



## Committee for Family Forestlands (CFF) Annual Report 2014

Annual Report presented to the Board of Forestry July 23, 2015

By Susan Watkins, Acting Chair on behalf of the Committee for Family Forestlands.

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The Committee for Family Forestlands is pleased to provide a report of its activities over the past year (July 2014 – June 2015). This year's report outlines accomplishments of the Committee for Family Forestlands (CFF) and discusses progress made on a forward-looking agenda to address key issues for family forestlands. The Acting CFF Chair will be available at the Board meeting to discuss emerging policy issues and recommendations developed by the Committee.

The CFF is a standing committee established by the Oregon Board of Forestry to assist the State Forester and the Board of Forestry on issues relevant to some 70,000 family forestland owners in the state, including the formulation of policy and the evaluation of the effects that changes in forest policy have or will have on those lands. The Committee provides recommendations to the Board and the Department of Forestry (ODF) regarding strategies and actions to improve services and provides an avenue to raise public awareness of the role that family forestlands play in maintaining an economically, socially and ecologically healthy forest environment. The CFF also gives a voice to small forest landowners. In giving advice to the Board and State Forester, we are mindful of and strive to be consistent with the objectives of the Forestry Program for Oregon and the Oregon Indicators of Sustainable Forest Management.

Former CFF Chair Craig Shinn, PhD, termed out in July of 2014, and the CFF has spent the past year searching for a new Chairperson. During the recruitment for a new Chair, Vice-Chair Susan Watkins has served as Acting Chair of the Committee since July 2014. Traditionally, the Chair is held by the committee's non-forestland-owning Citizen-at-Large. Dr. Ed Weber, U. G. Dubach Professor of Political Science at Oregon State University (OSU), was recently appointed by the Board to fill that important slot, beginning this month.

The Board also recently appointed two additional new members to the Committee, Evan Barnes, landowner representing the Southern Region, and John Peel, Landowner At Large. With our new leadership and new members, we are looking forward to a productive year with new perspectives.

The 2014-2015 membership of the Committee for Family Forestlands included:

Susan Watkins, (Family Forestland Owner at Large) Acting Chair, Voting Member  
Lena Tucker, (Deputy Chief ODF Private Forests Division) Secretary (non-voting)  
Sara Leiman, (Northwest Family Forestland Owner) Voting Member  
Rick Barnes, (Southern Family Forestland Owner) Voting Member  
Scott Gray, (Forest Industry Representative) Voting Member  
Evan Smith, (Environmental Community Representative) Voting Member  
Roje Gootee, (Eastern Family Forestland Owner) Voting Member  
Brad Withrow-Robinson, (OSU College of Forestry) Ex-Officio  
Joe Holmberg, (Oregon Tree Farm System, Small Forestland Owner Group Representative) Ex-Officio  
Cindy Glick, (Public Land Management/USFS) Ex-Officio  
Mike Cloughesy, (Oregon Forest Resources Institute (OFRI) Representative) Ex-Officio  
Rex Storm, (Associated Oregon Loggers (AOL), Forestry Interest or Consulting Group Representative) Ex-Officio  
Peter Daugherty, (Chief Private Forest Division, State Forester Representative) Ex-Officio

### Acknowledgments

We would like to acknowledge the support we have received from the Oregon Department of Forestry and its Private Forests staff. We appreciate the access to and support we have had from Doug Decker, State Forester, and members of the Board of Forestry.

We would like to specifically acknowledge the contributions of our partnering organizations. Much of the CFF's outreach work wouldn't be successful without them: the Oregon Small Woodlands Association (OSWA), the Oregon Forest

Resources Institute (OFRI), the Oregon Tree Farm System, the American Forest Foundation (AFF), and the OSU College of Forestry and Extension. We are also grateful to those ODF Private Forests and Protection from Fire program employees who keep us informed on issues or upcoming rules effecting Family Forestlands. In particular, we would like to recognize:

- Peter Daugherty, Private Forests Division Chief; Jeremy Groom, Monitoring Coordinator; and Terry Frueh, Monitoring Specialist, for their tremendous body of work and attention to detail in keeping the members informed and included as an advisory committee to the BOF on the Riparian Rules Analysis.
- Dr. Emily Jane Davis, OSU Assistant Professor in Forest Ecosystems and Society/Extension Specialist, and Curt Qual, Ritter Project Coordinator, for their effort and enthusiasm for the Ritter Land Management Team (A Community Collaborative), which began as an grant proposal by the CFF committee.
- Dr. Tamara Cushing, OSU Assistant Professor, Endowed Starker Chair in Private and Family Forestry, Brianna Beene, OSU Adult and Continuing Education, and Jim James, OSWA Executive Director, for their expert guidance in organizing the Forestland Tax Symposium that CFF staged in January and in facilitating outreach to the landowner community.
- Susan Watkins, Landowner-At-Large Representative and Acting Chair 2014; Rick Barnes, Southern Oregon Landowner Representative; Brad Withrow-Robinson, OSU Forestry Extension Ex-Officio representative and Joe Holmberg, Oregon Tree Farm representing Small Landowner Groups as they have completed multiple terms of service with the committee. Their work and enthusiasm as volunteers for Oregon's forest policy will be hard to match.
- Each of the guests from a variety of private and industrial backgrounds who took interest and time out of their schedules to share their perspectives of policies being developed that will affect small woodland owners.
- Susan Dominique, ODF staff, not only for her tireless clerical support but also her invaluable forestry insights and Lena Tucker, Deputy Chief, Private Forests Division, for her guidance and diligence as CFF Secretary.

A *special thank you*, once again, to Gary Springer, Board of Forestry Member, for attending many of our meetings and sharing the Board's perspective. That perspective is important to us as a BOF Advisory Committee and assists us in formatting our responses and recommendations in the best way possible for those we represent and serve. The Committee is gratified that its work is important to the Board, the Department and the forestland owners we represent. We are mindful of that responsibility and trust as we go about our work.

## **Introduction**

This Annual Report will provide a look at the activities of your Family Forestlands Committee this past year. To begin, we have provided an outline of issues making up last year's Work Plan, followed by a list of letters from that time period. A detailed summary of activities by issue makes up the body of this report and concludes with the Work Plan priorities for 2015-2016. Taken all together, this report provides a cogent executive summary of the CFF's work over the last year and formal recognition of both the continuation of that work and as well as new issues we will be addressing.

The CFF [website](#) hosted on the ODF site under the Board of Forestry contains more complete information regarding committee structure, agendas, meeting minutes and all formal recommendations, letters, reports and memos authored for or by the Committee for Family Forestlands.

## **2014-2015 Work Plan Outline**

The Committee's Work Plan as outlined below prioritized CFF efforts for the past year. Some issues were added to the agendas at the Board's or Program's direction. These issues are listed into three tiers of importance with regard to their potential impact to family forestlands and family forestland owners. A detailed summary by issue follows this outline.

### ***Tier 1 Issues***

- 1.1 Tax and Finance issues facing family forestland owners.
- 1.2 Private Lands Collaborative Pilot Project
- 1.3 Water Quality Issues, including rulemaking by the Board of Forestry
- 1.4 OWEB Focused Investment Strategy regarding technical assistance for family forestland owners.

- 1.5 Private lands fire issues including post-fire restoration and communication issues.
- 1.6 Federal Land engagement, including the proposed Blue Mountain Management Plan
- 1.7 Climate Change impacts on family forestlands.
- 1.8 Landowner Viability Group Response on forestland revenue streams.

### ***Tier 2 Issues***

- 2.1 Public Values on Ecosystem Services
- 2.2 Formal communications to public/non-landowner
- 2.3 Intergenerational forestland ownership
- 2.4 All Lands approach for Federal and Private Lands
- 2.5 E-Notification implementation and outreach.
- 2.6 Board of Forestry directed issues/invitations to BOF members.

### ***Tier 3 Issues***

- 3.1 Neighbor Issues
- 3.2 Entry/Barriers to Ownership
- 3.3 Regular Legislative Session Updates

## **Letters**

Electronic Formal Comment to USFS:

RE: Comment to the United States Forest Service on the Blue Mountain Forest Management Plan Revisions (August 15, 2014)

Watkins and Shinn on behalf of family forestlands expressed concern during the open comment period that small forestland owners were not formally identified as potential partners or affected parties in any part of the proposed Plan despite their location in the landscape, literally ringing the subject Federal Forests. (*To date, revisions continue.*)

Letter to Doug Decker, State Forester and Members of the Board of Forestry:

RE: Agency Response to False Reporting (November 3, 2014)

Letter requesting State Forester's response to Oregonian articles that promoted public misconceptions regarding landowner use of herbicides in Oregon's forests. [State Forester Doug Decker responded in person to the Committee. *See a summary of that visit under Issue 2.2.*]

Letter of Thanks to Nancy Hirsch and the Protection from Fire Division (November 21, 2014)

RE: Fire Season 2014

Extending thanks for the dedication and professionalism of the people throughout the Department of Forestry who work in fire prevention, detection, and suppression which was especially evident during this past fire season.

## **Detailed Summary of Activities on the 2014-2015 Work Plan**

### ***Tier 1 Issues***

#### **1.1 Tax and Finance issues facing family forestland owners – ongoing project**

This effort began on the CFF's 2012-2013 Work Plan with the Committee's effort to understand tax challenges faced by small forestland owners. The Committee invited tax professionals to provide insight on forest financial management and taxation issues. The member's growing understanding over the course of several meetings evolved into the decision to address the obvious knowledge gap on both the professional and landowner levels. Knowledge of forest business, taxation and financial planning were identified as weak links in the continuing viability of family forestlands. A sub-committee was put together to plan a **Forest Tax Symposium**. Sara Leiman chaired the sub-committee made up of Ex-Officio members Mike Cloughesy, OFRI; Brad Withrow-Robinson, OSU Extension and Jim James, OSWA Executive Director

and Susan Watkins, CFF Voting Member and Acting Chair. In addition, they welcomed participation from non-members, Clint Bentz, CPA, Boldt, Carlisle & Smith LLC and Dr. Tammy Cushing, and Brianna Beane from OSU. The sub-committee decided to expand the focus to forest and tax professionals and students as well as forestland owners. The Sub-Committee provided monthly reports. In the fall of 2014, the Planning Sub-Committee chose the OSU Alumni Center as the venue. Brianna Beane, OSU Continuing Professional Education Coordinator joined the Planning Committee working on mailers, session recording and accreditation for professional participants. OSWA served as the fiscal agent, handling registration and dispersing funds. Sara Crowe, Director of the Tree Farm System, and Alana Kolomechek with the Aldo Leopold Foundation met with Holmberg and Leiman regarding an American Forest Foundation grant to the Aldo Leopold Foundation for money to evaluate the program for the Oregon Tree Farm System to test the effectiveness of such programs.

The Forestland Tax Symposium was held in January of 2015 with 302 attendees. Attendance was made up of woodland owners, SAF members, CPA's and attorneys, facilitators, and 16 speakers and moderators. Clint Bentz's keynote address was very well received. Tammy Cushing, OSU tax expert, said this was the largest face-to-face audience she has seen for this topic. All talks were videoed and posted on the web with corresponding PowerPoint presentations and handouts on the KnowYourForest webpage under Events/Past Conferences. From the volume of hardcopy information picked up at the sponsor tables it was clear that the advertising and topic drew in a lot of forest landowners that that were looking for information to manage their lands and their legacy. Alanna Koshollek, Stewardship Coordinator at the Aldo Leopold Foundation, prepared and sent out a survey on landowner actions with respect to the information provided at the symposium. The Committee is looking for themes and trends to inform an issue paper identifying the action items for the Committee and potential recommendations for the Board of Forestry.

### **1.2 Private Lands Collaborative Pilot Project – *Ongoing project***

As with the Tax Issue, the Ritter Land Management Team (aka RitterRx or Eastside Private Lands Collaborative) was a continuing high priority issue on the 2014 Work Plan. The project began to take shape out of CFF's interest in Eastside forestry issues as evidenced by the White Paper to the Board; Oregon's Eastside Forests 2012: The Family Forestland Owner's Perspective. There was an outreach effort in the Ritter Valley to assess landowner needs and available infrastructure and see if there was potential to meet individual and landscape needs collaboratively with technical and financial support. That outreach coalesced into the Eastside Private Lands Collaborative. The project started in 2013-2014 with a 3-year State and Private Forestry Western Competitive Grant, supplemented with a grant from the American Tree Farm System. With grant money in hand, in September 2014, OSU began the recruitment for the Collaborative's Project Coordinator. Dr. Emily Jane Davis, new Extension Specialist in Collaboration at OSU, was chosen to supervise the part-time three-year position. Dr. Davis is co-chairing the Ritter Steering Committee with Roje Gootee and Brad Withrow-Robinson. Mike Cloughesy was independently funded by an American Forest Foundation Grant to develop a model landscape level resource strategy by developing a resource assessment framework that could be applied to different regions with a variety of landscapes and stakeholders. Application of this to the Private Lands Collaborative project was a working test of the model.

By the end of October, Curt Qual, retired USFS, was hired as Project Coordinator. Gootee reported that Curt came well-qualified for the task with his Forest Service background, local familiarity, and experience with collaborative work. The first landowner group meeting focused on resource mapping and prioritization and governance issues. Initial discussions revealed landowner interest in juniper and noxious weed control, access to infrastructure, and land productivity. The Grant County Soil & Water Conservation District agreed to help assemble resources for landscape management planning. Initial funds will be used for education and technical assistance. Partners such as ODF, ODF&W, NRCS, and OWEB will be tapped for project implementation grants to fund on-the-ground work. The Umatilla and Warm Springs tribes could be asked to support the Collaborative's requests for funding for riparian restoration projects on the ground.

In December 2014, Dr. Emily Jane Davis met with CFF to report on the project progress to date. Qual also invited Elaine Eisenbraun from NFJD SWCD, and the ODF Stewardship Forester to do one-on-one visits with landowners to present the Woodland Discovery Tool from the Uniform Forest Management Planning Process.

Curt Qual, Ritter Project Coordinator introduced himself to the Committee members at their February meeting. Solidifying the resource partnerships available in the region was a key early step as those partnerships will provide leveraging capabilities for additional grants. One of the deliverables of this grant was a landscape level assessment which the landowners prefer to see as a 'global' forest stewardship plan rather than individual plans. In that framework they are looking at using the Woodland Discovery Tool but want to include rangeland as well as woodland. Important to success is that landowners know that they retain the right *not* to participate in every collaborative action or grant opportunity. They also emphasized that they are more comfortable with language about enhancing the *productivity of their lands* rather than *restoring* the land.

By April there was a shift from CFF and the Advisory Steering Committee to more local direction with the addition of a Landowners Operations Committee. The Operations Committee will define organizational structure, mission statement, rules of engagement, etiquette, and other organizational components. They are also working on different institutional relationships and a formal name, possibly the Ritter Land Management Team. Emily Jane Davis, Curt Qual, Roje Gootee and Brad Withrow-Robinson produced a summary report defining the future relationships and actions. There has also been an educational newsletter distributed called the Ritter Rambler. It will pick up on extension topics such as water development, cross-fencing, aspen regeneration and announce forestry, range management and noxious weeds workshops as an outreach effort on topics of interest. A report on activities of the Eastside Landowners Collaborative is attached to this annual report.

### **1.3 Water Quality issues, including Riparian Rulemaking Analysis by the Board of Forestry - Ongoing**

Water Quality and Riparian Rulemaking Analysis were front and center for another year. There continues to be a concerted effort to analyze rulemaking options by staff, Advisory Committees (including CFF) and stakeholders. In September, Peter Daugherty, Private Forests Division Chief, brought information on the Decision Paths and Next Steps for Continued Rule Analysis that the BOF had adopted. The CFF has taken an active role in asking the Board to be mindful of the impacts of various alternatives on family forests regarding extent and prescription options, because family forestland owners are likely to be more affected by changes in the Riparian Rules as their lands tend to be lower in the watersheds and smaller in size. Adopting a reporting mechanism for voluntary measures could document small landowner's significant contributions towards riparian areas as a counterpoint to regulation. Leading a discussion on the topic in December, Daugherty reviewed the BOF request for stakeholder input and shared some of the aspects of the rule analysis process. Members were in consensus to continue to deliver the message that the FPA and voluntary efforts *are* working. That letter went to the BOF in March.

Mary Scurlock, Scurlock & Associates, (Conservation stakeholders) was invited to share the conservation community's point of view on the Riparian Rules Analysis. Scurlock was generally complimentary regarding the pace, substance, and inclusiveness of the Board of Forestry's process in analyzing data regarding the Protecting Cold Water criterion. She saw considerable common ground between conservation and small landowner communities including:

- a. A shared appreciation for the non-commodity values of forestlands.
- b. The need to prevent increased fragmentation of the forest landscape and conversion to non-forest uses.
- c. Caring about outcomes. But the value of certainty in meeting those outcomes puts the conservation community in a more pro-regulatory camp.
- d. Sustainable timber harvesting, which can and should take place on private lands.
- e. Improved management on agricultural lands.
- f. Interest in conservation measures that protect and restore rivers, streams and fish.
- g. Simplicity in regulation. Compliance monitoring is more likely to succeed if rules are simple.

She reported her constituency would support public funding for initiatives that enhance the opportunity for small landowners to remain viable where a tangible conservation benefit is to be gained. She stressed that the certainty of outcomes is important to conservationists. In addressing potential fragmentation of forest landscapes, Scurlock suggested that *not* fragmenting the land may be a conservation benefit as well.

For the March meeting, Heath Curtiss, General Counsel and Director of Government Affairs for the Oregon Forest Industries Council (OFIC) was invited to share the Forest Industry Council's view on the current BOF Riparian Rule Analysis as counterpoint to Mary Scurlock's analysis. He reported that OFIC agrees that to have a high degree of confidence that forest practices will result in no exceedance of the Protecting Cold Water criterion, the no-cut distance would have to be about 90'. But reminded the members that the BOF has some discretion in establishing Best

Management Practices (BMPs), and good policy requires weighing costs against benefits. He reminded the members that the Department is the designated management agency for implementation of Oregon's Water Quality Standards on forestlands. In doing that, State law and the federal Clean Water Act require the BOF to establish BMPs to meet criteria to the Maximum Extent Practicable.

At subsequent meetings, Daugherty continued to report on the BOF plans and timelines for addressing the Protecting Cold Water Standard. In April staff would present methods and approaches to give the BOF members the necessary background to evaluate rule options in June and July. A per acre value seemed to be the best way to determine least burdensome and provides some ability to trade off gain to cost.

Rick Barnes discussed his intent to address the Board by referring to the letters this Committee sent to the Board and the key points therein. There was consensus that since the membership of the CFF is made up of Ex-Officio members from OSWA, OFIC, AOL and Tree Farm and as such this committee was well-positioned to review prescription options and respond back to the BOF what the potential effects may be to the family forestland community.

There was some discussion on prescriptions involving thinning from the outside of the RMA to the no-touch buffer. Potentially, that would move the RMA towards the Desired Future Condition in a timely way, by increasing understory development. Although, thinning might accelerate the recruitment of large wood initially, there would be less shade than if buffering for temperature alone.

At the May meeting Daugherty reminded members that if no changes were made, the Board would fail their statutory duties to pass Best Management Practices that meet Water Quality standards to the Maximum Extent Practicable as set by the Environmental Quality Commission. He explained that one citizen board (EQC) has the responsibility for setting the standards; the other (ODF) has the responsibility for implementing them to the MEP. There is some degree of flexibility in defining the maximum amount practicable. He stated trade-offs focus on width and length for approximately 3000 miles of SSBT and 9000 miles of S/M Fish Streams. In the Coast Range there are 1500 miles of SSBT and almost 4000 miles for All Fish. Western Cascade region we have 120 miles of SSBT and 500 miles of Fish, the lowest density in the Cascades.

Daugherty's offered his process behind the calculation of values. He added that his estimates should represent private forestland owners that actively manage their land with regular harvest. For unengaged landowners, the assumptions of value could be wrong as value would be difficult to assess without engagement pertaining to conservation or harvest. But non-industrial private forestland owners do own more SSBT/acre, approximately two times the miles per acre than industrial lands.

Daugherty had made the argument if we take the riparian area out of wood production we are essentially leasing that riparian area for the benefits it provides and landowners should be compensated for the loss of wood production values.

One solution suggested and shared at the meeting was that in Virginia they have voluntary BMPs and they calculate the average value per acre for harvest and set that value as an income tax credit or a deduction on your revenue, so you don't lose that value at the time of harvest. Being able to tie to harvest when you actually incur the loss would avoid those people from signing up that weren't planning on harvesting anyway. The Department and OWEB are considering innovative ways to provide compensation.

The Committee expects to continue to monitor this topic in the coming year.

#### **1.4 OWEB Focused Investment Strategy regarding technical assistance for family forestland owners**

In December 2014, Peter Daugherty described the OWEB Focused Investment Strategy (FIS). Through OWEB's partnership with ODF and other agencies, ODF is looking to the Governor's prioritized strategies to invigorate the ODF family forestland assistance program. Members Jim James and Joe Holmberg are working on the Governor's Coastal Coho Investment Strategy. Each proposed strategy must address an Oregon Watershed Enhancement Board-identified significance to the state that will achieve clear and measurable ecological outcomes in a results-oriented approach with high performing partners. Improvements through that project might include:

- Riparian Management Areas
- Design for Coho Habitat
- Instream Projects
- Culvert Replacement
- Road Improvements

Oregon may seek a partnership with Federal Land managers about roads across land uses under their jurisdiction. It was noted that the Notification of Operation process may be useful for accountability of non-regulatory contributions to water quality and fish enhancements.

Of particular concern was conversion of forest to urban/rural areas as the single biggest threat to water quality. Springer noted that a 1998 investigation showed that changing the FPA as NOAA and the EPA suggest would eventually take 40 – 60% of forestland owners out of production.

### **1.5 Private Lands Fire Issues (including post-fire restoration and communication issues)**

Out of five Legislative Concepts from Forestry, four were moved forward. The one that didn't was the **After the Fire Emergency Recovery Funding**. That concept was for small forestland rehabilitation assistance including assistance in finding seedlings. One of the issues with getting approval for the **After the Fire Emergency Recovery** was an inability to put a number on it. Costs could rapidly increase dependent upon severity and the number of acres especially if including treatment of invasive species. The fund concept wasn't cancelled with prejudice. It was more a matter of legislative priority than disagreement with the concept.

Nancy Hirsch, then Protection from Fire Division Chief, provided an update to the committee in November on **Emergency Outreach Fire Response – Fire Legislative Concepts and Fire Season 2014**. Hirsch reported briefly on the Fire Protection Division Legislative Concept **Adjusting spending limit for fire protection fund** (LC 596) and agency strategies for addressing catastrophic fire costs. She indicated that the BOF may be asked in the future to consider incentives (reduced rates) for landowners who are fire-ready or penalties (increased rates) for those who are not. Oregon Counties may propose to the legislature that Counties be able to collect a surcharge on forest patrol assessments to cover administrative costs. Hirsch attended the May CFF meeting in her new position as Deputy State Forester and shared the State Forester's intent for Hirsch or himself to attend CFF meetings more frequently.

On a related topic at the end of October, Committee member Rick Barnes raised the issue of **Seedling Availability and Production shortages** in Douglas County. The Douglas Chapter of OSWA asked that he bring the issue to the Committee. Barnes asked the Committee to consider this as a topic vital to private non-industrial forestland owners. For forest landowners, seedling availability becomes a critical step in planning. This issue was added under Fire topics as seedling availability has become a limiting factor in salvage and reforestation after catastrophic wildfires. Landowners have found it difficult to get nurseries to contract grow small orders (less than 20,000 trees) and the timeframe for reforestation to meet FPA requirements is short (2 years). Since ODF Phipps Nursery was closed, the direction was to let the open market supply seedlings, but it has not worked, on top of that the recession caused the closure of many private nurseries.

Member, Cindy Glick, USFS contacted the Nursery manager at the Forest Service's State and Private Forestry Program to see if that program (Stone Nursery) could provide surplus seedlings to private landowners. The manager sent his list of surplus stock to Susan Dominique and information was emailed out to all Stewardship Foresters. At least two landowners were able to meet their need with that opportunity, but the Forest Service cannot appear to be in competition with private nurseries for seedlings and as that opportunity was based on surplus inventory it is not seen as part of the solution.

On another topic, Nick Yonker and Charlie Stone attended the December CFF meeting to explain how ODF administers the **Smoke Management Program**. The issue they brought forward was regarding prescribed burning in the interface areas. They shared that as slash burning is a forest practice it should be under the Oregon Smoke Management Plan for Forestry and not under the DEQ rules. If it's just outdoor burning it would be under DEQ. This interface issue tries to ensure against smoke intrusion within a community while maintaining ODF's rule and enforcement authority under the FPA.

Staff pointed out that the FPA clearly says adopting rules and enforcing the FPA is exclusive authority of the BOF and no other agency or local government has any authority unless within urban growth boundaries. DEQ still has to approve any changes to the Smoke Management Plan to align it with the Clean Air Act. As there would be a huge need for education to provide clear definitions to urban/rural interface landowners it would be an opportunity for CFF involvement in the outreach effort.

As a fire prevention issue on private lands, Rex Storm, AOL, and Ex-Officio CFF member is serving on an Advisory committee commissioned by the ODF Protection from Fire Division for a review of **Industrial Fire Rules**. The rule package has not had a comprehensive review in about 30 years. This work group was established to identify needed regulatory changes and report back to the BOF with recommendations. Storm didn't anticipate finishing this work before the end of the calendar year. But by January or February the committee will issue a report to the Board for action. Some of the early concepts have been water supply, water quantity and delivery capabilities. It has generally been agreed upon to date:

- Cable operations would require a larger quantity of water.
- Reduction to a more realistic quantity of tools on small operations.
- Work ahead on changes to rotary saw fire regulations.
- Housekeeping and language changes.
- Administration of the precautions
- Detailed reporting of fire causes.
- Outreach and education.

Storm offered to forward any ideas and concerns that the members had as well as reporting back later in the year.

### **1.6 Federal Lands engagement, including comment on the proposed Blue Mountain Mgt. Plan**

In September, Susan Watkins coordinated and submitted a formal CFF comment online to the Proposed Revised Land Management Plan, Preferred Alternative E, for the Malheur, Umatilla, and Wallowa-Whitman National Forests.

In October, Watkins reported the CFF comment was submitted and provided a link to the site. The State of Oregon comments were distributed to members.

In summary, CFF was concerned that small forestland owners, who literally ring these federal Forests, are not formally identified as potential partners or affected parties in any part of the Plan, including the Preferred Alternative. The CFF is concerned that forest management practices in these federal Forests will, if this Plan is adopted, ignore significant impacts that those practices are likely to have on its neighbors. Experience teaches us that failure to provide family landowners with some measure of control over their lands can lead to huge demographic shifts in land ownership patterns in northeastern Oregon.

Watkins included the CFF concern over policy consequences is also determined by the availability and scope of the local timber products infrastructure. Small landowners count on access to the same infrastructure as the federal lands for their own forest management practices. Ideally, our formal comment conveyed that the final adopted Plan must include ways for federal managers to consult and work with their neighbors at every step.

By January 2015 the Forest Service is taking a step back to re-engage with eastern Oregonians before moving forward on a new plan that will guide land management on the Umatilla, Wallowa-Whitman and Malheur forests for the next 10-15 years. The U.S. Forest Service has also started "listening sessions" throughout the region on its update to the Northwest Forest Plan.

### **1.7 Climate change impacts on family forestlands**

This issue was not included on agendas for this time period.

### **1.8 Landowner Viability Group Response on forestland revenue streams**

This topic was discussed at a combined meeting of the State Stewardship Coordinating Committee and CFF in May of 2014 and appeared on the last Annual Report. To date there has been no direct update from the Forest Landowner Viability Group. But in September 2014 ODF Forest Resources Planning staff updated the BOF on their work plan, and sought approval to conduct additional research on three topics:

1. Small-diameter wood and cross-laminated timber
2. Pathways for non-timber forest products and other markets
3. Finished product export markets

As a BOF Advisory panel, the Forest Landowner Viability Work Group, has investigated an array of potential concepts that could be implemented to enhance markets for landowners and the forest industry. This Committee has requested an update.

## ***Tier 2 Issues***

### **2.1 Public Values on Ecosystem services**

This issue has been an integral part of all discussions on the regulation on private lands and landowner rights. The Department Executive staff has been looking for ways incentivize implementation of voluntary measures to achieve Protecting Cold Water Standards by compensating them for loss of timber value. Private compensation/incentives to achieve public environmental values will be a continuing factor in policy decisions.

### **2.2 Formal Communication to Public/Non-landowner**

State Forester Decker was invited to address Committee members' concerns in November about the Department's apparent lack of response to *Oregonian* articles on the **pesticide issue**. Members felt that the articles painted an unflattering picture of family forestland stewardship in an already emotional media debate. The lack of apparent media response by the Department left landowners feeling poorly represented. Decker responded in person to explain the steps ODF took proactively to inform the reporter prior to him publishing the *Oregonian* article. Decker addressed the current legislative atmosphere around pesticide issues and the need for tact and setting aside of emotions in evaluation of formal response. State law currently does not give ODF authority to regulate pesticide use around homes or schools, Department rules are meant to govern natural resource management. Only about 4-6% of state pesticide use occurs in forest operations, with the balance used in urban areas and agricultural operations but the media, in general, has pursued the timber industry and Department as a soft target.

**Standard Operating Procedures – ODF and PARC.** Tucker explained that the Department is reviewing interagency agreements and protocols to determine where improvements in coordination and responsibility could be made to ensure appropriate response to complaints about pesticide use. PARC (Pesticide Analytical Response Center) is the state arm mandated to collect incident information, mobilize expertise for investigations, identify trends and patterns of problems, make policy or other recommendations for actions, report results on investigations and prepare activity reports for the legislature. Member agencies in PARC are OHA, ODF&W, DEQ, OR-OSHA, ODF, Office of State Fire Marshall, ODA, and Oregon Poison Control Center. Tucker went over current ODF reporting procedures for public concerns. PARC SOPs must also ensure that there is follow-up with all persons contacting any member agency. If the Department receives complaints that the Forest Practices Act may have been violated, ODF investigates the complaint and imposes civil penalties, where warranted. Where the FPA is not implicated, the Department refers the complainant to PARC or the OHA, as appropriate. Operators that are penalized may appeal to the State Forester and ultimately to the BOF through the Civil Penalties process but most complaints do not rise to the level of a violation.

In March, Jim Cathcart, ODF Cooperative Forestry Manager; Mike Cloughesy, Director of Forestry representing OFIC as CFF Ex-Officio Member; and Jim Johnson, Associate Dean for Extended Education and Extension Forestry Program at OSU provided background on the **Partnership for Education**. The Partnership's Strategic Plan is located at [www.KnowYourForests.org](http://www.KnowYourForests.org). After the Partnership for Education Annual Meeting in May, Mike Cloughesy reported to the CFF from the Partnership that they have another grant that involves OSU, OFRI and ODF supporting e-Books and other electronic education. Some of that will tie to the Learning Library at KnowYourForest.com. Bob Parker, OSU Extension is working on an e-book on Marking Forest Stands and Nick Hennemann, ODF Public Affairs is involved to provide video capability to tie it together. The Landowner Database will be tied into the GIS database which will enable access every forestland owner in Oregon. Cloughesy reported all the other grant projects have been completed. Several groups at the Annual Meeting reported on projects to reach unengaged landowners, perhaps educational tie-ins to our Tax Symposium and post-symposium survey.

The Strategic Plan identifies what each member organization is responsible for. In looking for service gaps, the number one unmet need was for Business and Tax Education. Partially as a result, OSU hired a business and tax professional Tamara Cushing as Starker Chair. The Plan also identified the need for leadership around Adult/Professional Education, and Jim Johnson created the new Continuing Professional Education Department, providing services to those professionals serving private forestland owners.

Partnership for Education projects include (but are not limited to):

- Oregon Forest Owner Database. The purpose of the database is for non-commercial use to promote family forest outreach and education opportunities and related research.
- Oregon Forest Management Planning website, which contains the Learning Library, KnowYourForest, and Forest Management Planning System (Amy Grotta's Uniform Plan work). Woodland Discovery and Pathways to Stewardship came out of this work.
- Under a second grant, Partnership for Forestry Phase II, OFRI published and distributed the Family Resource Guide to 18,000 people identified in the database and did a follow-up survey.
- OFRI also put on Leadership Academies and a Land Ethic Leaders Workshop to help organizations like OSWA develop leadership capability. OSWA Howdy Neighbor Tours were promoted using the Forest Owner Database.
- The project has also focused on wildlife, including several publications and a conference on Early Seral Forests in Management for Woodland Songbirds held with NCASI (National Council for Air and Stream Improvement).

Johnson pointed out that, though the initial grants are winding down, a number of projects have crossed state lines, like Ties to the Land, a forestland owner succession planning project. Johnson would like to see more funding for multi-state projects as these may be given priority given the way grants are awarded.

Cathcart pointed out that none of this would have happened without the USFS State and Private Forestry grants. Brad Siemens, Iral Ragenovich, and Teresa Raaf of USFS State and Private Forestry serve as our advocates and let these projects grow.

In attendance at the meeting Brad Siemens, USFS Region 6 Forest Legacy & Community Forest Program Manager, reported that the State of Oregon excels in competition for these grants. The state's ability to look beyond just one factor, combining with other components to build up to a larger piece, is key.

Iral Ragenovich, USFS Interagency Program Manager, also in attendance, shared that the Forest Service is moving more and more towards collaborative relationships. The East Face of the Elkhorns and the Partnership for Forestry Education are examples of cohesiveness and collaboration.

At the April meeting Paul Clements, Private Forests Training and Monitoring Coordinator, responded to the Committee's request for a report on the **2013 Compliance Audit**. Clements reviewed this Committee's Charter and offered that the Compliance Audit report has a bearing on some of the Committee's purposes, most specifically:

- Maintenance and enhancement of the positive contributions that family forestland owners make to Oregon's vitality, including timber availability and the protection and enhancement of watersheds and fish and wildlife habitat.
- Providing guidance for implementing Department of Forestry program strategies and activities to improve services to family forestland owners.
- Raising public awareness of the role family forestland owners play in maintaining the Oregon environment.

Clements went over the audit process, types of data collected, external forces and history. Objectives pertained to who would be involved, how sampling was done for various landowner classes, which rule Divisions, data collection and quality assurance and quality control.

He noted that the rates of compliance with the Forest Practices Act are a Key Performance Measure for ODF. Clements reviewed the Audit process with the members but emphasized that one of the take-home messages was an understanding that the 3<sup>rd</sup> party contractors are only collecting FPA data. This objective data is reported back to ODF staff which allows *staff* to determine compliance. Even though family forestlands are developed, used and managed differently the criteria in the audit is the same as on industrial lands. He pointed out that all data points and intervals are valuable. All information is weighed equally. Clements also explained how apparent non-compliance was determined from

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observations of on-the-ground disturbance to the resource. He pointed the members to the Private Forests Compliance Audit report delivered to the BOF last September documenting 2013 Audit results. He shared the breakdown of the results by Area, Ownership Class, Rule Division or individual rules. He noted there was a 99% compliance for vegetation retention along streams. He spoke about repeated trends of low compliance since 2002 for example, compliance with removal and stabilization of temporary crossings and wetlands recognition.

Confidentiality was noted as obviously important but problematic. Our corporate stakeholders expressed concern that the value of the audit is not worth the risk it presents to their operations. The Compliance Audit process provides an objective basis for an informed discussion about what we should do going forward such as emphasizing education on FPA requirements. Another value is, that certain 3<sup>rd</sup> party certification systems need verification that their material stream is coming from lands managed to certain standards. One of the things holding up for 2015 Audit process is looking for legal advice on how to insulate some of this information, to provide protection of personal data. We need to build trust in the process with all the interested parties.

### **2.3 Intergenerational Forestland Ownership**

Although not set as an agenda item this year, this topic was highlighted at the Forest Tax Symposium held in January 2015 at OSU. A breakout presentation on Estate, Succession, & Business Planning was offered focusing on minimizing estate taxes and optimizing income, family and operational dynamics, and problems that can be avoided with planning. Roundtable feedback from participants included fear of losing land to inheritance taxes, starting the conversation with family members; encouraging intergenerational participation in current activities and long term management goals; Oregon's Natural Resource Credit on estate tax; Ties to the Land program, developing a forest management plan and choosing executors.

### **2.4 'All Lands' Approach for Federal and Private Lands**

In March, Mark Jacques, Unit Forester in LaGrande and Jamie Knight, Natural Resource Specialist provided an overview of the projects under the East Face Elkhorns Project: Cohesive Wildland Fire Strategy. The Strategy addresses wildfire and agency concerns through a new business model, aligning restoration efforts to increase synergy between partners. The East Face All Lands Project, funded out of the Joint Chiefs [USFS & NRCS] Landscape Restoration, grew out of the Strategy. The Project looks at large scale, all lands forest restoration, crossing all ownerships. Of the 75,000-acre project area, 46,000 acres are on Forest Service lands and 33,000 acres on State & Private land.

USFS, non-industrial private and industrial lands, Rural Fire Departments, ODFW lands, BLM lands and WA DNR lands are involved. The area includes about 2500 miles of shared boundary between ODF and Rural Fire Departments and 3500 miles of shared boundary between ODF and the Forest Service. The point is to encourage agencies, states and other interested parties to bring their resources together to make a difference across ownerships. The East Face Project is actually 3 distinct projects, one on the National Forest, one on private lands and one on ODFW lands. The objectives on the East Face Project are:

- 1) To substantially reduce catastrophic wildfire risk by restoring forest health.
- 2) Enhance rural economies & increase flow of goods and services.
- 3) Provide an excellent transferrable/exportable model for 'All Lands, All Hands.'

The focus is on a landscape-level approach to creating Fire-Adaptive communities.

There was also establishment of a Georegion Biomass Working Group as a subset of the Statewide Biomass Working Group. It is another aspect of the project with a good opportunity to increase the type of material coming off the USFS, BLM, and ODFW lands. Through the project, business grants to create economic opportunities utilizing that biomass are being offered. There is a possibility to re-utilize one of two abandoned mill sites in North Powder as a sort yard, with 8-10 years of product coming off the project area. North Powder is located near I-84 and the project area and also has a rail line that can be used to move product.

There is a cost-share program administered by EQIP with funds for pre-commercial thinning work. Some of the landowners are doing sanitation harvests or forest health applications prior to thinning. Thirty-three landowners signed up (3300 acres) the first year.

My Blue Mountain Woodland (BMW) is an AFF (American Forests Foundation)-sponsored Outreach project that focuses on communicating with unengaged landowners on the boundaries of Forest Service and private industrial lands to provide

resources and education in active forest management. Four counties are involved, Union, Baker, Wallowa, and Umatilla Counties. Partners include ODF, OSU, OFRI, NRCS, AFF and Wallowa Resources (which is participating in the database coordinator position). The project is utilizing a database of landowners that is based on fire patrol assessments. Progress will be tracked over four year waves. After each wave trends will be analyzed. The goal is to double the response rate with each contact.

Brad Siemens, USFS State and Private Forestry, noted that this concept of Cohesive Strategy has led to a lot of action here in Oregon recently. That initial grant that was received by the State of Oregon has precipitated more investments. The relationships on the ground and the high degree of collaboration, was a deciding factor in awarding the grant. Jim Hubbard, Deputy Chief for State & Private Forests was impressed with Oregon. He reported out to his staff back to Washington, D.C. that "I'm not sure that collaboration is the wave of the future, but if it is, Oregon's light years ahead of all of us!" The Forest Service is looking at this as the way to collaborate nationally.

## **2.5 E-Notification implementation and Outreach**

Tucker reported that the Private Forests Division had successfully launched the E-Notification System in October 2014 and continued funding was included in the Governor's Recommended Budget.

## **2.6 Board of Forestry directed issues/invitations to BOF members**

In February, Daniel Olson, Monitoring Specialist came to deliver a Department request for stakeholder input on the **Monitoring Strategy Development Process**. ODF's current monitoring strategy was created in 2002 and needs to be updated. Olson introduced the topic and covered the program goals and objectives. He requested specific help from the committee to come up with questions and provide some criteria to prioritize those questions. The Monitoring Program Goals are to:

- address priority questions to determine if rules and voluntary programs are implemented and are effective in meeting resource protection goals;
- collaborate with stakeholders
- produce high quality, transparent results.

Olson provided examples of previous monitoring efforts on implementation and effectiveness since 2000. The strategy we are deciding on now will be guiding ODF's efforts for the next ten years. He added that criteria for prioritization could take the form of: ease of implementation, management implications, and/or relevancy to current issues. In April, Olson returned to the committee to collect any suggestions. Suggestions offered were perhaps prioritizing suggestions on a system based upon statewide need; and filling in data gaps from prior monitoring work.

There has been a **standing invitation to Board members** to meet the Committee. A notification system is in place through the Board Secretary to share CFF meeting notices and agendas on a monthly basis. Gary Springer, Board member has been a regular attendee to CFF whose presence is always welcomed and insights appreciated to help form the Committee's work on the Board's behalf.

## ***Tier 3 Issues***

### **3.1 Neighbor Issues**

For the November meeting, State Forester Doug Decker provided an update on the **Salmonberry Coalition Trails Project**. He co-chairs the project with Lisa VanLaanen, Director of State Parks. The agencies have partnered with the Port of Tillamook Bay and town of Tillamook, OR Hunters Association, the OR Coast Scenic Railway, mayors of Tillamook County, and Cycle Oregon, which provided a grant for construction of a master plan. This vision document breaks the proposed 84 mile route into 44 two mile tiles (ODF owns the middle portion). The Parks Commission has endorsed the plan. The BOF was scheduled to review the plan in January 2015. The Tillamook Forest Trust is the chief fund raiser and has issued an RFP to hire a company to do the fundraising feasibility study. Neighbor concerns include fire, EMS access and landowner privacy as well as cost. The trail will be managed by multiple jurisdictions.

### **3.2 Entry/Barriers to Ownership**

The Committee didn't field this topic on their agendas this year but maintaining our working forests keeps this a priority.

### 3.3 Regular Legislative Session

In September, Lena Tucker, Private Forests Deputy Chief presented an overview of the Agency-ranked ODF 2015-17 Policy Option Packages Request sent to the Legislative Fiscal Office and Budget and Management Office. Once the Governor's Budget was published, out of the Private Forests Program's seven ranked requests, the following were on track to be funded:

- On-going support for the new Electronic Notification System. Recommended to provide funds to continue new work and maintenance of our E-Notification System up to about 40% of our ask.
- Leadership and Facilitation for Biomass Use. This was funded at about 50% this year, and will add 1.3 FTE and some policy capacity. It will create loan, technical assistance and educational program components. It did come with a message that half of what we get has to be spent on juniper removal, again a nod to Sage Grouse.
- Water Quality, Forest Roads FPA Effectiveness, which would fund capacity for FPA monitoring, rule effectiveness, and best management practices related to protecting water quality related to forest roads and landslide-prone terrains. That request was recommended in the Budget for Geo-Tech and Roads Engineering positions along with a Monitoring manager.

CFF was notified of ODF Legislative Concepts of interest to Family Forestlands.

Post-Wildfire fund for Landowners (LC 598) This is based on the Committee's work with Doug Decker and Craig Shinn last year. The concept would link a Declaration of Emergency for wildland fire to small E-Board Emergency fund (or Governor's Strategic Reserve) requests to cover landowners' immediate needs post-fire, i.e., prior to federal assistance. This concept was dropped as the funding needs weren't defined. There is HB 3148 Wildfire Damage Housing Relief Account that directs The Department of Housing and Community Services to use account monies to administer grant program for assisting low income households that suffer loss of housing due to wildfire.

Forest Products Harvest Tax Rate (LC 597) HB 2455 Bill to re-set the rate must be renewed each Session. Relating to forest products harvest taxation; prescribing an effective date; providing for revenue raising that requires 3/5 majority. This bill was sent to Ways and Means.

In December, Peter Daugherty reported that the Governor released his 15-17 Budget. He stated that this is one of the best budgets seen lately for the Natural Resources Agencies, increasing GF from 1% to 2%. Daugherty provided an overview of two the Governor's areas of emphasis for 2015-17.

1. *Working Farms and Forests* concept - The Working Farms and Forests Bill which is a commitment from the Governor for the concept that working farms and forests are integral to the State of Oregon. A tiered program for \$30 million to provide loan guarantees, loans and grants to working farms and forests. There is currently a \$300,000 GF request in our budget in support of the Working Farms and Forests Task Force (SB204A). The ask would fund research and resources to gather information needed by the task force to ensure that Oregon's Farms and Forests continue to provide a broad range of benefits.
2. *Clean Water Partnerships* - the Clean Water Partnership Program would create a taskforce to work on innovations in water quality on rural lands including developing common metrics and water quality trading concepts. Daugherty suggested that family forestlands potentially be included under the Clean Water Fund. As people want more than the minimum benefits needed to meet the clean water standards, the supposition was that landowners would be indifferent to providing those benefits if fairly compensated. The conversation about compensation is valid and there didn't seem to be objections to that possibility.

In February's update Daugherty called attention to the resignation of Governor Kitzhaber and appointment of Secretary of State Kate Brown as the new governor. He reported that the State Forester has met one-on-one with Governor Brown and communicated our priorities for the session. She is staying with the Governor's Recommended Budget. The Water Quality option package remains in the Governor's budget as part of the Water Quality Initiative and that is a high priority for the GNRO.

Bills and Initiative's brought to the Committee's attention included:

- HB 3013 allowing establishment of **Wildlife Food Plots** on small tract forestlands. There would have to be notification of food plots and the BOF will have to adopt rules to address it as a forest practice. ODF will work with

ODA, Invasive Species Council and ODFW to ensure undesirable plants are not introduced with seed mixes if it passes. This bill has been signed by the Governor. The Committee was notified that there will be rulemaking that will involve the Committee. There will need to be a decision on what vegetation would be a viable food plot.

- **Pesticide** compromise bills died in the House Ag Committee. One bill was resurrected in the Rules Committee with amendments that included advanced notification and reporting of applications records. Further amendments included reinstating a 60' aerial application no spray buffer around schools and homes. Daugherty reported that we don't want a Budget Note setting up false expectations of what we can do. There may be an opportunity to come to agreement over notification process, narrowing the reporting requirements. This is for aerial application concerns only, not ground operations.
- HB 2051, the '**Trespass** Bill' changes trespassing from a criminal offense that is hard to prove to a misdemeanor which may make deterring violation more effective by imposing fines. Currently many are getting away without penalty because as a criminal offense it can be difficult to prove. HB 2051, the Trespass Bill, seeks to discourage trespassing. This is of special interest for landowners to deter theft of special forest products from private lands. This bill has been sent to the Judiciary Committee.
- HB 2984 the **Urban Lumber** Bill a pilot concept in Clackamas County, to utilize trees cut in urban areas for lumber. Currently our Tree City' USA program contacted us about the added costs of disposing of trees so to have this type of cooperative reduces expenses to neutral or no cost, and could be a huge benefit. Requires Clackamas County to develop pilot program for forestry products grown on non-forest land in county to be commercially produced and marketed through forestry product cooperative. To date of this report this bill is still in Ways and Means. It could be an innovative program facilitating the utilization of urban trees for wood production.
- Rep. Paul Holvey sponsored HB 2588 that adds a **\$20 harvest tax**/1000 bf. \$17.00 of that would be refunded to the landowner if lumber was milled in Oregon. That concept was to encourage domestic production. One of the things added on to that was portions not refunded would go to the Oregon Forestland Protection Fund. The House Leader, Rep. Kotek testified in support of the bill, in particular, of using that \$3 to pay the fire insurance deductible.
- **Western Juniper** bills. HB2998A is still in the Joint Committee for Ways and Means at this date. It creates the Western Juniper Industry Fund \$900,000 appropriation from the GF and would require the Oregon Business Development Department (OBDD) to establish a program for economic development assistance to people engaged in the business of western juniper harvesting or manufacturing products from Western Juniper. ODF local districts are working to ensure that the FPA doesn't impede restoration. ODF is working with PSU, ODFW and ODA to figure out how to identify and map high quality stands of Western Juniper. Utilizing this species there are some small start-up businesses that could get a boost to market this product and provide rangeland restoration.
- The **Clean Water Partnership** has moved forward and passed the committee with a do-pass recommendation, and has been referred to Ways and Means. They are currently working on -2 amendments. The Department has a couple of roles in this, a task force on Working Farms and Forests Initiatives that may involve Conservation Easements and loans, loan guarantees. We have a Policy Option Package 502 that is being tagged to support that taskforce. It has been referred to Ways and Means after the Policy committee.

Agency Budget presentations were scheduled in April and Tucker reported that overall the comments were positive, and the Department appreciated the testimony offered on ODF's behalf.

### **Additional Information**

In September, Kyle Abraham, ODF Private Forests Division, Water Quality Specialist provided background on the EPA changes anticipated regarding **Waters of the US (WOUS)**. The State, including ODF, has been following the rule change proposals to WOUS. US Supreme Court decisions in 2001 and 2006 led EPA to conclude that it was necessary to re-define and clarify where their jurisdiction lies. In general, Oregon agencies consider that the Waters of the State (WOS) are at least as broad as WOUS; ODF does not see the WOUS changing the way ODF does business. The Silvicultural Exemption for activities under the FPA will still exist. However, the clarification involves characterizing some small streams as WOUS categorically, where in the past the streams would have been considered WOUS only after a factual inquiry. Abraham explained that Oregon State Natural Resource agencies will issue a joint letter to the EPA stating that although there are some concerns about implementation we support the "nature of the concept of clarification" having potential to reduce 3<sup>rd</sup> party lawsuits. We want to remain engaged in the implementation discussion of about how this gets done in Oregon. ODF's comment will be included in the State response to the EPA.

The committee had some ongoing questions regarding **Public Meetings** and invited Dan Postrel, Public Affairs Director to discuss public meeting rules with them in February. Postrel explained that the purpose of Public Meeting law is to enable public participation and transparency of the conduct of the public's business. Gatherings of a quorum or more of the CFF that do *not* discuss committee business are not public meetings. However, if a meeting's sole purpose is to gather information that would then become the basis of a committee decision or recommendation, the public meetings law would apply. Notice and minutes would be required and ADA accommodation available. A sub-group formed to make recommendations back to the formal committee is also a public body. If a quorum is present, then the meeting essentially becomes a committee meeting that must be treated like any public meeting. A quorum can be assumed to be defined as a majority of *voting* members. He provided some informational aspects of Public Records requests and exemptions.

## **Committee for Family Forestlands 2015-2016 Work Plan**

Several issues are ongoing from the 2014-2015 Work Plan. Reporting of ongoing events are a regular part of the committee business agendas and are identified at the end.

### **Tier 1 Issues**

- 1.1 Forest Taxes and Forest Business
- 1.2 Water Quality
- 1.3 Ritter Land Management Team Collaborative Project
- 1.4 Forest Health
  - *Insects & Disease*
  - *Invasives*
  - *Drought Impacts*
- 1.5 Fire
  - *Drought Impacts*
  - *Readiness*
  - *Industrial Fire Rules*
  - *Funding*
  - *Smoke Management*
  - *Prevention*
- 1.6 Climate Change
- 1.7 Forest Chemical Use
- 1.8 Seedling Availability
- 1.9 BOF directed issues
  - *Riparian Rule Analysis*
  - *Bald Eagle Rule Changes*
  - *Wildlife Food Plots Rule Development*
  - *Monitoring Strategy Update*
  - *Landowner Viability*

## **Tier 2 Issues**

2.1 Educational needs/Engaging family forestland owners

2.2 E-Notification

2.3 OWEB Focused Investment Program/NRCS Regional Conservation Partnership Program (RCPP)

2.4 Inter-generational issues

2.5 Neighbor Issues

- *Wildland – Urban Interface (WUI)*
- *All Lands Approach*

## **Tier 3 Issues**

3.1 Ecosystem Services

3.2 Entry/Barriers to Ownership

3.3 Conservation Easements

### **Ongoing Current Events Reporting**

- Legislative Updates
- Board of Forestry Member standing invitations
- Agency Budget
- Fire Season Updates
- Compliance Audit Report
- Issues of the Day

This concludes our report. Members of CFF hope that our efforts in representing Oregon's Family Forestland Owners continue to bear fruit out in the community and in your deliberations on forest policy.

