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# OREGON STATE BOARD OF FORESTRY

April 20, 2009 Minutes

In accordance with the provisions of ORS 526.016, a meeting of the Oregon Board of Forestry was held on April 20, 2009, at the State Forester's Headquarters, 2600 State Street, Salem, Oregon.

Chair John Blackwell called the public meeting to order at 10:30 a.m.

*Board Members Present:*

John Blackwell, Chair      Cal Mukumoto

*Board Members Present* via teleconference call (ORS 192.670(1)).

Larry Giustina                      Peter Hayes                      Steve Wilson  
Jennifer Phillippi                  Bill Hutchison

*Others present:*

Louise Solliday, Director Division of State Lands (via teleconference)  
Chris Jarmer, Oregon Forest Industries Council  
Barrett Brown, Oregon Motorcycle Rider's Association  
James Harris, Oregon Motorcycle Rider's Association  
Tim Josi, Tillamook County Commissioner  
Gil Riddell, Council of Forest Trust Land Counties  
Dillon Sanders, Inbound  
Jim McCarthy, Washington County  
Bob Van Dyk, Wild Salmon Center  
Marvin Brown, State Forester  
Doug Decker, Director Tillamook Forest Center  
Mary Schmelz, Board Support  
Nancy Hirsch, Chief, State Forests Division  
Dan Postrel, Program Director, Agency Affairs  
Jeri Chase  
Jeff Foreman  
David Clouse

## **ACTION AND INFORMATION:**

### 1.      INTRODUCTION AND COMMENTS

Oregon Department of Forestry staff were introduced.

### 2.      STATE FORESTS WORK PLAN 2, IBI 6 – IMPROVE THE NW FOREST MANAGEMENT PLAN TO ACHIEVE DESIRED OUTCOMES – HB 3072

Marvin Brown, State Forester, asked the Board to take a position on HB 3072 prior to committee hearings. A hearing is scheduled at the House Agriculture Natural Resources and Rural Communities committee on April 21, 2009

HB 3072 changes the definition of Greatest Permanent Value (GPV) to state that production of timber for the purpose of generating revenue to the benefiting counties would be the highest priority. Mr. Brown said the bill changes the focus of state forests

and would require that we revise our current plans and OAR around GPV. The bill calls for revisions to be completed by July 2010.

The recommendation to the Board was to take a position against HB3072, because it is appropriate for state lands to remain as lands that produce full and balanced benefits.

**MOTION**: Cal Mukumoto proposed that the Board support the staff recommendation.

**SECONDED MOTION**: Steve Wilson.

2.A. PUBLIC COMMENTS

**Tim Josi**, Chair of Forest Trust Land Advisory Committee, Tillamook County Commissioner, supported HB 3072. He disagreed that the bill would create a management scenario much like industrial tree farms. Mr. Josi said that HB 3072 would create latitude for the Board. He talked about the history of the GPV, saying state lands should be managed for timber production. GPV means sustainable forest ecosystems over time and across the landscape will provide a full range of social and environmental benefits to the people of Oregon; the benefit at the top of the list was “sustainable production of forest products”. ORS Chapter 530 states that “counties were granted the statutory right to designate land for a variety of uses”; the counties designated the vast majority for timber harvesting. This bill has been brought up before and if will again if not passed.

**Barrett Brown**, Oregon Motorcycle Riders Association, opposed HB 3072. He said he’s spent many years on the ground implementing pieces of the Forest Management Plan (FMP). He said Board should continue to follow the FMP.

**Bob Van Dyk**, Wild Salmon Center, opposed HB 3072. Mr. Van Dyk said HB 3072 would manage lands much like an industrial tree farm. He said that Wild Salmon Center is committed to finding win/win situations, is not against revisiting the FMP, and is not against finding more volume, however, the Wild Salmon Center wants increased volume to be grounded in science. He suggested there may be more diversity among counties than what the Board hears from the Forest Trust Land Committees, i.e., that managing 90% of land under the Forest Practices Act may not be agreed upon by all counties. Mr. Van Dyk made one comment about John Blackwell’s letter, on the first page number two, regarding that “short term complex structure goals be increased”. At the November 2007 Board meeting, the Board reduced the target for complex structure from 21% to 17-20%. Right now the current planning does not increase complex structure goals.

Mr. Mukumoto asked Mr. Brown to discuss short term complex structure. Mr. Brown said the current complex structure goals are indeterminate in terms of a timeframe, which is 50 - 100 years. The department has been trying to identify a complex structure goal that could be achieved within 20 years.

Jennifer Phillippi said she’s not sure the Board needs to weigh in on HB 3072; as far as she knew the Board hadn’t taken positions on legislation in the past. She said she would like to consult with Department of Justice regarding how this bill is different from current statute.

Larry Guistina said this is an issue the counties have been voicing for years. The Board didn't take a position in the past on this issue. However, this issue may be best left with the Department of Forestry and the Board of Forestry. He recommended that, if the Board opposed the bill, they should only do so if they address GPV as it is currently written and can create a FMP that better meets the needs of the state.

Peter Hayes said he was convinced that Board can, should, and must improve the FMP. He said the letter does two things: 1) states there is a need to clarify to members of legislature and the public that the Board and the department are moving forward in a deliberate, responsible way with the FMP; 2) Implies that changing the GPV rule isn't in our best interest. Mr. Hayes said the Board should look at this question in a larger historical context. We are entering an era where lands are shifting towards multiple revenue streams. It would be short sighted to limit state lands by focusing on timber revenue.

Bill Hutchison agreed with Mr. Hayes' comment that forests revenues are in a period of transition, with several avenues to pursue. He subscribes to the improvement of the FMP, agrees with Larry that the discretion of the agency should be protected, and understands Tim Josi's points that we all share a goal to improve the economy. The existing statute and OAR was the delivery of multiple values, and our goal is to optimize the ability of our plan to deliver multiple values. Mr. Hutchison asked for the views of the Chair, and requested that the Board reach consensus.

Chair Blackwell said his intention was that the Board vote on whether they oppose HB 3072. Mr. Blackwell said he opposes HB 3072 fundamentally because it usurps the authority of the Board of Forestry. The bill addresses issues that this Board of Forestry is addressing.

Peter Hayes asked for clarity on the intention of voting. Chair Blackwell answered that the procedure that the legislature and others practice is voting, and the intent is that majority rules. Bill Hutchison said his understanding was that the Board would first seek consensus. He said changing the decision making method is a decision the Board should make, and asked that they continue using consensus until further consideration. Chair Blackwell answered that the purpose of the meeting was not to debate consensus versus voting, the purpose is to reach a decision on this topic. He said he supports consensus but the Board has not been able to reach many decisions, so he would use his statutory privileged as Chair to determine how the Board makes a decision.

**The Chair called for an "aye" or "nay" on the recommendation to send John Blackwell's letter, on behalf of the Board, which states that the Board does not support HB 3072:**

Larry Giustina: Aye

Peter Hayes: Abstained from voting

Bill Hutchison: Abstained from voting

Cal Mukumoto: Aye

Jennifer Phillippi: Nay. Didn't think the Board should take a position on the bill without a legal analysis.

Steve Wilson: Aye

Chair John Blackwell: Yea

With a Board vote of 4 – 1 in favor, 2 members abstaining from the vote, Chair Blackwell ordered:

**The Board supports the staff recommendation to oppose HB 3072.**

There being no further business before the Board, Chair Blackwell adjourned the public meeting at 11:37 a.m.

Respectfully submitted,

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Marvin Brown, State Forester and

Secretary to the Board

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