

BOARD OF FORESTRY AND FIRE PROTECTION

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MINUTES
BOARD OF FORESTRY AND FIRE PROTECTION
April 9 and 10, 2003
Kelseyville, California

BOARD MEMBERS PRESENT :

Stan Dixon, Chairman
Kirk Marckwald, Vice Chair
Mark Bosetti
Susan Britting
Robert Heald
David Nawi
Tharon O'Dell
Gary Rynearson

BOARD STAFF PRESENT :

Daniel R. Sendek, Executive Officer
George Gentry
Executive Officer, Foresters Licensing
Donna Stadler, Executive Assistant
Jim Mote, Regulations Coordinator

DEPARTMENTAL STAFF PRESENT :

Andrea Tuttle, Director
Ross Johnson, Deputy Director
Resource Management

CALL TO ORDER

Chairman Dixon called the April 2003 meeting of the Board of Forestry and Fire Protection to order.

REPORT OF EXECUTIVE SESSION

Mr. Daniel Sendek, Executive Officer for the Board, reported on the matter of the Administrative Civil Penalty case involving Perry D. Cockshott, a Licensed Timber Operator from Calaveras County. The Board had rejected the Administrative Law Judge's decision in this case, and based the Board's review of the complete record including transcripts, it was the Board's Order that Mr. Cockshott be assessed a \$1000.00 Civil Penalty for failure to secure the appropriate permit for a less than 3-acre conversion.

APPROVAL OF MINUTES

Chairman Dixon asked for Board approval of the March minutes.

03-04-1 Mr. O'Dell moved to approve the March 2003 minutes as amended. Mr. Marckwald seconded the motion, and all were in favor.

REPORT OF THE CHAIRMAN

Chairman Dixon thanked Chief Byron Carniglia, CDF Sonoma-Lake-Napa Ranger Unit, for the excellent field trip. He also thanked Norm Benson, Forest Manager for Boggs Demonstration State Forest, for his presentation in the forest. He believes that Boggs is in the class with major state forests. He also thanked Greg Guisti and Michael Browning of the Diamond D Ranch for the very interesting tour of the oak woodland conversions.

Chairman Dixon noted that, per his request last month, the Department arranged a meeting between members of the Coalition to Save Ukiah Air Attack, the Department, legislative representatives from the Mendocino County area, and member Bosetti and himself to discuss the issue of the proposed Air Base closure. That meeting took place on March 27, 2003. He commented that It was clear that Senator Chesbro and Assembly Member Berg wanted to see the Base remain open and in the budget. They indicated that they would try to keep the money in the budget and encourage the Governor not to blue pencil it should funding be continued in the 2003 budget.

REPORT OF THE DIRECTOR

Ms. Andrea Tuttle, Director of the California Forestry and Fire Protection (CDF), provided an update on the state of the budget. She noted that in the Governor's budget of January 10, 2003, CDF was treated well. The only reduction to CDF was approximately 6.7 million dollars of which 5 million was going to be back-filled by federal funds. There was also the closure of the Ukiah and Porterville Air Bases and all state lookouts except during red flag conditions. The California Conservation Corps (CCC) had its Butt Fire Center closed, which houses several CCC crews that are staffed by CDF. This Center is critical to the Chico, Paradise, and Northern Sierra areas. Some Legislators are looking at this issue. The Governor's budget has been in Legislative hearings, but the Legislature is not taking any action. As a result, the Department of Finance sent a letter to all departments requesting that they put forth a plan to reduce all personal services dollars, which are salaries plus benefits, by 10 percent by April 17, 2003. The only opportunity for budget cuts in the Department are in the core services. When the Department puts its plan in, it will likely violate the Board's policy of 95 percent of the fires being held at 10 acres or less. The plan that the Department prepares will not be made public until the Administration decides to release it. The purpose of this plan is to inform the Legislature of what the Department would look like with these cuts.

Director Tuttle commented that there was a meeting called by the Board Chairman on the Ukiah Air Base with the two legislators from the Region, CDF staff, and Legislators. The Department believes that the Ukiah Air Attack Base was the only facility where there was any redundancy in the system. There are more air resources in the northern region than anyplace else in the state. However, the base will remain open under the current budget.

Director Tuttle commented that since the last Board meeting, the Governor's Office put out an Emergency Proclamation regarding the Lake Arrowhead bug kill. She reviewed portions of the Proclamation for the Board. She noted that the Proclamation could be found on the Governor's Website.

Director Tuttle reported that she and the Executive Officer of the State Water Resources Control Board signed the Memorandum Of Understanding (MOU). The MOU outlines the statutory authorities in the THP review process. The monitoring portion was taken out because it became too complex. All of the Regional Boards still sign the MOU. The Department is working on the Monitoring Agreement (MA). She suggested that the Board might want to be a signatory on the MA since the Monitoring Study Group is a Board committee.

Director Tuttle commented that the Department is having its North Coast Watershed Assessment Program (NCWAP) closeout receptions. There was one at the Resources Agency a couple of weeks ago and there will be one tomorrow for the staff in the North. NCWAP has become a victim of budget cuts. The NCWAP was a very useful tool for watersheds, but the program is in suspension. She noted that the bids for JDSF Brandon Gulch Plan are open. There is a lot of misunderstanding about sustainable management of second growth forest. It is becoming understood that almost all old growth has either been cut in the past or is in public ownership. This does not speak well for having privately owned timberland in the state; there will no incentive to do any forestry in California. The Brandon Gulch Plan is a good selective harvest plan and not be able to operate on it is not a very responsible position. She commented that the Department held the ground breaking for the Jackson Learning

Center. It is a jointly funded project by the forest service and CDF that will be used for housing researchers on the forest. They hope to have a ribbon cutting and open house in the fall.

Director Tuttle reported that the National Association of State Forests continues to move forward on implementing the National Fire Plan. Congress continues to look at the accountability standards; wondering where the money is going, how the Forest Service is spending it, and how the communities being identified as communities at risk. A high level group of the National Fire Plan implementers will be here next week looking at CDF's fuel break and Fire Safe clearing projects that are innovative and good community stake-holder buy-in projects.

Mr. Marckwald commented that he hopes that the harder budget cuts in resource protection are as intensely described as those on the fire side. He encouraged the Department to be just as graphic with its description because there are real impacts on resource protection as well as fire suppression.

Director Tuttle indicated that the Department would do that.

Mr. Bosetti asked the Director to describe the progress that has been made on the Public Resources Code 4123 that encourages the Department to establish a working group of interested public.

Director Tuttle commented that it is something that the Department has not been able to get to, but will be working to put that together. She reported that CDF is in spring preparedness for the fire season.

REPORT OF THE OAK MORTALITY TASK FORCE

Mr. Stephen Jones, CDF Deputy Chief, reviewed the California Oak Mortality Task Force (COMTF) monthly report from the Board's binder. This report may be found on the COMTF website at <http://www.suddenoakdeath.org>. Copies of this report may be obtained through the Board Office.

REVIEW AND CONSIDERATION OF COUNTY ACTION PLAN (S) ADDRESSING SUDDEN OAK DEATH (SOD) HAZARD TREE REMOVAL AND DISPOSITION

Mr. Stephen Jones, CDF Deputy Chief, provided the Department's update on the SOD Hazard Tree Assessment, Removal, and Restoration contract with the SOD infested counties. He commented that five counties submitted plans; Marin, Sonoma, Monterey, Alameda, and Santa Cruz. The contract provided an initial allocation to the 10 infested counties with a redistribution of funds after March 31, 2003, to any additional counties and then to existing counties. Marin and Sonoma Counties have requested additional funds for assessment. Monterey will turn back funds for assessment, but requests additional funding for removal and restoration. Alameda will turn back funds for both removal and restoration. Santa Cruz has requested additional funds for removals. He commented that the contract would run through March 31, 2004.

REPORT OF FEDERAL AGENCIES INCLUDING USDA FOREST SERVICE, NATIONAL MARINE FISHERIES SERVICE, US FISH & WILDLIFE SERVICE AND US ENVIRONMENTAL PROTECTION AGENCY

There were no reports.

PRESENTATION AND REVIEW OF THE CURRENT BOGGS MOUNTAIN DEMONSTRATION STATE FOREST MANAGEMENT PLAN

Mr. Christopher Rowney, Deputy Chief of CDF's State Forests programs, commented that the existing Management Plan had been provided to the Board. The revised Draft Management Plan would be available soon. There has been some delay getting the Draft Plan out due to the volume of public comments to be addressed. The Department believes that the final Plan would be completed within a year.

Chairman Dixon commented that he was impressed with the involvement and support of the community groups.

Mr. Heald commented that it was a good field trip, but indicated that it was hard for the Board to comment without specifics. He believes that the involvement of the local public is very positive in developing a plan and that the integration of all aspects is important to demonstrate the management and to see the differences. He believes that the more variety the better. The Department has an obligation to manage the forests, and he suggested that it pay attention to the roads issue.

Mr. Rowney commented that the new Draft Management Plan has a plan for road management within it.

Mr. Marckwald wanted to know about the budget.

Mr. Heald commented that when there are budget considerations, the Department could be creative.

Mr. Marckwald commented that even with a small budget the Department is responsible for addressing environmental issues.

Mr. Norm Benson, Boggs Mountain Demonstration Forest Manager, commented that they have been addressing some the issues with the roads. The gates are kept closed and the camp crews are used to clean out culverts. Now it is necessary to get rid of the chuckholes and mud holes. The entire staff stands ready to maintain the road system. He thanked the Friends of Soquel for providing a model to begin with.

Mr. Rynearson commented that there seems to be some great opportunities and wanted to know if having specific projects in mind as demonstration purposes was part of the redraft.

Mr. Benson replied that it had not been, but could be included. There is a need to consider the user groups and make the rolling dips more like speed bumps.

Chairman Dixon asked if there were any further comments.

Mr. Rowney commented that the Department does have a little redrafting that needs to be done and will get something back to the Board in a couple of months.

Mr. Rynearson wanted to know if that would be in the form of a negative declaration.

Mr. Rowney replied that a negative declaration is probably the road the Department will take.

Mr. Heald wanted to know if the Draft Management Plan would have the staffing and funding to implement it.

Mr. Rowney commented that that would be a consideration in any project.

UPDATE ON THE MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE WATER RESOURCES CONTROL BOARD, DESIGNATED REGIONAL WATER QUALITY CONTROL BOARDS, AND THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Mr. Ross Johnson, Deputy Director Resource Management, referred to the Board's binder and commented that the MOU has been signed by Director Tuttle and the Executive Director of the Water Board and is now out for signatures from each of the Regional Boards. CDF has begun to work on a Monitoring MOU or Agreement to be discussed by all the participants. The Department has met with the State Water Board and Departmental staff members and is scheduling another meeting for next week. There have been several discussions with the North Coast Regional Water Quality Control Board (NCRWQCB) on monitoring and there is an Agreement that is being reviewed by the NCRWQCB. The Department would like to see the Monitoring Study Group get more involved.

Chairman Dixon wanted to know if the Monitoring Agreement was to be an amendment to the MOU.

Mr. Johnson indicated that it has not yet been decided. The State Water Board would like an MOU or something in draft form for the joint meeting with the Board in June.

Chairman Dixon believes that it is important for a Board member, possibly Member O'Dell, be involved with the on-going discussions regarding monitoring.

Mr. Marckwald commented that he has received a call expressing concerns about taking the monitoring out of the MOU. The sooner the Department can get a clear monitoring strategy the better.

Mr. Johnson commented that the Department plans to have something within six months.

Mr. Ryneason wants to be sure that the monitoring is based on the best available science and not for data sake alone.

Mr. Johnson commented that one of the items discussed during the first meeting was how to get the monitoring that has already been done by several landowners into a form where it would be available and could be used to interpret data.

Mr. O'Dell commented that a broader involvement with those who are interested is very important and that he would welcome that involvement. He would not oppose a co-chair, but perhaps just discussing how to get greater involvement and greater appreciation for the complexities would suffice. The MSG group has been the finest group in gathering data and sharing for mutual value. Discussions of monitoring require a long-term commitment and he would welcome all the help and support the MSG could get.

Chairman Dixon commented that he would like to see commitment from other state boards.

Mr. Johnson commented that the Department has an agreement between the State Water Board and the Regional Boards. However, the Water Boards have not participated as they should have in the Monitoring Study Group. He believes that getting that commitment would be good. Also, in the MOU, the Department was to look at cumulative effects within the next six months. CDF is now putting together a group to look at cumulative effects and would like the Board to be involved. The Department is looking at anything that helps to better the process.

Mr. Heald commented that monitoring has been a source of some of the non-concurrences on THPs. He noted that the new waiver process includes an authority for the Regional Boards to require monitoring on individual THPs. He wanted to know if there was any indication from the Regional Boards where they will be at over the next six months.

Mr. Johnson indicated that there had no indication that the Regional Boards would ask for more or less than what they have been. The Department's discussions with them have centered on when is it appropriate for monitoring. CDF believes that there needs to be more clarity in this area and if it ends up in a non-concurrence, the Department would deal with that issue.

Mr. O'Dell commented that it appears that in TMDL watersheds, the authority that the Water Board uses is the Basin Plan requirements and that elevates those basins with TMDLs to more of a monitoring requirement and they have that authority. He believes that TMDLs offer a different ingredient in terms of what needs to be done.

Mr. Johnson commented that the hope is that with this group there will be an agreement on monitoring.

Mr. Heald commented that there is a need to look to the future as to the next iteration of how to approach these issues on something different than on a project basis and put it in the context of a larger area in the hopes that a cumulative effects analysis comes out of it.

Director Tuttle commented that the topic could be considered as an agenda item with the State Water Board in June.

Mr. Nawi commented that he would be glad to work with staff on this issue as it goes forward.

Mr. Richard Gienger commented that trend monitoring is the most difficult and expensive. He would like to see some kind of simple review procedure to deal with source monitoring documentation. On page eight of the MOU, the ultimate authority under a TMDL is being addressed by a bill that confirms the authority in TMDL listed watersheds to Water Quality. He believes that this may be in conflict with the Board's objectives.

PRESENTATION ON THE NORTH COAST WATERSHED ASSESSMENT PROGRAM (NCWAP); STATUS UPDATE AND REPORT ON FINDINGS FOR THE MATTOLE AND GUALALA RIVER WATERSHEDS

Ms. Cathy Bleier, Resources Agency, provided a Power Point presentation, which was a review of the NCWAP. She commented that most of the funding for the NCWAP has been cut for the coming year by the Resources Agency. She noted that there was still funding for the North Coast. Assessment reports for the three watersheds; Mattole, Gualala, and the Redwood will be continued this year. The reports from the Mattole and the Gualala are finished and are on-line. The Methods Manual is being finalized. She suggested that the Board of Forestry's Stewardship Committee revisit the Inter-agency Watershed Assessment Team Proposal, or something similar. She commented that the Mattole River Restoration Council has used some of the recommendations and has received a large grant from the State Coastal Conservancy to implement some of the recommendations. The Gualala River Watershed Council is using the report to submit a number of restoration grants. CDF, Water Board, and DFG are going to continue to work on a couple of products, including the Scott River looking at ways to improve the quality of road coverage for land use planning and THPs. There had been some very difficult decisions that had to be made this year.

Mr. Russ Henly, CDF FRAP Unit, provided an overview of their work in NCWAP. He indicated that his report would look at the interdisciplinary process, analysis tools, and how the analysis at multiple levels of watersheds was done. He referred to the Executive Summary on the Gualala River Watershed Assessment and reviewed some of the key assessment questions and answers for the Board.

Mr. Robert Klampert, North Coast Regional Water Quality Control Board (NCRWQCB) and the lead on the NCWAP team on the Gualala, provided an overview of Gualala River Watershed and the findings as well as recommendations. He commented that they worked closely with the Gualala River Watershed Council. He announced that the California Geological Survey (CGS) CD was available to the public regarding timber harvest history from 1991-2001 noting that it was an interactive CD. He then reviewed it for the Board.

Mr. Clifton Davenport, California Geological Society (CGS), reviewed the Mattole Watershed portion of the Power Point presentation. He also provided supplemental handouts with additional geological detail and reviewed them for the Board. He concluded that a good knowledge base of these current watershed conditions and processes is essential for successful watershed improvement. Property access is needed to design, implement, monitor, and evaluate suitable improvement projects. Cooperation between resource agencies, watershed groups, individuals, landowners, and land managers is imperative to this process.

Ms. Bleier commented that she hoped they had demonstrated how the information was brought together and how they developed recommendations and priorities at the basin and sub-basin scale.

Mr. Marckwald expressed his appreciation for the efforts of the NCWAP and believes it is important that the group document how it came up with this data so that those who follow can utilize the information already gathered.

Ms. Bleier commented that on the website, they summarized all four peer-review processes; the manual, the EMDS model, individual reports, and public comments.

Mr. Henry Alden, Gualala Redwoods, commented that this was a huge effort to collect a lot of new and good information. It was presented and that was the key. The report does not tell the whole story, but it contains a lot of good information. CGS found that there was a significant and ongoing improvement in the condition in the streams. The most common recommendation was to put large wood back in the stream. A rate of harvest was mentioned in two of the sub-watersheds in the context of reducing road usage.

Mr. Rynearson wanted to know what opportunities there were for implementing those restoration efforts given the budget issues.

Ms. Bleier commented that a number of bonds came in to provide monies through Water Quality and DFG still has its fisheries restoration grants program.

Mr. Rynearson wanted to know how complete the reports on the Big River and the Albion River would be when they are released.

Ms. Bleier indicated that it was difficult to say at this time.

STANDING COMMITTEES OF THE BOARD

FOREST PRACTICE COMMITTEE (FPC)

Mr. Heald, Chairman of the FPC, commented that the Committee discussed clearcutting alternatives with variable and visual retention. The Committee will come back at the next meeting with an outline of some options to address those issues and possibly with a review of how to provide incentive or remove impediments for the use of variable retention. The Class II watercourse crossing discussion was deferred until May.

Mr. Heald reported that there was a discussion of electronic filing of THPs. The Committee recommends to the Board that the FPC receive feed back from the representatives of the Department's IT unit, a representative from each of the agencies that receive and transmit and reviews THPs, and from the regulated public. Those representatives will have an electronic conference. The FPC requested that that group try's to come up with an interim standard for electronic submissions that would require all THP submitters to provide information in digital format to the Department. This does not address the issue of the use of a GIS, which is a more complicated issue.

Mr. Heald commented that the Committee continued its discussion of the oak retention standards proposal. The Committee is divided on how to proceed on this issue and decided to wait until after today's presentation. The FPC hopes to have a recommendation for the Board in June. The Committee continued its discussion with the Forest Reptile Amphibian Working Group (FRAWG) and they will come back to Committee next month with some revisions to the document, and the Committee will review the proposal relative to springs, seeps and wet areas.

Mr. Heald commented that there was some discussion regarding priorities that included the exemption process review and Class III watercourse channel protection. The Committee agreed to have a discussion on the Threatened and Impaired Watershed rules before it makes a recommendation to extend it or not. There was a request and proposal relative to changing the transition rule and that will be taken up in June. The proposal is in written format and the Committee members have it, and the public had access to it as well. The FPC did not discuss the Civil Penalty issue.

POLICY AND MANAGEMENT COMMITTEE (PMC)

Mr. O'Dell, Chairman of the PMC, reported that the Civil Penalty issue was discussed. CDF walked the Committee through the process and the learning curve. The Department is waiting until they get a large enough data set so that they can get a better understanding on how best to move through the process. The Department provided the Committee with examples and asked it to respond by assigning penalty. The Committee came up with similar results as the Department. The Board is always limited to the record and written word, but having the fact background provided a better understanding of the Department's process.

Mr. O'Dell commented that the PMC had a presentation from the Forest Stewardship Council, a certification group regarding old growth and they indicated that people who own and manage large old trees in their forests want to be able to use them as part of their forest land base and manage them as well. Two of the larger properties that are certified under FSC criteria have as part of their certified process these larger elements in their forests, but they do want to manage those in a long-term replacement approach. It was a very instructional presentation.

Mr. O'Dell reported that there was a concern voiced regarding the Board's Forest Practice Rules and old growth. Specifically, a rule section that deals with adjacencies and the amount of time allowed between adjacent units before a harvest was able to continue. There was also a concern expressed about the level of harvest in any given watershed. Most of the data was specific to the Gualala River. There was a nice exchange regarding sediment routing. It was a good discussion about large old trees in a particular basin and how the Forest Practice Rules apply. There was a request to form a sub-committee to take a look at adjacency and whether or not five years is the right amount of time. Also, there were concerns regarding the 300 feet between units and comments regarding riparian canopy cover related to harvesting near streams. There has not been a closure on the old growth issue. It is important that people get their points of view in front of the PMC so that the Committee can bring something to the Board for direction.

Mr. Marckwald commented that the Civil Penalties discussion may set the context for future review on how this Board has been handling those case and, after all the Committee members have had a opportunity to look at the facts, the Committee will bring something back to the Board.

Chairman Dixon commented that it was an excellent presentation by the Department and explained the format used.

Mr. O'Dell believed that the entire Board would benefit by that presentation.

Mr. Gienger commented that the main point brought up by the public was that air temperatures have the greatest impact on water temperatures.

AD HOC ROADS AND WATERSHED COMMITTEE

Mr. Rynearson, Chairman of the *Ad Hoc* Committee, commented that the Inter-agency Roads Task Force provided the Committee with an 82-page document representing its efforts. They had 21 meetings and one field trip in the development of the document. They determined that it was about the same across the state as to the dates that would define to beginning and end of the wet weather. Those dates are October 15 and between May 1 and May 15. The document recommended a change in the slope percent for the operation for tractors and a post harvest road maintenance agreement for a "required" three years instead of the "suggested" three years. There is also a new section on road reconstruction for alternative practices. The Committee requested information from the various represented agencies as to whether or not this package would meet other regulatory requirements. There was a positive response from the Department of Fish and Game (DFG) regarding the ability of this package to address the issues that they would like to have addressed for Coho recovery. There was a similar response for the TMDLs as this package was linked as one of the two alternatives along with a road management plan. The State Water Quality Control Board noted that this package did address many of the issues that were raised in their 1999 rule package proposal that was presented to the Board. However, Water Quality does have some issues that they would like to have addressed. NOAA Fisheries indicated that this document may address some, but not all of the issues that would be required under a 4(d) "take" standard. The Ad Hoc Committee, at its next meeting, will go though the Road Rule package while receiving input from Committee members, as well as the public.

Mr. Rynearson reported that the Committee received a presentation from Crane Mills who has proposed an IWMA for the west slope of the North Sacramento Valley in the Toms Creek watershed. They had their initial screening meeting as described in the IWMA and hope to have a better focused plan as they move forward. The Mendocino Redwood Company plans to do an IWMA in the future. The California Forestry Association indicated that two other landowners are in the process of developing an IWMA. There was some discussion as to moving the IWMA forward and most who are involved in that discussion supported continuing the IWMA for at least two years and possibly up to five years.

Mr. Rynearson referred the letters sent to the National Marine Fisheries Service, DGF, four Regional Water Boards that have timber operations within their areas, and a cc to the State Water Board regarding the Draft Road Management Plan. To date, there have been responses back from NOAA Fisheries and DFG saying that they would be willing to work with the Board to develop a Road Management Plan that would address other regulatory issues. There has been no direct response from any of the Regional Boards. The Committee will work on a new outline prior to its next meeting to allow public and landowners the opportunity to review it and provide comment. Under New and Unfinished Business, the Committee requested that Water Quality provide some input regarding its remaining concerns from their 1999 package so that the Committee can address those issues. There was a brief report on the IWAP to try to implement it on a pilot program that is an outreach from the NCWAP.

Mr. Heald commented that there was considerable interest in providing prescriptive examples on the Road Plan for road crossing and issues that could be used by smaller landowners.

RESOURCE PROTECTION COMMITTEE (RPC)

Mr. Bosetti, Chairman of the RPC, commented that the Committee received a report from the Deputy Director of Fire Protection and that was covered in the Director's report and that there are copies of the Region reports in the binders. There was a Vegetation Management update from RMAC. There will be another RMAC meeting on June 11 and 12, 2003. The Committee has begun dealing with its priorities. The first was the review of the 1996 Fire Plan. There was a presentation by CDF briefing the Committee on how the 1996 framework was established and how it is being implemented at the Unit level. The Committee had allotted time under New and Unfinished for discussion of the Ukiah Air Attack Base issue. The Committee would like to authorize the Chairman of the Board to send a letter to the Administration expressing the concerns that the Committee has regarding the proposed reduction to CDF's budget and the impacts it would have. The letter would encourage the Governor not to blue pencil funding for the Ukiah Air Attack Base should the Legislature restore that funding.

Mr. Bosetti commented that last month he did not report on a presentation that the Committee received from the Southern Region Chief. That presentation was specific to the effects of the bargaining unit eight contract on Schedule A and Amador contracts. It depicted the current costs at about 135 million dollars and as it moves forward, by the year 2006, that projection will be approximately 182 million dollars. The effect falls back to the Counties.

Chairman Dixon commented that as Member Bosetti indicated, the recommendation from the Committee was for the Board to authorize the letter to the Administration. He commented that it was clear from the Chairman of the Senate Budget Committee that he intends to ask that monies in the 2003/04 budget remain and to continue the Ukiah Air Base. This had concurrence from Assembly Member Berg.

Mr. Marckwald believed that the recommendation was that the letter would also request that the Governor not blue pencil funding if the Legislature puts it in.

03-04-2 Mr. Rynearson moved to provide the Chairman with the authority to send the letter to the Administration. Mr. Nawi seconded the motion.

Mr. Heald commented for clarification that the motion is to inform that reductions would result in the Department being unable to achieve the direction in the Fire Plan.

There was some further discussion on the wording of the letter.

Chairman Dixon noted that the Executive Office would help him craft the letter.

All were in favor of the motion.

DEPARTMENT PRESENTATION ON FOREST PRACTICE RULES IMPLEMENTED ON JANUARY 1, 2003

Mr. Dennis Hall, CDF's Resource Management/Forest Practice, provided an update on the implementation of Board procedures regarding the new Forest Practice Rules passed last year. He referred the Dan Foster's written report and read portions into the record. He provided a summary on Threatened and Impaired rules with suggestions. He reported that there is an IWMA being worked on so the Department did not know at this point if more training or educational information was necessary. The rules that the Board adopted last year did not require additional training of CDF inspectors or field staff for implementation. However, prior to their adoption, CDF did conduct Forest Management Committee meetings to discuss the new upcoming rules and as a group they discussed anticipated problems. CDF is going to use that method to train its own Unit foresters to get the information out. There is also standard training and basic forest practice and forest practice law enforcement. The review team does conduct THP reviewers meetings to discuss problems with rule implementation. There are also periodic round table meetings with people from other agencies. The North Coast meetings have been very productive. There have not been many problems with implementation with last year's rule packages.

Mr. Rynearson wanted to know if the Department was seeing fewer questions regarding the waiver process.

Mr. Hall indicated that the Department has been working with the Regional Water Boards on the implementation of those waiver policies and believes that what few problems there have been are being worked out with the affected Regions. The main focus has been on the Central Valley and the Lahontan regions because those policies do require a little more active participation by the CDF people in the region. Most of that seems to be with noticing.

Mr. O'Dell wanted to know if the items just presented were a prescribed checklist the Department uses to review the requirements or necessities for outreach and training. He expressed his concern because last year was a relatively benign year, and wanted to know if the Department would use the same approach in a complex year.

Mr. Hall commented that the Board's procedures are outlined in detail and the Department is going to try and stay within those guidelines as far as getting the rules out to people. Any complex issues would be treated like the Threatened and Impaired.

Mr. O'Dell does not believe that the Civil Penalties issue is well understood, and wanted to know if there was a process in place to get that information out to LTOs and RPFs or is there another vehicle to do that.

Mr. Hall believes that this would be the process in which to get the information out similar to the way the Department got the Archaeology information out.

DEPARTMENT PRESENTATION ON ITS INTERPRETATION AND IMPLEMENTATION OF 14 CCR §916.9(0), PROTECTION AND RESTORATION IN WATERSHEDS WITH THREATENED OR IMPAIRED VALUES

Mr. Bill Snyder, CDF Santa Rosa, provided some background for the Board. The Department has had some difficulty in terms of feasibility with respect to non-industrial THPs. The general approach has been that a road remediation plan be developed that addresses the sites and also deals with the timing of the repairs. Those sites are monitored and a report is sent back to CDF and Water Quality on how they are performing. NTMPs are the most problematic. He explained the approach CDF takes with those plans. The 916.9(0) has not been a major issue as far as dealing with active erosion sites with the exception of NTMPs and some of the long appurtenant roads.

Mr. Rynearson wanted to know how the Department was dealing with Mendocino Redwood Company (MRC) and its long appurtenant road with multiple problem sites.

Mr. Snyder commented that the Department considers timing. MRC has expressed concern that some of the road fixes would require grant funding. He commented that some of these things would extend beyond the life of the THP. He noted that there are four Water Quality Regions in CDF's area. The Central Coast has not developed a waiver strategy at this point. They are looking at issuing individual waivers. The San Francisco Bay does not have a waiver policy either. In the North Coast, CDF has been putting an advisory note in the first review

questions that go out to advise landowners that there is a process that they may need to be engaged in after the plan is approved.

Mr. Bill Shultz, Northern Operations Center in Redding, commented that in dealing with the Lahontan and Central Valley they are doing something similar. It is a little more difficult getting the word out with exemptions and emergency notices.

Mr. Ryneason wanted to know about the exemption notices.

Mr. Snyder commented that the exemption notices are in the form of an information sheet indicating the three Regional Boards and asking that the property owner contact the Region Office in their area for the requirements for the waiver.

Mr. Heald wanted to know if people have filled out and sent in the waiver forms for the Central Valley.

Mr. Snyder replied that a waiver form came in for a THP that had been submitted and it has been returned to the RPF indicating that the end of the process would be the time to fill it out. Most of the questions that have been received are directed to the Regional Board.

Mr. Ryneason wanted to know if notices were also being provided with the exemptions and the ministerial permitting processes.

Mr. Snyder indicated that the North Coast Board has a different process than the other Regions. He explained that process to the Board.

Ms. Christine Wright-Shacklett, North Coast Regional Water Quality Control Board (NCRWQCB), commented that under the current waiver policy, the only people who need submit a Notice of Intent are those who have an approved THP, which also needs to be submitted. NTMPs, NTOs, and Emergency exemptions are not required to submit a notice of intent or a copy of an approved THP. That waiver policy is in effect until December 21, 2003. Later in this year, the Regional Board will decide whether to extend the sunset date, or to make changes to the waiver policy. Referring to the waiver policy approved by the North Coast Board on December 21, 2002, she noted that plans approved prior to that date would not require a Notice of Intent be submitted to the Regional Board.

Mr. Dan Weldon, Forest Landowners of California (FLOC), commented that the FLOC members are having a difficult time due to road requirements and costs. There are grants available through various programs for road repair. However, if you have an approved NTMP, the landowner would not be eligible for those funds.

Mr. Ryneason requested that the Board receive all the packages from the Regions for the different waiver requirements before the meeting in June with the State Water Board.

REPORT OF THE ADVISORY COMMITTEES

CALIFORNIA FOREST PEST COUNCIL (CFPC)

Mr. Scott Johnson, Chairman of the CFPC, commented that along with the SOD issue, the Southern California tree mortality is the CFPC's highest priority. The CFPC's Southern California Committee will join with the Insect and Disease Committee to host a field tour on May 14, 2003, in the Idyllwild area and May 15, 2003, to the Lake Arrowhead and Big Bear areas. There will be an Entomologist, a Pathologist and other interested people looking at the devastation in an effort to assist other agencies to further deal with the problem. The Weed Committee will conduct a joint tour with the California Forest Soils Council in the Auburn area, beginning on the evening of July 22, 2003, for introductions and the two days of tour on July 23 and 24, 2003. The November meeting will be held in Woodland.

RANGE MANAGEMENT ADVISORY COMMITTEE (RMAC)

No report was given.

MONITORING STUDY GROUP (MSG)

Mr. O'Dell reviewed the written staff report from the April MSG update for the Board. Modified Completion Report Monitoring training is being scheduled for new CDF Forest Practice Inspectors this spring in the Central Sierra.

Mr. O'Dell pointed out that, under the Cooperative Instream Monitoring Projects, Campbell Timberland Management is focusing on Wages Creek for their Instream monitoring project. SPI's project will be located in a sub-basin of the Trinity River. CDF will be purchasing monitoring equipment to support both projects and a Memorandum of Understanding (MOU) will be written to document the goals of these projects. CDF is preparing a contract with the Mendocino County RCD for the second phase of the Garcia River Cooperative Instream Monitoring Project.

Mr. O'Dell reported that the CLFA workshop that was held in March would be repeated in Redding on May 16, 2003. Approximately 300 people will have attended those two workshops. CDF helped fund an instructional "media-rich" CD-ROM intended to help foresters and other resource professionals better understand the dynamic nature of forested landscapes. The CD-ROM was produced by the USFS and is titled "Landscape Dynamics and Forest Management." Copies of the CD, General Technical Report RMRSGTR-101CD are available at <http://www.fs.fed.us/rm>.

Mr. O'Dell noted that the next MSG meeting is scheduled for April 21, 2003, at the Howard Forest Training Center. He commented that each of the MSG meetings is like a mini workshop with very good presentations.

PROFESSIONAL FORESTERS EXAMINING COMMITTEE (PFEC)

Mr. George Gentry, Executive Officer for Licensing, commented that there are no action items to report. The next PFEC meeting will be on April 24, 2003. He announced that the Registered Professional Foresters Examination would be held on April 11, 2003. There are currently 55 examinees, five have postponed.

Mr. Gentry reported the passing of RPF 364, John Miles.

PRESENTATION BY THE COALITION TO SAVE UKIAH AIR ATTACK BASE FROM THE PROPOSED CLOSURE

Chairman Dixon announced that the Board took action on this item earlier in the day. He asked Member Bosetti to report on that action.

Mr. Bosetti reported that based on the recommendations that the Board received and the discussion in the Resource Protection Committee meeting, the Committee recommended to the Board that it authorize the Chairman to send a letter to the Administration. The letter will express the concerns of the Committee and the Board relative to reductions to CDF's budget and the levels of services that would be impacted by decreases. Specifically, the letter would encourage the Governor to not blue pencil funding for the Ukiah Air Attack Base should the Legislature restore that funding.

Mr. Ed Robey, Lake County Supervisor quoted from a letter from former CDF Director, Richard Wilson. He provided a copy of that letter for the Board. He expressed his appreciation to the Board and indicated that his group would shorten their presentation to the Board in light of this new information.

Mr. Richard Shoemaker, Mendocino County Supervisor, indicated that the response time was paramount and the he does not believe that there would be a cost saving by closing the base.

Chief Jim Robbins, believes that the analysis is flawed. The initial attack would be delayed and there is a safety factor to the fire fighters to consider. He commented that they are please to hear of the Board's support.

Supervisor Shoemaker expressed his appreciation for the Board's support.

PUBLIC FORUM

Mr. Mark Rentz, California Forestry Association (CFA), provided the Board with a copy of the California Forest book and brought the Board's attention to an article from Cal Poly State University regarding an analysis on two major third party certification systems and compared them to the Forest Practice Rules. He also provided a copy of an article on clear-cutting and encouraged the Board to read that article.

Mr. Richard Gienger suggested that EPIC's Robert Di Perna be added to the electronic THP discussions. He then referred to document number five in the Ad Hoc Watershed and Roads Committee packet regarding an email with an explanation of the Inter-agency Watershed Analysis Team pilot project. He read that first paragraph as background for the Board. He expressed his hope that the Forest Stewardship Committee would get a meeting together, prior to the next Board meeting, to select one or more pilot project areas to use the NCWAP data. He believes that there is need to address the old growth issue more fully. He commented that the THP process should be changed in a modest manner to ensure that old growth is given adequate consideration. He reported that the Salmonid Restoration Federation Conference in San Luis Obispo was looking at salmon issues.

Mr. Robert Di Perna, EPIC, believes that Pacific Lumber has exceeded the number of acres logged over a shorter time frame than original planned for.

Mr. Dan Weldon Forest Landowners of California (FLOC), provided the Board with the brochure of the FLOC's Annual meeting to be held May 1-3, 2003, in Eureka and reviewed it for the Board. He also made copies available for the public.

Mr. Tom Slade expressed his concern over air quality issues. He believes that there are opportunities for testing in this area.

Mr. Bill Keye, California Licensed Foresters Association (CLFA), commented that the monies from JDSF timber sales go into the General Fund and believes that it is significant to RPF's because of the California Forest Improvement Program (CFIP) that has over the years provided a lot of employment opportunities to RPFs. If there is any place where there are sustainable forestry practices, it is the state forests. He believes that zero cut in the state forests would be devastating. He commented on the Lake Arrowhead issue and noted that air quality is an issue facing the Lake Arrowhead area, but believes that overstocking is the primary reason for the bug infestation.

REPORT OF THE EXECUTIVE OFFICER

Mr. Daniel Sendek, Executive Officer for the Board, reported on his trip to visit Lake Arrowhead and the bug -kill crisis. The population of Lake Arrowhead is fifty thousand, but on the weekend there can be up to two hundred and fifty thousand people in the area. The ingress and egress issue is of real concern. The agencies are removing hazard trees along routes of egress; however, potential falling rocks and topographic hazards remain a concern. He commented that the cooperative working relationships between the many agencies involved in this issue was very impressive.

NEW AND UNFINISHED BUSINESS

There were no comments.

ADJOURNMENT

Chairman Dixon adjourned the April 2003 meeting of the Board.

Respectfully submitted,

ATTEST:

Daniel R. Sendek
Executive Officer

Stan Dixon
Chairman

Copies of the attendance sheets can be obtained from the Board Office.