

**BOARD OF FORESTRY AND FIRE PROTECTION**

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**MINUTES  
BOARD OF FORESTRY AND FIRE PROTECTION  
MEETING  
JUNE 8 2006  
PASADENA, CA**

**BOARD OF FORESTRY MEMBERS PRESENT:**

Stan Dixon, Chairman  
Kirk Marckwald, Vice Chair  
Gary Rynearson  
Mark Bosetti  
Ronald Nehring  
Jim Ostrowski  
David Nawi  
Bruce Saito  
Pam Giacomini

**BOARD STAFF:**

George Gentry, Executive Officer  
Eric Huff, Executive Officer, Foresters Licensing  
Chris Zimny, Regulations Coordinator  
Carol Horn, Executive Assistant  
Laura Estrada, Staff Services Analyst

**DEPARTMENTAL STAFF:**

Ruben Grijalva, Director  
Crawford Tuttle, Chief Deputy Director  
Bill Snyder, Deputy Director, Resource Management  
Giny Chandler, Chief Council  
Ken Pimlott, Staff Chief, Fire Protection  
Steve Dunlap, Deputy Chief, Fire Protection

**CALL TO ORDER**

Chairman Dixon called the June 2006 meeting of the Board of Forestry and Fire Protection to order. Chairman Dixon welcomed L. A. County Fire to the meeting and thanked them for the arranging the Board's field trip.

**APPROVAL OF MINUTES**

Chairman Dixon asked for approval of the April and May minutes. Executive Officer Gentry said he did not have a chance to finalize the joint meeting portion of the May minutes from last month in Lake Tahoe; however, the May 4<sup>th</sup>, full Board meeting in Lake Tahoe were finalized. Member

Giacomini had minor edits to those minutes. Member Nawi did not have the April minutes. Chairman Dixon deferred the approval of the May 2 joint Board minutes and April minutes to the July meeting.

**02-06-08: Member Rynearson moved to approve the minutes from the Full Board Meeting on May 4 with minor edits. Member Bosetti seconded the motion. All were in favor.**

## **REPORT OF EXECUTIVE SESSION**

Executive Officer George Gentry reported that no Executive Session was held.

## **CONSENT CALENDAR**

No items to report.

## **REPORT OF THE CHAIRMAN**

Chairman Dixon introduced L. A. County Fire Chief Michael Freeman. Chief Freeman introduced his staff: Chief F. P. Lockhart, who is responsible for emergency operations, Chief Deputy Mike Dyer, who is in charge of business operations, and Chief John Todd. Chief Todd conducted the field trip yesterday for Board and staff members. Chief Freeman and Chief Todd gave a PowerPoint presentation on the L. A. County Fire Department.

The mission of the Los Angeles County Fire Department is to protect lives, the environment and property by providing prompt skillful and cost effective fire protection and life safety services.

The vision statement for L. A. County Fire is: "The Los Angeles County Fire Department will be an exemplary organization, acclaimed for our national reputation, our regional strength, and our hometown attentiveness as we provide fire protection and life safety services". It is L. A. County Fire's vision that they will have a national reputation, regional strength, and hometown attentiveness.

L. A. County's district resources consist of: 165 Fire Stations, 154 Engine Companies, 32 Truck/Quints, 66 Paramedic Squads, 4 Hazardous Material Squads, 2 USAR Squads, 4 Emergency Support Teams, and 7 helicopters. L. A. County Fire serves 4,102,163 Residents, 1,192,070 Housing Units, 58 District Cities, 2,305 Square Miles, 72 Miles Beach Area, and 31 Miles of Public Beach. They have 794 square miles of SRA Land and 23 SRA Fire Station. L. A. County has a Brush Clearance Unit, which cleared 30 feet and thinned 70 feet in Standard Hazard Area. In the High Hazard Area L. A. County's Brush Clearance Unit cleared 50 feet and thinned 150 feet.

L. A. County Fire Department has the following functions: Emergency Medical Response, Structure Fire Response, Commercial Structure Fire Response, Wildland Fire, Hazardous Materials, Dispatch, and Public Education. In response to Hurricane Katrina, LA County sent Swift Water Teams, Urban Search and Rescue Task Force, Incident Management Team, and Critical Incident Stress Debriefing Team.

Chief Freeman reported the following figures from the Topanga Fire Response: September 28-October 4, 2005; total acreage – 24,175; personnel assigned – 2,790; Zero fatalities; minimal structure lost; value of property saved due to suppression action - \$804 million.

L. A. County Fire Department is a professional organization and progressive leader in the fire service. They are known for their regional strength. L. A. County Fire Department is an organization with technical experience and specialized resource, and they provide optimum response regardless of jurisdictional boundaries.

A copy of the L. A. County Fire Department's PowerPoint presentation and map of yesterday's field trip will be send to Board Members.

## **REPORT OF THE DIRECTOR**

Mr. Ruben Grijalva, Director, Department of Forestry and Fire Protection, reported he declared fire season for Southern California on Monday, June 5, 2006. Chief Grijalva will declare fire season for Northern California on Monday, June 12, 2006.

The impact of declared fire season is:

- 9 Incident Command Teams are ready for deployment
- CDF hires seasonal personnel and staffs all seasonal fire stations
- All CDF air bases are opened and staffed.
- All CDF/CDCR camp crews are ready for deployment
- Local government may increase their staffing patterns to coincide with the CDF Director declaration.

In order to prepare for fire season, CDF had completed the following

- All CDF aircraft have had maintenance completed and were made ready for deployment
  - 23 Airtankers
  - 11 Helicopters
  - 14 Command and Control Aircraft
- CDF and OES are ready to activate Statewide Mutual Aid
- All fire engines have had maintenance completed and made ready for deployment
- Seasonal Firefighters have been trained and are staffing stations
- All CDFD/CDCR inmate camp crews have been trained
- All pilots have undergone required safety and tactical training
- All Incident Command Team members have received refresher training
- Provided public information and media releases on how to prepare for fire season
- Pre-fire season fuel reduction programs and inspections ongoing
- CDF continues to monitor weather and fuel load severity
- Placed an order for 42 new fire engines (bid process just closed) to replace aging equipment.

Chief Grijalva distributed a new CDF organization chart, which is attached to the minutes. The Director also discussed CDF's mission, which he feels has shifted from a wildland focus to one that is more "all-risk". This is due in large part to the incorporation of the State Fire Marshall's Office into the Department.

Member Bosetti asked about Forest service staffing issues and the implications for areas like Lake Arrowhead.

Director Grijalva responded by saying it was not only a monetary issue, but one tied to the consent decree placed upon the Service mandating a 31% Hispanic employment. This has complicated hiring issues for the Service. He recommended the Board invite Mr. Weingart to address the issue before the Board.

Members Nawi and Markwald asked about the status of the communication issue and interoperability.

Director Grijalva responded that first it must be understood that Office of Emergency Services is the lead on this. He recommended the Board receive a briefing from them on the issue. He cited the recent Topanga fire as an example.

Member Rynearson asked about the Department mission, particularly the dichotomy between the north and south. He also added a question about military coordination, and the progress toward this issue.

The Director responded that a forthcoming Executive Order would partially address this issue.

Member Ostrowski asked about Federal protection of SRA lands, and Federal staffing issues.

Director Grijalva again encouraged the Board to seek representatives from the USFS to address the issue.

Director Grijalva also brought to the Board's attention the issuance of the department's draft 2 year work plans, and encouraged them to examine these and respond with any questions they might have.

### **REPORT OF THE CALIFORNIA OAK MORTALITY TASK FORCE (COMTF)**

There was no report.

### **REPORT OF THE ADVISORY COMMITTEES**

#### **CALIFORNIA FOREST PEST COUNCIL**

There was no report.

#### **RANGE MANAGEMENT ADVISORY COMMITTEE (RMAC)**

There was no report.

#### **MONITORING STUDY GROUP (MSG)**

Executive Officer Gentry referred to the update on MSG in the Board Binder. The Monitoring Study Group met May 23 in Redding. Key agenda items covered included:

- A PowerPoint presentation, entitled, "Sediment Protection and Delivery from Forest Roads in the Sierra Nevada, California, by Mr. Drew Coe
- A discussion by Mr. Richard Gienger on his "Monitoring/Tracking by Plan Proponents" proposal.
- A discussion of the Board's Forest Practice Committee work on the literature review on the T & I Watershed Regulations.
- A brief discussion by Ms. Heidi Hall, SWRCB, asking for input on appropriate management measures to track forestry-related impacts on water quality.

The Strategic Plan was not discussed, but it will be agendized for the Policy Committee in July.

### **PROFESSIONAL FORESTERS EXAMINING COMMITTEE (PFEC)**

Mr. Eric Huff, Executive Officer, Foresters Licensing, requested Board action on a number of RPF/CRM requests for Withdrawal Status, Reinstatement from Withdrawal, and Voluntary Relinquishment of a license or certificate.

Those requesting withdrawal: Francis M. Busby, RPF No. 158, John E. Marshall, RPF No. 1940, Marc H. LaCasse, RPF No. 2668, Gary Arnese, RPF No. 1550, Peter Passof, RPF No. 982, Francis Busby, RPF No. 158.

Those requesting reinstatement: Daniel J. Higgins, RPF No. 2123, Wade R. MacDonald, RPF No. 2065.

Those requesting voluntary relinquishment: Dr. Henricus Jansen, CRM No. 16, Marshall T. Rousseau, RPF No. 108

**06-08-7 -Member Rynearson made a motion to approve the PFEC requests. Member Bosetti seconded the motion. All were in favor.**

Mr. Huff discussed the PFEC's ongoing work to address the role of the RPF in other contexts, such as CEQA, and described the progress to date. A subcommittee of the PFEC, comprised of PFEC Members, RPF's, arborists and CEQA practitioners will meet on June 30, 2006 in Sacramento for further discussion on professional boundaries. The PFEC intends to create a policy statement for review and approval by the Board that would set forth the bounds of forestry in relation to other disciplines.

Mr. Huff provided an update on the status of the PFEC's consideration of a possible specialty certificate for Defensible Space Inspectors. Further consideration is necessary and will continue. Mr. Huff concluded with an explanation of the Certified Rangeland Manager (CRM) Program and its confinement to application solely in the context of "forested landscapes" as defined in the Professional Foresters Law.

Member Nawi asked Mr. Huff if this was on a fast enough timeline. Mr. Huff said the second piece will circulate as soon as possible. Mr. Huff will write a letter to counties stating the issue is being worked on. Mr. Huff said the issue applies to forest land. CRM issue may be ongoing.

Mr. Bill Keye, representing CLFA, provided public comment in support of the PFEC's position on the issue and efforts toward successful resolution.

Mr. Huff also noted the passing of RPF's Ed Martin RPF No. 2, Albert DeVoe RPF No. 134, and Charles Edwards RPF No. 142.

## **REPORT OF THE UNITED STATES FOREST SERVICE**

There was no report.

## **AMADOR PLAN, 2006 –HEARING**

Regulations Coordinator Zimny introduced the hearing for potential adoption of the regulatory action, entitled, Amador Plan 2006. The action is an amendment to Title 14, 1261 for non-fire season services. The "Amador Plan Program Agreements" supply non-fire emergency services to local governments. The regulations establish personnel assignments, levels-of-cost, cost apportionment formulas, and other types of local entities that may contract services. The Board noticed the action for 45-days, and held an initial public comment period and hearing on January 5, 2006 for the amendments. Subsequent to the meeting, the Board incorporated the public input and other information. The Board asked staff to incorporate changes, and those changes were presented to the Board at the April 6, 2006 meeting, at which time additional information and public input was received. At the April meeting, the Board instructed staff to issue a 45-day notice of rulemaking for public hearing. The public input, which was received at the January and April meetings, was incorporated. Mr. Zimny said the CDF Team concluded that all changes identified with the Amador proposal were consistent with the legislative intent.

Mr. Zimny introduced Chief Pimlott and Chief Dunlap, representing Fire Protection, Cooperative Fire Programs.

Chairman asked if there were any questions for Board or Staff. There were no questions.

Chief Pimlott said the Department supports the regulatory proposal.

## **PUBLIC COMMENT:**

Mr. Jim Rismiller, representing CDF Firefighters, said the Amador Plan Program has resulted in legislation which was supported by all stakeholders, and it passed the Senate and Assembly without one dissenting vote. After the legislation passed, CDF Firefighters monitored the process and provided comments to the Resource Protection Committee and the full Board. To ensure the intent of the legislation was consistent in the regulations, and was consistent with CDF Firefighter's discussions, the Union shared the proposed regulations with representatives of the stakeholder organizations, and have not received any suggested changes. Mr. Rissmiller is confident that the regulations before the Board today are consistent with the intent of the legislation, and CDF Firefighters urges the Board to pass them as proposed.

**06-08-09: Acting Chair Rynearson moved to close the hearing. Member Bosetti seconded the motion.**

**6-08-09: Member Bosetti moved to adopt the regulations as offered here today. Vice Chair Rynearson seconded the motion. A role call vote was taken.**

|                  |            |
|------------------|------------|
| <b>Nawi</b>      | <b>Aye</b> |
| <b>Nehring</b>   | <b>Aye</b> |
| <b>Ostrowski</b> | <b>Aye</b> |
| <b>Rynearson</b> | <b>Aye</b> |
| <b>Bosetti</b>   | <b>Aye</b> |
| <b>Giacomini</b> | <b>Aye</b> |
| <b>Saito</b>     | <b>Aye</b> |
| <b>Dixon</b>     | <b>Aye</b> |

**Member Marckwald not present. The motion was carried unanimously with eight ayes.**

## **REPORT OF THE DEPARTMENT AND CDF FIREFIGHTERS ON STAFFING ISSUES**

Mr. Bob Wolf, President of CDF Firefighters, thanked Chairman Dixon for having CDF Firefighters at the meeting. Mr. Wolf said the Union believes that the Board is a governing body and looks out for CDF employees, and the Union appreciates the Board. Mr. Wolf believes CDF is an all-risk fire agency. Mr. Wolff said many citizens and local governments rely on CDF. Mr. Wolf and CDF Firefighters request the Board include employees in the discussions on staffing issues, and participate as a stakeholder. Mr. Wolf is here to discuss inversion problem.

Mr. Jim Rismiller, Chair of the Legislative Team for CDF Firefighters, was introduced by Mr. Wolf. Mr. Rissmiller distributed a handout, entitled, "Inversion: A Crisis in CDF", a copy is attached to the minutes.

Mr. Rissmiller said the problem began back in 2001 when CDF Firefighters negotiated a Memorandum of Understanding (MOU) with the Department of Personnel Administration (DPA) that included moving toward full compliance with the federal Fair Labor Standards Act of 1938 for rank and file employees. The Fair Labor Standards ACT (FLSA) generally provides that firefighters must be paid at the time and one-half rate for all hours worked over 53 per week.

The 2001-2006 MOU moved from one-half pay, incrementally, to time and one-half pay, over the term of the MOU. These changes resulted in pay increases for rank and file employees of approximately 37% over the 5-year contract period. Supervisory employees (those who do not have collective bargaining rights) received salary increases up to 4.76% during this same time period.

The end result is that in November 2005, the Battalion Chief classification began earning \$24,000 more per year than an Assistant Chief, \$21,000 more than a Unit Chief, \$17,000 more than an Assistant Deputy Director, \$12,000 more than a Region Chief, \$9,000 more than the Deputy Director for Fire Protection and \$300 per month than the Director of CDF.

Mr. Rissmiller said while some argue CDF Firefighters are overpaid, the Union contends their compensation remains below that of their local government counterparts throughout California.

This inverted salary structure has resulted in qualified candidates refusing to accept promotions – 90% of eligible Battalion Chiefs refused to take the Assistant Chief exam, and over half of the existing Assistant Chiefs had requested to demote to Battalion Chief. Supervisory employees are retiring and CDF is unable to find qualified, or even willing, applicants to promote to fill the void. Approximately half of the positions above the Battalion Chief level are either vacant or are filled with retired annuitants or others in acting capacities. Over a year ago, CDF imposed a prohibition on demotions from the Assistant Chief ranks, and began transferring surplus Foresters into Assistant Chiefs positions to fill the void. Mr. Rissmiller uses the term “inversion” rather than “impaction”. Impaction means it is close, inversion means it is upside down.

In January 2006, the 3% at age 50 retirement system was implemented for rank and file employees. DPA refused to extend this same benefit to CDF’s supervisors and managers. Mr. Rissmiller said the mean-spirited attack on CDF supervisors and managers resulted in a windfall benefits to some supervisors and managers, because they were able to retire under two different retirement systems, each with a 90% cap on its retirement annuity; enabling them to retire, in some cases, up to 120% of their final salary. This resulted in supervisors and managers retiring at an accelerated rate.

Mr. Rissmiller is a Battalion Chief with CDF. If Mr. Rissmiller promotes to the next level, he would lose \$24,000 per year in salary, lose the ability to earn unplanned overtime when assigned to a fire, and he would go from working 3 days per week and 4 days per week the next week to working 5 days every week.

Mr. Rissmiller said CDF’s current Director Ruben Grijalva came from the City of Palo Alto, where his salary was around \$160,000 per year. Director Grijalva’s salary with CDF is about \$123,000 per year. In Palo Alto Chief Grijalva had 8 fire stations; CDF has 226 state-operated fire stations and about 400 contract fire stations. Mr. Rismiller said the Director of CDF should make more than an 8-station department.

The combined effect of all of the above could leave CDF in a crisis. CDF is facing a significant void in its ability to fill command and control assignments on large incidents, which has resulted in CDF reducing the number of its Major Incident Command Teams from 10 to 9. CDF has lost many experienced personnel. Mr. Rissmiller is not sure if CDF can meet the challenges they will face as the 2006 fire season is upon us.

Mr. Rissmiller said both CDF and CDF Firefighters have tried to address the inversion issue. CDF submitted at least three GOARs (Governor’s Office Action Requests) over the last two or three years, and each one has been rebuffed by the administration. This year CDF submitted a SIR (Serious Issue Request). Mr. Rissmiller doesn’t know what the response will be to the SIR.

In 2005, CDF Firefighters sponsored AB 1510 (Calderon) to require the state to provide salary increases to supervisors that are comparable to those received by the rank and file employees they supervise. During the legislative hearings, CDF Firefighters were urged to work with the Administration to fix the problem before seeking a legislative remedy.

During the 2005-06 budget hearings CDF Firefighters successfully augmented the Assembly version of the budget by \$6.8 million to fix the inversion issue; however, the funds were eliminated

from the budget during the Conference Committee process. During legislative budget subcommittee hearings, Mr. Mike Navarro, Director of DPA, testified that the problem in CDF is the worst in state service, and the only way he can fix it is with additional funding.

In May of 2006 CDF Firefighters were again successful in convincing Assembly Budget Subcommittee #3 to augment the Assembly version of the budget by \$3 million to be used for a partial solution to the inversion issue. These funds will not be considered as the budget moves through the Budget Conference Committee and to the Governor. Mr. Rissmiller said the Union remains bothered by the fact that the Administration continues to insist that inversion is a problem that begs resolution, yet at the same time, they refuse to support CDF Firefighters' efforts. The Department of Finance opposed the addition of those funds.

CDF Firefighters would like the Board of Forestry and Fire Protection to encourage the Legislature and the Governor to leave the funds in the 2006-07 Budget to partially fix the inversion problem.

Chairman Dixon asked Mr. Rissmiller if the \$3 million fix had been dropped.

Mr. Rissmiller said the \$3 million is still in the Budget Conference Committee, it did come up about a week ago. There was disagreement between the administration (CDF, EPA, Finance, and the Legislative Analyst's Office) over what it provides in the way of a fix. There was concern from Senator Calderon about the "inadequate fix", and the Union agrees, but to them it is a step in the right direction; it may stop the people that are running to retirement to get out of CDF because they see no hope at the end of the tunnel.

Member Marckwald said the Board needs to let the Governor's Office know they believe the inversion problem is an important mission-critical matter. A letter from the Chairman to the Governor and Department of Finance, with copies to Agency and CDF, needs to be crafted in an expeditious manner. Member Marckwald said the Firefighters are able to deal with the Senate side. Member Marckwald believes the problem is with the administration, which is where the Board should focus their signal.

**06-08-09: Member Marckwald moved the Board write a letter to the Governor's Office with copies to the Secretary of Resources and the Department of Finance noting the Board's support for the Assembly version of the Budget Conference Committee urging support for the augmentation as an initial step of dealing with the inversion problem. Member Nawi seconded the motion with the understanding the letter be signed by the Chair.**

Member Giacomini wanted to be sure the point that goes out with the letter is this is not a long-term fix.

Member Rynearson said the letter should not support any particular fix. Member Rynearson said the Board needs be sure the Governor's Office is clearly informed that the Board supports a remedy for the inversion as soon as possible; this year if possible, to implement a fix so the Board can maintain the mission of the Department, as well as to encourage people to promote through the ranks and to provide incentive for people to stay with the Department. Member Rynearson said he will not support a letter that provides a specific dollar amount.

Chairman Dixon asked Counsel if instead of a motion, should a Board consensus be utilized because of noticing.

The Board Counsel recommended no Board action because it was not properly agendized.

Member Marckwald said he would withdraw his motion. Member Marckwald said the letter should not contain a reference to a specific bill or remedy.

Member Bosetti said the letter crafted should address the issues relative to Board's position and oversight of the Department relative to the mission, and bring out the issues reported at this meeting, and how this problem affects the ability to maintain and carry out that mission. The letter should contain whatever is needed to remedy the structural deficiencies that this has created for the Department in achieving their mission.

Mr. Rissmiller would like to receive a copy of the letter. The Legislature anticipates having a budget by June 15.

Mr. Ostrowski said the Board should move forward with a letter in view of the fact of the budget process going on.

Member Rynearson said a letter should be out by the end of the week, under the Chair's signature.

Chairman Dixon said drafting a letter to the Governor, which voiced the concerns of the Board while steering clear of any legislative action or any dollar amount, but recognizing the need for this issue to be dealt with this budget year, is entirely appropriate. Board members will receive the draft letter electronically.

### **UPDATE ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR JACKSON DEMONSTRATION STATE FOREST (JDSF) DRAFT MANAGEMENT PLAN**

Executive Officer Gentry reported the JDSF Subcommittee received a collation of comments received from the public last week. Mr. Russ Henly divided the comments into several categories (technical issues, legal issues, policy issues, and other). The Subcommittee will reconvene at a later date to review the policy issues raised by the comments; those comments will help define a full-Board workshop as the basis for the Board's discussions. The Subcommittee will discuss timing of a full-Board workshop. The segregated comments will be sent to the Board next week. Executive Officer Gentry has asked Mr. Henly to proceed with the technical issues so the Board can then review the initial responses.

### **PUBLIC COMMENT:**

Mr. Bill Keye, representing CLFA, urged the Board to move the issue forward. Mr. Keye would like to see JDSF as a working forest. Mr. Keye said a letter to the Executive Officer from the City of Fort Bragg, dated the 22<sup>nd</sup> clarifies CLFA's position on the DEIR statement report. Mr. Keye thanked Member Nehring for his service on the Board in the event this is Member Nehring's last meeting.

### **SENSITIVE WATERSHED NOMINATIONS REVIEW**

There was no report.

## **STANDING COMMITTEES OF THE BOARD**

### **FOREST PRACTICE COMMITTEE**

Member Nawi, Chair of the Forest Practice Committee, reported that the Committee met in Sacramento on Monday, June 5<sup>th</sup>. All four Committee members were present. The purpose of the meeting was to discuss the literature review of Threatened or Impaired Watersheds Regulations. The Committee had a discussion about using an independent contractor, which is unlikely now because it is too late for 06-07 consideration. Member Nawi said a letter went out over the Chair's signature to the Chair of the Water Board requesting a reallocation; if that doesn't work, the Committee will proceed with Plan B which would involve a great deal of money and be a lengthy contracting procedure or try contracting with one of the Universities. The Committee is moving forward in a cooperative manner and will continue to make progress.

The Committee met Tuesday, June 6. At the meeting Mr. Chris Zimny reported on the progress of crafting a MOU on the Tahoe Issue. The MOU would be with the Lahontan Board and TRPA. The Committee is also working on a BCP. Member Nawi reported that Mr. Zimny proposed that the Board authorize for notice a 15- or 45-day notice depending which the one the Attorney General thinks is appropriate.

Member Nawi requested the Board's authorization to move forward with noticing 1038 regulatory changes with a 15-day or 45-day notice, contingent on further discussions with Lahontan.

Acting Chair Rynearson asked for comments. There were none.

**05-08-12: Member Nawi moved to send out the proposed rule language on the 1038 for a 15-day or 45-day notice, the duration of the notice to be coordinated with discussions with Deputy Attorney General or representative, to determine what is appropriate and staff will move forward after those discussions. If issues arise from Mr. Zimny's discussions with the Lahontan Board, the Board will not issue the notice until further consideration from the Committee. Member Bosetti seconded the motion. All were in favor.**

Member Nawi said the Board needs to take action on the extension of existing emergency regulations.

Mr. Zimny said the existing Tahoe Emergency Regulations expires on June 13, 2006. To extend the emergency regulation, to make it continuous so there is no gap in application of the regulation, would be to readopt it. This will be the third time it has been readopted.

**05-08-12: Member Nawi moved that the Board readopt the emergency exemption for Lake Tahoe Region emergency, presently in effect, due to expire June 13. Member Bosetti seconded the motion. All were in favor.**

Member Nawi said the Committee briefly discussed a proposed rule change by NorCal SAF to modify 14 CCR 939.15 and 959.15 to facilitate the restoration of Aspen. This was agendized as a possible action item. The proposal was that the Board authorizes a 45-day notice on the rule. Due to lack of time when the Board met at Lake Tahoe, the Committee was not able to discuss the

issue with the Lahontan Water Board, but it is likely the Water Board will have problems with it. Rather than delay going forward with the rule, the Committee suggested that the Board authorize a 45-day notice on the rule, and pursuant to what Mr. Zimny learns from the Lahontan Board, give him the authority to include in the package, a possible option in the rule for an exemption for Lake Tahoe. The Committee discussed the process and timing of the Board's literature review of Threatened or Impaired Watershed Regulations.

**05-08-12: Member Nawi moved for the Board to authorize the issuance of the 45-day notice, and depending on what Mr. Zimny learns from the Lahontan Board, to include in the package a possible option of excluding the Lake Tahoe Basin from the rule for Aspen. Member Bosetti seconded the motion. All in favor.**

Acting Chair Rynearson asked Member Nawi if he was he was proposing to include the language in the 45-day notice. Member Nawi said if Mr. Zimny determines in his conversation with Lahontan that it would be appropriate, then it would be included.

Member Nawi said Mr. Zimny will continue to work with the Board of Equalization on tax items. Member Bosetti said the committee has asked for some clarifications on issues relative to tax treatment on fuel hazard reduction

## **RESOURCE PROTECTION COMMITTEE**

Resource Protection Committee Chair Mark Bosetti reported the Committee began their discussion with follow-up on the VMP Process/Framework. The VMP formed a workgroup, and met last week to discuss the charter of the workgroup and make assignments. Mr. Russ Henly provided an update on the VTP EIR. Mr. Henly reported that the notice of preparation and scoping periods are closed. The workgroup will have a meeting with the contractors, who will be preparing the document, on Monday, June 12 in Redding for a brief review of where they are in the process of preparing alternatives. The third agenda item was a review of the safety elements of the general plan for the City of Goleta. The Committee did not talk about Newport Beach, that review is not complete. Chief Dave Hillman was present for the discussion. The Board is charged to provide comment on safety elements and general plan updates of local governments all within state responsibility areas or areas of very high fire severity zones. Staff followed the same template as they have in the past and consulted with the unit relative to concerns or issues that existed on the ground, and made recommendations. The committee reviewed the recommendations made by staff. Some minor changes to the framing of the recommendations were suggested by the Committee. The Committee's recommendation is that the Board formalize the draft into the final document as an approved letter to be sent to Goleta.

**05-08-12: Member Bosetti moved that the Board formalize the draft into the final document as an approved letter to be sent to the City of Goleta. Member Saito seconded the motion. All in favor.**

Mr. Ken Zimmerman, representing the Range Management Advisory Committee, briefed the Committee on the RMAC May Meeting. One item up for discussion at the RMAC meeting was the State Water Quality Control Board's response to the letter on Range Management Water Program. Member Bosetti said the Board had questions to the State Board asking for clarification on issues. The Committee is undergoing discussions with the State Board to iron out the differences they

have, and come to terms with a means of utilizing the Range Management Water Quality Plan as a document.

Member Bosetti reported Mr. Tom Hoffman gave an update on Fire Safe Clearance regulations. Mr. Hoffman provided a summary of the training being undertaken by the Department. The Department has 104 potential trainers available statewide. Mr. Hoffman provided an update of fire prevention activities and circulated some of the public education information. Statewide there have been over 12,700 inspections of defensible space completed to date. Out of those 12,700 inspections, there were 1,676 violations noted. No citations were issued.

## **POLICY COMMITTEE**

Member Nawi reported the Policy Committee briefly discussed two pieces of legislation, SB 1799 and 1310. The Committee discussed the Draft Board Policy Statement. The Committee hopes to have the draft policy statement before the Board consideration at the July meeting. A Policy Committee Meeting was scheduled for June 26, from 0900 to 1100, in Sacramento. The meeting will consider the Executive Officer's draft and input received. The Committee decided they would deal with the CLFA Letter next month. Member Ostrowski said the conference call scheduled for June 26<sup>th</sup> needs to take place where the public can participate. Member Ostrowski suggested conference call locations at Yreka, San Francisco, and Sacramento.

## **MANAGEMENT COMMITTEE**

Member Rynearson reported the Management Committee met yesterday. They had a good discussion on the development of the Road Management Plan regulation, and nearly completed their review of the Road Management Plan. On June 23, a special meeting of the Management Committee will be held in Sacramento.

The Committee discussed State Forest Management Plan Reviews. There are five state forests that operate under management plans, each of those plans require a five-year review of the management plan. Mr. Henly tries to review one plan per year. Latour State Forest has had a sustained yield plan draft being reviewed for some time. Mr. Henly said it will probably be withdrawn and replaced with an Option A document.

Member Rynearson said it would be an interesting discussion between the Department and forest staffs why that SYP did not go forward. Mr. Henly will work with counsel to decide what is appropriate for the proper CEQA process to move forward as these plans come up – whether to amend the existing EIR, have a new EIR, or what other options would be appropriate.

Next, the Committee discussed NTMP Growth and Yield document released by CDF a few months ago. Mr. Paul Mason, representing the Sierra Club, had specific questions about the document. Mr. Mason was trying to ascertain the proper way identify growth parameters under multi-management. Mr. Mason is currently working with members of the Legislature to develop changes to the NTMP which may include a new NTMP that ranges between 2,500 and 10,000 acres to use that process.

The SNTMP committee has not met, but will meet next week and will have a report for the Board meeting in July.

The Committee had a brief discussion on SYPs, PTEIRs. The Committee looks forward to a more in-depth discussion next month. That discussion will revolve around how to address the SYPs and PTEIRs. The Committee has asked both CDF Staff and Board Staff to work with their respective counsels to try to address this question and to identify what the Board needs to do to move toward that kind of a process.

Acting Chair Rynearson said the Board will attend a field trip to Latour State Forest in September.

Mr. Bill Synder, Deputy Director for Resource Management, said the original SYP is about ten years old, it was done and submitted and accepted. There has been no other work done on it.

Member Ostrowski asked why the original SYP was never approved.

Mr. Synder did not know why the SYP was not approved. Mr. Synder will research this, and get back to the Management Committee.

### **REPORT OF THE REGULATIONS COORDINATOR**

Mr. Chris Zimny, Regulations Coordinator, said the July Board Meeting will have two 45-day notice hearings, the extension of T and I Rules, and an amendment under Watercourse Streamlining Rules. In August, the Board will have Tahoe Permanent Rules and Aspen Restoration Rules come up for initial hearings. Within the next two months, action should come for Road Management Plan Regulations.

### **REPORT OF THE EXECUTIVE OFFICER**

Executive Officer Gentry announced the passing of Mr. Ed Martin. Mr. Martin was a friend and mentor to every Executive Officer, and will be missed. The Executive Officer also mentioned the passing of Mr. Nakae, who served as Chairman of the Board from 1968-1976. Mr. Nakae is the only honorary member of NorCal SAF

Acting Chair Rynearson said it would be appropriate to send a letter of condolence to Mr. Martin's Family under the Chairman's signature.

**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. John Hoffman, representing RCRC, complimented the Board and Staff on their work. Mr. Hoffman encourages the Board to work with the four elements of fire protection. Mr. Hoffman said the first element is suppression, the second are the structures themselves, the third is defensible space, and the fourth element is wildlands. Mr. Hoffman believes the Department and Board have done very well with the first three elements, but are lacking in the fourth element, wildlands. Mr. Hoffman encouraged the Board to not forget wildlands.

**NEW AND UNFINISHED BUSINESS**

There was no new or unfinished to report.

**ADJOURNMENT**

Acting Chair Rynearson adjourned the June 6, 2006 meeting of the Board of Forestry and Fire Protection.

Respectfully submitted,

ATTEST:

George D. Gentry  
Executive Officer

Stan Dixon  
Chairman