

Forest Practice Committee (FPC)

The mission of the FPC is to evaluate and promote an effective regulatory system to assure the continuous growing and harvesting of commercial forests and to protect soil, air, fish and wildland, and water resources.

COMPLETED OR SUBSTANTIALLY COMPLETED IN 2015:**1. 14 CCR § 1038 - Fire Hazard Reduction for Habitable Structures**

Status: This rulemaking effort made permanent, previously adopted emergency regulations that provided an exemption, from the plan preparation and submission requirements (PRC § 4581) and from the completion report and stocking report requirements (PRC §§ 4585 and 4587) of the Forest Practices Act. This exemption applies to a person engaging in the cutting or removal of trees between 150 ft and 300 ft of an Approved and Legally Permitted Habitable Structure contingent upon certain conditions for the purposes of reducing flammable materials and maintaining a fuel break.

2. Emergency Drought Mortality Amendments, 2015

Status: This emergency rulemaking was developed, adopted, and implemented in 2015 in response to the severe tree mortality in California, especially in the Southern Forest District, due the severe drought conditions and beetle infestation. The emergency regulations authorized a new exemption for timber harvesting activity to remove dead and dying trees under 14 CCR § 1038(k), and included drought as a new condition that constitutes an emergency under 14 CCR § 1052.1(b) pursuant to 14 CCR § 895.1.

3. Emergency Water Drafting Regulation, 2015

Status: This emergency rulemaking action created subdivision 14 CCR §§ 916.2(d) [936.2(d), 956.2(d)] amending Protection of the Beneficial Uses of Water and Riparian Functions for water drafting activities. These emergency regulations were the result of a readoption of the emergency rulemaking action taken during 2014, for the severe drought condition throughout the State.

4. Rule Alignment, 2015

Status: This rulemaking improved the implementation of the Forest Practice Rules for the regulated public and the Department through modifications to the existing Forest Practice Rules. It makes consistent inconsistencies, corrects errors, and populates omissions. In addition, the proposed action makes specific statute, specifically PRC § 4590, regarding the effective period of a plan, and updates the rules to be consistent with statute, specifically PRC § 4584. The proposed action also includes the addition of drought as one of the conditions that constitute an emergency.

PRIORITY 1:

5. Permanent Rule Making for Drought Mortality Amendments (14CCR 1038(k))

Objective: To provide private landowners and state managers an expedited permitting vehicle to support the expedited removal and potential commercialization of dead trees in light of the unprecedented drought mortality across the forested regions of the state.

Status: Emergency Regulations are set to expire on April 12, 2016. The Forest Practice Committee is dedicated to developing permanent regulatory standards to address drought mortality in early 2016.

6. Oak Woodland Management

Objective/Status: During 2014 the FPC allotted portions of several committee meetings to the development of a Draft Oak Woodland Policy for Full Board consideration. Specifically the intent of the Policy and any necessary related actions is to facilitate the management and conservation of white and black oak woodlands currently being lost to conifer encroachment in the absence of a regular low intensity fire regime. During Board deliberation on the matter Cal Fire presented concerns in relation to language contained within the Draft Policy in relation to Maximum Sustained Production and mandatory stocking with Group A species. The issue was remanded back to FPC for further consideration and a potential regulatory solution. The matter was periodically discussed throughout 2015, with presentations given and a field tour being conducted to aid in further refining the best course of action. A special silvicultural prescription (new rule) addressing the matter is currently under review in committee and anticipated to be presented to the full Board in 2016.

7. Regulatory amendments for permanent T/I rules: Cumulative Effects (14 CCR § 916.9 (d)).

Objective/Status: Review of current status of the Forest Practice cumulative impacts assessment process including potential updates (revisions) to Technical Rule Addendum No. 2. Additionally, the FPC will be tracking and requesting updates from the Resources Agency on the progress of AB1492 Working Groups on the issue of Cumulative Effects. The following are targets of the AB 1492 Working Groups that the FPC will be tracking:

- Working Group Charters Completed (June 2015)
- Working Group Draft Work Plans Completed (September 2015)
- Background paper on approaches to ecological performance measures completed (Spring 2016)
- Public Scoping Workshop on Ecological Performance Measures (Spring 2016)
- Public Workshop on First Draft of Ecological Performance Measures (Early 2017)
- Public Workshop on Second Draft of Ecological Performance Measures and Proposed Implementation Plan and Adaptive Management Approach (Fall 2017)
- Completed Ecological Performance Measures, Implementation Plan, and Adaptive Management Approach (Early 2018)
- Complete planning watershed pilot project (end of 2017 or (preferably) earlier)

8. Non-substantive revisions to the FPRs:

Objective: Both CDFW and the Department provided comment on a myriad of non-substantive revisions within the FPRs. These revisions consist of minor errors and/or omissions within existing regulation. In 2016 the Forest Practice Committee will seek to accomplish a package of minor revision to further clarity and consistency amongst Board regulations.

9. 14 CCR § 1035.1, 1035.2, 1035.3, 1035.4. LTO's have reported that they have been cited by state regulatory agencies with responsibility and liability for violations, errors, or other wrongful actions taken to comply with a Timber Harvest Plan or other timber management document, where the LTO was following the direction of a Registered Professional Forester (RPF) in taking the action.

Objective: This issue was introduced to the FPC in June of 2014. The issue was remanded to the Professional Foresters Examining Committee (PFEC) for further investigation, with the direction to the PFEC to report back to the FPC with potential findings or options for solutions to the issue. The FPC received a report back, along with recommendation from the PFEC in late 2015. The FPC continues to review the recommendations from PFEC and expect to make a recommendation to the Full Board in early 2016 on how to proceed in this matter.

PRIORITY 2:

10. 14 CCR § 1054.8 – Order of the Board

Objective/Status: The Department has requested that the Board consider amending this rule section for purposes of obtaining consistency with PRC § 4582.7(d) and 14 CCR § 1037.6. Additionally, the Department has requested that the Board take into consideration the lack of consistency between PRC § 4582.7(d) and 14 CCR § 1037.6 with current CEQA Guidelines and case law as they pertain to re-circulation of a Plan with substantial new information. No progress to date.

11. Consistency of NSO rules with USFWS guidance and Definition of Activity Center

Objective/Status: FPC recommended publication of a 45 Day Notice of Rulemaking for the "Activity Center Definition" rule proposal in 2013. The Board subsequently authorized the publication of the 45 Day Notice, but has postponed publication of the Notice in anticipation of the Fish and Game Commission's pending adoption of findings in regards to a petition filed requesting state listing of NSO. The Commission may adopt finding on this matter in April/May of 2016.

The FPC will continue review of the NSO rule consistency issues in 2016 once the Commission has adopted a finding in regard to candidacy for state listing.

12. Stocking levels – Existing Stocking Standards may be too high to achieve landowner goals within some forest types.

Objective/Status: *The request has been made to investigate the current stocking standards as they relate to various regeneration methods and fuel hazard reduction within certain forest types. Recent legislative mandates (AB 2082, 2014 and AB 417, 2015) were chaptered by the Administration which provides the Board the authority to review required minimum stocking standards pursuant to PRC 4561. No progress to date.*

13. Watercourse and Lake Protection Rule Review , including:

- a. 14 CCR § 916.9(s) [936.9(s), 956.9(s)] [in part], No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except for... *Should be considered in the context of 14 CCR § 1104.1(a)(2)(F), which allows conversion activities in the WLPZ where specifically approved by local permit. Defer to the county in these situations? Restriction of timber operations in the WLPZ affects timber operations conducted in compliance with defensible space regulations. There appears to be a conflict between this subdivision and PRC § 4291 and 14 CCR § 1299.*
- b. Should mechanical feller-bunchers be classified as "heavy equipment" in WLPZs?
- c. Mapping of Class III Watercourse crossings. Language in 14 CCR § §1034(x)(7) and 916.4 [936.4,956.4] need to be considered and potentially reconciled for purposes of consistency.
- d. Review the necessity and utility of assessing and mapping standards of 14 CCR § 916.4 for spawning and rearing habitat for anadromous salmonids.

Objective/Status: *No progress to date.*

14. Review the regulatory history, implementation, and future of 14 CCR § 916.11; Monitoring for Adaptive Management in Watersheds with Coho Salmon

Objective/Status: *The rule requires the Board develop a monitoring and adaptive management program for timber harvesting operations in watersheds with coho salmon. Multiple purposes for this program are stated within the Rule. The Board has since established a new science-based multi-stakeholder and multi-disciplinary Effectiveness Monitoring Committee (EMC) for the purpose of reviewing the efficiency and effectiveness of the Board's Forest Practice Rules relative to forestry and environmental protection including the protection of watershed resources critical to listed species such as coho salmon. The FPC will review the history and requirements of 14CCR 916.11 to ensure the mission and activities of the EMC adequately address the purposes stated for this Rule and if any additional specific Board action is necessary.*

15. 14 CCR § 913.4(d) - Variable Retention silviculture

Objective/Status: Several questions have been raised regarding implementation of this Special Prescription: (1) should the Variable Retention regulation specify a minimum re-entry period for designated retention areas?; (2) Should the current regulation require a minimum stand age necessary for harvest to occur in order to demonstrate maximum sustained production (MSP) as is required for even-age silvicultures under 14CCR 913.11(c)?; and (3) is the minimum stocking requirements of 913.4 (d)(3)(H) relative to aggregate versus dispersed retention clear enough for consistent application and enforcement? No progress to date.

PRIORITY 3:

16. 14 CCR § 913.2 (b) – Transition silviculture

Objective/Status: It has been reported that the Department does not allow use of the Transition silviculture method in timber stands which were most previously harvested utilizing the Selection method. This ‘policy’ is not consistent with 14CCR § 913.2(b) or (b)(2). THP was returned on this issue without being evaluated through PHI to support the determination. No progress to date.

17. CCR § 1034, Contents of Plan

- a. **(r)** How the requirements of 14 CCR 1032.7(f) are to be met. The reference to 1032.7(f) is obsolete, since it refers to the past requirement that the RPF distribute and publish a copy of the NOI.
- b. **(x)(7)**, [On a plan map, show the location of all watercourse crossings of classified watercourses except temporary crossings of Class III watercourses without flowing water during timber operations at that crossing. The Board should consider revising 1034 to make Class III watercourse crossing a required mapped feature within a Plan.
- c. Board should consider amending 14 CCR § 1034 when it adopts or amends any rule that adds elements considered a required portion of a harvesting plan. This ensures a central location where the RPF could be assured of finding what is considered essential information in a harvesting document. Board may want to consider a rule package that consolidates all required plan contents under 14 CCR §§ 1034, 1051, 1090.5, and 1092.09.

Objective/Status: No progress to date.

18. 14 CCR § 1032.7(d) and 14 CCR § 1092.04(d) [in part], A Notice of Intent shall include the following information: (4) the acres proposed to be harvested. (5) The regeneration methods and intermediate treatments to be used.

- a. *(4) Board should amend this paragraph to include all acres where timber operations will occur, not just the area where timber will be harvested. In doing so, the Board should consider the current definition of logging area and the lack of a definition of plan area.*
- b. *(5) Requires stating the regeneration methods and intermediate treatments to be used. This paragraph may not capture all possible treatments that may occur, e.g., special prescriptions and other types of associated timber harvesting, such as road right-of-way or timberland conversion.*
- c. *Item was initially addressed by Management Committee in 2010 in form of rule proposal to amend NTMP NTO requirements. Item was remanded back to Management Committee following publication of 45-day Notice of Rulemaking in December 2010 and initial hearing in February 2011. No further action was subsequently taken.*

Objective/Status: *No progress to date.*

19. Regulatory amendments to 14 CCR § 1032.10 - Notice of Timber Operations.

- a. The THP submitter shall provide notice by letter to all other landowners within 1,000 feet downstream of the THP boundary whose ownership adjoins or includes a Class I, II, or IV watercourse(s) which receives surface drainage from the proposed timber operations. The notice shall
- b. Consider requiring the inclusion the number of acres proposed for harvest along with the required legal description on a submitted NOP. (BOE request)
- c. Consider requiring the mapped location of each ownership, if multiple ownerships are being harvested, under the same NOP. This applies to all Plans and exemptions as well. (BOE request)
- d. The Department has requested the following items be potentially addressed in regards to Notice of Timber Operations. No progress to date.
 - i. *Overland flow or channel flow?*
 - ii. *Publication may need to be given in a newspaper of general circulation. CAL FIRE assumes this requires notification as defined in Government Code §§ 6000-6027.*
 - iii. *A tie should be made with the requirement to provide protection to domestic water supplies, as required per 14 CCR § 916.10 [936.10, 956.10].*
 - iv. *Require more current notification in which the post-marked date is no more than one year prior to submittal of the plan.*
 - v. *Does a plan have to be returned where the RPF requests an exemption from one of the noticing requirements and CAL FIRE does not accept the request. The rule requires at least ten days passing after notification before submission of the plan.*

- vi. *The 4th sentence should be changed to use the proper verb, “affect,” in place of “effect.”*

Objective/Status: *No progress to date.*

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Management Committee

The mission of the Management Committee is to evaluate and promote long-term, landscape level planning approaches to support natural resource management on California's non-federal forest and rangelands.

COMPLETED OR SUBSTANTIALLY COMPLETED IN 2015:

1. Emergency Harvest of Trees within Wildfires:

Status: *In 2015, the Board adopted an Emergency Procedures Handbook that will provide guidance to the Board and staff in future instances where emergency actions may need to take place to facilitate removal of damaged timber as a result of wildfire. This was in direct response to the issues that were faced by the citizen in Weed, California subsequent to the Boles Fire.*

2. Working Forest Management Plan (WFMP)

Status: *The Management Committee has substantially completed much of the development of the draft regulatory language throughout 2015, although the deliberative process of some aspect of the WFMP will continue in 2016. The Board anticipates that the regulations will likely become effective for the WFMP on January 1, 2017.*

3. Timberland Conversion:

Status: *The Management Committee decided to approach the issue of timberland conversion in a modest manner, by addressing individual issues that the regulated public and Department have experienced. In 2015, the Management Committee heard the issue of the limitation experienced by a landowner, Ms. Rassmusen, from Plumas County. As a result, the Management Committee did develop and draft regulatory proposal that was forwarded to the Board and authorized for 45 Day notice in August of 2015. That notice has not yet been published due to staff limitation, but has been identified as a regulatory priority for the Board in 2016. Additional issues pertaining to timberland conversion will be addressed by the Management Committee in 2016 and beyond.*

PRIORITY 1:

1. Working Forest Management Plan (WFMP)

Status: *Although substantially completed by the Management Committee in 2015, the WFMP requires some additional regulatory development in response to concerns expressed by the Office of Administrative Law (OAL) in regards to consistency and clarity of the regulatory language. The concern expressed by OAL resulted in the Board rescinding the June 2015 adoption of the regulatory language. The Management Committee will be focusing the early portion of 2016 upon additional*

review and development of the draft regulatory language for Board consideration. The target effective date of these regulations is January 1, 2015.

2. Regulatory Revisions for Electronic Plan Submission

Objective: The Administration has allotted significant funding for development of an electronic THP, NTMP, MTHP and Exemption submission system. The overarching goal of this effort is to attain a new level of efficiency and transparency for plan preparation, submission and review. Existing Board regulations do not currently recognize electronic submission as an acceptable standard of conveyance of prepared Plans to the Department. The Natural Resources Agency and the Department have requested that the Board consider revising current regulatory standards to allow for, or require, electronic Plan submission to support the development of the new technological platform that is currently being explored.

3. Program Timberland Environmental Impact Report (PTEIR) for Carbon Sequestration and Fuel Reduction Program

Objective: AB 862, chaptered by the Administration in 2014, directs the Board of Forestry and Fire Protection to develop regulations, guidelines or publications to facilitate a grant program that allots funding for the development of PTEIRs that promote carbon sequestration and fuel hazard reduction on state or private lands. The grant program is to be administered by CAL FIRE.

4. Small Landowner Options for Harvesting

Objective: Find effective methods to facilitate small landowner harvest. Such approaches include 1) An NTMP approach for landowners of 320 acres or less that cannot utilize a regular NTMP and 2) Woodlots owners of less than 40 acres seeking minimal harvesting.

Status: The Management Committee has intermittently discussed over the course of 2014 and 2015. Additional attention will be provided to this issue in 2016 if time permits.

5. Boggs Demonstration State Forest Management Plan

Objective: Management Plan Update and CEQA coverage to be completed by 2017.

Status: Management Plan and Initial Study is currently being worked upon by CAL FIRE staff and will be submitted to the Management Committee for review during 2015. The Board took action in December 2015 to allow for development of a new Draft Initial Study and New Draft Management Plan for the Boggs Mountain Demonstration State Forest for submittal to the Board by March 1, 2017 for review. The Board also acknowledged the need to continue management of Boggs Mountain Demonstration State Forest under the current Management Plan. This action was commensurate with Board Policy 0351.10 and in response to the significant change on the state forest as a result of the Valley Fire.

6. Jackson Demonstration State Forest (JDSF):

Objective: Continue to review the management of JDSF pursuant to Board Policy 0351.10.

Status: The Board approved the Research Plan for JDSF in early 2015. In addition, a newly approved Option "a" is currently guiding management of the state forest as well. Given that the current management plan is relatively new, as are some of the other guiding management documents; the Department has requested that the Board allow for continued management under the current plan. The Board will consider this request in spring/summer of 2015 after a thorough review of the current research and operations on the forest. This review will allow the Board to ascertain if the provisions within the current iteration of the management plan are appropriate.

PRIORITY 2:

7. Research Plan (PRC 4789.6)

Objective: The board, assisted by the director, shall biennially determine state needs for forest management research and recommend the conduct of needed projects to the Governor and the Legislature.

Status: During review of Demonstration State Forest Management Plans the Committee has requested improvements in the documentation and distribution of forest management, wildlife, fisheries, botanical and watershed research conducted on each forest or by the Department. The Committee intends to continue to work with each state forest and the Department to better document and catalog results of these research efforts and seek improvements in the distribution of research reports through either the Department or Board internet website.

8. Issues pertaining to conversion of Timberland

- **Regulatory amendments to 14 CCR § 1100(g)(2) - Definition of Timberland Conversion**
- **Regulatory amendments to 14 CCR § 895.1 – “Crop of Trees, Available for, and Capable of”**
- **Increased and widespread use of 14 CCR § 1104.1 – 3 acre or less conversions**

Objective (bullet point 1): Existing Board regulations are currently inconsistent with PRC § 4621 as it applies to conversion of timberland. Current Board regulations address proposed conversions in Timber Production Zone (TPZ) where an immediate re-zone out of TPZ has been approved. State law does not recognize zoning as a controlling factor in the conversion of timberland. The Department has requested that the Board bring the current definition of conversion into conformance with State law to recognize all timberland conversions regardless of zoning status.

Objective (bullet point 2): The Department has made the request to address the definition of “crop of trees” to aid the Department in identification of timberland. The

Management Committee has received briefings from Board staff and the Department on potential options to address this issue.

Objective (bullet point 3): CDFW submitted comments that expressed concern over the widespread use of the 3 acre or less conversion, particularly as it relates to marijuana cultivation. CDFW contends that impacts ranging from fragmentation, acutely impaired stream habitat, and take of listed species are a result from over use of these existing Board regulations.

9. Maximum Sustained Production (MSP) 14 CCR § 913.11(a) [933.11(a), 953.11(a)].

Objective: Review performance of existing MSP rule over previous 15 years. Based on results of review, Board may consider forming a technical working group to consider changes to existing MSP rule to provide more concrete standards for the MSP demonstration per 14 CCR § 913.11(a) [933.11(a), 953.11(a)]. Consider implications for assuring AB 32 targets.

Status: Committee reviewed February of 2011 and found no further action necessary. The Department has resubmitted the issue in 2015, which may indicate that further investigation into this issue is necessary.

10. Non-Industrial Timber Management Plan (NTMP) Review:

Objective: Ongoing review of issues with the regulatory standards associated with the NTMP, including the Department Draft NTMP Growth and Yield Guidelines document posted on Department website—currently in use by Department plan review personnel.

PRIORITY 3:

11. Site Index for major Young-Growth Forest Woodland Species in Northern California: Discussion of update to 14 CCR 1060 Site Classification.

Objective/Status: FPC completed initial review of topic in April-June of 2010 and deferred additional review until completion of the Road Rules. MGMT Committee will continue review of the issue when sufficient committee time is available.

12. Development of pilot programs for SERM/ Option v projects

Objective/Status: Department has formed a Technical Advisory Committee (VTAC) to develop and provide advice on pilot programs to implement option (v) projects under the Anadromous Salmonid Protection Rules (ASP).

13. Pacific Forest and Watershed Lands Stewardship Council

Objective: Board approved Department effort to acquire lands in the Stewardship Council planning units of "Pit River," "Battle Creek," "Cow Creek," "Burney Gardens," "Lake Spaulding," "Bear River," "North Fork Mokelumne River," and "Lyons Reservoir" that would be suitable for inclusion in the Department's Demonstration State Forest Program.. Board must approve management plans for these acquisitions when final.

Status: The Stewardship Council Board has recommended lands for CAL FIRE at the North Fork Mokelumne River, Pit River, Battle Creek, and Cow Creek planning units. The Stewardship Council Board is expected to make an additional recommendation for lands to CAL FIRE at Lake Spaulding in the second quarter of 2016, work on this transaction would begin in early 2017. This would complete the anticipated fee recommendations for CAL FIRE.

The North Fork Mokelumne River final Land Conservation and Conveyance Plan (conservation easement and agreements) was approved by the Stewardship Council Board in November 2014. The Department of General Services is currently reviewing the LCCP and associated documents. It is anticipated that final documents will be brought back to the committee for discussion in 2016.

Work on the draft conservation easement and documents for the Cow Creek project resumed in January 2016. The Battle Creek and Pit River draft conservation easement and agreements will be developed starting in the second quarter of 2016 and may be available for review in late 2016 or early 2017

Conservation easement holders for each of the properties have been recommended by the Stewardship Council Board and includes: Shasta Land Trust (Cow Creek, Pit River), Western Shasta RCD (Battle Creek), and Mother Lode Land Trust (North Fork Mokelumne River).

14. Progeny Sites

These sites are usually planted over a long period of time 3-10 year period to get various age classes and seed sources. Some of the land may sit fallow for a number of years and not meet a 5 year stocking requirement. Exempt up to 40 acres from meeting the required stocking standard if the property owner designates that area for a progeny plantation.

Resource Protection Committee (RPC)

The mission of the RPC is to evaluate and promote an effective fire protection system implemented by the Department of Forestry and Fire Protection and improve forest and rangeland health in California.

COMPLETED OR SUBSTANTIALLY COMPLETED 2015

1. Update of Title 14 CCR 1270 Regulations (Fire Safe), PRC 4290/4291.

***Objective:** Revise SRA Fire Safe regulations. These regulations provide wildfire protection standards association with residential subdivision development.*

Status: Final rulemaking complete.

2. State Responsibility Area 5 year review, PRC 4125.

***Objective:** Every 5 years the Board shall: “.. classify all lands within the state, without regard to any classification of lands made by or for any federal agency or purpose, for the purpose of determining areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the state. The prevention and suppression of fires in all areas that are not so classified is primarily the responsibility of local or federal agencies, as the case may be.”*

Status: Complete.

3. SRA Fire Prevention Fee Exemption (Self-Certification of Home Loss)

***Objective:** AB 2048 chaptered PRC 4213.1, which allows an exemption to the SRA Fire Prevention Fee under certain conditions. The Board created regulations to allow homeowners who have lost habitable structures to request an exemption from the fee by completing a form certifying that the structure is not habitable as a result of a natural disaster and either documents that the Habitable Structure passed a defensible space inspection conducted by the Department or by one of its agents within one year prior to the date the structure was damaged or destroyed or certify that clearance, as required under PRC § 4291 and 14 CCR § 1299.03, were in place at the time that the structure was damaged or destroyed as a result of a natural disaster.*

Status: Final rulemaking complete.

4. Vegetation Treatment Plan EIR (VTP EIR)

***Objective:** Review the most recent update of the Vegetation Treatment Program EIR prepared by the CAL FIRE workgroup.*

Status: VTP EIR in front of full Board for review.

5. SRA Fee Grant Program

***Objective:** Develop a grant program to comply with ABX1 29, which directs the Board of Forestry and Fire Protection to utilize money from the SRA fee to provide local assistance grants for fire prevention activities to benefit owners of habitable structures in the SRA.*

Status: Grant program development complete. Rule text and ISOR being developed by staff.

6. Utility Notice of Operations

Objective: Registered Professional Foresters (RPFs) are required to disclose known overhead power lines within the plan area when filing a Notice of Intent to Harvest Timber. This information is not usually forwarded to the Utility responsible for the maintenance of those power lines. If the utilities were made aware of impending operations in close proximity to their power lines, they would be able to perform work necessary to ensure public safety.

Status: Rule text and 45 Day Notice approved for noticing by Board

PRIORITY 1:

7. Cal Poly 1273.09 Dead End Roads Study

Objective: Cal Poly is conducting a study to evaluate the Board's dead end road regulation in 14 CCR 1273.09. Study results will be used to inform future rulemaking updates to 14 CCR 1270 et seq.

Status: Presentation to the Board scheduled for March 2016 meeting.

8. Safety Element Review (all counties with SRA; cities with VHFHSZ)

Objective: Review General Plan Safety Elements of all counties with SRA and cities with Very High Fire Hazard Severity Zones.

Status: Review of safety elements ongoing.

9. Vegetation Treatment Plan EIR.

Status: Preliminary Draft EIR under review.

10. 4290 Certification

Objective: Review and certify local county ordinances submitted for certification under 14 CCR §1270.03.

Status: Ongoing as counties submit ordinances. Certification tracking sheet created.

11. AB 1504

Objective: In 2010, the Legislature passed AB 1504, requiring the Board to examine the Forest Practice Rules to ensure they meet or exceed the state's greenhouse gas reduction requirements for the forestry sector, consistent with the scoping plan adopted by the State Air Resources Board pursuant to the California Global Warming Solutions Act of 2006 (AB 32).

Status: The Board has contracted with UC Berkeley and CAL FIRE FRAP to provide this analysis of the Forest Practice Rules and will review the findings when available. Action by RPC to be determined based on results of the review.

PRIORITY 2:

12. Blue Book Staffing Review

Objective: *To provide basic fire protection for CAL FIRE Direct Protection Area the Department has developed a Fire Protection Plan, which undergoes approval by the Board of Forestry and Fire Protection. The Plan includes a listing of proposed and existing fire protection companies and stations and related staffing standards.*

“PRC 4130 states: The board shall classify all lands within state responsibility areas into types of land based on cover, beneficial use of water from watersheds, probable damage from erosion, and fire risks and hazards, and shall determine the intensity of protection to be given to each such type of land. A plan for adequate statewide fire protection of state responsibility areas shall be prepared by the board in which all land of each type shall be assigned the same intensity of protection, and the estimated cost of such intensity of protection shall be determined.”

The existing Fire Protection Plan is out of date and does not reflect the current fire protection landscape and department operations.

Status: Board requests a presentation from the Department on this issue at a mutually convenient meeting in 2016.

13. Role of Grazing in Fire Hazard Reduction

Objective: *Examine barriers to using grazing as fire hazard reduction tool.*

Status: Early staff exploration.

14. Safety Element Review Process Regulation

Objective: *Develop a regulation codifying the review of General Plan Safety Elements by the Board of Forestry and Fire Protection and, to a certain extent, the pre-review and consultation stages by the CAL FIRE land use planning program.*

Status: Rule text in early drafts

15. Forest Pest Council

Objective: *Ongoing monitoring, management, and education and outreach (for professionals and lay people) in areas known to be impacted by sudden oak death (SOD) as well as bordering counties. There is a need for increased research for effective management strategies for homeowners and landowners; however, funding appears doubtful. Funding for all SOD-related activities continues to diminish.*

Ongoing monitoring, management, and education and outreach in areas known to be impacted by goldspotted oak borer (GSOB) as well as nearby communities and counties. Ongoing monitoring, management, and education and outreach in areas known to be impacted by polyphagous and Kuroshio shot hole borers. Possibly explore a ZOI with Cal Fire and regionally affected contacts/partners for invasive shot hole borers.

The “Phytophthoras in Native Habitats Working Group” will be joining the COMTF website as a partner. The working group has a Nursery BMP Committee, a Restoration Committee, and a Diagnostics Committee. The working group is focused on educating the native plant nursery industry about BMPs as well as working through issues/problems specifically related to native plant trade as there have been numerous

instance of Phytophthoras and other pathogens being moved into native landscapes/restoration areas from stock provided by native plant nurseries over the past year. As SOD was introduced to the native landscape via nurseries, the COMTF is interested in supporting the efforts of the working group.

The CFPC is working on developing a traveling insect/disease training to the various regions of the state to offer locally focused forest health training sessions to professionals, tribes, and other interested parties. Such trainings will not happen before 2017.

Ongoing effort to offer relative, practical information on the drought, tree die-off, pathogens, and diseases to professionals and lay people.

Ongoing effort to further advance the CA Firewood Task Force 'Buy It Where You Burn It' message as well as the risks associated with spread of invasives through the long-distance movement of firewood.

Status: Ongoing review in 2016.

16. California Fire Plan

Objective: *Begin planning for 2020 California Fire Plan update. Amend 2010 Plan to include prescribed fire memorandum of understanding.*

Status: Early explorations by staff to begin 2020 update. Department to provide update on incorporating MOU into 2010 Plan.

PRIORITY 3:

17. Decision-Making Information Support Systems

Objective: *Review information support systems developed by CAL FIRE FRAP, such as a WUI definition or Fire Hazard Severity Zone inputs, for discussion and possible updating.*

Status: Early staff and department exploration. Possible presentation by department later in the year.

18. Technical Rule Addendum No. 4, Minimum Distances Require by Law, Fire Safe THP Vegetation Treatment

Objective/Status: The Department has request that the Board amend the diagram in technical rule addendum No. 4 to accurately portray the vegetation treatments as required by PRC § 4291(b) and 14 CCR § 1299(a)(2). No progress to date.

19. Committee on Criminal Trespass: The purpose of the committee is the examination of policies and practices toward illegal drug growing in California's forests.

Objective: *Due to the changing regulatory landscape around this issue, the RPC has decided it would be prudent to table this discussion.*