

DRAFT Board of Forestry Meeting Minutes

September 3, 2014

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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, [2014 Fire Season](#), Agenda Item 2
- (2) Video, [Governor’s Prevention Message](#), Agenda Item 2
- (3) Presentation, [Forest Landowner Viability](#), Agenda Item 4
- (4) Handout, [Comments from the State on the Blue Mountain Plan](#), Agenda Item 6
- (5) Presentation, [2013 Oregon Forest Practices Compliance Audit](#), Agenda Item 7
- (6) Presentation, [Invasive Species Update](#), Agenda Item 8
- (7) Presentation, [Workshop Summary and Decision Pathways, as revised in meeting](#), Agenda Item 9
- (8) Public Comment, [Brian Schlaefli](#), Agenda Item 9
- (9) Public Comment, [Scott Hanson](#), Agenda Item 9
- (10) Public Comment, [Mary Scurlock](#), Agenda Item 9
- (11) Public Comment, [Joan Zuber](#), Agenda Item 9
- (12) Public Comment, [Environmental Protection Agency](#), Agenda Item 9
- (13) Addendum, [Board Decision on Riparian Rule Analysis, as discussed in meeting](#), Agenda Item 9
- (14) Handout, [Revised Alternative FMP Timeline](#), Agenda Item 10
- (15) Public Handout, [Aerial Photo of the Sibley Property](#), Agenda Item 11

In accordance with the provisions of ORS 526.016, a meeting of the Oregon Board of Forestry was held on September 3, 2014 at the Oregon Department of Forestry, Salem Headquarters Office, 2600 State Street, Salem, Oregon 97310.

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

Board Members Present:

Sybil Ackerman-Munson
Nils Christoffersen
Cindy Deacon Williams

Tom Imeson
Tom Insko
Gary Springer

Absent

Mike Rose

Chair Imeson announced the Board would be meeting in closed Executive Session at the conclusion of the public meeting pursuant to ORS 192.660(2)(i) for purpose of conducting the State Forester's annual performance review.

CONSENT AGENDA:

[Listen to audio](#) MP3 – (8 minutes –4 MB)

Board Member Gary Springer motioned for approval of the consent agenda. Board Member Tom Insko seconded the motion. Voting in favor of the motion: Gary Springer, Tom Insko, Nils Christoffersen, Sybil Ackerman-Munson, Cindy Deacon Williams, and Tom Imeson, against: none. With Board consensus, Items A through C were approved.

A. **JULY 25 MEETING MINUTES**

Approval of Board Meeting Minutes

The minutes of the July 25, 2014 Board meeting were approved.

B. **REGIONAL FOREST PRACTICES COMMITTEE APPOINTMENTS AND REAPPOINTMENTS**

Private Forests Work Plan –Committee Appointments

The Board received a recommendation for appointment of one new candidate to a position on the Regional Forest Practice Committees and the reappointment of eight existing members on the Committees.

The Board appointed Chris Johnson to the Eastern Regional Committee with a term expiring September 2017.

The Board reappointed Wendell Locke, Steve McNulty, and Randy Silbernagel to the Northwest Regional Committee; Daniel Fugate, Dana Kjos, and Mike Maguire to the Southwest Regional Committee; and Stan Benson and Lee Fledderjohann to the Eastern Regional Committee; all reappointment terms expiring September 2017.

C. **ANNUAL PERFORMANCE PROGRESS REPORT FOR FISCAL YEAR 2013-14**

Administrative Work Plan – Key Performance Measures

The Board received the Department of Forestry's Annual Performance Progress Report for Fiscal Year 2013-2014 as based on the agency's legislatively-approved biennial key performance measures.

The Board received the Annual Performance Progress Report for Fiscal Year 2013-2014.

ACTION AND INFORMATION:

1. **STATE FORESTER AND BOARD MEMBER COMMENTS**

[Listen to audio](#) MP3 – (8 minutes – 4 MB)

State Forester Decker offered comments:

- recognizing fire season has been the defining theme since the last Board meeting and top priority for all 1200 employees of the agency,
- meeting the day prior with the Emergency Fire Cost Committee discussing fiscal aspects of the season and what that means for 2015,
- hosted the Governor and legislators on a few visits to fire camps across the state,
- spent quality time with new regional forester, Jim Pena,
- busy preparing for Legislative Days and several different hearings or presentations scheduled on fire and federal forests,
- preparing for the Board's planning retreat, focusing on work plans, details of the Board's self-evaluation, and starting a conversation about visions for the *Forestry Program for Oregon*,
- planning the November 5 and 6 Board meeting and tour in Portland, shared time with the Environmental Quality Commission, and a full-day tour with some new and traditional partners looking at urban and community forestry opportunities in the Portland area, and
- upcoming travel over the next couple months with the National Association of State Foresters, Council of Western State Foresters, and community leader visits.

Board Member Gary Springer noted attendance at a recent Environmental Quality Commission meeting in Medford.

Board Member Tom Insko thanked Board Members for coming to Boise Cascade's 50th anniversary of the Elgin Plywood Plant that was well attended by the community and an opportunity to highlight federal forests work and state engagement.

2. **FIRE SEASON OUTLOOK AND READINESS**

Fire Protection Work Plan – Ongoing Topic: Fire Season Outlook and Readiness

[Listen to audio](#) MP3 – (28 minutes – 13.2 MB)

Nancy Hirsch, Fire Protection Division Chief, introduced the topic, giving recognition to Doug Grafe, Deputy Fire Protection Chief, and Karen Swearingen, Fire Operations Manager, for their continued dedication to the statewide firefighting effort, noting the last ninety days had seen several large fires across the landscape and Department protected lands.

Doug Grafe, Deputy Fire Protection Chief, referenced a presentation ([Attachment 1](#)) summarizing fire activity and operations occurring in a highly active fire season across Oregon and Washington, sharing Governor Kitzhaber's Fire Prevention Message ([Attachment 2](#)), and highlighting several key fires from the season recognizing both the complex and high profile fires as well as many fires that were stopped early on with aggressive initial attack.

Nancy Hirsch, Fire Protection Division Chief, described significant impacts on communities and losses to landowners from this season's wildfires, and a commitment to continuous improvements in safety. Referencing continued fiscal efforts, Ms. Hirsch summarized large fire costs, cash flow, expected E-Board request, and how the catastrophic fire insurance works alongside the base level of fire protection in the annual fire funding framework. In closing, Ms. Hirsch recognized the many partners creating the complete and coordinated system and value in the relationships made with the public, local cooperators and landowners in communities across the state.

Information only.

3. **2014 BOARD GOVERNANCE PERFORMANCE SELF-EVALUATION**

Administrative Work Plan – Measuring Progress

[Listen to audio](#) MP3 - (8 minutes – 3.66 MB)

Satish Upadhyay, Administrative Services Division Chief, provided an overview of the Board's self-evaluation process for 2014, summarizing the individual Board Member responses in meeting Oregon Board of Forestry Best Practices Criteria and statewide Key Performance Measures.

The Board, through self-facilitation by Chair Imeson, conducted collective Board discussion and evaluation of the sixteen best practices criteria, agreeing on a rating for each individual criterion and discussing responses to the four summary questions.

Discussion highlights included interest in continuing discussions at the Board's planning retreat in October and reviewing high-lever indicators of human resource management such as demographics, retirements, and succession management.

The Board concluded their annual self-evaluation process.

4. **PROGRESS ON FOREST LANDOWNER VIABILITY – DELIVERABLE #1 SUMMARY OF CONCEPTS TO STIMULATE MARKETS AND RECOMMENDATIONS FOR ADDITIONAL STUDY**

Emerging and Overarching Issues Work Plan – Forest Landowner Viability

[Listen to audio](#) MP3 – (47 minutes 21.6 MB)

Kevin Birch, Forest Resources Planning Director, referenced a presentation ([Attachment 3](#)) to provide an update on progress towards forest landowner viability, work plan deliverables, the process to organize and explore a variety of options for landowners, formation of an advisory committee/work group, areas of focus for commodity and non-commodity driven options for increasing landowner viability, and three studies recommended for further exploration.

Jennifer Allen, Portland State University, summarized recent efforts of the work group focused on initial exploration of small diameter wood products and cross laminated timber, understanding infrastructure needs, challenges and opportunities, potential connections with Oregon Business Solutions and other partners, and opportunities to access strategies used in similar projects. Regarding pathways for non-timber forest products and other markets, Ms. Allen summarized work group efforts focused on strategies, infrastructure, approaches to success, access to diversified markets for multiple products, and challenges with ensuring a steady supply with increased demand, relationships needed to sustain supply, assisting family forestland owners in accessing these markets, and what expertise is needed to make it all work effectively. Exploration of finished product export markets brought interest in exploring opportunities that create more access and are there mechanisms to assist landowners in understanding market opportunities, having a presence in the marketplace, and recognition of wood from this region.

Mr. Birch reviewed next steps in the process to include involving Business Oregon, study plans and requests for proposals, review by the work group of any resulting recommendations and outreach efforts to find potential partners and pathways for sharing the viability options.

Board discussion ensued with interest in understanding landowner interest in a commodity commission, interest in defining a clear benchmark for measuring landowner viability i.e. costs for managing land or competitive land use, interest in looking at the relative importance of the different strategies of revenue to be more intelligent in planning and policy making, recognition that market opportunities will vary across the state and barriers to landowner viability aren't always fiscal, importance in spending time defining landowner viability to assist with identifying what solutions can provide the most impact and begin to differentiate by location, importance in understanding the end value back to the manufacturer and landowner of current markets as they exist and if the current export markets are higher value or not, interest in further understanding the scope of other markets included in the research, and advice to keep the workgroup small and focused.

Board Member Gary Springer motioned for the Board to direct the Department to conduct additional research on three specific topics: Small Diameter Wood and Cross Laminated Timber, Pathways for Non-Timber Forest Products and Other Markets, and Finished Product Export Markets.

Board Member Tom Insko seconded the motion.

Voting in favor of the motion: Gary Springer, Tom Insko, Nils Christoffersen, Sybil Ackerman-Munson, Cindy Deacon Williams, and Tom Imeson, against: none.

With Board consensus, Chair Imeson ordered:

The Board directed the Department to conduct additional research on three specific topics: Small Diameter Wood and Cross Laminated Timber, Pathways for Non-Timber Forest Products and Other Markets, and Finished Product Export Markets.

6. SUBCOMMITTEE ON FEDERAL FORESTS

Emerging and Overarching Issues Work Plan – Federal Forests

[Listen to audio](#) MP3 – (22 minutes – 10.1 MB)

Subcommittee Chair, Nils Christoffersen, noted the Subcommittee on Federal Forests had not convened since the last full Board meeting but an update from the Department on progress towards the Subcommittee's priority actions would be valuable.

Chad Davis, Senior Policy Analyst, provided an overview of the State of Oregon submission of comments ([Attachment 4](#)) in response to the draft Environmental Impact Statement on the Blue Mountain Forest Plan, noting the collaborative effort to provide joint comments as coordinated by the Governor's Office, development of comments that focused on outcomes and objectives linked to the Department's mission, value in the Board of Forestry's Federal Forest Principles document in providing instrumental guidance, and significant points made in the value of collaboration and partnerships and concern with the transference of risk, particularly to private lands.

Chair Imeson noted significance in the State having a coordinated approach as opposed to each agency advocating for a perspective and the Forest Service having to sort through those.

State Forester Decker described an overall recognition of the commodity production value with a focus on restoration as an outcome as well as value found in the specific examples and direct feedback captured in the carefully balanced set of comments.

Mr. Davis continued presentation with an update on the 2.885 million dollar budget package implementation and indication to how that will feed into thinking on the 6.55 million dollar in the Department's requested budget, with recent awarding of grants, increased investments in the design of work products that are reflective of the needs of the collaboratives, added pre-sale implementation activities occurring in the Ochoco, Malheur and Umatilla National Forests, and interest in focusing future funds towards investigating new planning methods, efficiencies, and reducing costs.

State Forester Decker noted an upcoming presentation to the Legislature summarizing implementation of the 2.885 budget package and preparing legislators for an upcoming October 22 tour in the Deschutes National Forest.

Board Member Tom Insko noted recent hosting of Representative DeFazio's Energy Lead Advisor, Travis Joseph, and Representative Schrader's Energy Lead Advisor, Ethan Pittleman for a discussion on policy and operational education and federal forest conditions.

Information only.

5. **WORKING FOREST AND FARMS FINANCE INITIATIVE**

Administrative Work Plan – Research Requests and Special Reports

[Listen to audio](#) MP3– (15 minutes – 7 MB)

Tom Tuchmann, US Forest Capital President and Governor Kitzhaber's Forestry and Conservation Finance Advisor, presented a brief overview of a new financial initiative focused on sustaining working forests and farms.

Oregonians expect forests and farms to provide clean water, wildlife habitat, viewsheds, sustainable flow of timber to local manufacturing facilities, family wage jobs, tax revenues that can support local communities, and there's an issue to how does Oregon best create a climate to allow that to continue?

The intersection between these economic demographic and environmental tradeoffs often pit calls for greater regulation against calls for support for private property rights. The Governor is exploring creation of a voluntary, non-regulatory, working lands program that will provide financial assistance and incentives to both existing and new forest landowners who wish to keep their lands working. The current thinking is that this program will be one of the first in the nation that will require applicants to show maintenance of economic activity associated with timber ownership and agriculture production as well as conservation uplift.

Program highlights will include state and financial assistance for eligible applicants who want to maintain economic and conservation benefits associated with working farms and forests, increased opportunities to leverage substantial private and federal funding programs, integrating the biological capacities of the land with new financing tools, and address key needs of landowners in supply and conservation attributes that folks are looking for off these lands.

In terms of process, the Governor's Office has been working with State Forester Decker and staff along with other natural resource department heads to get their ideas. The Department of Administrative Services and Business Oregon are intimately involved and they are beginning to reach out to landowners, reps from the conservation community, and the State Legislature. The Board and Department are key partners in this effort.

The Governor hopes that if we can bring the landowner and conservation community together on a non-regulatory voluntary effort we're going to achieve three large objectives: 1) start to assure working forests and farms keep working instead of being converted to some alternative use, 2) the conservation benefits Oregonians demand can be maintained and restored, and 3) bringing conservation and landowner communities to work together on a program.

Board member discussion and staff response ensued on differences between conversion and fragmentation and concerns there, broad mechanisms used to implement the program, and intent to return to the Board with further details in the future.

Information only.

7. 2013 FPA COMPLIANCE AUDIT RESULTS

Private Forests Work Plan – Forest Practices Act (FPA) Rule Enforcement Policy Review

[Listen to audio](#) MP3 – (28 minutes – 13 MB)

Marganne Allen, Field Support Monitoring Manager, introduced Paul Clements, Training and Compliance Coordinator, and intent to present an overview of the first annual report to the Board focused on the Forest Practices Act Compliance Audit.

Referencing a presentation ([Attachment 5](#)) Mr. Clements provided context to the compliance study, concepts employed in performing the study, methods used to implement those concepts, results found, and the value of those results.

Ms. Allen described next steps to involve continuation of the 2014 compliance audit and looking to incorporate findings of the 2013 audit into our landowners and operator training sessions, and seeking

to continue the work with our external and internal partners to expand the rule or statute set included in the audit process over time.

Board discussion ensued with response from staff on matters of challenges in receiving permissions from landowners to conduct the study on their lands, how the refusal rates may have affected the study, value in having a fuller compliment of stewardship foresters to engage with landowners in the study, opportunities for new partnerships to provide cooperative outreach and education, importance in institutionalizing the idea of a compliance audit, difference between refusals and non-responses, benefit to working with a third-party contractor, and overall value in the process for landowners and staff.

Information only.

8. 2013 FOREST HEALTH REPORT

Private Forests Work Plan – Research Requests and Special Reports

[Listen to audio](#) MP3 – (27 minutes – 12.5 MB)

Jim Cathcart, Cooperative Forestry Manager, introduced the topic, providing an overview of the Department’s Forest Health Team and reference to the 2013 annual Forest Health Highlights report.

Wyatt Williams, referenced a presentation ([Attachment 6](#)) to provide a detailed overview of the Invasive Species Program, highlighting key invasive species in Oregon, proximity of invasive species across the globe, pathways for invasion, prevention efforts, coordination by the Oregon Invasive Species Council, Farm Bill funded outreach products, update on Sudden Oak Death and Emerald Ash Borer, Forest Pest Detector Project, Worldwide Early Warning System, biological control of Scotch Broom, and aerial surveys for Gorse.

Information only.

9. JUNE 2014 RIPARIAN WORKSHOP: SUMMARY AND NEXT STEPS

Private Forests Work Plan – Water Quality Protection

[Listen to audio](#) MP3 Part 1 of 3 – (44 minutes – 20.2 MB)

Peter Daugherty, Private Forests Division Chief, referenced a presentation ([Attachment 7](#)) in providing a summary of the Board’s June 2014 Riparian Rule Analysis Workshop, decision pathways for the Board’s consideration, and Department recommendations for next steps in the rule analysis process.

Board question and comment ensued with clarifying responses from staff on matters of:

- voluntary vs. regulatory approaches or combinations of both,
- a need for robust monitoring of voluntary measures,
- methods and alternatives for incorporation of large wood recruitment into the riparian rule analysis,
- ability of the Board to revisit previous decisions,
- premature effort to include large wood at this time with further RipStream findings to be presented,
- confidence in the peer-reviewed science regarding frequency of the exceedance of Protecting Cold Water standard and magnitude of the change,

- concern with dueling science results related to biological impacts and beneficial use,
- viability of the Protecting Cold Water standard and how a petition to the Environmental Quality Commission regarding the science referenced in creation might be received,
- interest in working through the liaison process to come up with a mutual solution,
- deleting the statement around the maximum extent practicable to maintain consistency in the recommendation because it actually applies to all of the recommendations not just the plan for alternate practice,
- process and criteria involved in the economic analysis,
- interest in determining ecological benefits, and
- involvement thus far of the Regional Forest Practices Committees in the process and commitment to working with them to develop prescriptions.

[Listen to audio](#) MP3 Part 2 of 3 – (26 minutes – 12.2 MB)

Chair Imeson called for public comment.

Brian Schlaefli, provided public testimony and written comments ([Attachment 8](#)) encouraging the Board utilize a creative approach, developing options that create more flexibility and allow the Board to make decisions that will result in new/modified rules that meet all Forest Practices Act goals. Mr. Schlaefli provided seven suggestions for pathways for the Board’s consideration as developed at a joint Northwest and Southwest Regional Forest Practices Committee meeting while offering continued support from the committees as the rule analysis process continues.

Scott Hanson, Oregon Small Woodlands Association, provided public testimony and written comments ([Attachment 9](#)) requesting the Board take a broad outlook in the rulemaking process abandoning the checklist approach and reaffirming a request for response demonstrating the Protecting Cold Water standard has a basis in science. Mr. Hanson encouraged the Board work with the Regional Forest Practice Committees and ensure analysis includes a a thorough review of appropriate voluntary measures.

Mary Scurlock, Oregon Stream Protection Coalition, provided public testimony and written comments ([Attachment 10](#)) offering support for staff’s recommendation directing the Department to present the Board with a rule alternative of alternatives that meets the Protecting Cold Water Criterion of Oregon’s stream temperature standard, and urging the Board reject other options including: large wood recruitment as a rule objective, revisiting the prior determinations in the rule process, petitioning the Environment Quality Commission, or focusing on issues that are not directly related to the achievement of developing rules to meet the Protecting Cold Water Criterion on small and medium fishbearing streams.

Tuch Koreiva, provided public testimony offering support for the current rules in place, encouraging the Board revisit the rules briefly to consider and learn from how the applications are occurring in the field, and urging the Board consider the effects on working relationships with small and medium landowners as it continues through the riparian rule analysis process.

Joan Zuber provided written comments prior to the meeting ([Attachment 11](#)) encouraging the Board move forward on riparian rule changes to increase protection of Oregon’s native fish bearing streams.

Daniel Opalski, Director of the Office of Water and Watersheds at the Environmental Protection Agency, provided written comments prior to the meeting ([Attachment 12](#)) recommending the Board

proceed with revisions to the Oregon Forest Practices Act rules in order to ensure sustainable and viable forest practices that meet water quality standards and protect salmonid species in Oregon.

[Listen to audio](#) MP3 Part 3 of 3 – (58 minutes – 26.8 MB)

Chair Imeson initiated a discussion of the Board to address issues raised during presentation noting the decision made during this item would not exclude a voluntary approach, that maximum extent practicable applies to the full recommendation, and the importance in working as closely as possible with the Environmental Quality Commission throughout the entire process.

Board discussion ensued with comments summarized as follows:

- confidence in the science indicating 40% probability of stream segments not meeting the Protecting Cold Water standard, the Environmental Quality Commission sets the standards and the Board sets Best Management Practices – would not want to give up the unique position where the Board has judgment of what the best practice is to meet the standard, support for the staff recommendations to maintain the widest discretion in decision making, recommendation should direct staff to develop an array of alternatives that bring a mix of voluntary and regulatory options for consideration;
- interest in further looking at the rules from a field perspective and understanding if things can be done smarter as opposed to simply creating more rules, in looking at the recommendations - need to give clear direction for the Regional Forest Practices Committee can clearly do their job;
- struggling with the Protecting Cold Water standard and lack of ties to accomplishing the outcomes for beneficial use, would argue for adaptive management and learning new things through new science, would be a big step to go down the petition route, grappling with an alternative to maintain flexibility and be beneficial to the riparian area, more needs to be driven through the Regional Forest Practices Committee, and need to pull the Environmental Quality Commission into the conversation;
- giving a lot of thought to Jim Brown's introduction, recognizing we're meant to use the best available science in dealing with complexity and never going to get a perfect answer, at the same time need to recognize we are likely going to learn more moving forward, the outcomes need to be proportional to the problem and minimize regulatory burden, can relate directly back to emerging issues in maintaining forest landowner viability, need to seriously consider incentives for landowners, direction to meet the objective of the water quality standard if not the standard itself, important to fully explore the full range of options from voluntary to regulatory; and
- feel should move forward with a couple changes to the recommendation.

Chair Imeson requested staff provide further information on the process, use of the Regional Forest Practices Committees, and timeline with response noting a more detailed update to occur with the Board in November and an upcoming meeting with the Regional Forest Practices Committees.

Board discussion ensued on potential modifications to the staff recommendation as follows:

- move maximum extent practicable out of 1.c. and into the body of 1,
- add 1.d. to be explicit about voluntary measures,
- remove voluntary or regulatory from analysis of large woody debris,
- have 1.d. be about voluntary measures and leave it at that instead of in large woody debris.

Board Member Nils Christoffersen motioned for a modified recommendation that revises the first sentence under 1. To direct the Department to continue the current rule analysis and in conjunction with the Regional Forest Practices Committees and stakeholders to develop prescriptions for a new Riparian Protection Rule designed to meet the Protecting Cold Water criterion to the maximum extent practicable and facilitate flexibility in harvest approaches through consideration of regulatory measures, voluntary approaches or a combination thereof, including, and then add a., b., and c.

Board Member Cindy Deacon Williams seconded the motion.

Board discussion ensued on whether to work through each individually numbered step of the recommendation.

Board Member Cindy Deacon Williams offered an amendment to 3, in addition to the preliminary economic analysis, a preliminary ecological analysis would need to be performed.

Board Member Nils Christoffersen offered an amendment, because of the options laid out above, direct the Department to develop preliminary economic analysis related to each alternative and delete the words in between.

Board Member Tom Insko requested Staff utilize a visual projection of the recommendation for the Board's modification that all can see.

Board Member Nils Christoffersen motioned for the Board's approval of a modified motion:

- 1) Direct the Department to continue with the current rule analysis, and in conjunction with the Regional Forest Practice Committees and stakeholders, to develop prescriptions for a new Riparian Protection Rule designed to meet the Protecting Cold Water (PCW) criterion to the Maximum Extent Practicable (MEP) and facilitate flexibility in harvest approaches through consideration of regulatory measures, voluntary approaches, or a combination thereof, including:
 - a. Variable retention;
 - b. No-cut buffer rule alternatives; and
 - c. Appropriate criteria for a Plan for Alternate Practice.

Board Member Cindy Deacon Williams seconded the motion.

Discussion ensued regarding the connectivity between Maximum Extent Practicable and flexibility and what guidance the Board is giving Staff and the Regional Forest Practices Committee.

Voting in favor of the motion: Nils Christoffersen, Cindy Deacon Williams, Gary Springer, Tom Insko, Sybil Ackerman-Munson, and Tom Imeson, against: none.

With Board consensus, Chair Imeson ordered:

- 1) **The Board directed the Department to continue with the current rule analysis, and in conjunction with the Regional Forest Practice Committees and stakeholders, to develop prescriptions for a new Riparian Protection Rule designed to meet the Protecting Cold Water (PCW) criterion to the Maximum Extent Practicable (MEP) and facilitate flexibility in harvest approaches through consideration of regulatory measures, voluntary approaches, or a combination thereof, including:**
 - a. **Variable retention;**

- b. **No-cut buffer rule alternatives; and**
- c. **Appropriate criteria for a Plan for Alternate Practice.**

Board discussion ensued on Recommendation 2 with interest in formally including Regional Forest Practices Committees and stakeholders. Discussion on Recommendation 3 sought deletion of “buffer prescription for the rule” and providing preliminary ecological information related to the prescriptions.

Chair Imeson requested inclusion of a new recommendation that would direct the Department to work with the Board of Forestry/Environmental Quality Commission liaison process to communicate the Board’s concerns regarding the sensitivity of small and medium fish streams relative to the Protecting Cold Water (PCW) criterion and the potential impacts on forestland and work with the liaison process to help develop understanding, acceptance and support for the Board’s approach for addressing the PCW criterion.

The Board collectively modified the Department’s recommendations.

Board Member Cindy Deacon Williams motioned for the Board’s approval of the modified recommendations as follows:

- 2) Direct the Department, in conjunction with Regional Forest Practices Committees and stakeholders, to continue analysis of a) Geographic Regions in western Oregon to which the rule should apply, and b) to which stream segments (i.e. only those streams with salmon, steelhead, or bull trout present; the entire network of small and medium fish streams; or something in between) the rule should apply.
- 3) Direct the Department to develop preliminary economic and ecological information related to each prescription for the rule alternatives.
- 4) Direct the Department to work with the Board of Forestry/Environmental Quality Commission liaison process to communicate the Board’s concerns regarding the sensitivity of small and medium fish streams relative to the Protecting Cold Water (PCW) criterion and the potential impacts on forestland and work with the liaison process to help develop understanding, acceptance and support for the Board’s approach for addressing the PCW criterion.

Board Member Nils Christoffersen seconded the motion.

Voting in favor of the motion: Cindy Deacon Williams, Nils Christoffersen, Gary Springer, Tom Insko, Sybil Ackerman-Munson, and Tom Imeson, against: none.

With Board consensus, Chair Imeson ordered:

- 2) **The Board directed the Department, in conjunction with Regional Forest Practices Committees and stakeholders, to continue analysis of a) Geographic Regions in western Oregon to which the rule should apply, and b) to which stream segments (i.e. only those streams with salmon, steelhead, or bull trout present; the entire network of small and medium fish streams; or something in between) the rule should apply.**
- 3) **The Board directed the Department to develop preliminary economic and ecological information related to each prescription for the rule alternatives.**

- 4) **The Board directed the Department to work with the Board of Forestry/Environmental Quality Commission liaison process to communicate the Board's concerns regarding the sensitivity of small and medium fish streams relative to the Protecting Cold Water (PCW) criterion and the potential impacts on forestland and work with the liaison process to help develop understanding, acceptance and support for the Board's approach for addressing the PCW criterion.**

Board Member Gary Springer motioned for the Board's approval of a modified recommendation on large woody debris that ends the sentence after "recruitment" and before "and/or".

Board Member Cindy Deacon Williams seconded the motion.

Voting in favor of the motion: Gary Springer, Cindy Deacon Williams, Nils Christoffersen, Tom Insko, Sybil Ackerman-Munson, and Tom Imeson, against: none.

With Board consensus, Chair Imeson ordered:

- 5) **The Board directed the Department to consider impacts of proposed prescriptions on large woody debris (LWD) recruitment.**

Board Member Cindy Deacon Williams motioned for the Board's acceptance of the workshop summary (Attachment 1) as adequately documenting key points from presentations and associated discussions at the June 23, 2014 Riparian Rule Analysis Workshop.

Board Member Nils Christoffersen seconded the motion.

Board Member Tom Insko amended the motion for the Board's "receipt" or "acknowledgement" the summary as opposed to "acceptance".

State Forester Decker referenced Mr. Schlaefli's letter and the suggestions from the Regional Forest Practices Committee encouraging the Board keep those ideas in mind including direction on financial incentives.

Board discussion ensued with interest in inclusion of the term "and stakeholders" when referencing the Regional Forest Practices Committees and request for an updated timeline at the next meeting.

Voting in favor of the motion: Gary Springer, Cindy Deacon Williams, Nils Christoffersen, Tom Insko, Sybil Ackerman-Munson, and Tom Imeson, against: none.

With Board consensus, Chair Imeson ordered:

The Board received the workshop summary (Attachment 1) as adequately documenting key points from presentations and associated discussions at the June 23, 2014 Riparian Rule Analysis Workshop.

[Attachment 13](#) was prepared post-meeting to document the Board's decisions on this item.

10. SUBCOMMITTEE ON ALTERNATIVE FOREST MANAGEMENT PLANS

State Forests Work Plan – Alternative Forest Management Plans

[Listen to audio](#) MP3 – (12 minutes – 5.73 MB)

Subcommittee Chair, Tom Imeson, introduced the topic, noting the Subcommittee on Alternative Forest Management Plans had not convened since the last full Board meeting but would provide an update from the Department on completion of the science assessment, ongoing outreach, the following day's Subcommittee meeting where the science report will be released, and further preparations for the September 29 meeting where the Subcommittee will formulate a recommendation to the full Board.

Liz Dent, State Forests Division Chief, summarized preparations for the upcoming Subcommittee meetings involving outreach with Board members, stakeholders, and county commissioners, ensuring the direction and timeline is clear and notably on track with consideration of a limited workforce during fire season; although, changes in the timeline may be necessary after the Board's November decision. Ms. Dent described the following day's agenda to include two main agenda items: 1) framework of the Forest Management Plan contents, statutory requirements, and accompanying policy documents, and 2) introducing the Subcommittee to the science assessment report.

Jeff Brandt, Research and Monitoring Coordinator, provided a brief summary of the science assessment process, science panel composition, communications and development of the report, and presentation to the Subcommittee scheduled for the following day.

Ms. Dent noted the science report would be available on the Board's website and additional opportunities to review and ask questions about the report were available during public meetings with the Stakeholder Group members on September 17 and 22. Referencing an updated deliverable and timeline ([Attachment 14](#)), Ms. Dent described work progress as being on track for a November 5 decision and intent to bring a fully drafted Forest Management Plan back to the full Board for approval in March 2015.

Information only.

11. REQUESTS FOR HEARINGS BEFORE THE BOARD AND PROPOSED FINAL ORDERS

Fire Protection Work Plan – Ongoing Topic: Forest Patrol Assessment Hearing

[Listen to audio](#) MP3 – (28 minutes – 13 MB)

Chair Imeson announced the Board of Forestry would address two landowner requests for hearing under ORS 477.260 (2) and OAR 629-041-0035 (4) by landowners in Klamath and Douglas counties regarding the addition of certain properties to the forest patrol assessment roll.

Robert Young, Fire Prevention & Policy Manager, reviewed steps in the forestland classification and hearings process and then presented findings based on the four issues of fact.

Board discussion ensued with questions and response from staff on matters regarding availability of a nearby forest protection association and annual assessment rates.

Chair Imeson invited the landowners, Ernest Nichols and David Sibley, to appear before the Board.

David Sibley referenced a visual diagram ([Attachment 15](#)) and provided oral testimony before the Board on matters of fire risk, nearby suppression agencies, classification as grazing property, applicability in writing a fire protection plan, quality of ongoing care for the property, and inability to attend or appeal the classification hearing.

State Forester Decker thanked Mr. Sibley for providing testimony noting the scope of the Board's pending decision related to the hearing.

Board discussion ensued with questions on development of a fire protection plan, membership in the forest protective association, insurance reductions, and the forestland classification process.

Dennis Sifford, Staff Forester at Douglas Forest Protective Association, clarified rates for association members and the general public, opportunities for insurance reductions, and the forestland classification process.

Chair Imeson reviewed the Board's options in the hearing and final order process.

Board Member Tom Insko motioned for the Board's acceptance of the Department recommendation to adopt the proposed final orders as written for Ernest Nichols and Dave Sibley.

Board Member Gary Springer seconded the motion.

Voting in favor of the motion: Tom Insko, Gary Springer, Cindy Deacon Williams, Nils Christoffersen, Sybil Ackerman-Munson, and Tom Imeson, against: none.

With Board consensus, Chair Imeson ordered:

The Board adopted the proposed final orders as written for Ernest Nichols and Dave Sibley.

With no further business before the Board, Chair Imeson adjourned the public meeting at 5:00 p.m.

Respectfully submitted,

/s/ Doug Decker

A handwritten signature in black ink, appearing to read 'Doug Decker', is written over a horizontal line.

Doug Decker, State Forester and
Secretary to the Board

SP