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**MINUTES  
BOARD OF FORESTRY AND FIRE PROTECTION  
FULL BOARD OF FORESTRY MEETING**

**Sacramento, CA**

**May 6-7, 2008**

**BOARD OF FORESTRY MEMBERS PRESENT:**

Stan Dixon, Chair  
Pam Giacomini, Vice Chair  
David Nawi  
Jim Ostrowski  
Bruce Saito  
Lloyd Bradshaw  
Gary Nakamura  
Doug Piirto  
Tom Walz

**MEMBERS ABSENT:**

None

**BOARD STAFF:**

George Gentry, Executive Officer  
Eric Huff, Executive Officer, Forester's Licensing  
Teri Ashby, Board Counsel  
Chris Zimny, Regulations Coordinator  
Carol Horn, Executive Assistant

**DEPARTMENTAL STAFF:**

Ruben Grijalva, Director  
Duane Shintaku, Asst. Deputy Director, Res. Mgmt.

**1. Call to Order**

Chairman Dixon called the Board of Forestry and Fire Protection to order at 4:00 on May 6, 2008.

*The Board's Mission:*

*To lead California in developing policies and programs that serve the public interest in environmentally, economically, and socially sustainable management of forest and rangelands and a fire protection system that protects and serves the people of the state.*

2. **Adjourn to Executive Session**

Chairman Dixon adjourned the Board to Executive Session.

3. **Reconvene Regular Session**

Chairman Dixon reconvened the Board to regular session on May 7, 2008 at 8:00 a.m.

4. **Announcement of Actions Taken in Executive Session**

Board Counsel Teri Ashby reported that the Board extended the tolling agreement to the petitioners in the matter of Campaign to Restore Jackson State Redwood Forest, et al v. California Department of Forestry and Fire Protection and the California Board of Forestry and Fire Protection, et al, Mendocino County Superior Court Action no. SCUK CVPT 0289022, to June 9, 2008.

5. **Approval of Minutes from the Regular Meetings of October 2007, March and April, 2008**

**05-07-05: Member Ostrowski moved to approve the March and April Board minutes with minor edits. Member Nawi seconded the motion. All members were in favor, and the motion passed unanimously.**

The October 2007 minutes were deferred to the June Board meeting.

6. **Report of the Chairman**

Chairman Dixon said Executive Officer Gentry will be the Board liaison for the JDSF Advisory Committee. Chairman Dixon and Member Nawi will attend the monthly JDSF Advisory Committee meetings when possible. Executive Officer Gentry will ensure that there is Board representation at the JDSF Advisory Committee meetings.

7. **Report of the Director/Department**

Chief Grijalva thanked Board for its action on JDSF and confirmation of the positions of the Advisory Committee Members, they will begin meeting this Friday and Saturday. Chief Grijalva said this week is Wildland Fire Awareness Week, and CAL FIRE was providing public education to people on how their can prepare their property for fire season.

Chief Grijalva said over the course of eight months of deliberations, the California-Nevada Tahoe Basin Fire Commission heard from many Basin residents, fire professionals, land managers, environmental regulators, scientists, and others. By February 2008 more than 50 individuals and organizations had submitted 120 proposed findings and even more associated

recommendations to the Commission. About one third of those were developed by members of the Commission, while another third were developed by implementing and regulatory agencies at all levels of government, often working through interagency working groups. The rest were developed by interested members of the public including representatives of the conservation community homeowners, and forestry-interest groups. Ultimately, 90 recommendations were formulated by the Commission to be forwarded to Governors Gibbons and Schwarzenegger. The Commissioners unanimously recommended that the Governors issue Emergency Declarations regarding the extreme threat that catastrophic fire poses to the Basin. The Commission's recommendations were organized into six categories which together constitute a plan for reducing the Basin's vulnerability to catastrophic wildfire and the impacts such fires would have on the Lake's fragile environment

Chief Grijalva said there were ten fatalities last year, and it cost \$152.8 million to fight fires. CAL FIRE is in the process of preparing for next fire season. Ninety aircraft will be flying at the peak of fire season.

Chief Grijalva said there will be better coordination with the Marine Corps in San Diego. CAL FIRE, U. S. Forest Service and the Marine Corps signed a three-party agreement, but it does not guarantee Marine participation, in light of their ongoing war mission.

Chief Grijalva said the Resource Ordering System was not working for California, but he received commitments from Senators to fix ROSS. Three additional C-12s will be given to California for Southern California.

## 8. **Report of Board's Advisory Committees**

- **California Oak Mortality Task Force (COMTF)**

Mr. Mark Stanley, Chair of COMTF, gave an update on the California Oak Mortality Task Force. Mr. Stanley's report was contained in the Board Binder.

- **Range Management Advisory Committee (RMAC)**

There was no report for the Range Management Advisory Committee.

- **Monitoring Study Group (MSG)**

Mr. Pete Cafferata gave an update on the Monitoring Study Group. Mr. Cafferata's report was contained in the Board Binder. The MSG had not met since the last Board of Forestry meeting. The next MSG meeting will be held either June 24 or 25, and it will be a field meeting to observe monitoring efforts associated with the 2007 Angora Fire. A questionnaire to determine what types of monitoring are being undertaken by various agencies, companies, small landowners, and universities was emailed to the MSG email list on April 4<sup>th</sup>.

- **Professional Foresters Examining Committee (PFEC)**

Mr. Eric Huff reported that 29 applicants completed the RPF exam. The exams are in the process of being graded. The PFEC will meet on June 19. Mr. Huff noted the

passing of former RPF #12, Robert Leatherman. RPF #158 Francis Busby requested license reinstatement from withdrawal status.

**05-07-08: Member Nawi moved to reinstate ROF #158 Francis Busby. Member Piirto seconded the motion. All Board members were in favor, and the motion passed unanimously.**

9. **Department Presentation of the Draft Mitigated Negative Declaration for the LaTour Demonstration State Forest Management Plan.**

This agenda item will be discussed in conjunction with the Management report.

10. **Discussion of the Review Draft Report to the Governors of the California-Nevada Tahoe Basin Fire Commission**

Mr. Todd Ferrara, Deputy Secretary for the Resources Agency., reported on the California-Nevada Tahoe Basin Fire Commission Report. Mr. Ferrara said the report was in production will be released soon. Said the Commission met ten times in eight months and the report was available in draft form on the Resources Agency's website. The report is broken down into six categories. They are: (1) Environmental Protection, (2) Issuances of Governance., (3) Community and Homeowner Fire Prevention, (4) Forest and Fuels Management, (5) Fire Suppression, and (6) Funding. It is the responsibility of the Governors to work out the recommendations.

Chairman Dixon stated that Commission Co-Chair Dargan said the recommendations had already made. Chairman Dixon felt the Board Committees should look at the recommendations and have a role in carrying them out.

Member Ostrowski recommended that the Board write a letter to the Governor or Resources Agency Secretary offering the Board's review.

Chairman Dixon said the Board plays a significant role in forested areas. He invited Resources Agency Staff to attend the workshop the Board was holding tomorrow, May 8, 2008 on California Wildfires: Policy Implementation of Research Findings. Chairman Dixon felt it was necessary to do what the Board had been given responsibility for. Chairman Dixon hoped there would be representation from the Governor's Office at the workshop.

**PUBLIC COMMENT**

Mr. Bill Keye, representing California Licensed Foresters Association, said, CLFA submitted a letter providing draft findings and recommendations. Mr. Keye said there was a lot of good stuff in the Tahoe Commission report, but felt it was a snub to RPFs by not involving them in the report. CLFA will prepare another letter to the governor in response to the report.

## 11. Report of the Board's Committees

- **Forest Practice Committee**

Member Nawi, Chair of Forest Practice Committee, said the FPC conducted its second meeting on the T/I Rules Review related to evaluating the Goal/Intent and Definitions section of the T/I Rules on May 5 and 6. The FPC recommended that the Executive Officer seek a way to compensate the TAC members. There were two action items related to the T/I Rules. Member Nawi said there were some TAC members who were not compensated by their own jobs to participate on the TAC

**05-07-11: Member Nawi made a motion for the Executive Officer to see if the Board could make available funding to compensate TAC members. Member Ostrowski seconded motion. All Board Members were in favor of motion, and it passed unanimously.**

The FPC recommended sending a letter to members of the TAC to confirm their willingness to continuing to serve on TAC 2, and thanking them for their service on the TAC. Members Ostrowski, Nawi and Chris Zimny will draft the letter.

The vision for TAC 2 is to look at issues related to riparian function of the literature review, which would be conducted by the contractor. The second phase is a review of the rules and goals. The role of the TAC would be in connection with issues that arise in connection of aspects of the rules.

A copy of the minutes from the Forest Practice Committee meetings is contained in the Board Binder.

- **Policy Committee**

Member Ostrowski, Chair of the Policy Committee, said the Policy Committee met yesterday and was well attended. The Policy Committee discussed the Joint Policy for Anadromous Salmonids and NSO Regulations. The Policy Committee had no action items to report.

### **PUBLIC COMMENT**

Mr. Richard Geinger said the latest version of the Joint Policy on Anadromous Salmonids incorporated some of the actual programs for monitoring (e.g., the IMMP).

- **Management Committee**

Member Piirto, Chair of the Management Committee, said they discussed three items: (1) the Modified Timber Harvest Plan (MTHP) Regulatory Proposal for Streamlined Permitting of Landscape Fuel Hazard Reduction; (2) Presentation by the Department of the Draft Boggs Mountain Demonstration State Forest Management Plan Update; and (3) Discussion of Draft Mitigated Negative Declaration in Support of the LaTour Demonstration State Forest Management Plan Update.

The Management Committee recommended that (1) that Boggs Mountain Demonstration Forest continue to operate under the previously adopted management plan, and while the draft plan is being reviewed and revised; and (2) the Management Committee ask the Department to prepare and revise a draft plan revised based on comments they are receiving regarding Boggs Mountain and for consideration at the June Board Meeting, and to have it agendized for the June Board Meeting; (3) the Management Committee ask that they be provided with a summary of the public meeting that will be held on Boggs Mountain; (4) this focused on LaTour and concerns were expressed by Committee Members about moving forward with a Mitigated Negative Declaration was not appropriate at this time, there needed to substantial edits made to the document and Member Piirto asked to have it agendized at the June Board Meeting.

A Sustained Yield Workshop will be held in conjunction with the Board Meeting on July 10, 2008.scheduled for July 10<sup>th</sup>.

A copy of the minutes from the Management Committee is contained in the Board Binder.

- **Resource Protection Committee**

Member Giacomini, Chair of the Resource Protection Committee, said they are trying to wrap up review of the Fire Plan. The Fire Plan Subcommittee (Members Walz and Saito) will meet with State Fire Marshal Dargan today to discuss the Fire Plan. The RPC had no action items to report. A copy of the minutes from the RPC is contained in the Board Binder.

## 12. **Report of the Regulations Coordinator**

Regulations Coordinator Chris Zimny went over the updated Regulatory Schedule. The schedule is contained in the Board Binder. The T/I Extension is scheduled for June 4. The Forest Fire Prevention Exemption will be filed with OAL on July 9<sup>th</sup>. The Emergency Notice for Fuel Hazard Reduction will be filed with OAL on July 9. Mr. Zimny also distributed the Board of Forestry Regulatory Adoption Process and Dates flow chart. The first example was for complex regulations with 15-day re-notice and the second was a flow chart for simple regulations with no 15-day re-noticing. Mr. Zimny said the Board was trying to incorporate a methodical rule adoption process. Each of the phases is sequentially laid out so that the Board achieves organized adoptions. Rules need to be into the regulatory process so that they get noticed by April or May, depending on the complexity of the rule.

## **PUBLIC COMMENT**

Ms. Michele Diaz, representing California Forestry Association, requested that the Board look at the scheduling of the committees and the scheduling of the full Board and Executive Session because CFA were preparing and working on some of the rules mentioned, including the Northern Spotted Owl and there is not enough time for discussions.

## 13. **Report of Executive Officer**

Executive Officer Gentry said he was aware that the afternoon meetings were three hours rather than four hours; however moving the Executive Session at this point was problematic

because they often last from two to three hours. Executive Officer Gentry said the Board encouraged people to work with staff outside of the Board Meetings. Executive Officer Gentry distributed a priority list, which he made some minor alterations. The priority list has each committee's mission statement and the ongoing issues which the committees are dealing with. The list also has the issues that were brought to the Policy Committee and then assigned out of the Policy Committee, so they may consider how they are going to prioritize workloads.

Executive Officer Gentry presented the Board's Forest Management Research Report 2008. He and Member Piirto met to improve the overall document, and the Executive Officer incorporated those edits. The Forest Management Research report was broken into three major sections: Section I – Overview and Background, Section II – Necessary Elements for the Research Program, and Section III – Potential Areas for Research. The next document the Executive Officer reported on was the 2008 Charter of the Research and Science Committee. The charter closely follows the model of the TAC Charter. At the back of the Charter it ties back to the Board's Strategic Program.

Member Nawi said the Committee Charter did not have a specific statement of appointing authority. On the second page, it says "Committee Members will be approved by the Board", change the word "approved" to "appointed", and to add language to the affect that the Board wants those people to present their independent scientific judgment.

**05-07-13: Member Ostrowski made a motion to adopt the Forest Management Research Report to the Legislature and to forward the report to the Legislature. Member Giacomini seconded the motion with minor edits incorporated. All Board Members were in favor of motion and it passed unanimously.**

**05-07-13: Member Ostrowski moved to approve the Charter for the Research and Science Committee and to obtain funding for the Committee. Member Saito seconded the motion. All Board Members were in favor of the motion, and it passed unanimously.**

#### 14. **Public Forum**

Mr. Richard Geiger said there was a tragedy in Humboldt County. Mr. Roger Rodoni was killed in auto accident in Humboldt County, and he suggested that the Board send letter of condolence to his family. Mr. Geiger said the Mattole PTEIR was coming along. Mr. Geinger asked if he could get a record of workshop tomorrow, and he asked if the T/I discussion would be continued June 2, Monday.

#### 15. **New and Unfinished Business**

Member Piirto distributed the 2007 Annual Report for Sustaining Healthy and Productive Forests to Board Members.

16. **Adjournment**

Chairman Dixon adjourned the May 7, 2008 meeting of the Board of Forestry and Fire Protection.

Respectfully submitted,

ATTEST:

George D. Gentry  
Executive Officer

Stan Dixon  
Chairman

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