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MINUTES
BOARD OF FORESTRY AND FIRE PROTECTION
MEETING
April 8, 2009
SACRAMENTO

BOARD OF FORESTRY MEMBERS PRESENT:

Stan Dixon, Chairman
David Nawi
Pam Giacomini
Bruce Saito
Lloyd Bradshaw
Tom Walz
Doug Piirto

BOARD OF FORESTRY MEMBERS ABSENT:

BOARD STAFF:

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

DEPARTMENTAL STAFF:

Del Walters, Director, Forestry and Fire Protection
Crawford Tuttle, Chief Deputy Director
Duane Shintaku, Asst. Deputy Director
Russ Henly, Asst. Deputy Director

CALL TO ORDER

Chairman Dixon called the April 8, 2009 meeting of the Board of Forestry and Fire Protection to order.

APPROVAL OF MINUTES

Chairman Dixon asked for Board approval of the March minutes.

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.

Approval of March meeting minutes deferred to May Board meeting.

REPORT OF THE CHAIRMAN

No report.

REPORT OF THE DIRECTOR

Director Del Walters gave Cal Fire update.

- Air Tactical Group Supervisor training, for fixed wing pilots. Cal Fire is training with military for helicopter manager and mobile air firefighting.
- Wild Fire Awareness week kick off will be May 4, 2009 this year's theme is "You Provide the Defense, We'll Provide the Offense".
- Del met with **Cal NEMA**, Senior Account Executives to discuss available funds for fire stations, although limited, Cal Fire would like to take advantage of them.
- Del has committed to meet with Randy Moore Regional Forester, USFS on a quarterly basis. They discussed the Recovering Investment Act and what it means for California, and land fire management.
- Legislative Analyst Office Report mentions cutting 10 fire stations and losing the ability to replace Cal Fire's aging engine fleet. Del states they're making gains in replacing some engines, Cal Fire is 34% over replacement criteria.
- Del states the mid-year budget review is currently at a deficit and explains the review is based on calculations made at the end of November, therefore inaccurate because they are calculated at the end of fire season when costs haven't been fully realized. Del requested that regions and units do another review based on the seventh month. Calculations for the review are still being gathered but initial results are much closer to coming in on budget. He explains that succession planning is an issue that continues to plague the department because of the uncertainty with state government regarding furloughs and the cancellation of overtime calculations for hours worked. This uncertainty is causing staff that would have stayed longer, to vacate positions or retire, and making it difficult to fill behind them.
- **La Hahn** North Coast Regional Quality Control Board is in the process of revising their conditional waiver of waste discharge requirement for timber harvest related activities.
- Bureau of Reclamation has curtailed their agreement with Cal Fire for protection for a number of parcels in Lake Barryessa and the Auburn Dam project area. Cal Fire is still working with the bureau to provide protection, but it's uncertain of what the outcome will be.
- Deputy Director, Crawford Tuttle, along with the Department of Fish and Game attended the Committee Senate Hearings; together they had the opportunity to report on the streamlining of the THP process. The report was received very well by the senate.

- Del commended staff for their continued efforts on Threatened and Impaired Watersheds, and is looking forward to working with the board towards solutions.

Lloyd Bradshaw asked if AB 135, by Assembly member Kevin Jeffries, would interfere with Cal Fire's fire fighting capabilities in regards to maintaining adequate staff and resources for the department's own responsibility areas. Del responded that Cal Fire has and will maintain the ability to pull staff and resources during emergencies.

REPORT OF THE ADVISORY COMMITTEES

CALIFORNIA FOREST PEST COUNCIL

No report.

California Oak Mortality Task Force (COMTF)

Katie Palmieri gave the Report. A copy of the report is maintained in the Board binder.

RANGE MANAGEMENT ADVISORY COMMITTEE (RMAC)

01-04-08 Pam Giacomini moved to accept the recommendation of Mark Horney to RMAC, Tom Walz seconded the motion and the motion carried unanimously.

MONITORING STUDY GROUP (MSG)

George Gentry gave update for MSG on Pete Caffereta's behalf. George states a meeting has been set for April 22, 2009. During the scheduled meeting **Chris Aldman** will be discussing the Humboldt Redwoods monitoring program. A report on monitoring tracking will also be discussed at this meeting with the intention of bringing it before the Policy Committee.

PROFESSIONAL FORESTERS EXAMINING COMMITTEE (PFEC)

The Office of Professional Foresters Registration notes the RECENT PASSING of the following former Registered Professional Forester:

Mr. Alan Engerbretson, RPF No. 1800

The following Registered Professional Forester has requested license **REINSTATEMENT** from withdrawal status pursuant to 14 CCR §1608(d):

Mr. Richard W. Schell, RPF No. 1978

02-04-08 Tom Walz motions to reinstate Richard W. Schell, Doug Piirto seconds the motion and the motion carried unanimously.

The following Registered Professional Foresters and Certified Rangeland Managers have failed to renew their licenses. **REVOKE FOR NON-PAYMENT**

Arthur	Allen	654		John	Mincks	1057
Bruce	Brown	994		John	Nelson	1158
George	Cadzow	536		William	Oliver	51
Byron	Carniglia	799		David	Orcutt	523
Paul	Caster	737		Deryl	Rosel	1721
Bruce	Chapman	2245		David	Schantz	2255
Robert	Clayton	1396		John	Seyden	136
William	Coghill	1545		Gary	Shaffer	60
Alfred	Danner	2267		Jon	Sheppard	1663
David	Dealy	75		Sergei	Sherbin	1954
Jerry	Dieter	1243		Robert	Simon	902
Vernon	Hatler	1634		John	Spencer	1452
Lynn	Horton	117		Ronald	Sperry	49
Philip	Langley	228		Arthur	Stackhouse	1869
Jerry	Marrs	572		Llyod	Tangen	1535
Dan	McCall	2705		Andrew	Teie	1203
Thomas	Mehl	1540		Robert	Thompson	1189
John	Mills	2713		James	White	1676
				Carroll	Williams	1400

Eric Huff recommends revoking the licenses of the above Registered Professional Foresters.

03-04-08 David Nawi moves to accept the recommendation, Doug Piirto seconds the motion and the motion carried unanimously.

Report of the Forest Practice Committee on the review of the current regulatory proposal for Threatened or Impaired Watershed rule.

David Nawi states the committee has no recommendation on the rule package. David gave a review of what the committee has done thus far. The Forest Practice Committee has been reviewing the rules for two years. They have worked out a process for scientific review, the process for technical advisory committee, text of the rules and issues imbedded in the rules. They are attempting to come to a consensus on amendments to the language to send out a 45 day notice in time for them to go into effect by January 1, of the following year.

Lloyd Bradshaw does not think the package is ready to be day lighted but does believe the committee can come to agreement on a number of issues and have a 45 day notice ready sometime this year.

David Nawi states he thinks the 45 day notice should go out, putting the issues out for full public comment.

Stan Dixon states that the Board at some point needs to take ownership and move forward. He states that it is at a point where he feels that a decision on the package that's before the Board can be made.

Chris Zimny gave a PowerPoint presentation with an overview of the TNI rules and an update on the review of the rules.

Pam Giacomini asks Chris for clarification on the options component of the rule package. She asked if he envisioned making a decision on the options today so as to send out a package with more clarity or retain as is then ask for input.

Chris responded that given the amount of debate among the committee it would be fair to have the options in the package, seeing, they were not resolved. The options represent perspectives of the public, stake holders, agencies and Board members and would be fair, if, the issues go unresolved, that the options be retained in the package.

Pam asks how the Board will systematically go through the options and still meet the deadline.

Mark Stoffer, Department of Fish & Game recommends that the rule package be put before the Board for action.

Bill **Stevens**, **Mill** Fisheries supports the science based rule package. Bill states he would like to urge the Board to publish a 45 day notice of rule making. He states that coho continue to decline and the notice of rule making package is needed to facilitate recovery.

Public Comment

Chris **?**, Timber Products Company supports Tom Walz's recommendation for a notice of one year extension for the TNI. Chris' concern with the two 45 day notices is the quick turn around on June 17, 2009. Chris states since the Board will have to deal with 32 options, and technical edits it will be a lot to ask in this time period. He would like to see a longer time period so that the Board can focus on the issues and come to a consensus to finalize the rule package before noticing.

Richard **?** mentions the 1999 SRP report and the lack of a cumulative effects process for recovery and protection of steelhead and salmonoids in general. He shares his frustrations with the current rule package as it stands. He states the failure to adequately deal with class **3's**, he acknowledges that the department did come around to giving more than one categorizations to class 2's. He suggests the Board look at 916.4a regarding site specific plans. He mentions that Department of Fish & Game added some proposals that haven't been addressed one being a rate of harvest. He also mentions 916.12 on pg. 97, prioritizing watersheds and dealing with **TMBL** requirements and states there's no requirement of the time or what the schedule is.

Steve Lebeck, Campbell ? Management submits a handout to the Board and staff. Handout is maintained in the master binder.

Mark ?, Northern California Council Federation Fly Fishers acknowledges the Board's desire for a clean rule package but states that coho salmon are on the verge of extinction on the coast and don't have the time in order to have a perfect document to put forth to the public. He states that it's time for the public to see the options and allow for input to the committee. He states that Northern California Council Federation Fly Fishers stands with the national fishery service and Department of Fish & Game that the current review process to create the TNI draft has been good and is now time to broaden it out the public and to the full Board and come to a conclusion.

Peter Rebarb, Timberland would like to see some of the concepts and optional approaches field tested this summer prior to formal adoption and see what issues might come from them. He states it would give the agencies that are not familiar with the processes a better understanding.

Michelle ? California Forestry Association, states that a promise was made that this would be a science based rule and that somewhere along the line it has been lost site of. She states that she hasn't heard whether this package represents science, whether the options are supported by science or whether it will insure improvement for the species and its habitats. She states that CFA is adamant that more time be spent on the site specific approach. She states that she believes that the rule package is not ready for noticing.

Paul Mason, Sierra Club California, compliments the Board staff, department staff and agencies for the amount of work they've put in, to put together a more functional process for developing rules in than in the past. He commends David Nawi for the amount of personal time he's spent on this process. He states that a static document be established and put out so the public can comment on it and bring that diversity of opinion and expert comment back to the Board to put out for another notice.

Dan Fisher, Door Supply Company, states that the Board consider not noticing at this time. He states that it would be short cutting the process at the detriment of the science that they're attempting to incorporate into the rules.

Ryan McCellup, Soper LLC, states that he has witnessed a process that has moved away from correctly applying the body of science into the rule and moved to forcing a package which is incomplete and insufficient. He acknowledges that an admiral attempt has been made in committee to gain consensus but because of the time constraint the effort has fallen short. He states not only are there portions of the package that have not been discussed in committee but there are more than 33 amendments that are imbedded with in it. He mentions examples such as, impletation monitoring, waterboarding, 303d list of watersheds, roads and landings, crossings aspects of erosion control that have yet to be discussed. In addition the package does not adequately address regional geographical or geomorphic differences, specifically the differences in the northern forest district of the coho ? and the southern sub-district. He states the proposal does little to streamline the process to ease the regulatory burden. He questions the need for the 30 foot no cut buffer which he states has a negative economic effect on landowners and potentially habitat and states that it creates this homogenous strip of land that is fire prone. He expresses his disappointment that ? approach didn't make it into the rule. He states that option 26 has language that is more favorable.

Tim Feller, ? states the TNI and Technical Advisory Committee (TAC) process is the final phase of taking a huge body of knowledge and trying to draft it into regulation so the Board can make an informed decision. He states the driver currently seems to be time, time to get a 45 day notice in it's

regulation ready for January 1, 2010. He states that the driver should be to get it right, time should be taken to make sure the process reflects the body of information that's been collected and crafted into a rule package. He states that once the Board has options that have been vetted by the committee it needs to be taken back to the TAC and scientists that testified at the expert panel forum. He mentions a staff proposal dated November 19, 2008 had per review that once the review was done it would be sent to TAC and **SBC** for comment. He states that hasn't been done so they have not reviewed the prescriptive rules and they have not reviewed **discernable** rules. His recommendation is to prepare an extension for the TNI rules in case it doesn't make it out for January 1, 2010 that would take out the timeline vise grip that it's under. He adds that it should be sent back to committee for review and make sure all issues are addressed and have committee members vote so that there is a majority support for some of the options so that it's more focused to decide what needs to be done. Finally narrow the package and focus on the issues that can be solved because the TNI would be extended.

Tom Walz addresses George Gentry with a question, he asks does he think that this is a final rule package ready to be noticed according to Board policy.

George responds that he refuses to be drawn into a decision that is the Board's to make.

Tom asks what is the Board's policy.

George responds that is a question for Policy.

Lloyd Bradshaw states that he supports the comments made by Tom Walz for language that would extend the TNI package for at least another year.

David Nawi addresses chairman Stan Dixon regarding two comments that were made in the course of public comment. He states that the scientific literature review that was created for the Board was very important in committee. Staff brought pieces of the rules forward that had extensive foot notes about the science and **underlying studies** there was a lot of back and forth of what science supported what provisions and what science didn't support. He states that those discussions were not conclusive. He states that he was struck to hear someone highly respected in the industry state that the proposals were lacking in scientific support at the same time, agency people were saying who were also scientifically knowledgeable, that they were scientifically supported. . He states that he thinks, the only way the issues can be resolved, is by the policy makers who listen and make a decision based on what they determine to be the correct scientific answers. David states that the scientific basis of the rules will be a major focus as they move forward.

The second issue that David addresses is the site specific aspect of the rules. In the rule package there's a sub section b which addresses this. It has been characterized by Mark Stoffer and others as something less developed and less robust. He states that to an extent it is not fully developed necessarily but thinks it is quite robust. He mentions he was struck by something that happened in the meeting on March 23 and 24. The March 23 document had option b in it; overnight CFA came back with a re-write of option b using option b as a template with a lot of underlying strikeout. Included in the new language is what they would like to see in a site specific proposal. An very respected expert on the industry side **wrote option b looked at the proposal**, shook his head and said what's the difference they look a lot a like to me. He states that what is in package, in option b is well developed and quite robust and going through the process can provide a fully adequate means to address the site specific aspects of the rules.

David Nawi has a process question for George Gentry, he states it has been suggested that in order not to run the risk of losing the TNI rules for likely extension of the sunset, that we consider noticing an extension of the rules, extending the sunset. He asks what would be the appropriate time to do that? Would that be now, **or later to take action on that?**

George Gentry answers, in terms of an appropriate time to notice, it can be anytime if all you were trying to accomplish is a change in the date. You could move to add justification of the rules that are the same as they've always been and it would be a matter of striking out 2009 and inserting 2010. The only problem would be is if it would raise any questions over having to report on another rule package at the same time would they have any questions on the conflict over two overlapping things. He states when is the best time to put it out? As staff, if you would have a straight forward issue like that, can support a ?? noticing for 45 days that still provides for adequate time on the back end for providing the reasons.

Tom Walz interjects with a question, he states you are getting ready to make a proposal and there are a few question marks in my mind, because of the lack of clarity in current rules. For instance, on page 1 of 103 on lines 23 and 24 regarding 923.3 and 923.9, page 2 of 103, page 4 of 103, line 2, line 4, line 5

David Nawi interrupts stating he was prepared to make a motion that would deal with Tom's concerns. The motion would include that staff go over the package for typographical errors.

Stan Dixon addresses Tom Walz stating that David Nawi was about to make a motion and you without any consent from the chair, I let you go to make a point. Stan states, David's motion will address your concerns.

Lloyd Walz interjects with a question.

Stan Dixon states that David be allowed to make his motion.

Lloyd Bradshaw states the whole issue on number 9 of vetting or discussion on what's transpired during the Forest Practice Committee and point of forward that he is questioning is that, as a committee they have not voted to bring this issue to the full Board for noticing. He states that this is a unilateral attempt by one committee member to do that.

Stan Dixon states, he instructed the Executive Officer to put this on the Board's agenda, based on comments he heard in their committee meetings and by other Board members that the full Board have some discussion in the process seemingly taking longer than necessary. That's not one Board member that's the Chairman of the Board who has the option to make those kinds of decisions. Whether the Board votes to send the package out for 45 day notice, is the subject of the Boards discussion.. They have the right to do that whether it gets voted for or down.

Lloyd Bradshaw thanks Stan for the point of clarification, he understands that as Chairman of the Board he is exercising unilateral control.

Stan brings it back to David to make the motion then states they will then take it back to member Walz and any other member wanting to make a comment.

David Nawi felt compelled to respond that he didn't know how many times he mentioned that the motion did not represent the recommendation of the committee.

David Nawi moves to authorize and direct staff to prepare a 45 day notice package including the April 2, 2009 draft with appropriate editorial modifications and clarifications, staff would include to make it appropriate, editorially and regulatory correct. That they include the original statement of reasons and also the one page distributed by Chris Zimny called addendum to T1 proposal, the

changes were the result of discussion, during, before and after our committee be included in the package.

Stan Dixon asks if there's a second. Lloyd Bradshaw seconds the motion

Stan Dixon asks Tom if he would like to complete voicing his concerns.

Tom Walz continues with page 4 of 103 and asks for a clarification of the statement line 3 and 4, page 5 of 103, line 8; page 6 of 103, line 11; page 7 of 103, line 8 and line 7 above that. Page 8 of 103, line 22; the definition of saturated soil conditions; page 9 of 103, line 1, and line 16; page 17 of 103 line 2 and line 12; page 18 of 103, lines don't line up, line 5, and line 7.

Stan Dixon asks if the changes being brought out are administrative and if they can be given to staff for editing. Stan states he would rather spend his time on changes to the rule package.

David Nawi asks that the editorial suggestions be given to Chris Zimny and Dennis so that they can incorporate them in the rule package to the extent that they fit into the regulatory mold to provide clarity.

Tom Walz commented whether the rule package is appropriate to go out for 45 day notice. He stated he was disappointed that it came out of committee with options still there, thinking the committee would clean them up, but at the same time he's glad that the options are there so they can be looked at by the full Board. He states the options give a demonstration of the range of possibilities. He states he has concerns that the Board is avoiding their responsibility under their own policy about providing a complete package that is ready to go out for notice. He states his concern is that extending the TNI is going to be something that he proposes to do. He is concerned that the two 45 day notices will lead to a third 45 day notice with a strong likelihood that it could run into the potential for having the TNI rules expire.

Lloyd Bradshaw adds that it his understanding that Tom will submit changes to the package that he would like to see before he votes.

Pam Giacomini, read letter from TAC, One of the public commentors mentioned a forward workshop, she questions if the Board is going to be going through the 33 options and making choices and if the Board does or does not issue a 45 day notice, will the Board fully understands the implications of the some of the options. She states that if the Board is expected to make a the best possible decision on the rule package that they need to be educated regarding the options to make that decision.

George Gentry replys that there are ways to accomplish that, by having workshops, receiving public comment on the package so an evaluation can be made on the comments that are being made on the issues.

Doug Piirto expresses concern that TAC believes the rule package is not ready for notice in it's present form. He states there are too many options and it's confusing. He expresses the committee get the rule package to a final point to be ready for 45 day notice. Doug has concerns regarding the site specific alternatives.

David Nawi acknowledges that the package is not perfect, not a package that the Board would want to put out.

Pam Giacomini, asks if a full Board workshop is held to get input from scientists and public so a decision can be made on what options to include in the package, with the intent of noticing a 45 day rule package at that time?

Teri states that as far as process is concerned she states it can be done.

Stan Dixon states if the package goes out today the Board has the benefit of the public comment come in not only on basic rule package but on the options as well.

Lloyd Bradshaw states that by not noticing today, the Board will present a cleaner rule package for 45 day notice.

David Nawi adds with a rule package of this complexity it's likely that it will need two 45 day notices and if it is delayed, the issues will not be resolved to get them into effect by the end of the year.

05-04-08 Stan Dixon asks for a roll call vote. David Nawi motions, Bruce Saito seconds the motion and the motion carried.

David Nawi: Aye
Pam Giacomini: Aye
Jim Ostrowski: Not present
Bruce Saito: Aye
Gary Nakamura: Not present
Lloyd Bradshaw: No
Doug Piirto: No
Tom Walz: Abstained
Stan Dixon: Aye

05-04-08 Lloyd Bradshaw moves that the Board direct staff to prepare a 45 day notice to be heard, to **agendize next months meeting and potential 45 day notice to extend the current TNI rules for the sunset date to be December 31, 2010 instead of December 31, 2009. **Lloyd Bradshaw** seconds the motion and the motion carried unanimously.**

Report of Forest Practice, Policy, Management, and Resource Protection Committees

David Nawi moves to approve draft regulation and proposed initial statement regarding a request to Cal Fire to consider a regulation to amend 1416r 938.b. Cal Fire staff and CFA have come to an agreement on proposed regulation and amendment to 938a, applicable to the north district only and would sunset at the end of December, 2012. The board recommends putting out an initial statement of reasons for a 45-day notice with a caveat that department staff be authorized to make editorial changes for clarity purposes to proposed regulation or formal reasons and or proposed statement of reasons.

Tom Walz states a concern regarding the first sentence on page 2, lines under item 1b, regarding a 2 hour requirement of inspection without any reference to the amount of time the hot saw is in operation or the size of the area to be inspected. Tom suggests a change in language.

David Nawi responded that this concern had been discussed in a prior meeting; he states that it was a consensus between Cal Fire and Eric Carlson on the language.

Chris Zimny states the language was intended for a piece of equipment that operates often several acres a day and the need for people on the ground for at least two hours to get a sense of the potential smoldering that would occur in that time period was the consensus between Cal Fire, Eric Carlson and Deputy Chief Wilson.

David Nawi suggests that the Board approve the package with direction to go back to Cal Fire staff to see if they can agree with Mr. Carlson and his constituents to a potential amendment or alternatively send out the proposal as is and we have that ??? when the matter comes to the Board for hearing. David would like to see Cal Fire staff come to an agreement that would address Tom Walz's concerns and get an agreement from ACL on this issue and send out the package with the amendment.

Stan Dickson asks David Nawi if he would like to re word his motion. David Nawi responds yes.

David moves that the Board approve the draft regulation and the proposed initial statement of reasons for issuance subject to the following:

1. The department would be authorized to make any editorial changes to proposed regulation or initial statement for editorial and clarity purposes, provided, before issuing the notices that they be clear with representatives of the industry particularly Eric Carlson.
2. Before issuance, Cal Fire be requested to seek to address the concern raised by member Tom Walz regarding the first sentence on page 2, lines 1-3, the two hour requirement without any reference to the time the hot saw was in operation and see if they can come to an consensus with ACL on revised language and if a consensus cannot be made that it still be issued.

Tom Walz asked, procedurally, how the Board, can be asked to vote on language that's not in front of them? He states that a description of the process was given with the suggestion that the language be changed, however it is still being put out for a 45 day notice as is. He states, it seems the two options are, to put the language out as is for 45 day notice to allow for public comment and possibly end up with reissuance of another 45 day notice with major changes or a 15 day notice with minor changes. The other is to keep in committee and work the issues out at the committee level and present a clean package to the Board for consideration.

George Gentry suggests the issues regarding the language can be resolved and still meet the deadline.

After discussion, David Nawi withdrew the motion.

Policy Committee

Item # 3

04-04-08 Lloyd Bradshaw motions to recommend approval of the charter, David Nawi seconds the motion and the motion carried unanimously.

Item # 4

Lloyd Bradshaw motions to have George Gentry support AB 1066 on behalf of the Board.

George Gentry stated that David Nawi asked that the Board look at AB 1066 and to make sure that it addressed the potential for changed circumstances with in the life of the timber harvest plan. George learned that there are several other proposals that may be come to bare as the process goes on.

Doug Piirto states the word “monitors” is too neutral, he adds the Board does support the idea of lengthening of the THP process.

David Nawi supports Doug regarding lengthening the THP process and states that he would be reluctant to support a piece of legislation that doesn't address those issues. He suggests that George work with affected interests and legislative offices to voice support of the concept but caveat that support with the need to address possible **environmental changes ?? extended life of the THP.**

Comments

I didn't catch the name or company/agency, states he wanted to make people aware of the facts and concerns and offered a simple fill, change the 3 to a 10 in the statute. It's sponsored by the Forestry Association he notes that he hasn't seen the department suggest this, and they don't have an official position and won't until very late in the legislative season. It is his understanding there are **subsidive** concerns with how this makes new plans longer. He states there are operational advantages to the land owner but it does not improve analytical challenges to having THP's out there across the landscape. It creates an administrative challenge for the department, if you have a 10 year THP plus an extension plus a 5 year stocking requirement, a plan that's submitted in January will have to be kept track of until 2027.

Bill Kaye, California Licensed Foresters, states that they are in support of the bill. He doesn't think that it's necessary for the Board to send a letter that they support the bill as written. On the other hand a representative like George could say that the Board is very interested and recognizes that there is need for reform and try to reform to improve state policy to support sustainable forest products industry, and later the Board can come to a more solid position on the bill.

David Nawi states that he hopes the department would provide George, Policy Committee and the Board with their views on possible implications on extending the THP period.

???? states there was a discussion with the water boards both state and regional and the attempt to try to accommodate their regulation requirements into the Board's rule package to determine if there's going to be duplicate process. The regional board is reviewing their traditional waivers and discharge requirements; the north coast is on a timeline to get it done very soon. states It was suggested that an invitation be extended to the State Water Board and appropriate regional boards to come to the full Board to talk about where they're headed with this process. See what common ground they have and possibly streamline the process.

Doug Piirto has an action item regarding stimulus funding and asks Eric Huff to give an overview.

Eric Huff states the Board was given a copy of the Draft Initial Statement of Reasons and Rule Pleading for the forest improvement urban forestry and chaparral management regulatory updates for 2009. The rule proposal was hastily put together because they heard from Assistant Deputy Director Russ Henley about the potential for stimulus money from the American Recovery Investment Act becoming available for funding of CFIP the urban forestry and fuel treatment on chaparral management program. It should be noted that statutory changes have to occur in addition to the regulatory changes that are being proposed. He states adding some language for allowing for non cost share funds to be taken advantage of. Eric states that it is hoped that a 45 day notice can go out regarding the Draft Initial Statement of Reasons and Rule Pleading for the forest improvement urban forestry and chaparral management

06-04-08 Doug Piirto motions the Board publish a 45 day notice with reference to the plead, Pam Giacomini seconds the motions and the motion carried unanimously.

Doug Piirto proposes that a proclamation be developed in support of the two gentleman

Forest Practice Committee

? Carlson, Associated California Loggers, states that they are in support of the language that was brought before the committee and the Board regarding Cal Fire, fire prevention precautions proposal. He states they are in negotiations with Cal Fire.

REPORT OF THE REGULATIONS COORDINATOR

No Report

REPORT OF THE EXECUTIVE OFFICER

No Report

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.

Bill Kaye, California Licensed Foresters states that a group from CLFA had the opportunity to make a presentation to the State Water Resources Control Board, the challenge they would like to take up with the Board is to meet with them about the global issue of does the state want to have forest products industry and how the various state agencies can work together. He suggests this may be a good time for the two boards to get together and talk about common interests. The higher level we can elevate this discussion to the better.

NEW AND UNFINISHED BUSINESS

ADJOURNMENT

Respectfully submitted,

ATTEST:

George D. Gentry
Executive Officer

Stan Dixon
Chairman

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