Board of Forestry Meeting Minutes

June 3, 2020

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Items listed in order heard.

Complete audio recordings from the meeting and attachments listed below are available on the web at www.oregonforestry.gov.

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In accordance with the provisions of ORS 526.016, a meeting of the Oregon Board of Forestry was held virtually on June 3, 2020 and hosted at the Oregon Department of Forestry Headquarters on 2600 State Street, Salem, OR 97310.

All Board members joined online by 8:30 a.m. into Zoom webinar. Chair Imeson called the public meeting to order at 9:01 a.m.

Board Members Virtually Present:		*Board Members Absent:*
Nils Christoffersen	Jim Kelly	None
Cindy Deacon Williams	Brenda McComb	
Joe Justice	Mike Rose	
Tom Imeson		

CONSENT AGENDA:

A. APRIL 22, 2020 MEETING MINUTES
Approval of Board Meeting Minutes.

ACTION: The Board approved minutes from the April 22, 2020 Board meeting.

B. ANNUAL LETTERS TO THE STATE FORESTER
Department to report to the Board the contents of the annual letters received from the nine non-operating forest protective associations.

INFORMATION ONLY.

C. RANGELAND ASSOCIATION BUDGETS
Approval of the annual budgets of the Rangeland Fire Protection Associations currently operating in eastern Oregon.

ACTION: The Board approved the fiscal year 2021 budgets of the Ashwood-Antelope, Bakeoven-Shaniko, Blue Mountain, Brothers Hampton, Burnt River, Crane, Fields-Andrews, Frenchglen, Gateway, Greater Pine Valley, High Desert, Ironside, Jordan

Valley, Juntura, Lone Pine, Lookout Glasgow, Post Paulina, Silver Creek, Twickenham, Vale, Wagontire, Warner Valley, WC Ranches, and Wheeler County Fire & Rescue Rangeland Fire Protection Associations.

Mike Rose motioned for approval of the consent agenda items. Cindy Deacon Williams seconded the motion. Voting in favor of the motion: Nils Christoffersen, Cindy Deacon Williams, Joe Justice, Jim Kelly, Brenda McComb, Mike Rose, and Tom Imeson. Against: none. With Board consensus Items A through C were approved, and the motion carried.

ACTION AND INFORMATION:

1. STATE FORESTER AND BOARD MEMBER COMMENTS
Listen to audio MP3 – (27 minutes and 2 seconds – 6.18 MB)

Chair Imeson commented on:

- Outlined Board proceedings for Board members, presenters, and the public.
- Announced the presentations for the meeting are posted online for the public to view.
- Noted the public meeting will be live streamed, recorded, and posted online.
- Explained written public testimony that would be entered into record, can be submitted through June 17, 2020.

State Forester Daugherty commented on:

- Broader social issues, by describing how the public are experiencing a trifecta of economic uncertainty, social injustice, and health crisis. Noted that vulnerable population of all types and ages are in crisis. Acknowledged that the social unrest is a reminder that while progress to dissolve social inequities has been made, there is much more work to be done. Emphasized the Department's commitment to uphold diversity, equity, and inclusion in all aspects of business, organizational structure, and policies.
- COVID-19 pandemic impacts on the organization. Highlighted how workloads have increased and altered how the department conducts business. Explained how the Department has aided in the state's response to the health crisis. Described how declining timber markets may cause revenue downfalls for Departmental programs funding in this biennium, and the next. Noted additional budgetary forecast and financial expenditure impact. Presented three considerations for the state to address budget shortfalls, and noted the reduction exercise performed by the Department. He outlined the impacts these reductions would have on the Department's ability to meet its mission, and listed the current actions being taken to minimize agency costs.
- Era of uncertainty could influence policy decisions brought in front of the Board. He highlighted the budgetary decisions on the agenda, and warned that adjustments could be made. He described what actions will need to be taken if budgetary circumstances change.

Board Members commented on:

- Board member Christoffersen thanked the State Forester for his opening comments, and echoed how current events are deeply troubling on multiple levels and cause for serious reflection by all. Stated that this meeting may be his last, and shared some observations from his tenure on the Board. He appreciated the integrity, commitment and positive motivation of the Department staff as they manage large, complex landscapes with limited

resources. He urged those who value state forests to work with the Department as partners, not adversaries. Stated how he hopes the collaborative work from stakeholders on the Memorandum of Understanding prevails, and ushers in a productive new era in the governance and management of Oregon forests. Focused on equity, as the keystone, to achieve durable political solutions, to build capacity and systems to address the challenges on the horizon. He stated it is a privilege and honor to serve on the board, and appreciated working with his colleagues.

- Board member Justice extended appreciation to Nils Christoffersen, Cindy Deacon Williams, and Tom Imeson for their work on the Board. He offered an update from the latest Environmental Quality Commission (EQC) liaison meeting, explained how Department of Environmental Quality (DEQ) will continue to work together with the Department on next steps to protect streams of Oregon. He mentioned DEQ's position that water protection does not have to be regulatory, to make a restorative impact.
- Board Chair Imeson appreciated the State Forester's opening comments and how it provided additional context for the Board to consider.

Public Testimony: No provision made for public testimony.

Information Only.

2. FOREST PROTECTIVE ASSOCIATION BUDGETS
   Listen to audio MP3 – (38 minutes and 9 seconds – 8.73 MB)
   Presentation (attachment 1)

Doug Grafe, Fire Protection Division Chief, thanked the State Forester for his opening comments. He introduced his fellow presenter, Ron Graham, Fire Protection Deputy Chief, and reviewed the presentation objectives. Provided an introduction to the Emergency Fire Cost Committee Chair, Ken Cummings, outlined the Chair's expertise in the natural resources sector, and highlighted what the Chair will review with the Board.

Ron Graham, Fire Protection Division Chief, outlined the decision in front of the Board. He stated per ORS 477.265, the Board must review and provide final approval on all Forest Protection District budgets including the pro-rated assessment acreage rates. He described the open and transparent process that formed the recommended fiscal operating budgets for the local districts and associations. He explained the fund distribution thresholds and how the budgets provides funding to the base level of fire protection. He reviewed the background on the complete and coordinated fire protection system, and identified key partners that maintain this system's effectiveness. Graham outlined the Governor's office request for a general fund budget reduction exercise, reviewed current status, and explained next steps for the Board if the presented budgets are adjusted or reduced. He closed by reviewing the Department recommendation with the Board.

Invited Testimony:

- Ken Cummings, Chair of the Emergency Fire Cost Committee (EFCC) provided oral and written testimony (attachment 2) on the Forest Protection Association (FPA) Budgets topic. He listed five areas sustained with the approval of the proposed FPA budgets, and how they support an adequate level of protection across Department jurisdictions.

Board commented on the Forest Protection Association Budgets presentation.

- Inquired how the change allocations across districts were determined. Grafe explained the range of allocations is calculated on an annual basis depending upon carryover and intensity of fire conditions experienced by the district. He reviewed the most notable changes and explained the reasoning for these changes.
- Asked about personnel readiness for fire season, considering the leadership and staff members who have been utilized in responding to the COVID-19 pandemic. Graham explained that responding to this crisis has offered valuable training opportunities, that individual personnel are conscientious of the assignment's impacts, and believed the overall health and readiness of the teams are adequate for the approaching fire season.
- Inquired about process if revisions are requested for the proposed budgets. Graham provided an overview the process, outlined who are involved with the abbreviated budget development discussions and what is determined in those discussions, before it is brought back to the Board for approval.
- Expressed concern that reductions are imminent. Paraphrased the number of positions presented, highlighted points that implicate short-term impacts, and asked if the Board can submit a letter to the Legislature explaining the level of protections' adequacy is worth funding and would curb major reductions. Board Chair Imeson outlined the role of the Governor's office with Legislature and described the governance process for the general fund. State Forester Daugherty confirmed that a letter of support by the Board is an option. He noted how legislative days are uncertain, which is the best opportunity for the Board to submit a letter, and outlined some financial strategies that can be deployed depending upon the size of the allotment reduction. He offered the Department's support to help prepare the letter for the Board and will reach out to the Governor's Office for support on this issue.

Public Testimony:

- Milt Moran, provided oral testimony on the Forest Protection Association (FPA) Budgets topic. He thanked the Department for the hard work, dedication and commitment made for the people and forests of Oregon. Remarked on the proposed budget reductions if implemented, would have substantial impacts to adequate levels of protections and could place Oregonians in higher risk for large wildfires on the landscape. Concurred with the statements made on the valuable relationships built between the landowners, districts, associations, state and insurance broker to ensure adequate level of coverage is provided across the state. Urged the Board to approve the FPA budgets as presented.
- Russ Minten, President of the Clackamas-Marion Forest Protection Association (CMFPA) provided written testimony (attachment 3) on the Forest Protection Association (FPA) Budgets topic. He supported the approval for the FPA budgets as presented and listed impacts if budgets are reduced.
- Will Chandler, President of the Coos Forest Protective Association (CFPA) provided written testimony (attachment 4) on the Forest Protection Association (FPA) Budgets topic. He supported the approval for the FPA budgets as presented and did not support the Governor's proposed budget cuts.
- Rick Barnes, President of the Douglas Forest Protective Association (DFPA) provided written testimony (attachment 5) on the Forest Protection Association (FPA) Budgets topic. He explained the impacts of the Governor's proposed budget cuts may have on DFPA obligations.

- Ted Reiss, President of Eastern Lane Forest Protective Association (ELFPA) provided written testimony (attachment 6) on the Forest Protection Association (FPA) Budgets topic. He explained the impacts of the Governor's proposed budget cuts may have on ELFPA protection coverage.
- Jered Schwabauer, President of Eastern Oregon Forest Protective Association (EOFPA) provided written testimony (attachment 7) on the Forest Protection Association (FPA) Budgets topic. He supported the approval of the proposed FPA budgets as presented, and urged the Board to explain the importance of an adequate level of protection to the Governor and Legislature.
- Brandon Wood, President of Klamath Forest Protective Association (KFPA) provided written testimony (attachment 8) on the Forest Protection Association (FPA) Budgets topic. He expressed concern about how the budget reduction exercise would impact the adequate level of protection provided by the KFPA.
- Scott Melcher, President of Linn Forest Protective Association (LFPA) provided written testimony (attachment 9) on the Forest Protection Association (FPA) Budgets topic. He expressed concern about the budget reduction exercise and how it would impact the adequate level of protection provided by the LFPA.
- Rodney Jacobs, President of Northwest Oregon Forest Protective Association (NWOFPA) provided written testimony (attachment 10) on the Forest Protection Association (FPA) Budgets topic. He noted the importance of an adequately funded fire protection budget.
- Greg Johnson, President of Rogue Forest Protective Association (RFPA) provided written testimony (attachment 11) on the Forest Protection Association (FPA) Budgets topic. He noted the importance of an adequate level of protection, and described how budget cuts can impact protection coverage.
- Garrett Yarbrough, President of Western Lane Protective Association (WLFPA) provided written testimony (attachment 12) on the Forest Protection Association (FPA) Budgets topic. He supported an adequate level of protection, and explained that budget cuts can impact statewide protection coverage.
- Jeff DeRoss, President of West Oregon Forest Protective Association (WOFPA) provided written testimony (attachment 13) on the Forest Protection Association (FPA) Budgets topic. He expressed concern about the budget reduction exercise and how it would impact the protection coverage provided by the WOFPA.

ACTION: The Board approved all Fiscal Year 2021 district and association protection budgets as presented in Attachment 1.

Cindy Deacon Williams motioned for approval of all fiscal year 2021 district and association protection budgets as presented. Joe Justice seconded the motion. Voting in favor of the motion: Nils Christoffersen, Cindy Deacon Williams, Joe Justice, Jim Kelly, Brenda McComb, Mike Rose, and Tom Imeson. Against: none. With Board consensus the motion carried.

3. AGENCY BUDGET DEVELOPMENT AND REQUEST
Listen to audio MP3 - (9 minutes and 13 seconds – 2.10 MB)
Presentation (attachment 14)

Bill Herber, Director for Administration, explained the purpose for the policy option packages (POP), and briefly reviewed the budget development process. He discussed how the budget instructions from Department of Administrative Services (DAS) Chief Financial Office (CFO) has not changed, but if revised instructions are dispersed then the Department will make appropriate alterations to the standing POPs. He provided status on the technical aspects of the budget process, and outlined the current work being done by the Department for budget narratives. Herber added to the State Forester's opening comments on the economic forecast, noting that 2021-2023 biennium predicts a greater reduction percentage of general funds for the Department.

Herber presented the policy option packages (POP) for each division including name of program, POP title, full time equivalent (FTE) employee positions, and listed the funding amounts for each request. He highlighted some adjustments and additions made to the existing POPs. He closed by reviewing the Department recommendation with the Board.

ACTION: The Board approved the policy option packages proposed for inclusion in the 2021 – 2023 Agency Request Budget that will be presented for Board consideration at the July 22, 2020 Board meeting. Subject to additional budget instructions from DAS CFO.

Mike Rose motioned for approval of the policy option packages proposed for the 2021-2023 Agency Request Budget. Joe Justice seconded the motion. Voting in favor of the motion: Nils Christoffersen, Cindy Deacon Williams, Joe Justice, Jim Kelly, Brenda McComb, Mike Rose, and Tom Imeson. Against: none. With Board consensus the motion carried.

4. EVALUATE BOARD'S AUTHORITY AND CONSTRAINTS ON CLIMATE CHANGE POLICY

Listen to audio MP3 - (One hour, 2 minutes and 18 seconds – 14.2 MB)
Presentation (attachment 15)

John Tokarczyk, Acting Planning and Analysis Program Director, provided an overview of the presentation's objectives, the determinations in front of the Board, and introduced his colleagues who will available for the duration of the presentation.

Danny Norlander, Forest Carbon and Forest Health Analyst, offered background on the topic by reviewing the milestones listed and sequence outlined on the Climate Change work plan. He described the desired outcomes for this topic discussion, and reviewed the process of how the presented set of questions that evaluates the Board's authority and constraints on climate change policy were developed. He read each question, related it to the relevant statute, and reviewed the rationale for determining relevance to Board policy. Norlander discussed the five questions with the Board, and responded to questions posed by the Board. He reviewed the staff recommendations, and outlined next steps. He reviewed the revised and additional questions requested by the Board, and sought confirmation on whether the questions are approved by the Board.

Board commented on the Evaluate Board's authority and constraints on Climate Change Policy presentation.

- Inquired whether implying or including all benefits of stored forest carbon from trees and forest products was the intent of this question, and to consider expanding the first set of questions to obtain clarity on the forest benefits. Norlander explained the intention for these questions are to capture the forest benefits in the woods, speaking to harvested wood products. Board explained that forest benefits also include forest products, and recommended to incorporate, but to include net carbon stores after carbon emissions have been deducted from those forest products. Board suggested to separate this element from the standing set of questions, as this subject can be substantive and broad enough that it may extend beyond the Board's statutory authority. State Forester Daugherty mentioned the Intergovernmental Panel on Climate Change (IPCC) protocol that recognizes forest ecosystem carbon pool and harvesting wood product pool, which are different types of benefits. He agreed that this set of questions could be expanded, and suggested defaulting to DOJ to determine if this topic is best addressed in one or two parts. Board added to previous notion that IPCC protocols do not consider carbon costs associated with transportation or processing emissions of wood products. Recommended to look at these policy questions in a holistic systems way with net contributions, deficits or curves in carbon as part of a system, and to default to IPCC model to ensure consistency and use of the accepted methods.
- Inquired whether the Board is covered under the rationale as it exists without taking any further action. State Forester Daugherty stated statutorily the Board has been provided authority on supervising all matters of forest policy, and explained that DOJ could analyze whether the Board's interpretation of how broad and encompassing their policymaking can be to address production of all forest benefits. The determination by DOJ on that interpretation could identify what steps the Board would need to take in order to weigh in and effectively incorporate climate change into existing or future policy.
- Board Chair Imeson reminded that the aim for these questions are to help the Board understand the legal impediments, and what the Board can or cannot do under the existing authorities. Recommended for DOJ to include whether the Board needs to make a finding or declare a policy around a subject (e.g., forest benefits), and include climate specifically or does the Board need to take steps to establish that authority if constraints are identified.
- Board offered additional questions for DOJ to review and provide a response on.
    - How should the Board consider climate change in order to maximize benefits now and into the future? Should the Board consider climate change when setting policy such that climate change can constrain our abilities to attain those goals in the future?
    - Consider including a companion overarching question that speaks to the adaptation of climate change management. Does the Board have the authority to identify and establish rules to protect climate refuges or manage forests for future ecologic resiliency in the face of climate change?
    - What are the legal constraints and/or legal authorities the Board should be aware of when considering the carbon costs associated with harvest and transportation of wood products?
- Board posed additional considerations to the presented set of questions.
    - Board asked to include the word climate in the presented question related to ORS 527.714.
    - Board asked to include forest products as they shape the responses related to ORS 526.460.

- State Forester summarized the two additional questions requested by the Board to seek confirmation, and the Board Chair acknowledged these additions.
- Board inquired how long it will take to receive a response from DOJ. Norlander explained approximately two months for DOJ to conduct an analysis and pass it through their internal revision process.
- Board Chair offered an outline for a potential motion for Board members to consider by directing staff to complete the questions discussed today, and submit to DOJ with a request to develop responses with all deliberate speed, and provide the answers to the Board.

Public Testimony:

- Samantha Krop from Center for Sustainable Economy provided oral testimony on the Evaluate Board's authority and constraints on Climate Change Policy topic. Spoke to the Governor's Brown Executive Order (EO) 20-04 and stated the Department's response failed to meet the target of the Governor's request. Expressed frustration with the timelines, how little has been accomplished, and the minimal public engagement on this issue. Krop asked the Board to develop policy in three areas to address this issue, offered some recent studies results, and encouraged the Board to explore the full extent of their authority as granted by the Oregon Legislature. Urged the Board to develop an honest and transparent accounting of Oregon forest carbon and ending the clearcutting on state forest lands.
- John Talberth from Center for Sustainable Economy and Forest Carbon Coalition provided oral testimony on the Evaluate Board's authority and constraints on Climate Change Policy topic. Reviewed the report submission to the Board from the Forest Carbon Coalition, and explained it provided the roadmap for embracing best available science, best practice and sustainable economics in developing a state forest carbon agenda. Explained transition from the business-as-usual model must be considered to respond to the Governor's EO 20-04, and highlighted six measures included from the Forest Carbon Coalition report.
- Maria Sause provided oral and written testimony (attachment 16) on the Evaluate Board's authority and constraints on Climate Change Policy topic. Commented on the conditions of the northwest forests. Explained how observed clear cuts and pesticides are impacting the forest ecosystems. Spoke to longer tree rotations relative to carbon storage. Sought reform of the Forest Practices Act, and urged the Board to act soon on rule reform.
- David Tvedt provided oral testimony on the Evaluate Board's authority and constraints on Climate Change Policy topic. Reviewed OSU and Center for Sustainable economy study results that logging is the single largest carbon emitter in Oregon, and the urged the Board to reform the Forest Practices Act. He described and highlighted the unsustainable practices of an industrial logging outfit.
- Marshall Gause provided written testimony (attachment 17) on the Evaluate Board's authority and constraints on Climate Change Policy topic. Noted how the Department should prioritize policies for climate change mitigation and protection.
- Greg Jacob from Oregon Chapter of Sierra Club, provided written testimony (attachment 18) on the Evaluate Board's authority and constraints on Climate Change Policy topic. He commented on the adoption of forest management practices that maximize carbon sequestration and prolong forest stand cycles.
- Angela Jensen, Legal Director from Umpqua Watersheds, provided written testimony (attachment 19) on the Evaluate Board's authority and constraints on Climate Change Policy topic. Reflected on Governor's Brown EO 20-04, noting the mandate to establish policies to

address GHG emissions and consider climate change in Oregon Forest Practices Act policy making decisions.

- Katja Kohler, provided written testimony (attachment 20) on the Evaluate Board's authority and constraints on Climate Change Policy topic. Urged Department to consider strategizing and seeking policy proposals to address climate change.
- Jack Reis, Director from Fishpond provided written testimony (attachment 21) on the Evaluate Board's authority and constraints on Climate Change Policy topic. Recommended an adoption of sustainable management policy.
- Campaign (attachment 22) to support the letter submitted by Forest Carbon Coalition to the Board for the Evaluate Board's authority and constraints on Climate Change Policy topic.

Cindy Deacon Williams motioned for the six questions that were discussed to be submitted to DOJ for an answer to clarify what the Board's current authorities and constraints are regarding climate change. Brenda McComb seconded, and offered a friendly amendment to the motion, to add that decisions be made with all due haste. Board member Deacon Williams concurred with amendment. Board discussion followed and confirmed the suggested modifications to the existing questions will be incorporated. State Forester agreed, and stated the question posed around carbon costs associated with wood products would be a separate question, and would bring the total to seven questions.

ACTION: The Board directed the Department to provide the six questions that were discussed and submit to DOJ for an answer to clarify what the Board's current authorities and constraints are regarding climate change, and that decisions be made with all due haste.

Cindy Deacon Williams motioned for Department staff to complete questions discussed and submit to DOJ to develop responses and provide to the Board. Brenda McComb seconded the motion. Voting in favor of the motion: Nils Christoffersen, Cindy Deacon Williams, Joe Justice, Jim Kelly, Brenda McComb, Mike Rose, and Tom Imeson. Against: none. With Board consensus the motion carried.

5. REQUEST FOR TEMPORARY RULE IN THE SISKIYOU GEOREGION
Listen to audio MP3 - (30 minutes and 1 seconds – 6.87 MB)
Presentation (attachment 23)

Kyle Abraham, Private Forests Division Chief, outlined the request for temporary rulemaking in the Siskiyou georegion for salmon, steelhead, and bull trout (SSBT) streams, and introduced the main signatories who submitted the request to the Board.

Invited Testimony:

- Greg Miller stated he was representing the forest landowner signatories of the Oregon Foresty Memorandum of Understanding (MOU). He aired his support for the temporary rulemaking to establish SSBT stream protections in the Siskiyou georegion and referenced the letter submitted to the Board that outlines this request. He provided a background of the group's collaborations on the MOU throughout the 2020 legislative session and explained how this request ties into the continued momentum of the group's work. He thanked the

Board for their unilateral support of the MOU. Miller outlined the purpose of this temporary rulemaking request, listed three benefits that may be an outcome of this ruling, and asked that the rule be effective on the earliest day possible. Closed by expressing support for the work on the expanded literature review and believed the information would be useful to the Board.

- Bob Van Dyk stated he was representing the fish conservation and environmental signatories from the Oregon Foresty Memorandum of Understanding (MOU). He encouraged the Board to adopt the temporary rules to establish SSBT stream protections in the Siskiyou georegion. He recalled numerous occasions when conservation and environmental groups requested more robust rules from the Board on the larger stream network across the State, and by the Board approving this temporary rulemaking will demonstrate progress consistent with the MOU as well as allow the Department to offer support for the MOU work. He closed by agreeing with Miller's comments on the expanded literature review and looked forward to the summary being released.

Abraham reviewed the requested items outlined in the letter to the Board. He reported on the status and projected delivery of the expanded literature review for the Siskiyou Streamside project amidst the many uncertainties the Department has encountered. He highlighted the continued collaboration with Department of Environmental Quality on learning how Forest Practices Act (FPA) sufficiency and Total Maximum Daily Load (TMDL) policies may work together to meet water quality goals, and shared DEQ's support for the temporary rulemaking in the Siskiyou georegion. Explained if the Siskiyou Streamside Protection review is paused, how it may open up Division capacity for other work requested by the Board. He referenced ORS 183.335(5) Administrative Procedures Act process to adopt and administer a temporary rule. He described how the temporary rule differentiates between the promulgation of rules under ORS 527.710 and outlined the parameters to implement the rule. Abraham offered context on how the rule will be implemented in the southwest Oregon area by listing training, coordination, and outreach as the main tools to ensure the rules are followed.

Public Testimony:

- Dana Kjos, Chair of the Southwest Oregon Regional Forest Practice Committee (SWOFPC) provided oral and written testimony (attachment 24) on the Request for Temporary Rule in the Siskiyou Georegion topic. He supported the approval of the temporary rulemaking as presented, but cautioned the Board to implement the rule in a measured fashion. Suggested that Department's monitoring program collect data for a more informed decision going forward.
- Evan Barnes, Chair of the Committee for Family Forestlands (CFF) provided written testimony (attachment 25) on the Request for Temporary Rule in the Siskiyou Georegion topic. He stated support for the approval of the proposed temporary rulemaking, and the memorandum of understanding (MOU).
- John Davis, General Manager from Green Diamond Resource Company provided written testimony (attachment 26) on the Request for Temporary Rule in the Siskiyou Georegion topic. He stated support for the approval of the proposed temporary rulemaking, and continued efforts of the MOU signatories.
- Richard Whitman, Director of Department of Environmental Quality (DEQ) provided written testimony (attachment 27) on the Request for Temporary Rule in the Siskiyou Georegion topic. He stated support for the proposed adoption of a temporary rulemaking in

the Siskiyou region, and echoed Environmental Quality Commission's interest in the Board's continued efforts.

- Jeff Golden, Senator for District 3 and Chair of Senate Wildfire Reduction and Recovery Committee, provided written testimony (attachment 28) on the Request for Temporary Rule in the Siskiyou Georegion topic. He offered gratitude to the Board on adopting the temporary rules for the Rogue-Siskiyou region, and hoped the implementation will lead to permanent protection for southwest Oregon qualified streams.

Board commented on the Request for Temporary Rule in the Siskiyou Georegion presentation.

- Inquired when the Department would be ready for implementation on the ground. Abraham stated this could take a few months, but the soonest he would see implementation to occur would be fall of 2020.
- Remarked on the stakeholders ability to come together and collaborate on an area that has historically been contentious, but encouraged by the continuing work towards productive solutions. Acknowledged the collaborative efforts of the stakeholders, and thanked them.
- Reminded the Department to include private landowners to ensure an effective implementation that functions well in the southwest region. Inquired if a reprieve for the landowners will be considered with implementation. Abraham emphasized the importance of outreach before and during the rule implementation process for an effective transition.

Cindy Deacon Williams motioned to accept the staff recommendation to adopt a temporary rule, and suspend the Siskiyou Streamside Protection Review with the exception of the work needed to finalize the literature review, and that implementation of the temporary rule to proceed as expeditiously as possible, with the understanding that we need to take the administrative steps to effectively implement the rule, with a target implementation date no later than January 2021. Board Chair Imeson opened motion up to discussion, and verified that the motion accepted the staff recommendation with the addition of an implementation target date. Abraham offered a revised recommendation to the Board, and the Board agreed that Board member Deacon Williams motion would yield to the revised recommendation. Mike Rose seconded the motion. Abraham offered one more clarification to the motion made.

ACTION: The Board directed the Department to finalize the materials needed to adopt a temporary rule, following the process outlined in ORS 183.335(5). Directed the Department to pause the Siskiyou Streamside Protection Review except for a limited amount of work to finalize the literature review summary report. Approved the temporary rule language as described and directed the Department to place the temporary rule in effect with a target of no later than January 1, 2021 after the department provides training to stewardship foresters, operators and landowners in the affected areas and completes the update to the Type SSBT stream database, in coordination with ODFW.

Voting in favor of the motion: Nils Christoffersen, Cindy Deacon Williams, Joe Justice, Jim Kelly, Brenda McComb, Mike Rose, and Tom Imeson. Against: none. With Board consensus the motion carried.

6. FIRE SEASON READINESS
Listen to audio MP3 - (27 minutes – 6.17 MB)
Presentation (attachment 29)

Doug Grafe, Fire Protection Division Chief, outlined what the presentation would cover, and introduced his fellow presenter.

Ron Graham, Fire Protection Deputy Chief, reported on the fire season outlook, which includes drought monitoring, temperature probability, and precipitation probability. He reviewed the significant wildfire potential for Oregon, and fire statistics to date for June 2020. He reported on an observed trend on ODF protected lands, that an average number of acres burned continues to rise each decade, and this trend is noticeable across all jurisdictions. Commented on how this trend links to large fire costs increasing over the last couple of decades, and cost implications.

Graham described the steps taken by the Department in response to COVID-19 to prepare for fire season readiness, to integrate preparedness measures in initial and extended attacks, and to establish safety protocols to mitigate exposure in fire camps. He reported on the joint agency efforts to minimize smoke exposure during this crisis, and asked for a voluntary stay of public burning, which received high compliance across the state. He reviewed the coordinated organizational efforts that designed strategy frameworks, best management practices, and field management plans for responding to and mitigating COVID-19. He explained how an interagency fire camp committee has been organized to address situations related to coronavirus response.

Graham spoke to the special purpose appropriation program, aviation contracts, resource distribution, and plans in place for the anticipated fire season. He highlighted the latest campaign led by Keep Oregon Green to minimize the number of human-caused fires, and acknowledged the successful interagency coordination to promote wildfire awareness. He reviewed the funding, the status, and benefits of the strategic investments made to prepare for the 2020 fire season. Graham closed by thanking the partners in the coordinated system, and the Legislators who appropriated funds to help supply and prepare the agency to better respond to fires amidst COVID-19.

Grafe closed the presentation by outlining the scheduled fire updates to the Board, and welcomed any questions or comments by the Board.

Board commented on the Fire Season Readiness presentation.

- Inquired about whether the prescribed burning program has had to scale back due to the smoke implications associated with COVID-19. Graham described the approaches taken by federal and state agencies regarding prescribed burning in 2020.

Public Testimony: None

INFORMATION ONLY.

7. FOREST TRUST LAND ADVISORY COMMITTEE TESTIMONY
Listen to audio MP3 - (20 minutes and 45 seconds – 4.75 MB)

David Yamamoto, Chair of Forest Trust Land Advisory Committee (FTLAC) provided oral and written testimony (attachment 30).to the Board. He noted the accrued interest from the judgment in the Linn County Class Action suit from March 2020. Listed the Council of Forest Trust Land Counties (CFTLC) and highlighted five CFTLC objectives. Shared how COVID-19 is impacting the active management and harvest levels of state forests. He commented on the benefits of increased harvests, and outlined the county services the revenue supports. Explained the counties' reasoning to cancel FTLAC meetings during the health crisis, and stated no support for a FMP or HCP that may violate the State's contractual obligations with the trust counties. He noted the counties are open to a discussion on how FMP and HCP relate to CFTLC goals.

Commissioner Testimony:

- Kathleen Sullivan, Commissioner for Clatsop County, provided oral and written testimony (attachment 31) on the Forest Trust Land Advisory Committee testimony. She shared gratitude for the Board members' service, and Department's efforts in public meeting participation. Stated the Clatsop County Board of Commissioners support for a balanced forest management plan, and for the Habitat Conservation Plan. Explained the value of collaboration and a transparent public process, as well as the need to proceed with full participation of the advisory boards.

INFORMATION ONLY.

8. STATE FORESTS ANNUAL OPERATIONS PLAN PROCESS OVERVIEW
Listen to audio MP3 - (One hour, 4 minutes and 11 seconds – 14.6 MB)
Presentation (attachment 32)

Liz Dent, State Forests Division Chief, introduced Ron Zilli, Deputy Division Chief of planning and coordination, and explained his role within the State Forests reorganization. She supported the opening comments made by the State Forester and remarked how broad social issues are to be addressed by managers of public lands as well. She outlined the presentation topics and the information that will be provided to the Board.

Dent provided an overview of the State Forests' planning hierarchy and relationships between the various planning levels. She reviewed each plan by describing each plan's components, function, and breadth. Offered an example of how these plans relate to one another by reviewing how a strategic plan is developed to achieve Greatest Permanent Value (GPV), as defined by the Forest Management Plan (FMP), how the implementation plan (IP) carries out the GPV goals, and how an annual operation plan (AOP) achieves the IP objectives.
Ron Zilli offered specifics on the annual operations and planning processes by reviewing the AOP multi-year development, outlining the number of components considered, describing the collaborative process involved, and the resulting plans created for fiscal year operations. He described the AOP process steps, which included initial scoping, internal reviewing, external reviewing, engaging the public for comments, and finalizing the plans before the District Foresters approve.

Zilli provided a high-level summary of the public comments received, highlighted the main themes, and noted that comments ranged, with some unrelated to the planning decision under consideration.

He expressed appreciation for public comments and how it provides the Division a greater understanding of how citizens perceive state forest management but explained how comments relevant to the scope of annual operations planning are considered during the public comment process. He framed the comments received by whether they were in support of, a request to, or concern for a component of the AOPs proposed, and reviewed the elements for each set of comments as it relates to the Division's scope of work.

Zilli closed by explaining the Department is in the preliminary process of forming responses to the comments received and noted some changes to the district's AOP are being considered. He welcomed any final questions or comments from the Board.

Board commented on the State Forests Annual Operations Plan Process Overview presentation.

- Expanded on the example provided in the presentation, by inquiring how the Department is achieving the goals outlined in the example scenario and what the observed trends has been overtime. Dent explained this information is available and is provided in the Department's biennial budget submitted to the Legislature, which includes metrics to measure whether the goals were attained, and she explained that the targets are set by the Legislature. She explained the Division can track trends in few ways, one through the key performance measures (KPM), and the other with the District observing forest components in relation to the IP's designed for their region. Board inquired further on the criteri that qualifies forestland as complex structure. Zilli commented on the holistic approach taken in the landscape design with collaboration of district staff, adjacent landowners, and agency partners; and collectively they consider key resources, current condition of the forest, and variety of benefits overtime. Dent explained that it is close to the time to revisit the IP's and discuss whether they are meeting the FMP objectives as designed, as the IP's are entering the end of their 10-year cycle. Zilli explained each IP has a map that shows where the desired future condition (DFC) for layered and older forest structure stands are intended to be developed, stated the IP design is to meet the range outlined in the regions FMP, which varies district-by-district, and outlined the process of how clear cuts, treatments, and thinning are considered with the existing complex stand goals for that district. A Board member asked the Division to consider a cautionary approach to maintain the complex forests within the region, until the Department can determine whether the districts are maintaining the goal percentage as outlined in the FMP. Zilli believed the trajectory of this goal is well-mapped, and offered background on the Division's efforts to establish, adjust, and revise the IP's over the past two decades as Board policies and directions have changed. A Board member expressed concerned that beyond the growth model changes, it is unknown what proportion of the landscape is in complex forests and how much the proportion has changed.
- Inquired whether the AOP process is driven to identify and locate areas for timber sales or is it more of a balanced approach to meet the other goals outlined in the regions' implementation plan. Zilli explained other operations beyond timber sales are considered and are built into the AOP's, such as young stand silviculture activities, stocking surveys, density management, competing vegetation treatments, and recreation projects and services.
- Discussed public comment received that the AOP design was not sustainable overtime, the rate of harvest was unlikely to be sustainable, and did not contribute to the achievement of the IP goals. Dent stated the Division will be addressing and plan to work with the citizens

who submitted comments on this topic to consider some solutions. Board member inquired if the harvest calculations remodeled after the 2015-2016 stand level inventory was conducted. Zilli stated not with the implementation plans, they were considered at the establishment of the plan period, and were not remodeled as result of the change of the growth model used. Board member inquired further if the Division plans to remodel the harvest calculations with the upcoming IP reviews, and Dent responded the Division remains focused on the efforts for the Habitat Conservation Plan (HCP) and FMP, and it will take a significant shift in resources to sufficiently respond to the questions posed by the Board, such as recalculating the sustained yields.

- Shared observation on the fundamental structure and relationship between the plans (e.g., AOP, IP, FMP), is built on the assumption that an AOP is making progress with the goals set out in the IP, and reemphasized the importance of tracking trends to help inform the Board on whether their guidance is being implemented on the ground. Offered suggestions to the Division staff, Board, and agency leaders to provide information expeditiously and transparently as possible to help build trust in the stakeholders. Board encouraged with the appropriate level of information to communicate openly on trends, progress, challenges, and adjustments relative to the current operating direction that the plan is providing.

Public Testimony:

- Ron Byers, provided written testimony (attachment 33) on the State Forests Annual Operations Plan (AOP) Process Overview topic. He shared observations of Trask River, from fish populations to aerial spraying. Stated concern for Trask Watershed with timber sale sites on steep-sloped areas. Urged the Department to rewrite the 2021 AOP.
- Gwendolyn Endicott, provided written testimony (attachment 34) on the State Forests Annual Operations Plan (AOP) Process Overview topic. She shared observations of the Nehalem River Valley, from erosion to flooding. Commented on local concerns of aerial sprays, mudslides, siltation, and habitat loss. Urged the Department to create an AOP that values watershed health, wildlife, and people.
- Oregon Forest & Industries Council et al. provided a written group testimony (attachment 35) on the State Forests Annual Operations Plan (AOP) Process Overview topic. They stated support for the Department's 2021 AOP, commenting that it is in full compliance with the current Forest Management Plan, and exceeds environmental requirements.
- Oregon State Timber Sale Purchasers provided a written group testimony (attachment 36) on the State Forests Annual Operations Plan Process Overview topic. They commented on the participatory portion of the AOP process. Noted how the 2021 AOP meets or exceeds environmental requirements of the Forest Management Plan (FMP). Shared observations of the current FMP in terms of harvest volume and preservation. Reviewed four social and environmental considerations.
- Pam Selway Birmingham provided written testimony (attachment 37) on the State Forests Annual Operations Plan (AOP) Process Overview topic. She commented on the 2021 Astoria's district AOP, listing some examples of proposed sales that should be canceled for harvesting of older and complex stands.
- Phyllis Thompson provided written testimony (attachment 38) on the State Forests Annual Operations Plan (AOP) Process Overview topic. Commented on the 2021 AOP for Astoria and Tillamook districts, highlighting three observations of the plan. Urged the Department to manage forests more sustainably, while safeguarding the health and welfare for all.

- Campaign for Protect Jobs and Communities (attachment 39) on the State Forests Annual Operations Plan Process Overview topic. Encouraged sustainable forestry that manages state forests, protects jobs and provides revenue for businesses, as well as the State.

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9. FINANCIAL DASHBOARD PROJECTED DESIGN REVIEW AND UPDATE

Item tabled and moved to July 22, 2020 Board of Forestry meeting agenda.

10. HUMAN RESOURCE DASHBOARD
Listen to audio MP3 - (21 minutes and 50 seconds – 4.99 MB)
Presentation (attachment 40)

Bill Herber, Deputy of Administration, discussed the series of Administrative topics being presented to the Board, highlighted two new topics and their presenters, as well as provided an overview of the content that will be presented. He reviewed the purpose of these topics and explored the benefits and caveats of data-rich systems. He explained how the Department's data is siloed and housed in disparate systems, which has identified a need for modernization and further development as the organization matures. He framed the data as a tool that should be leveraged to help inform and provide trustworthy information as the organization, managers, and leadership makes informed decisions. Herber welcomed the Board to actively engage with the presenters by asking questions and to track any areas they would like to explore further to help with their understanding of the organization.

Tricia Kershaw, Human Resources Director, provided an overview of the presentation information collected for the calendar year 2019. She reviewed the headcounts for permanent, seasonal, temporary, and limited duration positions. She listed the number of employees eligible to retire, regionally, and by division, explaining how the postponement of succession planning has been delayed due to cost containment. Described how the Workday program was utilized to extract this data and highlighted some succession planning features available to personnel across the state. She reviewed the total number of recruitments, internally and externally. She listed the efforts being taken to evaluate, track, strategize, plan, and implement modern approaches for a more effective recruiting system to attain agency goals. Kershaw reviewed the diversity, equity, and inclusion (DEI) demographics, noting the majority of staff are male Caucasians, but the number of females is proportionate the number of males for recruitments. She reviewed the workforce safety data, from hour's works, number of injuries, and injury claim submission frequency.

Board commented on the Human Resource Dashboard presentation.

- Inquired about the amount of time Human Resources staff focuses on recruitment, rule regulation enforcement, safety, and employee development. Kershaw noted much of the HR focus has been on updating policies and improving recruitment outreach.
- Shared observations on presentation. Recommended to present data as trends overtime with averages, and in the context of the organization's goals. Suggested creating a retention chart measuring departures with the demographic group, and address any patterns that may arise.

- Inquired about whether the under-represented groups are being recruited and retained, are provided resources to be successful, and if these individuals separate from the organization to track the reasoning for departure. Kershaw explained the lifecycle of recruitment, stressed the importance of integrating inclusion with the lifecycle, and listed outreach the organization is engaging in to improve recruitment and retention efforts.

Public Testimony: None

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11. FACILITIES CONDITION AND CAPTIAL MANAGEMENT PLAN
Listen to audio MP3 - (23 minutes and 43 seconds – 5.42 MB)
Presentation (attachment 41)

Chris Stewart, Facilities Capital Management Program Manager, provided an overview of the presentation information collected and summarized the range of topics under the facility management program purview. He listed the facility portfolio stats and outlined the number of property items on record with the total current replacement value (CRV) of $241 million. He noted the range of facilities with different occupancy levels, ages, conditions, types, and utility across the state. He reviewed the function, value, and applicability of a facility's performance metric. He explained how the facility condition needs index (FCI) metric is used for capital management improvement projects, funding proposals, budgeting, and measuring CRV. Stewart offered a facility condition projection example, which demonstrated the facility condition FCI's funding scenarios and trends for 2018. He explained the intent of the FCI metric, and how it helps leverage data to support a long-term strategic plan.

Stewart described how the facilities program developed a condition benchmark, strategic objectives, and an investment strategy to achieve program objectives. He addressed the pervasive issue of aging infrastructure, explained how this ties into deferred maintenance, and outlined the organization's solution currently being implemented to minimize backlog. He described the investment tool called the Facilities Operation and Capital Investment Account (FOCIA) by listing the tool's origin, intent, funding model, and benefits for the organization. He noted how the program has utilized the tool along with data-rich analyses to form long-term strategic capital planning, to contribute to an agency-wide strategic capital plan, and to design a pilot project plan implemented at the district level. He explained the pilot project objectives, project monitoring, process adjustments, and rental rate and interval refinement. Stewart strived for goals of good stewardship of buildings and infrastructure, implement best management practices, and sustain adequate funding. He closed by highlighting the policy option package (POP) 174 request to increase facilities program staff capacity and outlined the intent for this POP.

Board commented on the Facilities Condition and Capital Management Plan presentation.

- Remarked on the critical infrastructure issues in the northeast Oregon districts, and Stewart commented on the district's efforts to work through multiple spreadsheet iterations to refine and address the district's needs.

Public Testimony: None

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12. PUBLIC INFORMATION REQUEST REPORT
Listen to audio MP3 - (15 minutes and 59 seconds – 3.65 MB)
Presentation (attachment 42)

Joy Krawczyk, Public Affairs Program Manager, provided an overview of the presentation topics. She outlined the public services provided internally and externally, described the roles in the organization that directly work with the public, and listed the different types of services. She explained the goal of sharing information and engaging with the public is to build and maintain trust. She reviewed the role, composition, and function of the Public Affairs program.

Krawczyk defined a public information request, described the ways the public can request information, and explained how requests are fulfilled across the organization. She explained that the public information data presented is specific to the Public Affairs Program's work and does not include public information work conducted elsewhere in the agency. Additionally, she said the data provide is more response-based versus proactive information sharing. She listed the methods and number of public information responses fulfilled by the program for the calendar year 2019 and noted the workload percentage allocated per full-time employee varies.

Krawczyk explained the program administers the public record request system, manages all requests, and monitors request fulfillment. She reviewed the number of public record requests received in 2019. She provided examples of record requests to illustrate how the workload can vary depending on the scope of the request, records involved, age of records, and how the records are stored. She also explained how the majority of production fees are waived, but offered scenarios of when fees can be applied for the amount of time, coordination, and resources required to produce the request.

Board commented on the Public Information Request Report presentation.

- Inquired about the number of public record requests received in 2019. Krawczyk explained the organization's public record system has been in place since 2019, which makes it difficult to identify trends with a minimal amount of data tracked. She provided a brief comparison of the organization's number of requests with other state agencies and remarked that this organization is ranked closer to the lower end of record requests received.

Public Testimony: None

INFORMATION ONLY.

13. BOARD CLOSING COMMENTS AND MEETING WRAP UP
Listen to audio MP3 - (32 minutes and 25 seconds – 7.41 MB)

Board Chair, Tom Imeson, reviewed the agenda items in sequential order with Board members and Department staff, welcomed any closing comments or follow-ups on topic items. Comments were offered, and presented in the order discussed.

- Item two, the Board Chair commented on the uncertainty around the Department's budget, and understood that some actions items associated with the budget process may need to be revisited, based on the actions taken by the Governor's office and Legislature. He appreciated the comments submitted, points considered, and the situational awareness provided by the Department. State Forester Daugherty inquired whether the Board would like to submit a letter to the Legislature about the fire protection budgets, and if so, this would require a Board action with clear direction on what points to include in the drafted letter. He suggested to draw from the points mentioned earlier by Board members, and offered an example. Chair Imeson outlined a potential motion, that the Board authorizes a letter to be sent on it's behalf on this topic should it be warranted. Members of the Board clarified that the letter would be a preemptive approach to address this issue collectively by the Board and in line with the Executive Branch. State Forester asked for a thumbs up by Board members who agreed to move forward on drafting a letter. Additional content for the letter was proposed, to outline the specific impacts to protection across the state if the approved budgets were reduced.
- Item three, the Board Chair mentioned there may be more development in July that would apply a new context for the approved POP's, but that the Board would have to wait and see.
- Item four, the Board Chair summarized the action made by the Board, and next steps for the Department and DOJ in responding to the proposed questions, expeditiously as possible.
- Item five, the Board Chair noted the forward motion of the temporary rulemaking request.
- Item six had no comments raised.
- Item seven, members of the Board raised issue with FTLAC testimony being presented, when FTLAC have elected to not meet and discuss the items before submitting testimony. Members of the Board concerned to hear that this is a standing issue, and inquired if Board Chair or State Forester can informally address with FTLAC. Other members of the Board noted the importance of ascertaining the facts; to respectfully request confirmation of: circulation before submission, testimony submission was on behalf of FTLAC, and formal decision reached by advisory committee members on the testimony submitted. Board Chair inferred this information may be determined before the record is closed for the June 3, 2020 Board meeting.
- Item eight, Board Chair stated no formal requests were made, but inquired from members of the Board on any follow-ups. Some members desired a clear and consistent way to receive a report of the Division's undertaking and progression through the AOP and IP process, as appropriate, as well as how the proposed plans are meeting the goals and key performance measures in the Forest Management Plan. Other members shared concern that this request infers planning and reporting to the Board which has historically applied constraints and inflexibility for the Department to do their work and make decisions, if not other unintended consequences. Cautioned against position-driven requests, and recommended to fellow members to be careful and clear with what the Board asks for from the Department. Another Board member noted that flexibility is built into the adaptive management plan, but lacks monitoring information that will help inform the Department on how to make any changes, and will ultimately inform the Board on whether the plan's goals are being met. Liz Dent, State Forests Division Chief, offered a brief background on the previous FMP endeavors, and raised three points for the Board to consider; 1) Department can address harvesting layered stands in the implementation plans, 2) Board to endorse the Division to stay focused on the work at hand to prepare and present HCP decision in October, and after October, 3)

Board to direct Division to prepare a discussion on initiating a performance measure reporting process with the Board. Board members agreed with these points and concurred with Dent's recommendation to proceed with the HCP.

- Item 9 tabled to next Board of Forestry Meeting.
- Item 10 through 12, the Board Chair noted the poor pixilation of the graphics and tables included with the presentation for the Zoom medium. Recommended to review the slide deck and presentation template prior to a virtual meeting to ensure the prepared material translates through this technology. Members of the Board appreciated the dashboards being developed and information provided. Additionally, the Board recognized the meeting organization and management efforts by Board Administrator, Hilary Olivos-Rood, and Public Affairs Specialist, Jason Cox.

14. *EXECUTIVE SESSION

Chair Imeson proceeded with the formal Executive Session announcement.

The Board of Forestry entered into Executive Session for the purpose of reviewing the State Forester's Annual Performance [ORS 192.660(2) (i)].

No decisions were made during Executive Session.

Information Only.

The Board exited the Executive Session, and Board Chair Imeson adjourned the public meeting at 6:14 p.m.

Respectfully submitted,
/s/ Peter Daugherty

Peter Daugherty, State Forester and
Secretary to the Board

HR
Meeting Minutes Approved at the July 22, 2020 Board Meeting