

# DRAFT Board of Forestry Meeting Minutes

March 4, 2015

## INDEX

<u>Item #</u>	<u>Page #</u>
A. MINUTES – JANUARY 7, 2015 .....	2
B. HEARING REQUEST FOR RANGELAND PROTECTION ASSOCIATION IN WESTERN HARNEY COUNTY.	2
C. APPROVAL OF AGENCY DIRECTOR FINANCIAL TRANSACTIONS, FISCAL YEAR 2014 .....	2
D. FINAL ORDER – BRIMSTONE NATURAL RESOURCES COMPANY .....	3
1. STATE FORESTER AND BOARD MEMBER COMMENTS .....	3
2. DEPARTMENT OF FORESTRY FISCAL REPORT .....	4
3. CENTRAL OREGON DISTRICT BOUNDARY CHANGE .....	5
4. EFCC AND FIRE DIVISION UPDATE .....	5
5. 2014 FOREST PRACTICES OPERATOR OF THE YEAR .....	6
6. MARY RELLERGERT FORESTRY EDUCATION AWARD .....	6
7. CLIMATE CHANGE ADAPTATION RECOMMENDATION .....	6
8. SUBCOMMITTEE ON FEDERAL FORESTS .....	7
9. 2015 LEGISLATIVE UPDATE .....	8
10. CZARA UPDATE .....	8
11. STATE FOREST MANAGEMENT REVISION PROJECT .....	8
12. EXECUTIVE SESSION .....	9

*Items listed in order heard.*

Complete [audio recordings](#) from the meeting and [attachments](#) listed below are available on the web at [www.oregonforestry.gov](http://www.oregonforestry.gov)

- (1) Public Comment, [Scott Hayes, Oregon Tree Farm System](#), Agenda Item 1A
- (2) Public Comment, [Sheriff Andy Long, Tillamook County Sheriff](#), Agenda Item 1A
- (3) Public Comment, [Mary Scurlock, Oregon Stream Protection Coalition](#), Agenda Item 1A
- (4) Presentation, [Revised Financial Dashboard](#), Agenda Item 2
- (5) Handout, [Snowpack 2014 compared to 2015](#), Agenda Item 4
- (6) Presentation, [2014 Operator of the Year Awards](#), Agenda Item 5
- (7) Handout, [2014 Operators of the Year article](#), Agenda Item 5
- (8) Presentation, [2014 Mary Rellergert Forestry Education Awards](#), Agenda Item 6
- (9) Handout, [2014 Forestry Education Awards pamphlet](#), Agenda Item 6
- (10) Presentation, [Climate Change Adaptation Recommendations](#), Agenda Item 7
- (11) Handout, [Federal Forest Health Program](#), Agenda Item 8
- (12) Handout, [2015 Legislative Session Update](#), Agenda Item 9
- (13) Public Comment, [FTLAC, CFTLC, Comments](#), Agenda Item 11
- (14) Public Comment, [Neah-Kah-Nie School District](#), Agenda Item 11

In accordance with the provisions of ORS 526.016, a meeting of the Oregon Board of Forestry was held on March 4, 2015 at the Oregon Department of Forestry, State Forester's 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  
Tom Imeson

Tom Insko  
Mike Rose  
Gary Springer

*Absent:*

Cindy Deacon Williams

Chair Imeson noted that pursuant to ORS 192.660(2)(h) and 192.660(2)(f), the Board would meet in closed Executive Session at the conclusion of the meeting. The purpose of the Session was to confer with legal counsel regarding the Board's rights and duties related to current litigation or litigation likely to be filed as well as to discuss an attorney-client privileged communication.

**CONSENT AGENDA:**

[Listen to audio](#) MP3 – (52 minutes –23.9 MB)

Chair Imeson questioned the Board on their approval of the Consent Agenda. Board Member Mike Rose motioned for the Board's approval of Consent Agenda Items A through D. Board Member Tom Insko seconded the motion.

Voting in favor of the motion: Mike Rose, Tom Insko, Gary Springer, Sybil Ackerman-Munson, Nils Christoffersen, and Tom Imeson, against: none. With Board consensus, Items A through D were approved.

A. **JANUARY 7 MEETING MINUTES**

Approval of Board Meeting Minutes

**The Board approved the January 7, 2015 Meeting Minutes.**

B. **HEARING REQUEST FOR RANGELAND PROTECTION ASSOCIATION IN WESTERN HARNEY COUNTY**

Rangeland Protection Association Formation

Seeks Board approval to proceed with a public hearing on the subject of providing protection from fire for rangelands in the vicinity of western Harney County, Oregon.

**The Board approved the landowners' request to hold a public hearing on the subject of providing protection from fire for rangelands in western Harney County, Oregon.**

C. **APPROVAL OF AGENCY DIRECTOR FINANCIAL TRANSACTIONS, FISCAL YEAR 2014**

Administrative Processes

Seeks Board review and approval of transactions submitted by State Forester Doug Decker for Fiscal Year 2014.

**The Board approved the travel expense transactions and the leave usage transactions submitted by State Forester Doug Decker for Fiscal Year 2014, as summarized on the State Forester's Travel Claims Summary and the State Forester's Leave Usage Summary.**

D. FINAL ORDER – BRIMSTONE NATURAL RESOURCES COMPANY

Final Orders

Requests Board consideration of the hearing record for the notice of civil penalty involving several forest practices violations by Brimstone Natural Resources Company and decision in the matter.

**The Board adopted the proposed final order submitted as Attachment 1 as the Board's final order.**

**ACTION AND INFORMATION:**

1. STATE FORESTER AND BOARD MEMBER COMMENTS

[Listen to audio](#) MP3 – (52 minutes –23.9 MB)

State Forester Decker provided comments on matters of:

-Change in Governor's administration and recent meeting with Governor Kate Brown where clear signals were given to stay the course with respect to staffing, support for the Department budget, and continuing to work together on forestry issues, while noting retention of Richard Whitman as the Natural Resources Advisor,

-Perspectives from a recent meeting with Emergency Fire Cost Committee Chair Ken Cummings and Fire Protection Chief Nancy Hirsch and the Lloyd's of London where the sense is the Department has retained possibility of attaining fire insurance although the details are yet to be determined,

-Recent visits with congressional staff in Washington D.C. where conversations were focused on the Wildfire Disaster Funding Act and broad support and endorsement from all delegation members,

-Quarterly reporting to the Governor's Office on the Board's work progress and activities, and

-Recent participation in a fire simulation exercise with Regional Forester Jim Peña where worst case scenarios were modeled to assist in conveying ramifications, need for direct involvement and opportunities for greater connection during joint-jurisdictional fires.

Standing ovation was given to Wayne Giesy, recently celebrating a 95<sup>th</sup> birthday milestone, with special recognition by the Board and State Forester Decker for a lifetime of commitment and advocacy focused on sound, active management of forests to benefit Oregon's communities, economy and environment.

Board Member Gary Springer commented to recent hosting of a legislative tour focused on aerial herbicide applications, where application sprays were demonstrated with helicopters and water and discussions focused on notification and communications with neighbors. Also noted with an upcoming Northwest and Southwest Regional Forest Practices Act Committee meeting in Springfield where goal was to develop potential alternatives for the rule analysis process.

1A. PUBLIC COMMENTS

Clair Klock, provided public testimony expressing interest in thinning the Elliott State Forest as opposed to cutting old growth or selling the land, importance in ensuring retention of trees and brush alongside streams, concern with timber industry influence on the Forest Practices Act, and respect for logging operations that are now performed in more environmentally safe ways.

Scott Hayes, Vice-President of Oregon Tree Farm System, provided public testimony and written comments ([Attachment 1](#)) urging the Board include the balance of rule amendments and riparian family owner contributions in the Riparian Rule economic analysis while expressing belief that the most efficient and effective way to improve water quality is to improve voluntary measures, focus on landowner and operator education and training, and amend the existing rules to improve flexibility.

Andy Long, Tillamook County Sheriff, provided public testimony and written comments ([Attachment 2](#)) urging the Board consider the impacts that decisions made related to timber harvest allocations on state forestlands will have on public safety and the economy of rural counties such as Tillamook County and to settle on an equitable forest management plan so that critical public safety services can be fulfilled.

Mary Scurlock, Oregon Stream Protection Coalition, provided public testimony and written comments ([Attachment 3](#)) urging the Board consider economic benefits incurred from more robust riparian conservation that fully acknowledges the value of ecosystem services, ensure implementation methods and tools are technically sound and reasonable, and attain full clarity on which water quality standards apply to which streams through consultation with legal advisers and colleagues from the Department of Environmental Quality.

Candace Bonner, Northwest Regional Forest Practices Committee, provided public testimony describing actions taken at a recent meeting where almost-unanimous support was given for riparian rule changes except for Ms. Bonner, who urges the Board simplify the rules to include a no-cut buffer in the riparian rule change to be protective of cold water, expressing concern with the current Forest Practices Act ability to maintain shade, and noting the testimony conveyed from many small woodland owners at said meeting was focused on economic loss from increasing riparian protection.

2. DEPARTMENT OF FORESTRY FISCAL REPORT  
Administrative Work Plan – Ongoing Financial Status Checks  
[Listen to audio](#) MP3 – (11 minutes – 5.3 MB)

Satish Upadhyay, Administrative Services Division Chief, referenced a revised Financial Dashboard ([Attachment 4](#)) to provide a current look into the Department’s funding, revenues and expenditures.

**Information only.**

3. CENTRAL OREGON DISTRICT BOUNDARY CHANGE

Fire Protection Work Plan – Ongoing Topic: District Boundary Changes

[Listen to audio](#) MP3 - (6 minutes – 3.11 MB)

Deputy Fire Protection Division Chief Doug Grafe, Fire Prevention & Policy Manager Bob Young, and Central Oregon Assistant District Forester Kristin Dodd, presented draft rules for the Board's consideration seeking approval to hold one or more public hearings in regards to proposed changes in the Central Oregon District Boundary.

Discussion of the Board ensued related to process and expected timeframe for returning to the Board.

Board Member Gary Springer motioned for the Board's approval to direct the State Forester to begin the rulemaking process to amend OAR 629-041-05815, the boundary description of the Central Oregon Forest Protection District Boundary.

Board Member Mike Rose seconded the motion.

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

With an affirming vote of consensus, Chair Imeson ordered:

**The Board directed the State Forester to begin the rulemaking process to amend OAR 629-041-05815, the boundary description of the Central Oregon Forest Protection District Boundary.**

4. EFCC AND FIRE DIVISION UPDATE

Fire Protection Work Plan – Ongoing Topic: Updates from the Division

[Listen to audio](#) MP3 – (17 minutes 7.89 MB)

Nancy Hirsch, Fire Protection Division Chief, provided a handout comparing snowpack levels from March 2014 to March 2014 ([Attachment 5](#)) recognizing differences heading into the next fire season while introducing the agenda topic focused on discussing efforts underway to secure an insurance policy for the coming year.

Ken Cummings, Chair of the Emergency Fire Cost Committee, offered perspectives from recent meetings in February with Nancy Hirsch, Doug Decker, and several insurance partners from Lloyds of London and subsequent meetings with the Emergency Fire Cost Committee discussing results and options being considered in securing an insurance policy for the coming year.

Board discussion ensued with questions on federal reimbursement dollars and inapplicability to the insurance deductible, landowner interest in the options presented, and communications throughout the process.

**Information only.**

5. 2014 FOREST PRACTICES OPERATOR OF THE YEAR

Administrative Work Plan – Ceremonial Events and Recognitions

[Listen to audio](#) MP3– (36 minutes – 16.7 MB)

Angie Lane, Policy Analyst, referenced a presentation with videos ([Attachment 6](#)) and a handout ([Attachment 7](#)) to highlight the award winning achievements of the 2014 Forest Practices of the Year Award recipients, recognizing the operators who consistently exceed the Oregon Forest Practices Act and rules: Robert Howell Logging, LLC of Cottage Grove, [Todd Hueckman Contracting](#) of Burns, and [Bewley Investments](#) of Central Point, and two additional recipients of Merit Awards, [WyEast Forestry Management](#) and [Huffman and Wright Logging Co.](#)

**The Board recognized recipients of the 2014 Forest Practices Operator of the Year Awards commending them for their excellence in forest operations.**

6. MARY RELLERGERT FORESTRY EDUCATION AWARD

Administrative Work Plan – Ceremonial Events and Recognitions

[Listen to audio](#) MP3 – (28 minutes 30 MB)

Norie Dimeo-Ediger, Education Director with the Oregon Forest Resources Institute, and Susan Sahnaw, Director of the Oregon Natural Resource Education Program at Oregon State University, introduced and highlighted the educational achievements of the 2014 Mary Rellergert Forestry Education Award winners: Amy Busch of Wallowa Resources, Lindsay Reaves of Bauman Tree Farm and Forests Today & Forever, and Clair Thomas of Tillamook School District ([Attachment 8](#) and [Attachment 9](#)).

Susan Sahnaw, Oregon State University, was presented the annual State Forester’s Award for her exceptional contributions to forestry education.

**The Board recognized recipients of the 2014 Mary Rellergert Forestry Education Awards commending them for their excellence in forestry education.**

7. CLIMATE CHANGE ADAPTATION RECOMMENDATION

Emerging and Overarching Issues Work Plan – Climate Change

[Listen to audio](#) MP3 – (21 minutes – 9.93 MB)

Andrew Yost, Forest Ecologist, and Forest Resources Planning Director Kevin Birch, referenced an Annotated History of Climate Change –Related Policy in Oregon ([Agenda Attachment 1](#)) and a presentation ([Attachment 10](#)) to provide a set of recommendations for an overall approach to adapting to the effects of climate change through consideration of climate change issues in the context of regular agency business, planning, and budgeting.

Board discussion ensued with comments related to the proposed recommendations and matters of: current research studies on climate change driven vulnerability of varied tree species, financial implications of integrating climate change recommendations into agency business, intent for staff are factoring climate change into ongoing business decisions, expectation that climate change will affect more than weather patterns but the entire ecosystem functioning as a whole, and request to have Angus Duncan from the Global Warming Commission address the Board again.

Board Member Nils Christoffersen motioned for the Board's adoption of the climate change recommendations listed in Attachment 2, closing of the Climate Change Adaptation issue in the Emerging and Overarching Issues work plan, and direction to staff to begin the process of integrating recommendations regarding climate change adaptation into regular agency work.

Board Member Tom Insko seconded the motion.

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

With an affirming vote of consensus, Chair Imeson ordered:

**The Board adopted the climate change recommendations listed in Attachment 2, closing of the Climate Change Adaptation issue in the Emerging and Overarching Issues work plan, and direction to staff to begin the process of integrating recommendations regarding climate change adaptation into regular agency work.**

#### 8. SUBCOMMITTEE ON FEDERAL FORESTS

Emerging and Overarching Issues Work Plan – Federal Forests

[Listen to audio](#) MP3 - (15 minutes – 17.01 MB)

Subcommittee Chair Nils Christoffersen introduced the agenda topic providing highlights from the Subcommittee's most recent meeting, referencing former Governor Kitzhaber's Forest Service Renewal document, accomplishments in the first biennium of the federal forest investment package, current work towards development of associated metrics, and the State's \$6.05 million dollar budget request for continued state support of federal forest management across the State of Oregon.

State Forester Decker provided further detail on the Forest Service Renewal document presented to the Subcommittee by former Forestry & Conservation Finance Advisor to the Governor, Tom Tuchmann, noting the document's pathway forward through the Western Governors Association and conversations in Washington D.C. with many offering strong endorsement for the principles contained within including the National Association of State Foresters (NASF) and Western Forestry Leadership Coalition (WFLC).

Chair Christoffersen briefly summarized progress in accelerating the pace and scale of restoration, the state's role in supporting federal forests management and intent to engage and support those efforts in a manner that will achieve a lasting change for Oregon and across the west.

Board discussion ensued with clarification provided from Staff related to perspectives on the state's involvement and role in funding, intent to provide assist with leveraging funding versus providing long-term funding from the state, opportunities with use of the Good Neighbor Authority, risk and concern with federal budgets, and value in using a partnership approach.

State Forester Decker referenced an October legislative tour and handout ([Attachment 11](#)) focused on the Federal Forest Health investment package.

**Information only.**

9. 2015 LEGISLATIVE UPDATE

Administrative Work Plan – 2015 Legislative Session

[Listen to audio](#) MP3 – (15 minutes – 7.16 MB)

Paul Bell, Deputy State Forester, referenced a handout ([Attachment 12](#)) providing an update on the 2015 Legislative Session, reviewing each bill and providing clarification to the Board on matters of authorities, capacity, and legislative relations, and summarizing the Department's effort in tracking 2,657 bills to date.

**Information only.**

10. CZARA UPDATE

Private Forests Work Plan – Water Quality Protection

[Listen to audio](#) – (21 minutes – 9.7 MB)

Richard Whitman, Governor's Natural Resources Policy Advisor, provided historical context and background of the conditional approval of Oregon's coastal zone program in terms of nonpoint source management measures, seventeen years of working with the National Oceanic and Atmospheric Administration (NOAA) and the Environmental Protection Agency (EPA), results of the final decision made on January 30 and areas of deficiency, consequential outcomes, and ongoing conversations with the federal agencies to determine a pathway forward.

Board discussion ensued with question and comment on matters of historical recommendations to the Forest Practices Act suggested by the federal agencies, recognition of a greater body of science available on buffers and water quality, ongoing conversations with agencies on the dynamics of regulatory and non-regulatory programs, funding concerns, and recent transition in the Governor's seat.

**Information only.**

11. STATE FOREST MANAGEMENT REVISION PROJECT – RECOMMENDATIONS FROM THE SUBCOMMITTEE ON AN OVERARCHING APPROACH FOR THE FOREST MANAGEMENT PLAN REVISION

State Forests Work Plan – Alternative Forest Management Plans for NW State Forests

[Listen to audio](#) – (1 hour – 27.6 MB)

Chair Imeson provided an update from the Subcommittee on Alternative Forest Management Plans, reviewing the goals set forth in developing revisions to the Forest Management Plan that address financial viability and an increase in conservation outcomes, efforts of the Stakeholder Group in identifying issues, and ongoing work of the Department and Subcommittee in developing the two land allocation approaches, expectations within both emphasis areas, and strategies to measure success.

Liz Dent, Division Chief for State Forests, and Brian Pew, State Forests Deputy Division Chief, reaffirmed the continued commitment from the Department to support the Subcommittee, stakeholders and Trust Land Counties throughout this process while recognizing a sense of urgency in the timeline and

noting that Staff are ready for clear input and direction from the Subcommittee and Board to assist in moving forward with a durable solution.

Board discussion ensued with comments related to challenges surrounding the topic of durability going forward, expectation to host a transparent and open process, intent to check-in with the full Board prior to having detailed modeling work completed by staff, and importance in determining key outcomes in a revised plan.

Chair Imeson called for comments from the Forest Trust Lands Advisory Committee.

Craig Pope, Polk County Commissioner, provided written testimony ([Attachment 13](#)) noting prior criticisms to the process, improvements made in the current documented approach, expectations to work through revenue targets, wildlife standards, riparian buffers, green tree retention standards, clarification of desired habitat conditions in the conservation areas, and expressed concern related to the process and timing moving forward.

Chair Imeson called for public comment.

Ray Jones, Stimson Lumber Company, provided public testimony indicating support for varied approaches to forest management activities, stressing importance of this critical stage in the process, and need for the Board to provide specific direction to the Department on several policy-related matters.

Dave Ivanoff, Hampton Lumber, provided public testimony encouraging the Board review his proposal for managing state forest lands under the Forest Practices Act standards, expressing concern with consideration to expand riparian buffers, value in use a conservation fund for research and monitoring and restoration work, and urging the Board provide timely direction to Department staff.

Paul Erlebach, Neah-Kah-Nie School District, provided public comments and written testimony ([Attachment 14](#)) encouraging the Board fulfill its financial obligations to Forest Trust Land Counties by setting harvest rates on State Forest Lands that will meet shared conservation goals while allowing for the maximum sustained yield production and harvest of forest crops, ensuring school districts have means to continue to support students in the classroom and have beautiful, healthy forests in which to explore.

Chair Imeson expressed optimism in getting to a good result through the Board and Subcommittee's engagement in the key issues and exploration of modeling inputs.

Board discussion ensued on matters of the Subcommittee's role versus the full Board's role, interest in understanding terms of financial viability, encouragement for stakeholders to find areas of common agreement, timing for identification of modeling inputs during the month of April, and comparisons expected with the various scenarios.

## 12. EXECUTIVE SESSION

### Administrative Work Plan – Executive Sessions

Chair Imeson adjourned the public portion of the meeting for the day and announced the Board would enter Executive Session for the purpose of conferring with legal counsel regarding the Board's rights and duties related to current litigation or litigation likely to be filed pursuant to ORS 192.660 (2)(h) as well as to discuss an attorney-client privileged communication pursuant to ORS 192.660 (2)(f), that no decision would be made in Executive Session, and that representatives of the news media are specifically

directed not to report on any of the deliberations during the Executive Session, except to state the general subject of the session as announced.

With no further business before the Board, Chair Imeson adjourned the public meeting at 4:45 p.m.

Respectfully submitted,

/s/ Doug Decker



Doug Decker, State Forester and  
Secretary to the Board

SP