peña, USDA Regional Forester, Peter Daugherty, Oregon State Forester, and Paul Anderson, Pacific North West (PNW) Research Station Director provided an update on their ongoing partnerships in Forest Stewardship and Landscape Resilience. Jim Peña started with a summary of the 2017 fire season

- 40 consecutive days at Preparedness Level 5.
- 75 large fire and 2,042 total fires in Oregon affecting 725,600 acres.
- Record number of consecutive days without rain in parts of Oregon.
- Impacts went beyond health concerns, major events were cancelled due to smoke and fire, road closures, school delays, and businesses suffered great economic losses.
- Fires that burned on National Forest system lands in Oregon saw only seven percent high burn severity in soils with 68 percent of the soils experiencing low or very low severity.
- Interagency collaboration success leading up to and during the Solar Eclipse.
- Paddock Butte, a Good Neighbor Authority timber sale will be out to bid in May 2018.
- Revenue from the Paddock Butte timber can be reinvested into the landscape.

Jim Peña closed by saying the need to manage fire for resource benefit and not solely fire suppression is prevalent. This can be accomplished by working with partners and adapting different management types. The Forest Service is committed to providing a safer work environment for all employees. The new fire funding and forest management authorities will greatly help the Forest Service to achieve healthier forests and all the benefits they deliver to the public. State Forester Daugherty stated that the Department will work at the district level to engage in frank conversations and build relationships.

Paul Anderson stated that the PNW Research Station has seventy-five researchers amongst Washington, Oregon, and Alaska that cover all lands and ownerships including state, federal, and private. The goal of PNW is to provide the knowledge, tools and facilitation of information exchange that allow the Forest Service and other R&D stakeholder agencies such as ODF to deliver their missions for natural resource management policies based on broad public and stakeholder input, scientific research, collaboration, and the willing participation of landowners. Historically the PNW's strength has been in generating biophysical and ecological information

and the development of management tools; however, their expertise in social sciences increasingly helps to facilitate collaborative engagement and foster social license across a broad spectrum of publics and sectors. The PNW Research program related to fire is in alignment with the Comprehensive Fire Strategy to address its three principles: to decrease landscape fire risk, providing tools for safer, more effective fire suppression, and to increase community resilience. The Station's scope is broad, reflects the agency's perspective on shared responsibility across public and private ownerships and is respectful to differing landowner objectives.

The forests in Oregon are diverse, dynamic and at risk to wildfire, insects and pathogens, conversion to other uses, and a changing climate. A significant Station research theme addresses the issue of improving forest condition in fire-prone systems through implementation of active management to reduce forest stresses and fuels loading. It is a Forest Service priority to improve forest and landscape condition in order to decrease the associated risks and to increase resilience to the occurrence of these stressors. PNW Research through both modeling and experimental treatments provides important means to evaluate the effectiveness of such actions, not only in terms of the effects on potential fire behavior and fire risk, but also in terms of the impacts on other resource values: economic, social and ecological. PNW Scientists have collaborated with staff of both ODF and the National Forests Systems (NFS) to develop an understanding of how climate change predictions might affect the distribution of large forest wildfires in Oregon and Washington. The intended outcome for PNW Research engagement with ODF and NFS is the delivery of sound science and appropriate tools and their application in effective, transparent manner to inform management and policy decisions.

The Board compared the fire funding issue the Forest Service endured from borrowing money from other programs to the ODF issue of borrowing other program employees for large fire response. Jim Penà stated that in partnership with ODF they are working to establish the baselines, gather data to be able to identify the projects that are getting done and make quicker decisions for future projects. The Board expressed that their experience with PNW measured the ability to bring science to the urban area through stewardship contracting, by allowing communities to receive information and outcomes of studies such as those done on watersheds that run into urban areas.

Public Testimony

Rex Storm provided oral and written testimony ([attachment 6](#)) as well as a graph on the annual net growth, mortality, and harvest on national forest timberlands. Mr. Storm urged the Board to engage the USFS to modernize forest management, and stated that Oregon taxpayers and landowners should not be burdened with the cost of the mortality of unharvested forests.

Information Only

6. FOREST TRUST LAND ADVISORY COMMITTEE
[Listen to audio](#) MP3 - (3.5 minutes – 2.6 MB)

Kathleen Sullivan, Clatsop County Commissioner provided oral and written testimony ([attachment 7](#)) supporting a balanced forest plan, looking for new funding mechanisms, and restoring habitat.

Information Only

7. **STATE FORESTS FOREST MANAGEMENT PLAN**

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

Liz Dent, State Forest Division Chief and Justin Butteris, Operations Policy Analyst and Project Manager provided an update on the Forest Management Plan (FMP) to continue the divisions work on the project in alignment with the State Forest work plan.

Liz Dent started off by providing the Board with the recent news that the Habitat Conservation Plan (HCP) received the \$750,000 federal grant for the HCP planning assistance, this is to be match with \$250,000 of state funds. These funds will be used to conduct the business case analysis, gather data for the baseline data assessment, and to engage stakeholders.

As previously directed by the Board, the Division provided:

- Draft set of guiding principles.
- Definitions of conservation and financial viability.

Liz Dent walked the Board through the draft Guiding Principles ([attachment](#)).

The Board requested the Division describe the measurable outcomes and also provide definitions for the planning terms that will be used. Justin Butteris described measurable outcomes as the quantifiable results of strategies complemented by quantifiable targets. Quantifiable targets are established to measure progress toward a desired outcome. These terms along with the other planning terms previously presented to the Board are the elements the Division will develop for the FMP Content Table. Justin Butteris also provided the impact analysis framework.

Public Testimony:

[Listen to audio](#) MP3 – (110 minutes – 51.5 MB)

- Dan Ivanhoff provided oral and written testimony ([attachment 9](#)) to the Board.
- Guido Rahr provided oral testimony to the Board in favor of protecting wild salmon runs, durable conservation gains and diversifying revenue.
- Bob VanDyk provided oral testimony to the Board opposing revising the FMP without first obtaining a HCP. Supporting diversifying revenue such as a trust land transfer.
- Seth Barnes provided oral and written testimony ([attachment10](#)) to the Board opposing diversifying revenue sources.
- John Pampush provided oral testimony to the Board in favor of improving conservation and pursuing a HCP, diversity revenue, and old growth reserves.
- Chuck Willer provided oral and written testimony ([attachment 11](#)) to the Board.
- Stanley Pretrowski provide oral testimony in favor of future management decisions be based on sound science.
- Mary Scurlock provided written and oral testimony ([attachment 12](#)) to the Board.
- Ted Chu provided oral and written testimony ([attachment 13](#)) to the Board.
- Helen Westbrook provided oral testimony favoring the HCP, protecting water quality, carbon storage, and diversifying revenue sources.
- Pamela McDonald provided oral and written testimony ([attachment 14](#)) to the Board.

- Carolyn Eady, provided oral and written testimony ([attachment 15](#)) to the Board.
- Trygve Steen provided oral and written testimony ([attachment 16](#)) to the Board.
- Ron Byers provided oral and written testimony ([attachment 17](#)) to the Board.
- Roger Dorban provided oral and written testimony ([attachment 18](#)) to the Board.
- Ian Ferguson, provided oral and written testimony ([attachment 19](#)) to the Board.
- Tara Brown provided oral and written testimony ([attachment 20](#)) to the Board.
- David Eisler provided oral and written testimony ([attachment 21](#)) to the Board.
- Jason Gonzales provided oral and written testimony ([attachment 22](#)) to the Board.
- Jane Anderson provided oral and written testimony ([attachment 23](#)) in opposition of the spray application of pesticides.
- Jack Anderson provided oral testimony to the Board in favor of old growth reserves and carbon sequestration.
- Chandra Ferrari provided oral and written testimony ([attachment 24](#)) to the Board.
- Dave Van Domeley provided oral testimony favoring science based management to maintain the forest for the generations to come.
- Noah Greenwald provided oral testimony stating the decisions that need to be made are for more than just producing timber for harvest, and favors the HCP approach.
- Carl Whiting provide oral and written testimony ([attachment 25](#)) to the Board.
- Rhett Lawrence provided oral and written testimony ([attachment 26](#)) to the Board.
- John Selove provided oral testimony with concerns around the marbled murrelet habitat.
- Will Watson, a Eugene resident provided oral testimony regarding carbon storage to the Board.
- Bob Sallinger provided oral testimony favoring a HCP, long term reserves for old growth, science based management, and obtaining other revenue sources.
- Gabriel Scott providing oral and written testimony ([attachment 27](#)) to the Board.
- Mona Linstromberg provided oral and written testimony ([attachment 28](#)) to the Board.
- Leslie Hogan provided oral testimony supporting the OSU research forests near Corvallis.
- Bob Rees provided oral testimony stating that fish are a forest product that should be thought of in the decision making.
- Susan Gladwin, a Jewel resident provided oral and written testimony ([attachment 29](#)) to the Board.
- Susan Walsh provided written testimony ([attachment 30](#)) to the Board.
- Gwendoly Endicott provided written testimony ([attachment 31](#)) to the Board.
- Tom Bender provided written testimony ([attachment 32](#)) to the Board.
- Tom and Gretel Oxwang provided written testimony ([attachment 33](#)) to the Board.
- Terrence Fullan provided written testimony ([attachment 34](#)) to the Board.
- Betsy McMahon provided written testimony ([attachment 35](#)) to the Board.
- Mick Taylor provided written testimony ([attachment 36](#)) to the Board.
- Jordan Gulaskey provided written testimony ([attachment 37](#)) to the Board.
- Nancy Holmes provided written testimony ([attachment 38](#)) to the Board.
- W. Ray Jones provided written testimony ([attachment 39](#)) to the Board.

The Board brought forth concerns with guiding principle number three that with the current business model, Financial Viability is based off of the revenue income from mostly timber revenue,

which has proven to be insufficient. The Board deliberated if they would like to see an eleventh guiding principle that addresses a plan to mitigate and adapt to climate change. The Board discussed the obligation to protect species on state lands and determined the Department is under no legal obligation. The Board stated that there is an important difference between private and public land management.

The Board spent time walking through the guiding principles and made edits ([attachment 40](#)). The Board addressed: income diversity, climate change, and revenue source alternatives. Liz Dent wanted to reiterate that the guiding principles are meant to be general in nature and will become more specific with time.

Sybil Ackerman Munson made a motion to vote on principles 1-10 with the incorporated changes. Motion was second by Cindy Deacon Williams. With more deliberation the Board recognized that they needed more time for discussion, and to allow for public comment on the proposed edits. Sybil Ackerman Munson withdrew her motion.

ACTION: The Board asked the Division to bring the entire package back to a future meeting for continued discussion.

8. FOREST PRACTICES ACT (FPA) RULE ENFORCEMENT POLICY REVIEW
[Listen to audio](#) MP3 – (37 minutes – 26 MB)

Lena Tucker, Private Forest Division Chief and Jennifer Weikel, Private Forest Biologist presented the draft Forest Practices Act rule analysis for Marbled Murrelets to the Board. The rule analysis is in response to the petition submitted to the Board in June of 2016. The Division is seeking direction to move forward with the expert review of the technical report.

Jennifer Weikel reviewed the required content:

- Identify the resource site.
- Identify forest practices that conflict with the resource site.
- Evaluate biological consequences of conflicts.
- Propose protection requirements.

Public Testimony

Heath Curtis with OFIC provided oral testimony to the Board commending the Department for the robust effort to their outreach. Mr. Curtis recognized that there is uncertainty around the species and looks forward to working with department staff moving forward.

David Yamamoto, Tillamook County Commissioner provided oral and written testimony ([attachment 41](#)) urging the Board to take a thoughtful and measured approach. An approach that protects rural areas and does not place new restrictions on forestland.

The Board confirmed that the technical review group will have participants represented by a variety of expertise.

Cindy Deacon Williams made a motion for the Board to direct the department to initiate the expert review of the technical report.

Nils Christoffersen seconded the motion. Voting favor of the motion: Mike Rose, Sybil Ackerman Munson, and Tom Imeson. Against: none.

ACTION: The Board directed the staff to initiate the expert review of the technical report.

9. TILLAMOOK FOREST HERITAGE TRUST
This agenda item was not discussed.

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