****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 convened on February 12, 2019 in the Santiam Room of the ODF Operations Building, 2600 State Street, Salem, Oregon

**Draft Minutes**

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| ***CFF Committee members participating:*** | ***ODF Staff:*** |
| Kyle Abraham, Deputy Chief ODF Private Forests Division, Committee SecretaryEvan Barnes, Committee Chair, SW Landowner Rep. (Voting) John Peel, EO Landowner Rep. (Voting)Gilbert Shibley, Landowner-At-Large (Voting)Bonnie Shumaker, Landowner, NW Landowner Rep. (Voting)S. Mark Vroman, Industry Rep. (Voting) Hampton Family ForestsKaola Swanson, Environmental Rep. Ex-Officio (Pacific Forest Trust) Rex Storm, AOL/OTFS Ex-Officio Forest OperatorsJulie Woodward, OFRI Ex-OfficioJim James, OSWA, Executive Director Ex-OfficioGlenn Ahrens, OSU College of Forestry Extension Ex-Officio | Susan Dominique, Committee Administrative SupportDanny Norlander, Forest Health Survey & Monitoring Specialist/Food Plot Rule Process Coordinator & PF Bills Manager!Jim Gersbach, Public Affairs |
| ***Members not attending:*** | ***Guests:*** |
| Linda Lind, USFS State & Private Forestry Ex-Officio  | Jeremy Falty, OSWA |

**Call to Order 9:10 am**

1. **Welcome and Review of Agenda – Evan Barnes, Chair**

Barnes opened the meeting and asked members about an agenda changes. Two members: Julie Woodward and Bonnie Shumaker attended by conference call.

1. **Introductions/Roll Call**

(See participant list above)

1. **Approval of the February 2019 Minutes**

Barnes opened the floor asking members if there were any corrections to the minutes drafted for the January 22nd meeting. Peel noted some small corrections but with those he made motion to approve as corrected and entertained a Motion to Approve the minutes from the January 2019 meeting. Shibley seconded the motion. All were in favor of approving as motioned.

1. **Public Comment**

There was no public comment offered.

1. **Private Forests Division Update – Kyle Abraham**

Staff provided a one-pager on the Governor’s 2019-21 Recommended Budget that highlighted aspects of the Governor’s Recommended Budget and an outreach tool for legislators and interested parties. Abraham announced that staff and program support the Governor’s Budget. The Governor created a blue ribbon council on Wildfire Response through Executive Order and budgeted $400,000 dollars of General Fund to support the work of the council and contractors. Outside of that, Abraham summarized that overall for the 19-21 GRB the Agency was kept near current service levels with a few reductions (in 9 vacant positions across the agency) and small reduction in Services & Supplies. The GRNO is the starting point but the Legislature sets the final Budget for the State Agencies once they get through all of the hearings and testimony. A member asked for a quick overview of the process. And another suggested for clarity that they use the terms ‘adopted budget’ versus ‘legislatively approved’ budget. Abraham explained that the budget process starts every two years with the Agency Request Budget after careful executive consideration of Program needs to maintain our existing workloads and potentially improve service levels. Those “asks” are called policy option packages (POPs). Kyle referenced POP 100 which was the Agency Initiative with defined solutions to sustain Core Business and Program functions over time. The agency ask is then submitted to the Chief Financial Officer (CFO). The CFO reviews it to determine what is going to fit and what doesn’t and the result is reflected in the Governor’s Recommended Budget. Legislatively-Adopted Budget will be finalized by the end of June. Norlander emphasized that the Adopted Budget with beginning figures which can be adjusted if legislatively-approved over the biennium if need arises. Changes in “Other Funds” is basically an authorization, and a change in our limitation. The Current Service Level refers back to costs in the previous biennium to the next.

As for the Governor’s Wildfire Response Council, Norlander read off required membership. That two members of the Oregon State Senate. (One majority and one minority designated.) And the same for the House designated by the Speaker and Minority leader. Other designees are the State Forester (or designee); State Fire Marshall (or designee); Board of Forestry liaison; and someone representing Oregon Health Authority. The Chair has been announced as Matt Donegan. So 13 people total. James suggested that OSWA will recommend to the Natural Resources Office to have representation from family forestland owners. Abraham continued that staff will send a link to the Executive Order for reference. The Council is charged with evaluating current Large Fire Response Systems and providing recommendations addressing the State’s response by September 2019. Topics they are considering are: Wildfire Funding; Response on Under-Protected and Unprotected lands; Wildfire Smoke; Assisting Communities Affected by Wildfire; and Prevention, Treatment and Cost Containment of Wildfires. A really broad set of topics to consider for that group! ODF’s Budget Presentation to Ways and Means is going to happen the end of this month. Staff are working hard on the presentation to be delivered in just a couple of weeks.

There was a suggestion made to submit a letter from the Committee regarding members concerns about a lack of family forestland owner representation on the Wildfire Response Council to be addressed to Matt Donegan as the Council Chair and to copy the Governor and the BOF. There was agreement among the members and Barnes offered to compose a letter based upon Executive Order 1901 recommending that the forestland owner community, who will be significantly impacted by any changes proposed, need to be at the table. Kyle suggested a small group of members (3 or 4) provide feedback and then send it to the Chair, Governor and Board as soon as possible. Bonnie Shumaker; Evan Barnes, and Rex Storm agreed to look it over.

Another update was that the Family Forestland Coordinator, Ryan Gordon is still Acting Public Affairs Director but the recruitment process is in the interview stage. The plan is for hopefully Ryan to return to Private Forests sometime in April. The recruitment has begun for a new Division Chief with tentatively scheduled March interviews.

1. **Legislative Update – Danny Norlander**

Norlander passed around the Division Forest Rates Sheet cataloging the higher priority bills for ODF. So it’s two-sided. One side is the House, the other is the Senate. Staff review every bill to decide if it pertains to ODF and if it does it gets prioritized from 1 to 5. Five being real limited or no interaction with our programs or sometimes there will be a relating clause that we need to pay attention to it. For example, on the House side 273 is our Harvest Tax Bill which is obviously high priority for the Department. He reported that Private Forests has roughly 105 bills they are watching right now. There were over 2000 bills that have been introduced to the legislature at this point. Some legislation was pre-filed but once those get into the Session there is a period of time where they have to get scheduled for a Public Hearing. The Session started the 22nd of January and we are into mid-February. So the legislators and committees need to get their draft request in to the Legislative Council by January 18th. The Legislative Counsel will take those and formulate the actual bill language as you will see in the Legislative System. Then bills get introduced to a Committee. So there is about a week and a half left so February 22nd is when the Legislative Council returns those drafts to the legislators or Committees and they have until the 26th to actually introduce those into the bill stream. February 27th is the February Revenue Forecast. By the end of March there has to be a public hearing scheduled for those bills or the bill is dead. Then there has to be a work session scheduled by April 9th. And there has to be a public hearing prior to having a work session. So there will be one right after another the same day. So the first chamber is where that occurs. After that it has to go to the Floor and be introduced to the second chamber with additional public hearings and work sessions by early May. If the bill makes it through both chambers, committees it can then be moved forward to a final vote. They want to be finished with the Session by June 21st but constitutionally they have till June 30th.

Bringing attention back to the Forestry bills sheet he focused attention on some of the bills that would be of interest to CFF.

* HB 2073 sets the Harvest Tax put on timber harvests.
* HB 2152 sunsets a wide variety of special assessments tax relief from churches to fraternal organizations to forestlands. Revenue had similarly submitted another bill last year but it didn’t gain any traction. James added that there were 10 elements that related to forest land in that bill and OSWA has been lobbying legislators suggesting it is a bad idea.
* HB 2225 is the 1000 Friends of Oregon bill against further Template Test dwellings.
* HB 2325 is regarding the template dwellings concept. There were some issues with the language and it has gone to a work group that may create amendments to that. It has had a public hearing.
* HB 2365 provides $1.7 million in funding for SOD treatments down in Curry County holding the service level for that.
* So HB 2373 authorizes the agency to fight fire anywhere in the State which we can already do in some respects because of our Complete and Coordinated Fire Suppression Program.
* HB 2468 is the bill on landowner immunity which hadn’t had a session scheduled yet.
* HB 2380 is a bill to basically transfer management of the Elliot State Forest to Curry and Douglas Counties with OSU ownership.
* HB 2469 is the Family Forest Dwelling Allowance. He noted there were other Dwelling Allowance bills geared to vacation rentals, increasing housing supply in metropolitan areas.
* HB 2493 is banning aerial pesticide application in the McKenzie and Santiam Watersheds, a pretty substantial area which will be more of an issue for private landowners than for ODF as there isn’t much State Forest land in those two watersheds.
* HB 2495 basically increases the Harvest Tax and provides additional fire suppression resources creating the Wildfire Suppression Fund to $1.42 per 1000 ft.
* HB 2498 defines what a contractor is. It’s been brought up that could impact timber harvest contractors hiring fallers and other positions that could be considered independent contractors. Storm thought it would strongly effect the Department of Forestry because the Department hires all kinds of contracted services. So it could alter the current paradigm. Norlander noted that the Administrative Services Division is looking at that one pretty closely. Norlander clarified that it says if your company does this function and you hire someone else to do it they are not an independent contractor. But if it is something that your business doesn’t normally do then they are an independent contractor.
* HB 2656 basically prohibits Type III Harvests, clear-cuts and pesticide/herbicide application of chemicals in water supply areas. So in defining drinking water supply areas it would have a large impact to State and private forestlands.
* HB 2659 repeals special assessments for managed forests.
* HB 2741 wants to transfer BOF lands back to the counties. So much the same as the Elliott bill transfer of management. It would basically do away with State Forests.
* HB 5019 is our budget bill.
* HB 2085 provides for the public’s right of recreational use of waterways. That says the public has the right to access navigable waterways from any road, easement. So from a liability standpoint that may impact forestry landowners.

On the Senate side:

* SB 2020 is the climate/carbon bill which had a hearing.
* SB 88 is on rural ADU and talks about vacation rentals things like that, and also incorporates requirements for fire resistant buildings at various stages.
* SB 81 basically just changes the date for the Severance Tax from the end of January to April 15th to match other tax deadlines.
* SB 102 creates an incentive to create wildfire buffers in WUI interfaces. So if you have a home in a designated WUI you could go out and clear 300’ around that and get tax incentives.
* SB 292 is Wheat Lands fire bill because addressing unprotected lands. So when the Governor’s blue ribbon panel is talking about protected – under-protected and unprotected those are the unprotected lands.
* SB 315 is for post-fire salvage on State Forests.
* SB 434 would hold landowners liable if GMO crops spread to neighboring lands.
* SB 568 would create a tax credit for reforestation following catastrophic fires. So if fire ran through your property you could get a tax extension for up to 3 years following that to do replanting.
* SB 772 just came in to create a taskforce on Forest Health. ODF is included in on that as responsible for providing administrative support for that taskforce.

Abraham assured members that staff will keep legislative updates as a standing agenda item throughout the Session.

1. **Land Use Change in Oregon and Washington – Daniel Hubner & John Tokarcyk**

Abraham introduced Daniel Hubner and John Tokarczyk from the Partnership and Planning Program who have addressed the Committee before about forest certification programs and also helped in a discussion on the Forestland Dwelling Allowance and potential collaboration with the 1000 Friends. One of the things they wanted to provide the Committee was information on land use trends on non-federal lands in Oregon and Washington particularly on forestland. They wanted to send this information forward to add to the narrative regarding the efforts to support HB 2469.

Hubner began noting that about 97% non-federal wildland forest since the 70’s has been kept as forest land, which suggests that at least on a high level, the land use laws that are in place are effective at retaining the resource lands. ODF in collaboration with the Forest Service carries out the study of long term land use change, and along with support funding from OSU and other state agencies since 1974 in Oregon and 1976 in Washington. And that provides a great time series to evaluate changes. The study includes a huge number of assigned sample points (40,000 in each state) organized by land use class. They also maintain a count of the number of structures surrounding each of them. Some further details included study questions: Have trends in land use conversion responded to land use planning in both states? How have trends responded to the pretty significant population increase that both states have seen? How has the trend responded to the economic crash in 2007 and subsequent recovery? The core thing to understand is that it’s a pretty large scale definition of land use. To be counted as a wildland forest zone it has to be at least of square mile of predominately forested land. So we are looking at which are Forest, Farm and Range and mixes thereof. What we consider urban and hi-density residential and in addition to that size requirement there are also standards, if you’ve got more than five residences/square mile on average that is not a wildland forest. That becomes low-density residential. Some examples of what those classes look like are: Wildland Forest; Wildland/Range; Mixed Forest/Agriculture; Mixed Range/Agriculture; Intensive Agriculture; Urban Residential and Rural Residential.

For 2014 in Oregon about 7 percent of non-federal land is in low density residential. Washington is a bit higher with 10% of Washington’s non-federal land is in low density urban. They have seen more land conversion and urbanization going on in Washington as compared to Oregon over the time period. They did see a divergence when the land use planning laws were implemented. Oregon’s conversion rates plateaued after the planning laws were put into effect. Washington has some similar laws but their implementation is different, with Washington having more of a ground up approach, whereas Oregon has more centralized administration.

Hubner guided the members through presentation slides of graphs with data and timelines showing where change has occurred during the study periods.

He reported that on the east side, there is a little more conversion going on in Washington than in Oregon. In Oregon about 5% of non-federal land experienced a change in land use as defined here. In Washington about 8.5% of non-federal land saw a change. The proportion of forest/rangeland 97% of Oregon’s resource lands remain in those uses. Washington is about 95%. But graphs illustrate that there are greater amounts of change on the west side that the eastside. They also looked at forest fragmentation as well as just conversion looking at where residences have been dispersed on the landscape. Lands that have stayed in wildland forest use but are gaining development over that time period.

Tokarczyk pointed out that once we get to more than 10 residences per square mile in forested areas the likelihood of active management continuing starts to diminish. The forest may remain but the likelihood that it would be managed as forestland changes significantly and eventually makes conversion more likely.

Member asked how that would tie in with the issue of forestland dwelling exemption and generational transfer.

Hubner replied that the second home probably wouldn’t be picked up on the way that data is collected. They count dwellings from a tax lot level so if you have another structure going in on the same tax lot it generally wouldn’t be picked up as a new residence. So those figures reflect not a land use change but forest that has a higher density of structures built on it. This data is collected from aerial photographs and county tax lot records. They have seen the period prior to land use law implementation had significantly more conversion going on than the period afterwards. In Oregon the rate of conversion dropped more than half after the implementation of the planning law. Washington saw a much smaller difference there. He surmised that may have to do with Oregon’s approach being more centralized in the land use planning statutes.

Hubner added that the amount of urban land in drainage basins feeding into fish streams has seen an increase of 13.6% in Oregon and 26.1% in Washington since 1994. Tokarczyk shared there are different versions of this report tied to data used by a variety of agencies (DLCD, ODF&W, ODA…) all in an attempt to gauge how land use laws are functioning. So this study doesn’t just identify where forestland use is going but will be expanded to answer land use questions related to water quality, fish habitat and other queries. Getting a rough assessment of land use transition provides some context for the valuing of forestland. So, recognizing the retention of those lands has significant value across those landscapes in water quality, fish habitat and other values like carbon sequestration. At the base of it forestlands are by far the best land use application to provide a base level support to maintaining fish populations and watershed quality.

Hubner announced that they are working on an update through 2017 in Washington and 2018 in Oregon which should be available as a full report within a year. They are anticipating seeing an uptick in development after the recession but not back to pre-recession levels. Both Oregon and Washington seem more focused on urban density. Tokarczyk offered that there are certainly a lot more stories for the study to tell us about the value of retaining resource lands.

Member asked if the addition of the template test around 2007 factored into more dwellings per square mile.

She noted that concerned 1000 Friends of Oregon that the test was being misused to create approval loopholes. Tokarczyk replied that the Department of Land Conservation and Development (DLCD) tracks those numbers and prepares a Forest and Farms Report to the Legislature. Abraham was at the delivery of that report and shared that just over 50% of current forest dwellings are related to the template test exemption. There were 457 dwelling approvals on forestland in 2016 and 2017. 56% of those were approved under the Template Dwellings test, 255 out of 457. Obviously exemptions are certainly going to play in with land use figures. Woodward suggested that OFRI, OSU, INR and ODF are involved with water quality data from the Trask Study looking at water quality and forests. She agreed that there is more of a story to tell including results from other studies on water quality and forests. Swanson added that there is another ‘story’ from Pacific Rivers that came out called ‘Forests to Faucets’ in 2018 regarding similar data. Abraham offered to invite back Tim Murphy for a presentation of that Farm and Forest Report being shared with the legislature, if members were interested.

Tokarczyk summarized that this is important data to study and as it connects us with other efforts and allows for additional research to be included in making the case for the value of working forestlands relative to development pressures.

1. **Family Dwelling Allowance - All**

Abraham reported that after a few conversations with the Chair Barnes and Meriel Darzen from 1000 Friends regarding OSWAs legislative concept on Secondary Forestland Dwellings (HB 2225) Darzen accepted an invitation to talk about their Bill regarding the Template Test and their interest in supporting the concept of an Additional Dwelling or using one concept to support the other. CFF members were planning on providing testimony to the Board at their March 6th Board Meeting regarding support for HB 2469. Kyle put together a drafted staff report from language regarding succession planning that was in the Annual Report provided last July.

Jim James shared some of OSWAs lobbying efforts to work collaboratively with 1000 Friends and he felt optimistic that some common ground was evident but required some working out of differences in the two efforts for mutual support. Darzen agreed to testify with Committee members in support of both bills. James clarified that the Committee’s original approach did identify succession planning as one of the intents but when they were putting the bill together it was suggested that we follow the language used in the Ag industry’s Accessory dwellings so there is more consistency between the two.

Swanson paraphrased that the recommendation would be informational to the Board asking for support of HB 2469 for the purpose of allowing a second dwelling on forestland and also pending amendments would support HB 2225 that proposes the sun-setting of a ‘template dwelling’ exception.

There was discussion about the creation of a statewide map of fire hazard areas consistent for use in County Planning efforts to address concerns regarding the Wildland Urban interface development. Swanson suggested that availability of that information will most likely be a component of the work of the new Wildfire Council.

She also brought up the idea of adding succession language into the Staff Report as it was the primary focus of the concept. James said that his hope is that 1000 Friends and OSWA would testify to encourage the Board to support that legislation. There was discussion and invitation to members to agree to testify on the Committee’s behalf. Evan Barnes, Jim James, Meriel Darzen and Bonnie Shumaker agreed to testify and answer any of the Board’s questions, to further reiterate the purpose, the concept, the solution that has been proposed especially in the wake of a full contingent of Board members.

Abraham offered that they’ve had some conversations with the State Forester, Chad Davis and Chair Imeson. They are all aware of this effort around intergenerational transfer and recognize that it is important policy for the Committee. But also reminded him that the request may put Board members in an awkward position with 1000 Friends and the Governor’s office. He struggled with how to phrase this effort. Is it a recommendation for BOF action? Is it appropriate to ask for support? If so, what that looks like? Peter has talked to Jason Minor and to DLCD about this effort so they are not surprised when it is discussed legislatively. He currently doesn’t see any major roadblocks. Abraham apologized for this effort being this nebulous thing. But this has not been done before. We have never asked the Board to support particular legislation and especially in the context of two bills that need to come into some alignment which only provides another layer of complexity. This concept is right in line with the State’s goals of keeping and maintaining working forestlands. Directly, the Board cannot support these bills unless there is specific permission from the GNRO to do that. But testimony CFF members and 1000 Friends can provide is informational so the Board is aware of the Committee’s efforts and the intent of providing some solution to continuance of working forests with an aging landowner base. The members admitted it was a weird nexus to have legislation proposed by OSWA with the Committee being the originator of the concept and to some degree helping to move it forward. James assured the members that OSWA’s decisions will be formed by CFF’s interest but he visualizes this as an OSWA bill because they are in the best position to do that on behalf of family forestlands. James admitted that prior efforts had been unsuccessful but this time the concept is gaining some traction, so obviously benefiting from members efforts.

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1. **Wildlife Food Plots – Danny Norlander**

Norlander planned to have the draft of the Wildlife Food Plot rule language ready for the April meeting where members can review and suggest changes before staff starts the technical rulemaking process, and scheduling public meetings in each Area to begin in September. The Rulemaking Notice and the posting of the draft rules will happen in August for eventual presentation to the Board in November. Assuming that the BOF won’t have any changes to request, the rules would become effective January 1st, 2020. He provided a bit more detail clarifying that when posted the rules go into the Secretary of State database to ensure the process of rulemaking meets all the requirements. Some of those requirements have to do with public meetings, timelines and due dates. Norlander provided a summary of the Wildlife Food Plot Statute which created an exemption from reforestation requirements for a percentage amount on forestlands between 10 and 5000 acres. So at the top end if you have 5000 acres you can have 1% of that in wildlife food plots, so 50 acres. At the low end its ¼ of an acre. As approved statute it became a part of the Forest Practices Act as an approved forest practice. Interested landowners/operators won’t need for a Plan for Alternate Practice. Staff had developed some interim guidance for accepting those applications until the rules are in place. There has been one approved out of 3 requests last year. Even with the lack of outreach on this exemption there really hasn’t been a lot of interest. The legislation required that the State Forester will create rules to implement the practice, and that is where the rulemaking effort began. Abraham added that makes it a high priority to get rules completed which will free up staff time for other projects. The Committee was chosen as the Rule Advisory Committee for the rulemaking. And the language will be brought for review to see if it operationally makes sense, and if it achieves the objectives put forth in the legislation. CFF was chosen to review language because the rule relates to family forestland ownerships of 5000 acres or less. And the Regional Forest Practices Committees will be informed and invited to comment as well.

1. **Incentives Update – Danny Norlander**

Norlander filled in for Nate Agalzoff, the new Incentives Coordinator to provide this update. He began reporting that we still have our NRCS/ODF Statewide Agreement which looks to be functioning well throughout the State. The federal shutdown slowed us down in a few areas where the District Conservationist weren’t able to get things signed when we normally would have. So that put us a little bit behind in our reimbursements. He shared that this is the time of year where there are usually a lot of basin workgroup meetings where they do planning for the coming year and identify future conservation needs. So whether a new CIS is needed to aim NRCS funding streams. So these basin meetings are part of the planning process. So the other side of the NRCS coin is they have an agreement with the American Forest Foundation (AFF) and are working on an agreement between AFF for ODF and Wallowa Resources to provide planning assistance to create forest management plans that would meet NRCS objectives and at low cost to the landowners. So we are working on finalizing the agreement with AFF so we can actually start getting those efforts on the ground targeted for now at northeast and southwest Oregon, with the John Day region and in the Klamath area targeted after that. They hope to begin working up to the NW Oregon Area for that planning purpose. This process has been a little bit different than our normal NRCS work. Normally, we are involved on project planning work where we are going out and doing assessments and helping landowners to decide specific projects and stuff that needs to happen on specific stands or locations on their property. Whereas the AFF side of it is creating management plans. So the process is becoming more strategic and longer term as opposed to project planning where we are filling out job sheets and determining which specific forestry practices are going to be implemented on that property. We do have a new Farm Bill signed December 2018 and some of that is providing funds to NRCS to continue to do this work. We also get funds from the Forest Service to do management plans in coordination with the Stewardship Program, but those funds have been gradually decreasing through time. Right now we have about $30,000 available statewide to do management plans through that Forest Stewardship Cost-Share Program which does require a 50/50 match. So, most of ODF technical support is working through the Uniform Plan, which has been accepted by the Stewardship Program within NRCS. It does have some limitations but that’s been thoroughly vetted and used pretty extensively in some areas like NE Oregon. The Uniform Plan was developed in coordination with our other agency partners. Jim added that the American Tree Farm System and Forest Stewardship Council are part of that process as well as everyone who had an interest in forest management.

The Farm Service Agency (FSA) funds the Emergency Fire Restoration Program (EFRP) and we are working on some previous stuff from the Chetco Bar Fire funding forest restoration. We are hoping that NRCS will fund work going on by establishing a Conservation Implementation Strategy (CIS) for drought damage from the last few years. That’s out in the Douglas County area. Norlander announced they were meeting with the Farm Service Agency and NRCS and others. Another AFF program called Woods Camp is something ODF is working on as an outreach tool. It brings the resources of ODF, OSU Forestry Extension and American Forest Foundation for outreach promoting forester visits and the creation of management plans. It’s getting a fair amount of use statewide getting foresters out to look at lands and working on bringing in more SWCD’s and stuff that have different streams, different demographics. Like West Multnomah is focused a lot on SWCD side of things as opposed to ODF. And that is just based on people that are working there and which organization has the bigger footprint in that area. So that is continuing and I think it will tie in well with our other planning work that we’ve been doing.

1. **Smoke Management Rules – Nick Yonker**

Nick Yonker, Smoke Management Program Manager was invited to provide an overview of the new Smoke Management Rules. He mentioned that Jim James and Rex Storm were part of the Review Committee of 21 differing opinions. This Review focused on the fact that the forest fuel build up creates the Large Wildfire problem. The biggest issue was Federal ground, federal forest management and restoration of lands. They started the process of the Smoke Management Review looking at ‘What the purpose of smoke management and prescribed burning is in the state of Oregon?’ The fall of 2016 DEQ and ODF Boards met down in Ashland. And one of the big topics was the condition of federal forests and the fuels on the ground and how they were going to handle that. There were a lot of folks from federal forests, private forests, public officials, county commissioners, Mayor, county health and environmental, Sierra Club, to Nature Conservancy, American Lung Association and so forth as well as OSWA. They started the Smoke Management Review in May of 2017 and had five meetings. A tour in the Bend area was done looking at the fuels there as one of the focuses of concern in the urban interface meeting up with Deschutes National Forest and the possibility that wildfire as well as smoke could get into Bend. They focused on two specific areas. One was changing the definition of smoke intrusion. They had been operating on the air quality side of things with a nuisance-based approach. That smoke was a nuisance not really a concern of the ambient air quality standard. We were much more restrictive than that considering any smoke that got into a smoke sensor receptive areas (SSRAs) was considered a smoke intrusion. So that approach was used for many years and the definition of intrusion has been in existence since 1987. That definition incorporated a ceiling height above the ground where you can have an intrusion. But smoke may not go into the community at ground level. It could be just above the community at a low level and you could call it an intrusion. So they had been dealing with ground-level smoke which we thought was key as in affecting human health. So the intrusions definition was changed to where we can allow a certain amount of smoke without being considered an intrusion. One on a short term, or hourly basis and another on a 24 hr. basis. And the 24 hr. basis is how the NAAQS (National Ambient Air Quality Standard) is based where a community cannot have on a daily basis more than 35 micrograms/cubic meter particulate matter and 2.5 microns which is the particulate that gets down deep into your lungs that are unhealthy for you on average for a 24 hr. period. So that was one standard we had to definitely abide by. Another anchor point was DEQ had concern that we breath on a minute-by-minute; hour-by-hour basis. So we also put in a caveat to have a short term or an hourly standard or threshold. It’s always been an hourly threshold. Getting any smoke into an SSRA is a smoke intrusion. But that would bump up to a level of 70 micrograms per cubic meter on an hourly basis. Which is roughly equivalent to what we currently have in our category of low, moderate or heavy intrusion. So, the 70 micrograms level is somewhere between a moderate and heavy intrusion. We felt that was a good dividing point that we wanted to avoid getting smoke at short term levels into that unhealthy range for sensitive groups. Our limit now is 70 micrograms/cubic meter at the hourly level. And 26 which is about 75% of the 35 micrograms/cubic meter at the 24 hour level. So we changed intrusion from ‘any smoke’ to these two different classifications, short term and long term thresholds. That was the big change and can allow for more prescribed burning to take place which should be considerably less smoke than what wildfire smoke puts into our areas. While we are going through the review in 2017 Fire Season was quite epic with lots of smoke probably had the most smoke that he’d ever seen in his career get into the Willamette Valley, the Rogue Valley, and other places east as well. There was lots of smoke in previous bad fire years but 2017 was the worst because most of our wildfires went right down the spine of the Cascades and then you had the Chetco Bar and which became the Klondike this year. So that place just keeps burning up.

Yonker explained that our Smoke Management Program is operated by ODF but when we make policy we have to have DEQ with us and agreeing with all our policy changes as DEQ is the coordinator of the State Implementation Plan for air quality, water quality and everything else which is handed down through EPA and the Clean Air Act and Water Act and that’s how that all works. They now have a new threshold for what a smoke intrusion is. That Short Term and the 24 hour Standard. Anything below that is considered now a ‘smoke incident’ which will only be recorded internally noting when it happened, where, what was the magnitude, who did it? Then they have the ‘smoke intrusion’ and then we also have a ‘smoke intrusion that exceeds the ambient air quality standard’. Which is an exceedance and normally it will only take a few exceedances before you go into non-attainment for a community. If you go into non-attainment for a community, then EPA comes in and says what you have to do to make sure you get back into attainment. And then you go into a maintenance program so you are now under the gun for 10 to 20 years of dealing with federal government, DEQ and so forth. They look at all sources of pollution and they are going to look at everything they can to reduce, to get back into attainment. That can affect industry, which will effect prescribed burning. That will affect woodstove usage and all that.

Wildfire smoke is not reported and as fuel have increased the potential of wildfires to put smoke into communities it was decided to go from the nuisance-based to health-based approach. Concerned with hourly 70 micrograms/per cubic meter of particulate matter for all sources. Not just our prescribed burning. And the 24 level of all sources even those we have no control over, like woodstove use and industry. It’s ironic, but prescribed fire usually will be scheduled into better air quality days, to ensure that if background levels are high, say with woodstove use and backyard burning in the fall we would already be close to the threshold you don’t want to reach. That is basically why they have gone to a health-based standard. Referencing the handout he noted that the beginning highlighted how the definition of smoke intrusion had changed and towards the end it addresses the three types of reporting requirements: Incident, Intrusion (similar to what we do now) and then an Intrusion that (Exceedance) exceeds the Ambient Air Quality Standards. The back page discusses the promotion of smoke response plans for communities for vulnerable populations and polyethylene pile covers and Special Protection Zones requirements for SSRAs that have had exceedance. With the new method of handling smoke intrusions to allow for a greater amount of smoke into our SSRAs they needed to have a way to communicate out to those communities in order that they understand what’s going on and what measures citizens can take to protect themselves and find out when prescribed burning is going to take place near their local community. Additionally, the local health department would be involved to have access to what burning is taking place locally so there could be some type of notification system so public health can get to those smoke vulnerable citizens who are the young, the old, the who have heart or lung issues and so forth. So those people need to be notified immediately and as much as can be the whole community gets some advanced notice that there could be a problem. It will take a lot of coordination and time. This goal is breaking new ground for a much more robust communication system on smoke. If communities who are SSRA’s and have already developed communication or a community response plan, they could be eligible for an exemption if it is approved through their local city council and commissioners and ODF/DEQ. He expressed concern that there is always the 24 hour average that may wind up with an exceedance if the hourly threshold isn’t kept below the 70 micrograms/cubic meter level for too many hours.

He then shared information from the EPA itself that use of PE in covering burn piles actually systematically makes for a case for reducing the amount of pollutant coming off a burn versus an uncovered ‘wet’ pile. That becomes a real win-win situation as many landowners said if you can get 60% pile coverage, with 6 mil PE (which doesn’t rip as easily) you can get a really nice clean burn. Putting PE on top of it you will have much less emissions coming off.

Another change other than some minor clarification changes is that the Special Protection Zone language that refers to communities that have been in non-attainment in the past or currently for example, Oak Ridge and Klamath Falls which are currently in non-attainment. And Lakeview and Medford are either close or in maintenance. The Special Protection Zones designation is an added layer of protection against prescribed burning smoke during the winter time when the air quality is the worst because of strong inversions that take place between November 15th and February 15th. Those zones how have topographically-based boundaries like a watershed situation. By March 1st all of them will be topographically-based. The SPZs are really quite directive-based so we moved them into the rule where they probably belong. He re-emphasized that they are hoping to get the communication plan out in the next few months, but it could be a lot longer for the planning process at the local level. They will be doing a ‘road show’ for all the Districts on these changes and are going to depend heavily on them to be part of that change as well as County Health.

Answering a question on how the hourly and 24 hour particulate levels could be described visually, he explained that with 70 microgram prescribed burning from a normal visibility of 20 to 40 miles would be cut to 3 to 4 mile visibility, it will be hazy with a smell of smoke, so noticeable. Moderate air quality would look like a normal hazy fall day where the air would have color but just a little dimmer. If visibility was under a mile you are in unhealthy to very unhealthy air. What the Program is trying to do is prevent the amount of wildfire smoke by allowing prescribed burning opportunities to blacken areas removing ladder fuels around communities to slow down the fire and hold it to increasingly smaller areas. Yonker shared that the State has succeeded in reducing air pollutants over the years far from the levels of the past in the 70’s and 80s. So there has been a long slow process of improving air quality throughout the state. Increasing prescribed burning is probably going to increase our overall emissions in the short term and not necessarily initially prevent wildfires from getting bigger for a while. There’s a lot of work to be done.

Storm congratulated Nick and the ODF team on having done a great job negotiating the difficult challenge to this rule package and appreciated their continued work on implementation of these rules.

1. **Next Meeting Topics –**

Barnes began with meeting dates. March 19th had already been scheduled but dates are needed for April, May and June meetings. Members agreed with April 18th, May 16th and June 13th.

Potential topics? Abraham thought that staff could provide an update on the Siskiyou Literature Review in March and possibly April.

Vroman wanted to share his personal view that because of the heightened awareness of the devastating nature of uncontrolled fires the fire was more easily contained when it moved into areas that had prescribed burning treatment or pile burned. The fuels had been significantly reduced and gave the responding crews time to get ahead of it. He suggested adopting the term, *quality intrusion* to help change public attitudes. That’s good smoke now not bad smoke!

A reminder to future agendas to invite Protection to provide an update on spring burning and forecasting potentials for fire season sometime in June. Vroman hoped they would be collecting statistics regarding spring/fall burning with the uptick in opportunities. Shibley hoped that they would have updates on the communication planning and responses.

Peel suggested more information on the new Farm Bill and NRCS details. And Ahrens had offered to present information on the OSU Extension, Forestry Fire Program. Abraham suggested for March the Dwelling Allowance updates and possibly Chad Davis and the process for opportunity in the Carbon policy arena and Cap&Trade. Abraham shared that Board member, Jim Kelley provided some comments about climate change in the testimony/and State Forester Comment period. He suggested that the CFF could look at that comment and provide him some feedback.

Barnes adjourned the Meeting.