

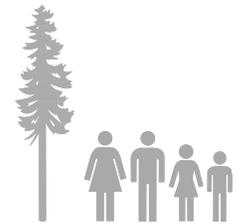


"STEWARDSHIP IN FORESTRY"

# Committee for Family Forestlands

## Meeting Minutes

### September 22, 2015



Pursuant to public notice made by news release with statewide distribution, a committee meeting of the Committee for Family Forestlands [an advisory body to the Oregon Board of Forestry with authority established in Oregon Revised Statute 527.650] was held on September 22, 2015 in the Santiam Room, Bldg. D, ODF Headquarters, 2600 State St., Salem, OR

#### ***CFF Committee members present:***

Ed Weber, Chair, Voting Public At Large Member  
Evan Barnes, Voting Southern Oregon Rep.  
Roje Gootee, Voting Eastern Oregon Rep.  
Sara Leiman, Voting Northwest Landowner Rep.  
Evan Smith, Voting Conservation Member  
Scott Gray, Voting Industry Representative  
John Peel, Voting Landowner At Large  
Rex Storm, AOL, Ex-Officio  
Mike Cloughesy, OFRI, Ex-Officio  
Peter Daugherty, ODF, Ex-Officio  
Cindy Glick, USFS, Ex-Officio  
Joe Holmberg, OR Tree Farm System, Ex-Officio  
Jim James, OSWA Ex-Officio  
Lena Tucker, ODF, Secretary

#### ***Members not in attendance:***

Janean Creighton, OSU Extension Ex-Officio

#### ***Guests:***

Kevin Birch, Forest Resources Planning Director  
Ron Graham, Protection from Fire Deputy Chief

#### ***ODF Staff present:***

Susan Dominique  
Jim Cathcart

#### **Agenda Items:**

##### **1. Call to Order/Welcome/Review of the Agenda**

Leiman requested time to discuss the Bald Eagle Rulemaking report from the last meeting as an action item.

##### **2. Roundtable Introductions**

##### **3. Approval of the Minutes**

No corrections requested. Sara Leiman moved to accept June 26, 2015 Minutes as written. Seconded by Scott Gray. All in favor. Motion approved.

##### **4. Public Comment**

No formal public comment offered.

##### **5. Agency Budget Report and Riparian Rule Update – Peter Daugherty**

*[Handout: ODF 2015-17 Legislatively Adopted Budget]*

Daugherty went over the Legislatively Adopted Budget for 2015-17 and reported that ODF's budget was increased, but not as much as in the Governor's Recommended Budget. The Agency received:

- Continuation in funding for Severity Resources and Insurance Costs.
- Expenditure authority again to complete the Gilchrist State Forest Expansion.
- Funds for our Federal Forest collaboration to expand work being done providing new position authority to implement federal forest projects. There are decisions to be made on design of the program, where the positions will reside and who they will report to. It is being designed as a separate program, with Chad Davis leading. A proposal will be discussed at the next Leadership Team meeting. There is a renewed commitment to this program on both sides.
- Funding to build capacity for the Rangeland Protective Associations. We currently have been supporting the RFPAs with a part time position funded through grants. There has been a lot more development of the Rangeland Associations with the interest in the Sage Grouse and wildfire issues on un- or under protected lands.

- One-time funding to implement incremental enhancements to our Electronic Notification System (FERNS). A Budget Note mandated its creation as a business improvement last biennium without funding. This funding is for ongoing maintenance and support. We are planning to start with worksite enhancements before beginning to automate the public subscriber access. The State Sub-Committee on Information Technology got involved with over-sight and reviewed and approved our plan as written, with phasing and timelines. This committee will be kept in the loop on the system improvements.
- Funding packages for our Administration Services and Supply to replace funds lost in 2002 for core business functions and to bolster our Information Technology re-structuring.

Other Legislative news with associated ODF rulemaking:

- One of the early bills passed was the **Wildlife Food Plots** bill. The bill only applies to family forestlands and specifies the amount of forestland that landowners can put into wildlife habitat. It classifies food plots as a forest operation. There will be rulemaking associated with this. Oregon's Small Tract Forestland (STF) Program allows forestland owners to delay paying part of their annual property taxes. House Bill 3013 allows owners of small forestlands subject to reforestation requirements to establish wildlife food plots within the boundaries of small forestlands without affecting small tract forestland assessments. Wildlife food plots are limited to a combined size of: 2.5 percent of small forestland if forestland is 500 acres or less in size; 2.0 percent of small forestland if forestland is more than 500 acres but not more than 1,000 acres in size; and 1.0 percent of small forestland if forestland is more than 1,000 acres in size. *Effective date: January 1, 2016*
- The Clackamas **Urban Lumber** bill. Street trees could become valuable lumber rather than being dumped or used for firewood and a lot of Tree City USA towns have asked about revenue to lower the cost of replacing trees. HB 2984 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 cooperatives.
- House Bill 3549 requires forest operators to leave a 60-foot unsprayed buffer around inhabited dwellings or schools when **applying herbicides by aircraft** and adds certification requirements to aerially apply pesticides. The measure requires PARC to create standard operating procedures for public entities receiving complaints regarding the use of pesticides and to report on those standard operating procedures to the Legislative Assembly. *Effective date: August 12, 2015.* Daugherty suggests that we need to do rules on that because some terms are unclear and enforcement requires clarity.

### Policy Option Packages (POPs)/Initiatives:

[Handout: *Potential Strategic Focus Areas 2 – 5 year Outlook*]

Daugherty: Our proposed budget package had a number of POPs. The E-Notification System, Water Quality position authority and a Biomass Program Expansion Package. We only got funded for the E-Notification. No funding for Biomass or Water Quality. We determined that it doesn't make sense to ask for Biomass funding again. With one funded position, now we need to decide how the position should evolve. Our Water Quality Initiative ask was to restore our Water Quality manager, geotech and roads engineer positions lost during the recession. It timed well with CZARA issues and water quality on forestlands, but wasn't funded.

We are retiring the Continuous Business Improvement Initiative with the launch of FERNS. The one time funding this biennium was confusing in maintenance of a long term operating system. As rules are added and changed over time, which will dictate changes to our electronic system. But as part of our 'continuous' improvement initiative it was achieved and we will continue to try to get it funded permanently.

We are keeping Water Quality as a program initiative as there *is* still interest by the GNRO on water quality and Water Quality is about 90% of the FPA so we want to keep it as a topic for the Board of Forestry.

We are starting two new strategic initiatives; one on **Family Forestlands** and one on **Urban and Community Forestry**. Those two have our largest client base but neither get state funding, and have always been funded by the Feds. We have three positions in Urban Forestry, but the Director is funded part time out of OSU. To reach the majority of Oregonians,

having an Urban Forestry district office in Portland would be a good idea. There is ongoing body of research on the health benefits of trees in urban areas. The other interesting body of research is that we usually find thriving urban forests in higher income areas, so there is an environmental justice aspect of urban forestry that hasn't been addressed.

We have made a lot more progress on the Family Forestlands Initiative and have completed the S.W.O.T. analysis that we had brought to the State Stewardship Coordinating Committee, the Committee for Family Forestlands and our Leadership Team. We will start reviewing and outlining this initiative for what we want to address. Both of these new initiatives (Family Forestland and Urban and Community Forests) have aspects of water quality related to them. We are working with OSWA and Tree Farm on OWEB's Focused Investment Partnership to look at new funding focusing on ways to improve Coho habitat on family forestlands. So there is one obvious nexus with water quality and that is that family forestland locations are generally lower in the watershed which are the areas of primary Coho habitat.

**[Discussion on funding and Federal partnership: *Have the federal incentive programs gone away?*]**

In response to a question on the federal incentive programs status Daugherty responded that ODF still does work related to Farm Services under the CREP program. The traditional FSA forestry programs went away and were transferred to the State and Private Forestry with the Forest Service. Those programs have been steadily decreasing over time. Now with forestry and the Farm Bill, NRCS has more funding for forestry work. NRCS is funding the private lands work, the Forest Service is funding the National Forest lands, and State and Private Forestry is funding our technical assistance to implement the NRCS money on private lands. The funding landscape is becoming more complicated and more of the agencies are looking at focusing investment in prioritized project areas where they can show significant and measurable outcomes. We are beginning to adapt to that. One popular investment idea is improvement of Coho habitat within watersheds. But there still has to be one-on-one technical assistance to landowners to achieve those outcomes. OWEB's Focused Investment Partnership program is offering \$2 million/biennium for up to two biennium for capacity building, implementation funds may be an additional \$12 million.

The problem is nobody will fund ODF for the traditional one-on-one assistance. When we look at Coho habitat, the majority of the land in high intrinsic potential for Coho habitat is non-industrial forest lands. I don't think any family forestland owners would object to technical assistance to improve their riparian areas, forest roads and culverts. The Department needs to find ways to say, "We are the people that can implement this". Unfortunately, some landowners will be left out.

- Glick offered that the USFS All Lands Approach is a really powerful discussion point because it brings a more diverse group of stakeholders together to advocate for the funding. She reported that USFS has new authority, called the Good Neighbor Authority under the Farm Bill. Internally, we have been trying to figure out what it is, how it works and how it will help us manage landscapes for a multiplicity of outcomes as federal funds are decreasing as well. We figured that we can partner with ODF using the Good Neighbor Authority to have ODF manage our lands. There is a real niche for ODF in this community and urban forest realm where you overlap adjacency with federal lands.

Daugherty reflected on the success of pilot programs in eastern Oregon where we are starting it to look at landscape scale improvements. One of the challenges on the westside is we are short in capacity to build those partnerships. But if we don't step up and show that we *are* the forestry experts in Oregon, that opportunity will get filled by other people. The Uniform Plan, Forestry Education, demonstrated our ability in Focused Investment partnerships.

Cloughesy: It makes me think of the Partnership for Forestry Education. The same players do have roles outside of education. One-on-one technical assistance could come from Master Woodland Managers or Tree Farm Inspectors. There are other partners that have the expertise that could dovetail with OSWA, OWEB, USFS, and Tree Farm in taking a partnership approach. We need to go beyond education to *assistance*.

## Riparian Rule Update

Daugherty handed out the agenda for the BOF Sub-Committee meeting on Friday, and shifted the discussion to the complexity of the Riparian Rule issue. The Board came up with some principles to guide their Sub-Committee's deliberation.

- Temperature must be used as a lens for evaluation.
- Must consider whether it will be regulatory or a best practice voluntary approach.
- Address equity relief for family forestland owners.
- Determine the monitoring role when implementing the decisions.

The Sub-Committee's task was to develop and bring one or two proposals to the full Board. Staff went through all the Board testimony and discussions and identified important factors in the decision-making process and provided a guide for discussion. Once advised by the Sub-Committee, staff will develop two packages and Alternate Prescriptions for proposal to the full Board.

- Member commented that it's useful to remember this is a policy decision by the BOF. There is rulemaking criteria that the Board has to follow and they are weighing all the criteria as well as stakeholder desires. Bear in mind that Board members have been lobbied very hard and are providing service way beyond the call of duty for the State of Oregon.
- Another noted that this will be the most significant change to the FPA in a long time.
- It is a state requirement that we follow Oregon's Water Quality standards which *are* the Federal requirement.

Weber asked for a background of CFF's input to date on the Riparian rulemaking process.

Daugherty: There were a number of letters submitted by CFF. The last one the committee provided didn't dispute the science, but focused on principles. Rick Barnes and Susan Watkins testified before the Board on what members hoped the Board would consider.

BREAK

## 6. Sub-Committee Reports

- **Tax Symposium Report – Mike Cloughesy**

Mike Cloughesy presented the The Forest Tax Symposium Report from the Aldo Leopold Foundation. This report was part of the follow up done in accordance with the grant requirements and by agreement with this Committee. There was a roundtable discussion done as part of the symposium, this report looked at results from those discussions through a participant survey. Two rounds of electronic surveys were sent out after the symposium, then they surveyed by mail to increase the response rate to 42%. Tammy Cushing, OSU Starker Chair, worked with Mike Cloughesy, OFRI and Alana Koshollek, and Aldo Leopold Fdtn. on it. Questions in the survey addressed what participants learned; who they were (demographics); participant category; size of holdings and on the activities they carried out in the last 10 years on their tree farm holdings. So there were questions on activity before and after the event.

*The symposium did make a difference.* Participants surveyed were getting more involved with EQIP and ODF programs and establishing a basis for their woodlands. We also found out that many began establishing recordkeeping, consulting a professional, discussing forest business with an accountant, establishing a management plan, exploring estate planning actions, talking with heirs and exploring conservation easement options. The main purpose of this project was to illuminate the breadth of taxes related to Oregon family-owned forests and forestlands. We also want to assess what the educational needs of the landowners are. So from the feedback, what recommendations could we make to the BOF based upon what we learned? Cloughesy volunteered to do a review of the materials to provide context to the Committee's next steps.

Weber: It sounds like an informational letter to the BOF on the status of the tax topic is relevant. In terms of the data, we might have to look at it more carefully for policy suggestions. One result might be holding other educational symposia given the response on this.

- **RxRitter Update – Roje Gootee**

The collaborative has had an extremely busy summer. Emily Jane Davis and Curt Qual will be joining us in November to provide a report on the Strategic Plan. The Ritter Land Management Team has named themselves thusly. The preferred acronym is RLMT for Ritter Land Management Team. Administratively, the CFF's role is transitioning. The actual governance is being transferred to the landowners under guidance from OSU Extension. Curt Qual reported, last time he was here, about expansion of the project area. Our original grant proposal was for 10,000 acres with 10-12 landowners. We are now working on a project boundary of 105,000 acres and landowner group of approximately 80 landowners. Of that 105,000 acres we have 56,000 acres already enrolled, data collection in progress. We have roughly half of the 80 landowners already enrolled with others waiting. Data collection is being handled by a private consulting firm named Lane Perry. The first wave of data collection is almost complete and being gathered into a tool developed by Mike Cloughesy called the "Discovery Tool" which records the resource data and landowner goals, objectives and project priorities. This data is then being fed into their Strategic Action Plan. A draft of the Plan is to be completed in October, with a team of landowners, Curt Qual and Emily Jane Davis, OSU and Grant Soil and Watershed Conservation District. The draft has already had a substantial amount of field review. The Discovery Tool data is being used to inform the long term strategy focusing on a variety of natural resource concerns to address a predictable suite of interests:

- Invasive Plants
- Juniper Control
- Fire Readiness
- Wildlife
- Riparian Restoration
- Water Quality Issues

Their Strategic Action Plan is going to be designed with the parameters outlined by OWEB's application process because the collaborative wants to position itself to be competitive within OWEB's FIP opportunities. The other tool currently in development, is the Prioritization and Tracking Tool. The original concept is that it would both address prioritization and tracking of projects but as the Strategic Action Plan is being developed it is more and more evident that project prioritization is being fairly effectively addressed in that document, so the tool will be mostly for tracking. The group has drafted an operations manual ready for approval to guide self-governance and encompass the potential scope and scale of this project.

There is another major grant application underway from the RLMT is for Title II funds in Grant County. The kinds of projects the Ritter project is applying for include RMA fencing along the Middle Fork of the John Day River; juniper control and the re-location of a feedlot on a large heritage ranch in the area. The feedlot has been in that location for nearly a century and is producing some major negative impacts to a tributary going down into the main stem of the river. There is a proposal to relocate that feedlot to a more appropriate upland location and do some appropriate restoration on the creek to mitigate the downstream effects as well. As you can imagine, the discussion about how to allocate funding for these Title II projects among a group of landowners has really spawned some robust conversation about equitableness and how the group is going to prioritize these kinds of concerns. There has been some agreement among the group that is appropriate to target individual properties with larger disbursement of funding in order to achieve significant ecological uplift as long as the Strategic Action Plan addresses the opportunity for the other landowners to also be a point of focus at some point in the future. This Title II proposal has been really helpful in focusing those discussions. The RLMT hosted a field trip last week with the authorities for the Title II projects. Earlier this spring they also had a field visit from the USFS Deputy Chief of State and Private Forestry from the Washington, D.C. office along with the Regional Director of State and Private Forestry, Teresa Raaf. The Regional Director has been in Grant County previously and has been very supportive of the project. Jim Cathcart and other ODF staff were also included in the tour. The USFS feedback from that tour has been extremely positive. The group has also hosted its first workshop in June led by OSU Extension, local field extension foresters, Bob Parker, Paul Ester, and also Steve Fitzgerald. The workshop got rave reviews from the landowners and that success has been reported back to the group and operation committee meetings. The next workshop is tentatively scheduled for early November. That one will be focused on Juniper Management and Control. The first newsletter has been published, the second nearly ready for distribution. Ritter has also achieved "FireWise Community" designation in the past few weeks, which will make it eligible for funding on fire preparedness projects. A lot of positive progress has been made in a relatively short period of time and there is a lot of local agency support for the collaborative.

## **7. Landowner Viability Report – Kevin Birch, ODF Resources Planning Director**

*[Handout: Landowner Viability: Opportunities and Challenges related to Market Diversification for Family Forestland Owners / Non-Sawlog Forest Markets Concept Summary/ PowerPoint presentation: Progress Report on Landowner Viability Work Plan]*

Jim Cathcart introduced Kevin Birch, Director of Forest Resource Planning. Jim James and Jim Cathcart are members of the Landowner Viability Workgroup working with Kevin Birch.

Birch: As Jim said, our program acts as a think tank for the BOF. Looking at Landowner Viability is one of the projects that we have been directed to work on.

Kevin provided some background that when we started the Board wanted us to focus on discovering alternate revenue sources and options for alternate markets for timber and non-timber products. The Forest Resources Planning Division promised the BOF three different deliverables:

- The first, a process deliverable to identify and prioritize what products and revenue sources we were going to work on over time.
- The second, was a research process. Determining what we can do to influence the market.
- The last phase, was providing a recommendation for policy changes.

At this point we have identified and prioritized products and are still exploring a broad range of markets looking for potential revenue streams and market barriers. Initial investigation was reported to the BOF and we did a winnowing process again. Off the first deliverable, Kevin reported four areas for further investigation and have four sub-projects going on for each one of these.

1. Pathways for Non-Timber Forest Products and Other Markets
2. Small Diameter Wood Study
3. Cross-Laminated Timber
4. Finished Product Export Markets

Starting with the pathways, there are a number of different products that could really benefit from using the same pathways. One **Pathway to Markets** may be through collaboration. Another pathway may be through regional branding. The first thing we looked at were what barriers prevent us from forming cooperatives. Production, equipment and processing, branding, marketing and coordination. It's difficult to get a number of landowners cooperating to provide a steady supply. Startup costs are usually the biggest barrier. Some kind of financial investment assistance is key. What makes cooperatives thrive? Next to financial assistance, production space was key. The other thing that can really help is external support. Most of the cooperatives they looked at had start up help from government or foundations. At the back of the handout Report are recommendations that they put together for us. Things we could consider such as:

- Better aligning existing incentives
- Assistance in the condition of the land after harvest
- Expanding awareness of existing programs, what does the State or Federal government provide for cooperatives?
- Inventory and communicating about funding opportunities.

Next steps for this project? In the Resources Planning Program we are going to attempt to inventory funding for projects. Then the Private Forests Division has a new strategic initiative for Family Forestlands and as part of that they are going to explore catalysts for startups.

The second project is a **Small Diameter Wood Study** to identify market opportunities for small diameter logs, chips, shavings, posts and poles. We have contracted with the Beck Group to study and concentrate their efforts in Eastern Oregon. The study will do market opportunity analysis and an actual supply assessment. So the market opportunity analysis is examining the material and operating requirements and cost for using small diameter logs (4-12" in diameter in small end). The other part is the supply assessment. Having some knowledge of what the supply actually looks like is a key component to forming operational decisions. In the past, a lot of studies have been done, but based on what's been coming off of the contracts rather than what is in the woods and actually available. If there aren't markets being developed or supported by Federal sales, it's hard to expect a private landowner to get into those markets without consistent inventory. That's the idea on assessment of supply.

- Member commented that there is also a conundrum that as the Federal Small Diameter timber markets develop, it may become increasing problematic again for non-industrial forestland owners to attract contractors. Even though we see the market opportunities increasing, the opportunities for the non-industrial forest owners to move their product off the property is problematic as competes for operators. The larger economies of scale off Federal lands are favored in the haul costs.

Birch: When it comes down to recommendation time, I would appreciate a conversation about what would help or not help. We will get the study completed probably around the end of the year and see if it gives us a better understanding of what actually is the resource and operating requirement of a facility. Then we will start doing some outreach to State and Federal Partners. The third project, is **Cross-Laminated Timber (CLT)**. The vast majority of our timber goes into construction, and the vast majority of that construction wood goes into residential structures. Only 10% of construction wood nationwide actually goes into non-residential construction. There is an opportunity for the timber industry to supply non-residential construction grade product. As an industry we could make some inroads into markets where formerly concrete and steel are used. CLT is an alternative building product emerging with some significant growth potential that has really gained popularity in Europe for two reasons; one is the renewability of the resource and its attractiveness as an alternative product as well as its carbon storage attributes. CLT is a ‘sandwich’ made out of timber. We are in a boutique market right now but building examples are under construction.

Use of CLT actually lowers building costs because of the build speed. 10x60’ panels are built in a factory and have pre-cut doors and windows. The fast build speed lowers man-hours. Then the question becomes what can we use in terms of low quality logs? We have partnered with OSU, as they are the leading the research. They were able to get an USDA Grant for \$300,000 to look at the utility of using small diameter wood for cross-laminated timber.

- To evaluate the milling efficiency and recovery of small diameter logs themselves.
- Test panels for engineering characteristics.
- Logistics (transportation costs, commercial viability)
- Propose some product standards.

We hope we will have findings on operations and the market viability to guide any recommendations once OSU has completed their study.

The fourth project we are looking at is **Finished Product Export Markets**. We consider it a very large opportunity that we are not taking advantage of. In 2013 Oregon shipped about 3% of its lumber and 15% of its logs to Asia. British Columbia in the same year, they sold about \$2 billion of their lumber into the Asian market. Most of our wood is used in single family housing and 70% of that goes to just West Coast states. That’s only about 15% of nationwide housing starts. If we can get into additional markets it helps the timber sector endure market swings. The question for us is what can ODF do about international markets? One of the things, and what we are pursuing is getting Green Certification. Certification of some sort is really starting to be a key component for accessing international market. One way to address the challenge of certification was to get a third party in to look at the FPA and ODF Administration on the Act and ask if it fits a recognized international standard (ASTM). We had PSF Corporation come in and do an audit on the FPA and our administration of the FPA and they have certified that yes, we are meeting the international standard. So this is really given us an inroad into this. We have been issued the certificate after a whole lot of effort by our FPA staff. Now the question is chain of custody. Hopefully, once finished it will give us some opportunities that we don’t have now. There is also the USDA Bio-Preferred Program, giving us Federal preference for wood and the capacity to do voluntary reports for the International Construction Code, their Environmental Services Division. We would have the ability to market products as being Certified Responsible, an opportunity to craft a regional brand. We will continue to work on these projects and outreach to other organizations. I also offer to bring members an update.

## **LUNCH**

### **Reopening the discussion on Ritter Land Management Collaborative...**

Evan Barnes questioned stream restoration and grazing in riparian areas.

Gootee: While some landowners are receptive to fencing others are resistant to the idea of taking RMAs out of production. Part of the restoration plan has to be development of upland water sources. Livestock water needs are an unintended consequence of RMA restoration.

- Early on Grant County talked about becoming a partner, are they still active?

The Title II Application is a coordinated through the county and forest service. The County is quite supportive of the collaborative and are quite interested in the project. But the ‘ask’ that the collaborative proposed was quite high in proportion to what the county is given. I think that there is strong interest by at least one of the county commissioners and county judge. Monument Soil and Water is still involved. Steve Ussery, District Manager at MSWCD is actually a participating landowner within the Ritter Collaborative Group and also a participating Agency head. He is acting in an Ex-Officio in the Ritter Operations Group.

Weber: What was the start of the collaboration?

Gootee: In 2012 the CFF took a 3-day tour to eastern Oregon and began a conversation about landowner issues in that part of the state. Challenges in terms of active forest management had to do with the inability to attract well-qualified forest contractors and operators to a small landscape. As a collaborative, landowners might be able to develop their own contracting capability by clustering projects. The CFF began to consider where to locate a model effort. There were two compelling reasons to locate the project in Ritter. One, just upstream from this area is a very large scale multi-party riparian restoration collaboration that is ongoing. The John Day River system in general is the second longest free-flowing river in the lower 48 states. Most of the John Day (North and Middle Fork) are designated Wild and Scenic River. It’s a really unfragmented landscape with a lot of unusual ecologic potential. The third was, that there was a fair amount of collaborative capacity already in place. There is no town (the nearest town is Long Creek 16 miles away), or community, Ritter is just an area of dispersed properties, but with a landowner group that is actually quite closely knit and used to working together cooperatively. Socially, it seemed to be ready and ecologically it was quite unique, and could complement the other restoration efforts upstream. Landowners were attracted to the idea of cost-share opportunities and fire risk mitigation opportunities.

Weber: Emily Jane and Curt will be here in November to speak about their Strategic Agenda. We look forward to seeing that come to fruition.

## 8. HB 3013 Wildlife Food Plots – Lena Tucker

[Handout: Enrolled House Bill 3013/Proposed Amendments to HB 3013/Staff Measure Summary]

To lead into the discussion, Tucker spoke to the members about ODF capacity and positions now in recruitment for the Incentives program. After the legislative session we have a lot of rule analysis in play. We got Riparian Rule analysis, Wildlife Food Plots, Spray Buffer rules, Bald Eagle rules and a lot of discussion coming out of eastern Oregon regarding Reforestation rules. With Private Forests limited capacity, and the Cooperative Forestry program having added back some capacity, we decided to put the Wildlife Food Plots rulemaking under Jim Cathcart’s oversight.

The HB 3013 is effective January 1<sup>st</sup>. The good thing is the bill is pretty descriptive, so basic rule language is already written in the statute. Our challenge is to define what an Oregon Wildlife Food Plot looks like and what wildlife should it attract? We go back to looking at the purpose of the bill; “It is the policy of the State of Oregon that establishment of a food plot is a forest practice for providing for the overall maintenance of forestland resources and supersedes any contrary reforestation requirement for the wildlife food plot.”

So there are a few operational pieces to address in rulemaking. There are requirements to control noxious weeds and non-native species, so any seed used to plant the plot, in forage or wildflower mix, needs to certify it weed free. ODA has a list of acceptable seed, depending on rangeland or valley conditions. We are also to identify vegetation capable of *substantially contributing* to wildlife condition. In rules, in a tech note, we may reference ODA or ODFW and their materials. But it is very early in the process so we will be back with this committee to assist with rule requirements. We

do have a unique opportunity to brand this for Oregon. The statute is pretty prescriptive on who's eligible and how you make this work, so it probably won't involve a lot of work. But nobody uses the 'food plot' terminology in Oregon.

Comments included:

- Member questioned the term, "will be planted" and noted letting native vegetation grow back is good for wildlife.
- Calling it a 'Wildlife Set-Aside'. Another suggested the moniker they use in the east, QDM (Quality Deer Management).
- Looking at the 'All Land' management concerns dealing with browse strategically. Placement could be incentivized. Also using plots as fuel breaks. And there may be interest from the tribes for sources of traditional foods, like huckleberries.

Tucker: The challenge is how we brand this practice for Oregon. Validate the management objective in establishing plots. Placement of Food Plots will have to be a notifiable practice through the Electronic Notification System, so changes will need to be made to the FERNS system. Till then it may be just a Plan for Alternate Practices, so we can accommodate those interested pending rule development.

### **9. Fire Situation Report – Ron Graham, Deputy Chief Protection From Fire Division**

Lena Tucker introduced Ron Graham as the *new* Deputy Chief of the Protection from Fire Division. Doug Grafe has moved up to Division Chief for Protection.

Graham provided some of his personal/professional background. Having worked for over 12 years with the Michigan Dept. of Natural Resources working in fire suppression, recreation, roads & bridges. Summers were spent out west firefighting. Graham moved to New Mexico providing technical support and fuels mitigation. Then he moved up to Wyoming as Assistant Fire Officer promoted to Fire Manager in Wyoming. He had admitted an envy of Oregon's brand of protection policies and applied here when the opportunity arose.

Graham outlined the National perspective and then the PNW Regional perspective for this past year, then some Oregon specific numbers. Nationally, on a 10 year average through 2014 there is typically 6.8 million acres burned nationally, this year to date, we are at 8.8 million. There is no season ending event forecasted yet in Oregon. Nationally, we are seeing fire seasons continuing throughout the year. Very little downtime. Number of fires are down 10,000 from the 10 year average of 46,000. That's a factor of a lot of conditions. Reporting for this season is not done yet. For a good part of late July/early August we were regionally and nationally at a Preparedness Level 5, which is as high as it goes. There was several geographic areas with fires at the same time. Resource levels were stretched and prioritized. Life, then property, then resource values. The height of late August, we had 1500 miles of open, unchecked fire burning wild. Washington State had big fires merging together through and over communities. Regular Army DOD was activated in Washington State. National Guard activated in Oregon 375 troops and aviation assets. Coordination is happening at a geographic level. There were daily requests for 20 person hand crews that we were unable to fill. We exhausted nationally all the Type 1 Hotshot crews, all contract crews in the NW. There are crews available back east and in the south. But there was logistic problems in many cases with travel and fitness. While this was going down, we had Canadian crews and the USFS brought Australian/New Zealand crews in. Washington had a call for volunteers, especially landowners with equipment available. Everyone was questioning what would happen if there was one more large fire in the NW.

Graham talked about gross and net expenditures and impacts to all ODF programs as staff are part of the firefighting militia aside from their regular duties. So far we tracked 94,000 acres of ODF-protected lands burned. The USFS/BLM has had a lot more acreage involved. Next season with the El Nino pattern, there are no strong indicators for an increase in moisture, and the drought may still persist.

Looking at the bigger picture on state-owned resources we are working on what we are calling, the Sustainable Fire Organization. Review of 2015 Fire Season will focus on long term funding issues, insurance, and capacity (boots on the ground) from a larger overall view. There is an additional huge workload that comes along with the FEMA fire designation, in auditing and billing for reimbursement. We are just now cleaning up FEMA charges for 2013 and 2014. We are looking at the cash operations, showers, food units, whether we are set up to deal with this, do we have enough

vehicles to support all this fire activity? No. We aren't set up to manage this this level of fire or sustain the effort long term. It will take a phased approach.

The division made some good decisions about the SEATS and larger tankers in staging resources. We have to look at what we all bring to the table as a coordinated system. We need as well to acknowledge that the smaller landowners are right out there in initial attack, even ahead of local fire response. Without their help we would lose containment of even the smallest fires.

A huge part of what attracted Graham to Oregon was the unique landowner participation in funding the fire effort and the statewide support. People look to Oregon and say, wow that is unique. But it is made up of years of relationships that have been cultivated.

### **10. After the Fire Discussion – Lena Tucker**

*[Handout: After the Fire: Post Wildfire Landowner Assistance: Every Acre Adds Value]*

After the fire suppression effort there is another complete and coordinated system of assistance. When fires are contained and mopped up, the fire teams fix any issues *they created* (water bars, fences cut, fire trails) then after the firefighters and teams go home the landowners begin evaluating the damage. How do we help landowners with the next steps? They didn't plan this, they are forced into making quick decisions about salvage efforts. To complicate that some folks lost their homes as well. This year was quite challenge in that respect. The After the Fire effort is implemented by Stewardship Foresters, the Private Forests Division and Incentives programs. We know what resources and programs there are and which partners we look to for funding sources but who's delivering those services? ODF Stewardship Foresters have intimate knowledge of the local landscape and can provide contact information for resources and direct assistance for restoration. The Office of Emergency Management (OEM) has established themselves as the go-to agency to receive and distribute information on post-fire disaster recovery. ODF can focus on administering the FPA, salvage and helping with reforestation efforts, water quality issues, erosion control. Funding comes from our partners and the Incentive programs. NRCS has been a great partner and good source of funding. The Farm Service Agency (FSA) has an Emergency Conservation Program which is right now fixing fence and grass seeding for erosion control. We are also going to kick in with the Emergency Forest Restoration Program which can help with the reforestation. We will marry up these bits and pieces of funding in response to landowner's needs. The most immediate need right now is erosion control. If the rain hits hard, on the scorched lands flooding and landslides will be an issue.

Graham: There is a Hazard Mitigation Grant Program piloted in FEMA Region 10 (OR and WA). These funds could be used to help support fire recovery efforts when you have a FEMA fire. Tied specifically to the FEMA Fire Management Assistance Grant for qualifying fires, as a pilot program what we have been hearing is over \$450,000/FEMA meg fire. What this is going to help with across private ownership is roads, bridges, culverts or infrastructure. That will be what this program will fund at a 75/25% cost-share. Even though there are rules needed to put this in place, the bottom line is money will be available which will help fund some gaps. OEM is the lead, statutorily. ODF is the lead for the F-meg program as the Governor's authorized representatives. The State handle's the declaration and the FEMA program brings money back for the suppression costs. Most of the hazard mitigation falls under OEM. The flow of money will go from FEMA to OEM to affected counties. We meet on Friday with OEM and other partners to discuss what we have available and identifying the gaps to best use all these resources. Hopefully, the details move a little bit faster. The key is speed.

Cathcart: When the foresters come back from their fire assignment they have GIS mapping overlay done with affected landowner names and addresses so they have contact information immediately. These tools were developed from what we learned on the Barry Point Fire so we can be pro-active assessing the landowners needs.

Tucker: We are getting a lot of requests from Eastern Oregon to waive reforestation because many landowners can't afford it, even after salvage. A landowner has no requirement to salvage harvest after wildfire and if there is no harvest there is no reforestation done. Any harvest ties them to replanting unless they do a land use change. So obviously, there will be long term changes to the landscape. The EO RFPC will be engaged in the topic of reforestation in October. I will bring the issue paper to this committee as well to involve you in these discussions. It was a key topic in your eastern Oregon White Paper.

- A suggestion was made to outreach to private and public foundations who may be interested in private land restoration as there is so much public sympathy for the plight of landowners and destruction of forests. Sponsored efforts may help fill the gaps.

Cathcart: There is a capacity issue right now. We are not aware of what those opportunities could be. We are well positioned to have the Forest Resource Trust take funds from those opportunities for a cost-share program.

### **11. Action Items/Fall Meeting Dates/Adjourn**

Our next meetings are October 27<sup>th</sup>, and November 17<sup>th</sup>. We haven't determined a December meeting date yet.

#### **Agenda items:**

- Have Jennifer Weikel provide CFF another opportunity to provide feedback on the Bald Eagle Rulemaking.
- Just a reminder we have the RLMT on the agenda for November hearing about their Strategic Plan.
- In October it might be a good idea to discuss the Riparian Rule Sub-Committee meeting recommendations for potential testimony ideas regarding what those options are prior to the November BOF consideration.
- In October we can also give you more information on the Eastern Oregon Reforestation issue.
- Another issue, would the group be interested in discussing the role of prescribed fire in these forests? In terms of liability, lack of resources and qualified contractors we end up with a lot of properties that are not fire-ready. [I think we need to do a good job of elevating topics that fall through the cracks but that have real significance nonetheless. The use of prescribed burning would provide dividends.]
- The potential of the All Lands way to manage prescribed burning. Even with the tribes as it is a historic practice. (Note: Ned Livingston is a driver of the topic in Klamath.)

#### **Action Item:**

- Mike Cloughesy delving into more of the Tax Issue and see if there is anything we can cull from the Symposium information that would be of interest to the Board. What suggestions can be made if we conclude there needs to be changes?

Adjourned at 2:30