

BOARD OF FORESTRY AND FIRE PROTECTION

P.O. Box 944246
SACRAMENTO, CA 94244-2460
(916) 653-8007
(916)653-0989 FAX
Website: www.bof.fire.ca.gov



MINUTES BOARD OF FORESTRY AND FIRE PROTECTION August 31 and September 1, 2004 Sacramento, California

BOARD OF FORESTRY MEMBERS PRESENT:

Stan Dixon, Chairman
Mark Bosetti
Susan Britting
David Nawi
Tharon O'Dell
Gary Rynearson
Jack Hanson

BOARD STAFF:

George Gentry, Executive Officer
Eric Huff, Executive Officer, Foresters Licensing
Donna Stadler, Executive Assistant
Laura Estrada, Office Technician
Chris Zimny, Regulations Coordinator
Mark Hite, Committee Staff

DEPARTMENTAL STAFF:

Dale Geldert, Director, Forestry and Fire Protection
Bill Snyder, Deputy Director, Resource Management
Jim Wright, Deputy Director, Forestry and Fire Protection
Bill Stewart, Chief, FRAP

CALL TO ORDER

Chairman Dixon called the September 2004 meeting to order.

REPORT OF EXECUTIVE SESSION

Mr. George Gentry, Executive Officer for the Board, commented that there were no items to report from the Board's Executive Session.

APPROVAL OF MINUTES

Chairman Dixon asked the Board to consider approval of the August 2004 minutes.

04-9-1 Mr. Nawi reported that there was a correction on the August minutes. Mr. Nawi moved to approve the August 2004 minutes as amended. Mr. Rynearson seconded the motion, and all were in favor.

CONSENT CALENDAR

There were no items to report.

REPORT OF THE CHAIRMAN

Chairman Dixon announced that the Board had a new member, Mr. Jack Hanson. The Governor appointed him on August 30, 2004. The Chairman welcomed Mr. Hanson.

REPORT OF THE DIRECTOR

Mr. Dale Geldert, Director, Department of Forestry and Fire Protection, provided a brief update on 2 fires in Shasta County.

The Director announced that he had a meeting last week with the Native American Advisory Commission, (NAAC) Due to budget constraints, the NAAC has not been meeting. Their recent meeting was designed to reenergize the NAAC, and they will be meeting 3 times a year. In addition, they will be developing a mission statement and will be addressing and broadening the scope of the Advisory Council to address not only issues that have been brought up in the past, but also to broaden it out and include fire issues. There has been a significant change to the state given all the number of casinos and all the impacts in the local communities. The first committee meeting will take place in a month. The Director is currently trying to locate meetings in the north, central and south, so there will be participation throughout the state.

The State Forest Advisory Counsel, (SFAC), has also not been able to meet because of budget constraints. Mr. Snyder and Mr. Stewart will be working on this Committee. They will be adding some new members to that council. They are hoping to have this meeting three times a year.

The Director and Mr. Bill Stewart met with Dr. Standiford from U.C Berkley and discussed environmental programs, fire programs and forestry programs. They are looking for collaboration with them and programs that they can help them with. The Director will be driving down to San Francisco for a meeting in Berkley where Dr. Stanford will be bringing in different participants from different agencies. Once they have that information the Director will work on collaboration. Once that is completed, the Director will bring this back to the Board.

The Director met last week with the Tahoe Conservancy. He commented on the great job that the Environmental Improvement Program is doing.

Mr. Jim Wright, Deputy Director, Chief, Forestry and Fire Protection, reported that there were two fires in the Redding area. The first fire was called the Bear Fire, near Shasta Lake. The fire destroyed sixty structures and was caused by an individual using a lawnmower who was cutting weeds. The second fire was in French Gulch, west of the city of Redding. The fire destroyed twenty structures and the cause is currently under investigation.

Mr. Wright said they reported 59 fires yesterday statewide. These fires were categorized as minor extended attack phase fires. He commended the fire fighters on the great job that they have been doing.

Mr. Bill Snyder, Deputy Director, Resource Management, Forestry and Fire Protection, gave an overview on Prop 40. The Department has moved forward with a budget proposal to use forty million dollars from Prop 40 for watershed community protection purposes in Sierra Nevada. The Department was successful in that proposal and this year they received 7 million dollars to be used for fuel treatment watershed protection. In addition, he reported that that the money not only will be used for Sierra Nevada, but also targeted within watersheds with significant values. The Department also received another part of that funding in the amount of one million dollars for preparation of environmental documents. A portion of that money will be used to rewrite the vegetation management programmatic EIR to assist in programmatic approach to VMP Projects.

Mr. Bill Stewart, Chief, Fire Resource Assessment Program (FRAP), Department of Forestry and Fire Protection, gave a Power Point Presentation on the Fire Shed Assessment Program. A copy of that Power Point Presentation is available at <http://ceres.ca.gov/biodiversity/fireshed.ppt>

The Director encouraged the Board Members to visit a base camp on one of the major fires.

PRESENTATION ON THE BLUE RIBBON COMMISSION REPORT

Mr. Dale Geldert, Director, Department of Forestry and Fire Protection, commented that the department has been working on an action plan with the Department of OES and the Governor's Office. They are currently under final preparation of an action plan to report to the Governor. They have also looked at the past actions that they have taken since the report has been released. In addition, they are looking into future actions, beyond the immediate action plan. Upon completion, Mr. Geldert will be reporting the information in detail to the Board.

PRESENTATION ON THE GOVERNOR'S CALIFORNIA PERFORMANCE REVIEW

Mr. Dale Geldert, Director, Department of Forestry and Fire Protection, commented that they have completed phase one of the California Performance Review, (CPR), which entailed administrative issues, and at this time they are working on the second phase, which is dealing with the organizational issues of the CPR. The Director has put together a CPR Committee, comprised of various ranks, field officers and region staff, in a cooperative effort to get as much input as possible with alternatives and objective analysis of the CPR. In addition, they will also be formulating recommendations; upon completion; the Director will be reporting this to the Board. The Director reported that they would like to have this report completed in three weeks.

REPORT OF THE REGULATIONS COORDINATOR

Mr. Chris Zimny, Regulations Coordinator, went over the status of the regulations calendar and the status of the current regulations. Currently, the Emergency Fuel Hazard Reduction passed this year and is in effect. Mr. Zimny went over the Hearing for AB47 Mapping Requirements and announced that a 45-Day hearing will be held today. Recently published for a 45-Day Notice was the Road Management Plan that was voted on in the last Board meeting. It is currently out for a 45-Day Public Notice that will be heard in October.

Mr. Zimny reported that the permanent Fuel Hazard Rule that the Board adopted and recommended for a 45-Day Proposal in the August meeting did not get completed in time for the October meeting. It has been scheduled for November 3, 2004.

Mr. Zimny gave an update on the Napa Country Rules regarding Timberland Conversion. At this time nothing has been resolved.

Mr. Zimny went over the action item from yesterday's Forest Practice committee meeting. The committee members voted unanimously to recommend the renewal of the existing Fuel Hazard Reduction Rule. The committee recommended that the Rule be renewed for another 120 days. The purpose of extending the Fuel Hazard Reduction Rule is to provide continuity to deal with the emergency. The second purpose of filing the emergency is to help facilitate the Permanent Rule, which is going for a 45-Day notice on September 3, 2004. This will provide an opportunity to complete the Permanent Rule.

Ms. Britting moved to initiate an emergency Rule that extends from the close of the present Rule to the appropriate time for the Fuel Hazard Reduction.

Mr. Rynearson seconded the motion.

Chairman Dixon, asked for any discussion.

Mr. Nawi, commented that in considering this motion, he would benefit if he had an explanation from the Regulations Coordinator about the precise status of where we are in the Permanent Rule that was discussed in last months meeting, as well as the relationship on the action we are taking now up to the potential that the La Malfa legislation will in fact be signed by the Governor.

Mr. Zimny said the current status is that the Board adopted the Emergency Reduction Rule in June 2004. In last months meeting the Board recommended for a 45-Day notice, a permanent Fuel Hazard Reduction Rule that provides for filing under an emergency Notice. It will be sent out for a 45-Day notice beginning September 3, 2004 and a 45-Day hearing will occur on November 3 at the regular Board meeting. Mr. Zimny went over the linkage between the permanent Rule and the Emergency Rule. To ensure that a permanent Rule is in place for 2005, Office of Administrative Law has advised the Board that if we renew our Emergency Fuel Hazard Rule through February and file a Final Statement of Reason for a permanent Rule during that time frame, they would carry the conditions of the second Emergency throughout 2005. On January 1, 2006, the permanent Rule would become effective.

Mr. Zimny went over the status of the La Malfa legislation. It has been enrolled and passed through both houses and is on the Governor's desk waiting to be signed. The La Malfa regulation provides an exemption to a Timber Harvest Plan to conduct Fuel Hazard Reduction activities. If the Governor signs this Legislation, in September the Board would begin to develop the language for the La Malfa's AB 2420 Emergency Regulation. The Forest Practice Committee would need to review the draft language of that in October's meeting. Once reviewed, it would be able to recommend to the full Board adoption of La Malfa Emergency Regulation at the October 2004 Board Meeting.

Mr. Nawi, commented that he supports the extending Emergency Regulation, but had also expressed reluctance from last months meeting on this issue, which would conflict with legislative mandate. He supports the motion, but careful consideration must be taken. Additionally, language on amendment needs to be developed, which would assure that any authorizations given under the Emergency Regulations would continue beyond the effect of the requisite period. If the La Malfa legislation passes, the Board could consider this when they hear the emergency extension next month.

Mr. Dixon, asked the Regulations Coordinator what the time standpoint is with this emergency package. He also asked if there is time to take action on this at the October Board meeting.

Mr. Zimny responded by saying yes because the extension has to be filed with OAL at least 10 days prior to its expiration, which is October 23, 2004.

Mr. O'Dell, commented that the Board needs to be consistent and follow normal established protocol. He also indicated that the Board should proceed as the motion suggested.

Ms. Britting, supports final Rule. She also indicated that this should be done today, because this would give assurance to the people that the Board is serious about this issue.

Mr. Bruce Reeves, Deputy Attorney General Counsel for the Board, commented that the OAL Rules on developing Emergency Regulations require that the emergency be declared in advance of the Emergency Regulation that is being promulgated. The Rule does not address duration. In addition, it would be within the Boards authority to provide that projects initiated during the emergency if not completed by the end, be allowed to be completed within the designated parameters of the project.

Ms. Britting, commented that she would be willing to include this in the amendment that an allowance for operation at the extension of the permit term if submitted, be allowed to continue.

Mr. Ryneanson, asked Ms. Britting if on the one hundred and nineteenth day of the Boards declared emergency you could apply for and receive a one hundred and twenty day permit. Ms. Britting responded by saying yes.

Mr. Dixon, asked Ms. Britting to reiterate the motion, so that the Board is clear on this issue.

Ms. Britting, reiterated the motion that the Board approve an emergency Rulemaking on the emergency condition wording for Fuel Hazard Reduction and that would extend from October to February 2005. It would indicate the Boards intent permits issued under that emergency and would be effective for the full one hundred and twenty days regardless of when they are issued within the period of time of that emergency. This effectiveness of the permit would extend to the existing emergency condition, which the Board is proposing for the period October to February.

Mr. Rynearson, re-seconded the motion.

Mr. Dixon, asked if there was further discussion.

Mr. Nawi, had a substantial question regarding the Notice, and for that reason he opposed the motion. In addition, he said that he felt the Notice was at best marginally adequate and recommended that the action be delayed until the Notice can be clarified. There was further discussion.

Mr. Bruce Reeves, Deputy Attorney General Counsel for the Board, commented that he shared Mr. Nawi's concern. He said that if the Board extends this Notice till October, it would give Mr. Reeves an opportunity to reconcile his views of the APA with the Department counsel.

Ms. Britting, said she would be amendable to either opportunities. Her interest is assuring those who the Board is serving that this needs to happen for an extended period of time.

Mr. Dixon, asked for a roll call vote on this action.

09-9-1 Ms. Britting moved to approve the Emergency Rule
Mr. Rynearson seconded the motion, and a roll call vote was taken.

Hanson	Abstain
Bosetti	Aye
Nawi	Nay
Rynearson	Aye
Britting	Aye
O'Dell	Aye
Dixon	Aye

The motion carried with 5-1 votes with 1 abstention.

Mr. Dixon, asked Mr. Gentry, Executive Officer and Mr. Reeves, Deputy Attorney for the Board, that on October's next meeting administrative aspects on these issues need to be cleared up.

HEARING: PROPOSED RULE LANGUAGE FOR AB 47 MAPPING REQUIREMENTS

Mr. Chris Zimny, Regulations Coordinator, went over the proposed change to Board of Forestry Addendum number two. The proposed rule was noticed on June 25, 2004, for a hearing date of today under the title of AB 47 Mapping Requirements. One of the final issues to be worked out is what mapping scale should be used. The Board has two options to choose as a mapping scale. One is one to forty-eight thousand and the other is one to sixty-three thousand, three hundred and sixty.

Mr. Dennis Hall, Deputy Director, Resource Management, Forestry and Fire Protection, distributed a handout on what maps would look like at various scales. Mr. Hall emphasized that the Department supports the package and there were some optional scales. The department supports the option of a scale not less than one to forty-eight thousand. The Department provided a letter in early August that suggested some minor additions to the language for clarity and those were presented in the letter. He indicated that the minor changes would not result in any Noticing requirements.

Ms. Britting, asked where the present project being proposed fit into the departments thoughts, for instance, would the units of the existing plan be seen on this map.

Mr. Dennis Hall, Deputy Director, Resource Management, Forestry and Fire Protection, responded by saying yes, because it is a probable recently foreseeable project at that point because the department has not adopted it.

Public comment

Mr. Richard Geinger, commented that he too agrees with Board member Britting on being consistent on this issue. A lot of time and effort went into the passage of AB 47, and all that we are getting back from it is something that the Board could have done in a much more comprehensive manner years ago. This requires owners and plan submitters to give maps of their Timber Harvest Plan only 10 years back. It doesn't require mapping of Timber Harvest plans, which anyone can do for the whole watershed. He urged the Board to take a vote on a cumulative impact process that works.

Mr. Barry Bolton, Representative of Ebbets Pass Forest Watch, asked the Board not to accept the Rule today. He felt that it should be sent back to committee and have the committee come back with the language that would enable the use of G.I.S format. He also said that G.I.S. is the cheaper and better way to go. It also lets small landowners off the hook.

Mr. Paul Mason, Sierra Club, recommended that scales should not be more than one to forty-eight thousand. He agrees with the department. The Board should re-visit the issue at some point.

Ms. Jodi Freidiani, commented that she agrees with both of the last two speakers. The information should be submitted in G.I.S. format. She said that this legislation is not about CEQA. CEQA does not limit in the review of cumulative impacts to only those projects on landowners property. She also indicated that this rule uses different criteria for mapping than what is required by CEQA.

Mr. Bill Keye, California Licensed Forestry Association, (CLFA), went over a letter that was dated August 6, 2004, that was in the Board binder. He went over the meeting points of AB 47. He said that in general AB 47 is a straightforward proposal. CLFA would like to see a straightforward interpretation of what is required. He indicated that their first comment was to delete the 2.2 Calwater and substitute current Calwater identification, number so that way you don't have to change the regulations if in fact there is a 2.3 or 3.2. The second comment is to delete the THP number from the maps because it just adds more workload. The third comment is to delete the whole reference to map scale.

Mr. David Nawi, asked why there is prohibition on the G.I.S. Format.

Ms. Britting, commented that this issue is complicated. There could be an electronic submission of the map as an image or the submission of geographic information systems, G.I.S. data, which is something that is put on software. Basically there exist 2 separate ideas about electronic submission. One is the raw data and the other is an image of the map. The FPC committee debated the issue on electronic submission on both images so they can be transferred easily. Ms. Britting, asked the department to describe some of the issues around the electronic submission in terms of the image. The debate on the electronic submission of the data has to do with those creating different harvest plans, and that their information is proprietary.

Ms. Suzanne Lang, commented that the department's Forest Practice G.I.S. information is a replication of public record and is accessible to the public. This department is committed to having this accessible to the public. In addition, she said that electronic filing would include electronic images of maps. It will essentially be used the same way paper maps are used.

Mr. Rynearson, said that in the committee there were numerous small landowners and RPF's who prepare plans for small landowners, who also expressed concern about not having this kind of technology available and are opposed to any G.I.S. requirements.

Ms. Suzanne Lang, commented that this requirement is going to have less impact on small landowners than on large industrial landowners. The department has the resources to support the small landowners in the work they need to do.

Mr. Nawi, asked if a landowner chooses to submit the information as electronic, would the department or other members of the committee have a problem with this as opposed to putting it on eight and a half by eleven black and white.

Ms. Lang, said if you are talking about special GIS data, it would probably be best to supply postage to them.

Mr. Nawi, asked Mr. Dennis Hall, if he feels it is important to delete the word "present".

Mr. Dennis Hall, responded that it is not a big issue. He was simply trying to be consistent with the existing language in the Rule.

04-10-1 Mr. Rynearson, moved to close public hearing. Mr. Nawi, seconded the motion. All Board members were in favor and the motion was carried unanimously..

Ms. Britting, made a motion to approve the Rule as written with the scale of 1 to forty-eight thousand and the only amendment from the department is the change being the one that incorporates section E into section A.

Mr. Bosetti, asked if there could be a clarification on the conflict of scale and size. He was not sure if that issue had been resolved.

Mr. Rynearson, commented that there is no more than one planning watershed per page that can be depicted. He was concerned with the one to forty-eight thousand may preclude this from happening. In addition, he said that putting all of the THP numbers on the map might be problematic.

Ms. Britting, recommended a solution that there be no more than one planning watershed per page depicted and the map scale shall be large enough to clearly represent one planning watershed per page or of a scale not less than one to forty-eight thousand.

Mr. Rynearson, stated he would support that with a change in scale to 1:63360. .

Ms Britting, commented that she could support that change.

Mr. Rynearson commented that he would like to see language that would allow the THP numbers to appear either on the map or a separate sheet.

Ms. Britting, commented that she wanted to be certain that the specified language would cause the Board to have maps created that allows the reviewers to see that it is associated with specific THPs.

Mr. Rynearson stated that was the intent.

Mr. Dixon, moved to have a roll call vote on this action.

10-9-1 Ms. Britting moved to approve the proposed Rule Language for “AB 47 Mapping Requirements”. Mr. Rynearson seconded the motion, and a roll call vote was taken.

Hanson	Abstain
Nawi	Aye
Rynearson	Aye
Britting	Aye
O’Dell	Aye
Bosetti	Aye
Dixon	Aye

The motion carried with 6-1 votes with 1 abstention.

Mr. Bosetti, asked how the scale issue was resolved.

Ms. Britting, the map scale shall be large enough to clearly represent one planning watershed per page or of a scale not less than 1:63,360.

REPORT OF THE OAK MORTALITY TASK FORCE (COMTF)

Mr. Steve Jones, representing California Oak Mortality Task Force, (COMTF), reviewed the COMTF report in the Board’s binder. There has been detection of sudden oak death in San Francisco. In New York City there has been extensive follow-up surveys on host plants that have been detected. On August 5, 2004, the USDA Animal and Plant Health Inspection Service added four new species to the list of associated host plants. In addition the Oregon Department of Agriculture (ODA), repealed its quarantine of Columbia County nurseries and compost production facilities on 8/18/04 after determining that the pathogen has not spread beyond the initial confirmation location. On September 1-2, 2004, the California Department of Food and Agriculture (CDFA) hosted a Sudden Oak Death Science Advisory Panel meeting in Sacramento. The Joint Genome Institute (JGI), hosted a Phytophthora Genome Sequence annotation Jamboree, August 15-20, 2004, in Walnut Creek. The trace-forward nursery surveys and the national survey are still ongoing. The redesign of the California Oak Mortality Task Force (COMTF) website is complete and available at www.suddenoakdeath.org. On 1/18-21, 2004, the Second Sudden Oak Death Science Symposium will be taking place at the Marriott Hotel, in Monterey, CA.

The Board previously approved changes to the procedures for declaring zones of infestation for Sudden Oak Death that automatically adds and removes areas and plants from the zone of infestation. That action occurs when the Department of Food and Agriculture makes their quarantine regulations. With Food and Agriculture changing their quarantine regulations to add San Francisco County, it will also be included in the Zone of Infestation.

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

Nothing to report.

REPORT OF STATE AGENCIES; INCLUDING STATE WATER QUALITY CONTROL BOARD, DEPARTMENT OF FISH AND GAME, GEOLOGIC SURVEY

Nothing to report.

PRESENTATIONS AND DISCUSSIONS REGARDING THE FIRE AND RESOURCE ASSESSMENT PROGRAM POLICY STATEMENT PER PRC 4789

Mr. George Gentry, Executive Officer for the Board, said the presentation they had was postponed for the next Board meeting in October. Mr. Bill Keye had some brief remarks.

Mr. Bill Keye, California Licensed Forestry Association, (CLFA), reported that on last months Board meeting, they had a correction to make on their presentation. They initially said California was 14% old growth and 33 % late seral. The correct information is 14% old growth and 17% late seral. CLFA is working on a series of white papers.

DISCUSSION REGARDING THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) AND MANAGEMENT PLAN FOR JACKSON DEMONSTRATION STATE FOREST

Mr. Russ Henley, Department of Forestry and Fire Protection, Fire and Resource Assessment Program, (FRAP), announced that the team is moving forward on the completion of the Draft Environmental Impact Report (DEIR). The Draft should be completed by the middle of October. The Draft DEIR should be ready for the public by early November, with the close of comment by the end of December, early January. The final Draft DEIR should be ready by March 2005.

Ms. Britting, inquired that if the Board has the Administrative Draft in October, will they be deliberating on it during the November Board meeting. In addition, she asked if the Public Draft would be issued after the November Board meeting.

Mr. Russ Henley, responded that it would be issued after the November Board meeting.

Mr. Nawi, requested the Executive Officer of the Board, if they could notify those in attendance, particularly those in the Policy Management Meeting that attended yesterday regarding the Draft DEIR time schedule. Mr. Nawi, also asked the Chairman, the role of the committee in reviewing portions of the Administrative Draft DEIR with the Board.

Mr. Dixon, said that it might be wise to meet fairly quickly.

Mr. O'Dell, commented that his concern as lead agency, the Board needs to be careful about the product that they approve. The Board needs to schedule enough time for review.

Public comments

Mr. Bill Keye , CLFA, encouraged the Board to continue on with the DEIR process. They should know by the end of the month the status of the legislation. CLFA will be sending a letter requesting a veto from the Governor on this legislation.

Mr. Mark Rentz, representing California Forestry Association, asked to revisit the judge's decision where judge says, "there is no environmental issues that were brought before his court that the DEIR had not addressed". He encouraged the Board to review the DEIR and take the time to revisit the clear decision of the judge in this case.

Mr. Paul Mason, representing the Sierra Club, announced that the Bill carried under Senator Chesbro SB 1648 did pass. It is currently on the Governor's desk. In addition, he asked how the process from October to November is going to work on the Draft DEIR. It seems as though the Board will have a short timeline to adequately review. He encouraged the Board not to move quickly in trying to get it done so that it does get the attention it deserves.

Mr. Dixon, asked Mr. George Gentry to speak with Mr. Paul Mason regarding his question he raised on the Draft DEIR.

Mr. Nawi, agreed with Mr. O'Dell and Mr. Paul Mason in saying that the Board needs to ensure that they have adequate time on reviewing the Draft DEIR.

REPORT OF THE ADVISORY COMMITTEES

CALIFORNIA FOREST PEST COUNCIL (CFPC)

Mr. Scott Johnson, Chairman, California Forest Pest Council, gave a report on various field activities. A Weed Committee Tour took place on July 21 and 22, 2004. On August 6, 2004, CFPC had their annual Board meeting. They had their Southern California Pest representative give a presentation on the Pest Mortality issue, which is very common in Lake Arrowhead. Mr. Johnson, said that he was pleasantly surprised on how that area looks. There is not so much new mortality as there has been in the past. On July 25, 2004, the Insect and Disease committees had a joint tour in the Sequoia National Forest. They were looking at forest and insect disease issues on both those areas. CFPC will be having their fifty-third annual meeting on November 9 and 10, at the Hyatt in Woodland. Mr. Johnson welcomed the director, Mr. Dale Geldert to the department and also welcomed Mr. Eric Huff to the Board. In addition, he also thanked Donna Stadler, for all of her help. He also informed the Board that he would be attending the meetings on a monthly basis.

RANGE MANAGEMENT ADVISORY COMMITTEE (RMAC)

Mr. Jeff Stephens, Range Management Advisory Committee, (RMAC), reported that the RMAC committee met on August 24 and 25, 2004 on the Vegetation Management Program and DEIR. In addition, there was a full day devoted to the Oak Woodlands report, which was requested by the Policy and Management Committee of the Board. Yesterday three members of RMAC reported to the Policy and Management Committee. Those members included Mike O'Connor, Neill McDougald and Steve Hackett. They made a review of the report on Oak Woodlands. Steve Hackett represented an abbreviated version of that report to the Resources Protection Committee.

The Oak Woodland report will be presented on the October Policy and Management Committee meeting and possibly brought before the full Board at that point. RMAC's next meeting will be held on October 19 and 20, 2004. On behalf of RMAC, Mr. Stephens, extended an invitation to all the Board members to attend. The primary topic of discussion will be the Vegetation Management Program and DEIR.

MONITORING STUDY GROUP (MSG)

Mr. Pete Cafferata, Forest Hydrologist, Department of Forestry and Fire Protection, Monitoring Study Group, (MSG), gave an update, which was included in the Board binder, on the Cooperative Instream Monitoring Projects. Additional equipment was purchased for two more stations on the South Fork Wages Creek Project. The new station will be installed in the next few weeks. On the Garcia River Cooperative Instream Monitoring Project, Terri Joe Barber, working for the Mendocino County RCD, has been working for McBane and Trush to redo gravel permeability and gravel compositions sampling at the five stations established in the Garcia River Watershed. An ISCO pumping sampler for the Judd Creek study watershed was delivered to SPI last week. Dr. Cajun James is writing a study plan and expects to have it done before the MSG meeting in September. The MSG has not met since the last BOF meeting. The next MSG meeting is scheduled for September 16th, at 10:00 a.m. at the Howard Forest Training Center.

PROFESSIONAL FORESTERS EXAMINING COMMITTEE (PFEC)

Mr. Eric Huff, Executive Officer for Licensing, commented that the PFEC would be meeting on September 9th, 2004 in closed session to review the draft exam for the October examination, as well as disciplinary matters.

Mr. Huff, announced the passing of a Registered Professional Forester, John Brian Graham, RPF #377, who passed away on July 30, 2004.

Mr. Huff referred to the RPF Stats in the binder and requested Board action on the relinquishment of Kenneth D. Meyer, RPF No. 444 and Robert E. Fehly, RPF, No. 1508 and the withdrawal of Kenneth Wood, RPF No. 920 and reinstatement of Stephanie Larson, CRM No. 73 and David Lile, CRM No 66.

04-9-1 Mr. Ryneanson moved to approve the above RPF withdrawals, reinstatements and relinquishments. Mr. Nawi seconded the motion, and all were in favor.

REPORT OF THE SENSITIVE WATERSHED NOMINATIONS REVIEW COMMITTEE (SWNRC)

Mr. Tharon O'Dell, announced that the SWNRC will be meeting on September 23, 2004.

FOREST PRACTICE COMMITTEE (FPC)

Ms. Sue Britting, Chair of the FPC, reported on the status of the Heritage Tree.

Ms. Britting discussed the definitional issues and concluded that values play into how you define old growth. The committee has concluded that they are not expecting to come up with the rule language. The committee identified that there may be an opportunity to make certain foresters are clear on the expectations on old growth. She said the Department had agreed to issue guidance. She will go over Fire and Fuel Management monitoring in the next meeting. In addition, she also went over NTMP workshop, and along with that there was discussion on the Stewardship NTMP proposed by that working group. There will be a draft to review, which will be on the agenda at the next meeting. The Stewardship NTMP are interested in seeing the draft concept turned into a draft Rule language.

POLICY AND MANAGEMENT COMMITTEE (PMC)

Mr. Tharon O'Dell, Chair of the PMC, commented that the committee met and had three members from RMAC that were present to make recommendations on the Oak Woodlands report. Mr. O'Dell also went over FRAP policy statement and announced that the committee had finalized the date for the public hearing. The hearing will be in November, in Redding. They will be discussing policies and implications of the report. Mr. O'Dell reviewed the discussion on performance-based rules.

Mr. O'Dell reported that La Malfa (2420) has been enrolled.

Mr. O'Dell gave an update on Variable Retention. In addition, he also reported that Mike Jani gave them a report on the prevailing wage issue.

AD HOC ROADS AND WATERSHED COMMITTEE

Mr. Gary Ryneanson, Chair of the *Ad Hoc* Committee, reported that the Ad Hoc Committee met yesterday and went over three specific agenda items. He went over the road definitions and stated that the committee decided to hold off on definitions at this time, until the Road Rule Package resolves some of these similar issues. The committee is currently working on heavy equipment use definitions in the Road Rules Package. They may have a fieldtrip to review some operations, so the committee can get a better feel on what is entailed in the different types of operations and possibly changing some of the rules. They will continue working on the Road Rule Package.

They went over the Watershed Based processes. They need to look at the cost associated with watershed-based analysis and possibly talk to specific lumber companies. There will be a further discussion on the above issues.

RESOURCE PROTECTION COMMITTEE MEETING (RPC)

Mr. Stan Dixon, reported that the RPC committee met yesterday afternoon. Essentially, most of what Chief Geldert discussed in the mornings report was also discussed at the RPC meeting. Mr. Dixon commended Jeff Stephens, RMAC, on their report of recommendations that Steve Hackett, Range Management Advisory Committee, RMAC, gave in their meeting yesterday.

Mr. Chris Zimny, Regulations Coordinator, went over one item in the Resource Protection Report regarding SRA Classification. There was a proposed change in the SRA brought to the committee and the committee chairman and committee members recommended that staff and the department look at ways to process the request for SRA changes and look at any amendments that may need to be taken to the SRA classification for this or any future changes. He is also engaged in the beginning of a five-year routine update of the SRA map. This may be an item that will be coming back to the Board in the next few months.

EXECUTIVE OFFICERS REPORT

Mr. George Gentry, Executive Officer to the Board, went over AB 3065. The Board has as part of its function in the Public Resources Code the review of safety elements of county general plans. This bill lifted that section from public resources code and placed it under government code. Mr. Gentry believes that it will probably get signed.

PUBLIC FORUM: Members of the public may address the Board on any topic within its jurisdiction not otherwise on the agenda. Submittal of written comments is encouraged to ensure that all comments will be included in the record before the Board. Please be prepared to summarize comments to three minutes in length, or otherwise at the discretion of the chairman.

Mr. Richard Gienger, asked if there was any resolution on whether the RMP was a project. He would like to see the recovery strategy move forward as soon as possible.. He also said that the cumulative impact-watershed recovery process should be considered together so there will be a plan of action implementation to deal with cumulative impacts and have relief for the landowners through that context. Mr. Geinger also went over the prevailing wage issue. Two bills regarding old growth failed and those were SB 217 and SB 1754.

Mr. Bill Snyder, Deputy Director, Resource Management, Department of Forestry and Fire Protection, gave some information regarding the NTMP workshop that will be going on next week. This will be occurring on September 8, 9 and 10. The intent of these workshops is to provide a forum relative to plan filing issues, specifically in NTMP's.

Mr. Nawi, made a comment regarding the prevailing wage issue. At yesterdays committee meeting a representative from Mendocino Redwoods, had in hand a draft mutual opinion, which would be made available to the Board, but at this time it is currently being reviewed by the Department of Fish and Game. If anyone is interested in following up on this, he suggested that if George Gentry could coordinate with Fish and Game and Mendocino Redwoods, and see when they will be releasing the opinion and have it sent to any Board member who is interested.

Mr. Paul Mason, Sierra Club, commented on the prevailing wage issue. Any extent that the Board can facilitate discussions with the Department of Industrial Relations or Fish and Game would be helpful. He also indicated that the AB 47 rule making action was very confusing.

NEW AND UNFINISHED BUSINESS

Nothing to report.

ADJOURNMENT

Chairman Dixon adjourned the September 2004 meeting of the Board.

Respectfully submitted,

ATTEST:

George D. Gentry
Executive Officer

Stan Dixon
Chairman

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