

Board of Forestry Meeting Minutes

January 8, 2020

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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, [Forest Trust Land Advisory Committee Testimony](#), Agenda Item 2
- (2) Presentation, [Siskiyou Streamside Protections Review](#), Agenda Item 3
- (3) Handout, [Oral and Written Testimony by Detwiler for Siskiyou Streamside Protections Review](#), Agenda Item 3
- (4) Handout, [Oral and Written Testimony by Scurlock for Siskiyou Streamside Protections Review](#), Agenda Item 3
- (5) Handout, [Oral and Written Testimony by Barnes for Siskiyou Streamside Protections Review](#), Agenda Item 3
- (6) Presentation, [2020-2021 Board of Forestry Draft Work Plans](#), Agenda Item 6

In accordance with the provisions of ORS 526.016, a meeting of the Oregon Board of Forestry was held on January 8, 2020 at the Oregon Department of Forestry Headquarters on 2600 State Street, Salem, OR 97310.

Chair Imeson called the public meeting to order at 9:02 a.m.

Board Members Present:

Nils Christoffersen
Cindy Deacon Williams
Joe Justice
Jim Kelly
Brenda McComb
Tom Imeson

Board Members Absent:

Mike Rose

CONSENT AGENDA:

- A. NOVEMBER 6, 2019 MEETING MINUTES
Approval of Board Meeting Minutes.

ACTION: The Board approved minutes from the November 6, 2019 Board meeting.

- B. NOVEMBER 7, 2019 WORKSHOP MINUTES
Approval of Board Workshop Minutes.

ACTION: The Board approved minutes from the November 7, 2019 Board workshop.

- C. EMERGENCY FIRE COST COMMITTEE APPOINTMENT

Approval appoint one candidate to a position on the Emergency Fire Cost Committee.

ACTION: The Board confirmed the appointment of Brennan Garrelts to the Emergency Fire Cost Committee to a four-year term expiring the end of January 2024.

- D. WILDLIFE FOOD PLOTS RULEMAKING

As directed by the legislature and the Board of Forestry, the Department developed draft rules for implementing HB 3013 originating from the 2015 legislative session, Oregon Revised Statute (ORS) 527.678 “wildlife food plots”. The Department to initiate the public comment period for rulemaking, and provided the Board with a copy of the draft rules.

Information Only.

Joe Justice motioned for approval of the consent agenda items. Nils Christoffersen seconded the motion. Voting in favor of the motion: Nils Christoffersen, Cindy Deacon Williams, Tom Imeson, Joe Justice, Jim Kelly, and Brenda McComb. Against: none. With Board consensus Items A through C were approved, and the motion carried. Noted item D was an informational item.

ACTION AND INFORMATION:

1. STATE FORESTER, BOARD MEMBER, AND PUBLIC COMMENTS
[Listen to audio](#) MP3 – (32 minutes and 35 seconds – 7.45 MB)

Chair Imeson commented on:

- Public Meeting will be live streamed.
- Noted two executive sessions are scheduled.
- Public comment open for each topic and not to exceed 30 minutes, with exception agenda items four and eight.

State Forester Daugherty commented on:

- The 2019 notable successes in agency operational projects and with the fire season. Highlighted 2019 overarching themes and special projects, from the Governor’s Executive Order that created the wildfire council to signing the Pacific Coast Temperate Forest Memorandum of Understanding (MOU) for cooperation on climate research and mitigation. Explained how the Department has faced a lot of social, economic, and political challenges

in the last year, and appreciated the staff's dedication to their work and continued public service.

- Provided an update on the Department's financial status and the acquisition of an external contractor named Macias, Gini, and O'Connell LLP (MGO; who will develop a work plan, assess and offer recommendations for the agency fire finance issues. Explained how the Department of Administrative Services (DAS) Chief Financial Office (CFO) is working with the Department on details for a funding ask in the 2020 legislative session to fund firefighting efforts in the upcoming season. Noted the continue work with partners to identify a long-term wildfire funding strategy.
- Reminded the Board of the approaching 2020 legislative session and interim days. Commented on the meetings scheduled to discuss Department business and financial condition with legislators. Outlined a few legislative concepts (LC), commented on the Governor's proposed omnibus bill and its intent for the wildfire council recommendations and beyond.
- Noted the operational value and function of the work plan discussion scheduled for the day.
- Updated the Board on the monitoring compliance audit review status, and explained that a contract was issued to document the audit design and develop a request for proposals (RFP) for an external review to address Board and constituents concerns.
- Discussed stewardship agreements in connection to the Forestry Program for Oregon and the agreement's function to protect forest resources beyond the Forest Practices Act (FPA) rules. Commented on the Port Blakely stewardship agreement and East Moraine Forest Legacy project as examples of maintaining working forests. Explained how entering into a stewardship agreement is a commitment to sound stewardship as landowners manage forestland with implementation of conservation measures. Provided background on Forest Legacy project in northeast Oregon, reviewed the partnerships that came together to help Wallowa County purchase these lands. Commended the staff work in organizing the project's success.
 - Board member Christoffersen also commented on the east moraine project, recapping on the progress from 2007 up to the closure in 2020. Explained how exciting and rewarding completion of this campaign is for the surrounding communities and State.
- Shared Governor Brown's statement on being a public servant is a labor of love and acknowledged the dedicated work of the two term Board members Nils Christoffersen and Cindy Deacon Williams.
 - Chair Imeson noted that no nominations have been made to replace these Board members, so their terms are extended unless new members are appointed and confirmed. Recognized the great work, passion and commitment of each Board member before presenting them each a service award for their time on the Board.

Board Members Comments:

- Board member Christoffersen summarized the work discussed at the January 7, 2020 Subcommittee on Federal Forests meeting. Highlighted the review of the broad suite of Wildfire Council recommendations, mitigation committee report, ongoing implementation of the Federal Forest Restoration program, and the Good Neighbor Authority program as it relates to the Shared Stewardship agreement. Recognized the need to review the Board's role and function with respect of these issues, as well as how the Board can provide leadership, policy guidance or support in responding and working on these matters. Noted

how these elements will need to be discussed with the Governor's office, in addition to the role of the wildfire council, likelihood for an advisory committee, and alignment of work with the Shared Stewardship agreement. State Forester Daugherty to connect with the Governor's Office, and this topic will be brought in front of the Board at a later time.

Public Testimony:

- Mary Scurlock, Oregon Stream Protection Coalition, provided oral testimony on the decision making process behind stewardship agreements. Cautioned how some agreements are locked in for a finite period of time and are not subject to new regulations. Noted substantive criteria outlined in statutes and rules, highlighted presumption of non-disclosure around forest management plans, and explained it would be in the public interest to open these agreements and adjoined management plans for the public to review before the agreements are approved.
- Bob Van Dyk, Wild Salmon Center, provided oral testimony expressed gratitude for Board members for their service on the Board. Reviewed a legislative concept (LC) on forestland transfer that may be presented in the coming legislative session. Provided a summary of the bill, explained the mechanisms, and checks and balances that may help reduce tensions around State Forests. Noted the stakeholders, commissioners, and interested parties he has communicated with regarding this LC and will forward to the Board for consideration.

Information Only.

2. FOREST TRUST LANDS ADVISORY COMMITTEE TESTIMONY

[Listen to audio](#) MP3 – (26 minutes and 1 seconds – 5.95 MB)

Presentation ([attachment 1](#))

David Yamamoto, Forest Trust Land Advisory Committee (FTLAC) Chair, provided oral and written testimony ([attachment](#)) commented on the Linn County outcome, and was pleased to reengage with the Board and the Department. Reviewed the basis of the trust counties suit action, and commented that the State should not have goals that compromise the social sustainability of rural counties economy. Discussed the forest trust land transfer legislative concept, stating it runs counter to the trust counties positions and counties may seek financial restitution. Offered comments on the revised Forest Management Plan (FMP) failure to provide enough information for specific outcomes. Highlighted how Ecological Forest Management (EFM) has parallels to Structure Based Management (SBM), explained his position that trust lands should be managed for production of timber and revenue. Noted the implications for greatest permanent value (GPV) if the counties wins in appellate court and testimony FTLAC provided does not counter any positions outlined in the suit.

Board provided comment on the FTLAC testimony:

- Asked about the process used by the Chair to create the testimony provided to the Board. Yamamoto noted how the commissioners are not unified, but suggested the majority of commissioners agree with the testimony that is formed. He urged the Board to poll commissioners' agreeability, and explained the voting mechanism for Chair and Vice Chair.
- Asked about how the Board's should address climate change. Yamamoto referred to his provided testimony, and explained how dedicated Tillamook County is to clean water, fish recovery, and habitat restoration efforts. Inquired whether the county is planning for climate change, and Yamamoto explained the county is always preparing for climate change.

Discussed how the Board may have to make difficult financial decisions, along with considering the impacts of climate change, and asked how the counties suit outcome would be related, but Yamamoto could not address this question.

- Asked about the FTLAC efforts in working collaboratively on the LC 64 proposed, and be utilized as a workgroup. Yamamoto noted counties must agree to the land transfer if they occur, and noted potential additional damages if the trust lands are sold.
- Board chair noted the executive session scheduled later in the day allowing the Board members the opportunity to ask questions relating to legal duties and rights with General Counsel. Commented on the importance of this information as it applies to the Board work plan discussion.

Public Testimony: None

Information Only.

3. SISKIYOU STREAMSIDE PROTECTIONS REVIEW
[Listen to audio](#) MP3 - (One hour, 20 minutes and 32 seconds – 18.4 MB)
Presentation ([attachment 2](#))

Kyle Abraham, Private Forests Division Chief, provided an overview of the [presentation](#) objectives, the decision in front of the Board, and introduced the Division staff presenters.

Marganne Allen, Forest Health and Monitoring Manager, reviewed the timeline of Board directions and steps taken by Division staff for Siskiyou Streamside Protections systematic review.

Terry Frueh, Monitoring Unit Coordinator, reviewed the purpose, scope, and components of the Siskiyou work plan. He reviewed the work plan's purpose, listing what is in and out of scope. Commented on the various elements involved with fulfilling the Siskiyou work plan, such as expanding geography for literature review, training on Oregon Department of Forestry (ODF) and Department of Environmental Quality (DEQ) statutes, and forming an advisory committee. Frueh outlined each element with relevant work products, past, current and future, and emphasized the Board will be deciding on the committee's objectives. Outlined the ongoing collaboration with DEQ, the memorandum of understanding (MOU), and the role between the two agencies and how they plan to move forward.

Ariel Cowan, Monitoring Specialist, explained how the Department is exploring other monitoring options for potential analysis of pre-existing data or new data collection applicable to the Siskiyou review. She reviewed the key participants involved and roles they have in the review process. Cowan presented the three decisions in front of the Board from approving the advisory committee objectives and Siskiyou work plan to reconsidering one of two climate change options. She highlighted the benefits, uncertainties, and caveats for each option outlined under climate change. Noted a greater discussion on how climate change can fit in the Board's work plan would be discussed later in the day.

Abraham reviewed the current monitoring unit staff capacity, noting the departure of Marganne Allen, and listed the unit's work, coupled with current and future projects. Presented the staff recommendations for each listed Board decision.

Board commented on Siskiyou Streamside Protections Review presentation:

- Asked how the Division works with tribes and the process associated. Frueh outlined the planned communications, refinement of input process, and outlined in-person activities in future government-to-government workgroups. State Forester Daugherty highlighted the annual report on tribal working relationships and how this has a thorough communication process as well as a message from the State Forester is sent to engage tribes on the Board's policy topics.
- Reviewed climate change option one, noting the benefit of high-level contextual information versus a detailed analysis, and explored how an analysis may be useful in determining sufficiency. Suggested climate change option two be deferred to the afternoon workplan discussion, and listed elements of a general review, from air temperature warming, to species and hydrologic shifts. Noted how this information may help the Board understand what data is available under climate change, if this work does not encumber staff work or impact the Siskiyou decision timeline. Board members expressed that any realignment of the Siskiyou timeline would not be supported if fulfilling the request delays the sufficiency decision.
- Discussed the advisory committee composition, recommended to include water districts and commissions. Cowan explained the final committee composition will be decided upon with facilitator coordination to ensure appropriate and fair representation is held on the committee.
- Board Chair Imeson sought staff feedback on the proposed modified climate change option one as presented by the Board members.
 - Abraham commented that option one and two originated from the September 4, 2019 meeting materials. He explained additional input came in since then and responsively, the staff created option 1b. He reviewed option 1b, and Board members offered some suggestions of making this option a lighter workload for staff, but any information shared to be part of an open public process.
 - Commented on the value of a Department of Justice (DOJ) presentation on the Board's authority and the crosswalk between what the Siskiyou sufficiency review may have with Western Oregon rules to ensure the Board is maintaining the scope of work under their authority.
 - Commended the staff's work and flexibility in presenting options to the Board, as they work through climate change discussions and policy implications.
 - Allen discussed the current review of the existing information, challenges to the existing policies and systematic review of scoped questions. She stressed the importance of time and space for greater conversation with stakeholders as the Board prepares for their decision.

Public Testimony:

- Stacey Detwiler, Rogue Riverkeeper, provided oral and written testimony ([attachment 3](#)) on the Siskiyou streamside protections review topic. She offered support for providing relevant and available information to the Board before July 2020. Recommended the charter work plan to be updated with clarifications on monitoring options, committee's contributions, and timeline. Aired support for ODF/DEQ collaboration in determining how total maximum daily load (TMDL) data and climate change contextual information can contribute to sufficiency determination. Asked for equitable representation of the Siskiyou region be on the committee.
- Mary Scurlock, Oregon Stream Protection Coalition, provided oral and written testimony ([attachment 4](#)) on the Siskiyou streamside protections review topic. She concurred with

Detwiler's testimony and encouraged an expedient timeline for the Siskiyou decision. Commented that information presented on stream temperature is primary and desired future condition (DFC) be secondary. Noted how climate change information can be included for Siskiyou analysis, and offered thoughts on option one and two. Listed concerns regarding the committee charter and offered suggestions to objectives, components, and membership.

- Seth Barnes, Oregon Forest and Industries Council, provided written and oral testimony ([attachment 5](#)) on the Siskiyou streamside protections review topic. He offered a timeline of substantive Board decisions from 2017 to 2019. Supported the Board to review relevant and available data specific to the Siskiyou region. Encouraged a collaborative effort from all relevant parties to work together to secure funding to initiate a study of the Siskiyou georegion and act as a baseline to the region's future determinations.

Board members considered the additional comments and invited staff back for further discussion.

- Abraham offered his interpretation of the Board discussion on climate change, as a high-level contextual information around general patterns of climate change, species shift and stream flow. Commented on the lack of clarity of how to bring this information into the review as part of the sufficiency decision-making process, no Board discussion has outlined how this information relates to the sufficiency determination under the Board's statutory authority, and further Division conversations with DOJ are warranted. He recommended consulting with DOJ on rulemaking requirements and Board members supported this idea. State Forester Daugherty noted this sufficiency work would be new for DOJ to produce for the Board, and inquired with staff when this information could be presented within a two to five month range. Abraham responded with the latter end of the range, since this work has not been done before, all staff would need time to conduct the work and develop processes in which to integrate this work. Board member McComb emphasized climate change contextual information should be purposed for the Board to interpret available information that pertains to present circumstances, and not for a prospective look into the future, but acknowledges climate conditions impact to forest practices.
- State Forester Daugherty summarized Board feedback and staff input. He offered the following: *Board preferred option 1b lite with a shorter timeframe. To use external resources to provide a synthesis and overview of climate change impacts considering three areas, hydrological change and drought, air temperature, and species migration at a high-level to give contextual information for the Board. For the Department to coordinate presenters who can provide contextual information while using the current framework in deciding sufficiency, a synthesis of existing literature, and available science. DOJ scheduled to talk about how the Board makes decisions now for sufficiency but will not include a comprehensive review of authority around climate change..*
 - State Forester recommended a greater discussion on this topic can be explored during the work plan agenda item scheduled for later in the afternoon.
 - Board members inquired about timeline for this information to be presented to the Board. Abraham proposed the following timeline: *April for the contextual climate change information, June for DOJ rulemaking authority and sufficiency, and July for the Board's sufficiency decision.*
 - Board Chair asked members if they align with State Forester's summary, and opened it up for a motion.

Board member Deacon Williams motioned, with respect to the climate change decision, for the Board to approve option 1b lite summarized by the State Forester Daugherty with the timeframe as laid out by the Private Forests Division Chief, Kyle Abraham. Board member McComb seconded the motion. Voting in favor of the motion: Nils Christoffersen, Cindy Deacon Williams, Brenda McComb, Joe Justice, Jim Kelly, and Tom Imeson. Against: none. Motion carried.

Board member Deacon Williams motioned to accept the advisory committee objectives as outlined in the staff report. Board member Justice seconded the motion. Voting in favor of the motion: Nils Christoffersen, Cindy Deacon Williams, Brenda McComb, Joe Justice, Jim Kelly, and Tom Imeson. Against: none. Motion carried. Board member McComb emphasized the explicit inclusion of stakeholders involved, and the Division confirmed the receipt of this information.

Board discussion continued after second motion.

- Inquired about the potential outcomes from the DEQ/ODF collaboration by the time the Board makes a sufficiency decision. Abraham commented on the current status of the interagency efforts, mentioning the creation of a leader's intent and scope of work documents. He noted each agency has their own statutory authorities in determining sufficiency, and is unclear how DEQ would integrate into the framework of the Board's sufficiency determination under statute.
- Reflected on past Board discussions with DEQ regarding TMDL's prioritization of data analysis in the Siskiyou region, in relation to the Board's determination timeline. Allen explained this question would best be answered by a DEQ representative as the Department is unable to speak on behalf of another agency. Board member Deacon Williams requested that a message be relayed to DEQ/EQC to consider prioritizing the TMDL analysis for the Siskiyou region, and how critical this information can be towards the Board making a decision. Board member Justice, EQC liaison, reminded the Board that TMDL's are determined broadly on cumulative effects to watersheds.

Board member Deacon Williams motioned to approve the Siskiyou project work plan as proposed, with the addition of relaying the aforementioned message to DEQ from the Board and adding climate change option 1b lite (contextual information). Board member McComb seconded the motion. Voting in favor of the motion: Nils Christoffersen, Cindy Deacon Williams, Brenda McComb, Joe Justice, Jim Kelly, and Tom Imeson. Against: none. Motion carried.

Allen requested clarity on the additional work included in the motion. Board commented that this work was not to be completed by Division staff and to relay this request to DEQ. Board member Justice stated he will convey this message at the next EQC meeting.

Board Chair appreciated the staff work completed on this topic and thanked Marganne Allen for her contributions to the Department and Board.

ACTION: The Board directed the Department to implement,

- 1. Climate Change Option 1b lite. To use external resources to provide a synthesis and overview of climate change impacts considering three areas, hydrological change and drought, air temperature, and species migration at a high-level to give contextual information for the Board. For the**

Department to coordinate presenters who can provide contextual information while using the current framework in deciding sufficiency, a synthesis of existing literature, and available science. DOJ scheduled to talk about how the Board makes decisions now for sufficiency but will not include a comprehensive review of authority around climate change. To use the following 2020 timeline: April for the contextual information, June for DOJ rulemaking authority and sufficiency, and July for the Board's sufficiency decision.

2. **The Board approved the Siskiyou Project Workplan (Attachment 2), and**
3. **The Board approved the Advisory Committee Objectives (Attachment 3).**

4. ***EXECUTIVE SESSION AND WORKING LUNCH**

Chair Imeson proceeded with the formal Executive Session announcement.

The Board of Forestry entered into Executive Session for the purpose of consulting with legal counsel regarding information exempt by law from public inspection and the Board's legal rights and duties in regards to current litigation or litigation likely to be filed [ORS 192.660(2)(h)].

No decisions were made during Executive Session. The Board exited the Executive Session and reconvened meeting.

Information Only.

5. **AGENCY BUDGET DEVELOPMENT**

[Listen to audio](#) MP3 - (15 minutes and 39 seconds – 3.58 MB)

James Short, Assistant Deputy Director of Administration, explained the purpose for the guiding principles in the planning and development of the 2021-2023 agency budget. He described how this work ties into the Governor's recommended budget, leadership collaboration, and agency's operational model. Highlighted the strategic initiatives, legislative concepts, work plan topics, and policy option packages discussed with the Board at the October 2019 retreat was a step in the overall budget development process. Noted that he will review the 12 guiding principles and Board input is welcomed.

Board commented on Agency Budget Development presentation:

- Board Chair asked if any guiding principles have changed from the last iteration. Short stated principle number two was modified and all other principles remained the same.
- State Forester Daugherty commented on how principle number three links to the work plan topic. He noted how the Board has more desires than what the agency has capacity to support, in turn forces the Board to prioritize work plan topics. Explained how some work can be reprioritized, where other work would be better served with the Board approving a policy option package. Short mentioned the timeline for policy option packages (POP).
- Commented on guiding principle number five, consider including diverse with workforce, remove 'maintain' and replace with 'support' or 'expand'.
- Commented on guiding principle six and nine, inquired whether a POP is being considered across agencies to conduct a comprehensive analysis of climate change effects on natural resources. State Forester stated how he serves on the Natural Resources Cabinet, and there is no POP being developed for that work, but there are coordinated efforts in climate mitigation

and adaptation. Noted if a climate bill is passed it may create a Climate Authority which could fund that sort of an effort, similar to the mandate created for the 100 year water vision.

- Inquired how many full time equivalent (FTE) employees from multiple natural resource agencies work collaboratively on issues that span different departments. State Forester described how Department staff participate in climate change mitigation, water quality and quantity work. Board commented on how diversity, equity, and inclusion would be another topic that could span across these agencies. State Forester explained how this topic is being taken on under the Executive Leadership Team (ELT), and listed the current efforts on this topic across the state.

Public Testimony: None

Information Only.

6. 2020-2021 BOARD WORK PLANS DISCUSSION
[Listen to audio](#) MP3 - (One hour, 59 minutes and 10 seconds – 27.2 MB)
Presentation ([attachment 6](#))

Chad Davis, Partnership and Planning Program Director, opened with the listing the objectives for this Board discussion. Described the work plan process, what step in the process the Board and Department are engaging in, and relevance of the Board discussion in relation to final products. Daugherty asked the Board to consider prioritizing the presented issues to ensure the most desired work is captured on the two-year work plan. Davis outlined the topic order for the Board discussion, beginning with climate change and followed by Division-specific work. He defined each section of the January work plan template, and explained how it will differ from March work product. He highlighted the purpose behind a two-year work plan cycle, and how this work plan lends to Board agenda development.

Davis introduced the overarching issues work plan which includes cross-divisional and open ended issues. He listed the work completed, from the forest ecosystem carbon report to ecosystem services valuation, and noted the work in progress on the harvested wood products report. State Forester Daugherty described various examples of Department work under climate change, noting how scattered this information appears, and may be beneficial to view this work holistically.

Board members commented on the 2020-2021 Board Work Plan Discussion presentation.

- Understood how some prioritized issues may lead to requesting and securing additional funds, but inquired on whether new opportunities to collaborate with other agencies are identified. State Forester explained collaboration takes time to be successful, if a nexus exists to work with other agencies on a shared goal or project, then these opportunities can be explored as the work plans are developed.
- Discussed the nimbleness of an approved work plan. State Forester explained the flexibility, benefits, and caveats of creating a two-year work plan. Recognized work plans fill up agendas, limiting the opportunity to add new items by Board members. Noted the annual retreat has served as the mechanism to review work plans, identify gaps and course correct, but greater conversation is valid.
- Reviewed a list of potential climate change topics.

- Board member considered impact to climate change on forest water quality including riparian buffer function not solely widths, and include under forest carbon policy, the contribution of wood products to the system.
- Discussed how the Department can collectively address the issue of climate change through an analysis of current policies under ODF authority. Assessing each one with:
 - How changes in climate may influence agency policy and ability to achieve policy goals,
 - Determine if changes to policy would improve the agency's ability to achieve goals, and
 - Consider whether developing new policies are needed to address climate change effects on adaptation and mitigation.
 - Commented on the Governor Brown's intent to have Oregon contribute to carbon sequestration, and become a carbon neutral state. Discussed Department work across all Divisions, Board policies, and agency partners that may help to fulfill this vision.
- State Forester inquired what are the goals or objectives to climate change for the Board.
 - Board member commented on finding opportunities and nexus for carbon sequestration balanced with good timber management in different forest types. Described the importance to educate public on these opportunities and nexuses. Board members recommended to review the Governor's statewide goals to see how forestry can contribute to meeting these goals. State Forester clarified whether the goal will be set under carbon sequestration or climate mitigation which tends to have a wider scope. Board sought clarity on the type of goals the State Forester was seeking. Daugherty asked for a set of goals clarifying what the Board wants the Department to work on. He recommended working on the Forestry Program for Oregon (FPFO) policy-level goals, and continue from there, forming Board alignment on an overall goal with objectives, and define actions to achieve those objectives. Explained how this approach would help focus Department work. Davis noted beginning with goal G from the FPFO may be a good place to start, and other Board members agreed.
 - State Forester recapped Board members input as the following:
 - Revision of FPFO, specifically goal G and reviewing value statements.
 - Policy analysis of existing policy to meet goals with the framework of how climate change may impact the policy goal.
 - New policies may or may not be needed to address climate mitigation and adaptation, within the role of forestry and forest management, while meeting statewide goals.
- Considered need for an interim process, procedure, or framework to be available for the Board and staff to refer to in making decisions in relation to climate change.
- Offered another consideration for staff to identify areas and alert Board if changes to statutory authorities or rules are needed to better equip the Department to deal with climate change. State Forester does not know how forestry's policies operate in the realm of other agencies' authority and discretion, beyond the understanding of what the agency oversees or regulates. Board recommended to understand which agency does what and the existing rulemaking that constrains or condones Board authority to be reviewed, prior to any formal policy analysis, and to include any opportunities or limitations that may crosswalk with the Board work.

- Davis asked about the need for a climate change, issue-specific work plan involving all divisions versus housing it under overarching and emerging issues. State Forester confirmed this change with the Board.
- Davis confirmed with the Board to proceed with the Forestry Program for Oregon revision, in a step-wise process that aligns with the future Board transition, highlighting Goal G, monitor trends (i.e., indicators), and values as being the three areas of Board work.
 - Board member shared concern on the length of the document, how quantifiable the information is, and whether the indicators are sustainable. Aired a desire to refresh the indicators or monitoring trends, but with data that is readily available and relevant. Board member recommended to refer to October 9, 2019 Board retreat, where the Board had valuable input related to the Forestry Program for Oregon revision. State Forester explained how values align with goals being revised, and Board members agreed. Discussed further the need for agreement on set of indicators that would be accessible on a dashboard, and the State Forester reminded that this is a public process.
- Board member inquired about ecosystem services. Davis explained that presenters will be asked to return to help identify services, introduce a framework, and help provide additional foundation for the Board as they consider creating policy for specific topics, if pursued.
- State Forester asked the Board how they would prioritize the three topics, and all Board members offered their perspective, establishing climate change was the primary, forestry program for Oregon revision was secondary, and ecosystem services was tertiary. Stated these are all important issues, and will need to be refreshed as touch points for new incoming Board members.

Kyle Abraham, Private Forests Division Chief, reviewed each topic listed on the Private Forests work plan matrix, from current work to projected work topics, and explained the matrix key to the Board. He reviewed potential topics, explained majority of these items are not included in the current workload planned for the Division. Highlighted the implementation study review and compliance audit review, noting the topic will be added to the matrix, but sought direction and prioritization from the Board on the outcomes for this review. Mentioned staff capacity, as he reviewed addition of a reforestation module and how petitions redirect staff work from prioritizing an all species specified resource sites rulemaking. Closed by asking for Board input on the topics presented.

Board commented on Private Forests Draft Work Plan and Matrix.

- Inquired on projected date for marbled murrelet and Coho decision. Abraham explained no specific dates have been added to the work plan matrix, for some items may land outside of the two-year duration.
- Inquired about aerial spraying and clear cutting in particular areas, unsure if this is related to the tabled landslide work, but asked if there was a Board decision on these two issues. State Forester explained Oregon Department of Agriculture has authority to regulate pesticides, which differ from ODF authority under the FPA to regulate buffers to protect riparian areas and water notification, as well as buffers around schools and homes. Abraham listed the recent work in these areas, available for Board review.
- Inquired about the outcome of the two statistical reviews on the implementation study, and whether they would impact the regular report to the Board over the next biennium. Abraham would have to wait and see where the reviews are at before any report is made.

- Discussed prioritization, if additional work was added to the Private Forests work plan, to consider specified resource sites (all species) regarding rulemaking. Reviewed high hazard landslides and public safety rulemaking status, and explained that funding was requested but not approved.

Liz Dent, State Forests Division Chief, reviewed each topic listed on the State Forests work plan matrix. She described the current and future work on the Habitat Conservation Plan (HCP) for Western Oregon State forestland project, and the draft revised western Oregon Forest Management Plan (FMP). Walked through proposed timelines, the elements involved, and the nexus between these two topics. She described the various scenarios, staff capacity, and potential next steps as the Board hears information items and make decisions on these two topics. Dent explained that future work to revive the recreation, education, and interpretation policy option package is forthcoming. She emphasized the forest trust land bill is not being carried by the Department, but the staff are working with external stakeholders. Closed by asking for Board input on the topics presented.

Board commented on State Forests Draft Work Plan and Matrix.

- Chair Imeson expressed to the Department the importance of maintaining the path the Division is on, and to continue operating under the current GPV rule as the basis of their work with consideration of current litigation and counsel advice received. Asked the Division to continue their work with stakeholder engagement as well. Dent appreciated the clarity around the policy work under the current mandates.
- Inquired about the funding and whether grant money is coming in to support this work. Dent stated the Department is prepared to move forward with projects with grant funding or not.

Ron Graham, Fire Protection Division Deputy Chief, reviewed each topic listed on the Fire Protection work plan matrix. He outlined the completion of recent rulemaking efforts for Smoke Management and acknowledged the strong collaboration around this work. Described the various ongoing and annual topics that are brought in front of the Board, explaining that some items are legislatively mandated. Reviewed items that Division work is subject to seek Board approval on, and explained how the Division plans to respond to the outcomes of the Wildfire Council work and legislative sessions over the next two years. Closed by asking for Board input on the topics presented.

Board commented on Fire Protection Draft Work Plan and Matrix.

- Board stated consideration to add a fire close out with the Board in November, fire season dependent.

Sabrina Perez, Senior Strategy Manager, explained due to time will highlight specific items on the Administrative draft work plan, where Board feedback has been incorporated or addressed in the administrative process changes. She explained that most administrative processes follow a two-year biennial cycle and annual reporting mechanisms that prepare for engagement with legislative and executive branches. Ms. Perez reviewed an added process step for the Board to consider potential changes on the governance best practices self-evaluation criteria. She commented on the adaptive dashboard design, reviewed the anticipated work and timeline to report out to the Board, noted the addition of reporting on the Facilities Capital Management Plan and public information requests, and closed by asking for Board input on the topics presented.

Board commented on Administrative Draft Work Plan and Matrix.

- Supported the revision efforts around the survey, asked for a follow-up email to be sent to the Board, and clarified that any commentary can be provided.
- Discussed how new reporting is developed, distributed, responded to, and the processes in place to revamp or improve current systems. Explored whether the work associated with financial reporting to Ways and Means (i.e., Legislature) and Forestry's Financial Oversight Team, should be added to the Administrative and perhaps, Fire Protection work plan. State Forester understood that this work could be seen in relation to the financial dashboard. Staff expressed no concerns with this Board recommendation.

Public Comment: None

Information Only.

7. 2021 LEGISLATIVE CONCEPTS
[Listen to audio](#) MP3 - (18 minutes and 19 seconds – 4.19 MB)

Chad Davis, Partnership and Planning Program Director, outlined the proposed 2021 legislative concepts prepared for next long legislative session and explained the process associated with developing legislative concepts (LC).

Davis described the forest products harvest tax concept, outlined who receives the tax funds, and noted that rates are established every biennium. He commented on how these rates are calculated, how the funds are distributed and listed the Department programs who receives this funding. Highlighted how critical this rate development and funding is to the Private Forests Division to implement the Forest Practices Act (FPA).

Brian Pew, State Forests Policy Deputy, explained how the Division has sought out business improvements to modernize and increase efficiencies in the State Forests program and part of this process is identifying gaps or limitations of legal authority. Described how this work lends to LC development and noted how past legislative successes has led to leaner business operations. He outlined the proposed LC , explaining how it would expand authorities to transfer lands, sell lands or conservation easements, , which would provide more tools to manage Oregon's State Forests to meet all aspects of greatest permanent value (GPV).

Board commented on 2021 Legislative Concept Discussion presentation:

- Board asked how the conservation easement authority may align with the Habitat Conservation Plan. Pew explained any easement would fall under the GPV mandate, and easements would be appraised with current and future values of timber harvest to determine the county share of the timber sales. Encouraged the Division to continue dialogue with the counties.
- Inquired on how trading lands have become less prevalent. Pew commented that Federal landowners decreased the number of land transfers and the transferring process takes too long for private land owners.

Public Testimony:

- David Yamamoto, FTLAC chair, would like to engage with the Department, environmental groups and timber industries in forming a workgroup to collaborate on a forest land transfer concept for the proposed concept is not suitable for all parties.
 - Board inquired about the collaborative process anticipated for the 2021 proposed legislative concept. Pew outlined the outreach plan that will include stakeholders, counties, and interested parties.

Information Only.

8. ***EXECUTIVE SESSION**

Chair Imeson proceeded with the formal Executive Session announcement.

The Board of Forestry entered into Executive Session for the purpose of reviewing the State Forester's Annual Performance [ORS 192.660(2)(i)].

No decisions were made during Executive Session.

Information Only.

The Board exited the Executive Session, and Board Chair Imeson adjourned the public meeting at 5:20 p.m.

Respectfully submitted,
/s/ Peter Daugherty



Peter Daugherty, State Forester and
Secretary to the Board

HR

Meeting Minutes Approved at the March 4, 2020 Board Meeting