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BOARD OF FORESTRY AND FIRE PROTECTION

Sacramento, CA
April 10, 2013

BOARD OF FORESTRY MEMBERS PRESENT:

J. Keith Gillless, Chairman
Stan Dixon
Bruce Saito
Mark Andre
Susan Britting
Mike Miles
Richard Wade
Stu Farber
Mary Rickert

BOARD OF FORESTRY MEMBERS ABSENT:

BOARD STAFF:

George Gentry, Executive Officer
Matthew Dias, Executive Officer, Forester's Licensing
Eric Huff, Regulations
Linda Cano, Executive Assistant
Coordinator

DEPARTMENTAL STAFF:

Ken Pimlott, Director
Janet Barentson, Chief Deputy Director
Bill Snyder, Deputy Director, Resource Management
Duane Shintaku, Asst. Deputy Director, Forest Practice
Russ Henly, Asst. Deputy Director, Resource Protection
Phyllis Banducci, Chief, Fire Planning
Pete Cafferata, Forest Hydrologist
Shane Cunningham, Forest Practice LE, Monitoring and Audit
Coordinator
Dennis Mathisen, Communication Officer

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.

Call to Order

Chairman Dixon called the April 10, 2013 meeting of the Board of Forestry and Fire Protection to order.

Announcement of Actions Taken in Executive Session

No Executive Session

Approval of Minutes

04-13-01 **Member Saito moved to approve February Board minutes. Member Andre seconded the motion. The motion passed unanimously.**

04-13-02 **Member Saito moved to approve March Board minutes. Member Britting seconded the motion with certain edit. The motion passed unanimously.**

MONTHLY BOARD REPORTS

Report of the Chairman

No Report

Report of the Director/Department. Janet Barentson - **Full Report available on the Board's website.**

- Welcomed Mary Rickert and Stu Farber to the Board on behalf of the Director. She also congratulated Bruce Saito on his reappointment and Member Gilles to his appointment to Chair of the Board.
- Director Pimlott attended the Firescope meeting in Southern California.
- SRA Stats: 74 million has been collected of the estimated 84 million in SRA fees. The new billing for the current fiscal year has been delayed until the analysis of the appeals received has been completed. The department has received 88,000 appeals out of 750,000 structure owners. Approximately 71 percent of the appeals were on the basis that Cal Fire doesn't have the ability to impose the fee, appealed fee versus tax issue. There are several hundred appeals outstanding and are in the process of being reviewed and adjudicated. There are a number of bills that going through the legislature, Assemblyman Chesbro introduced a bill that offers a repeal of the SRA fee in favor of a new statewide fee based on an insurance policy surcharge in the state. The fee would benefit all emergency responders from Cal Fire, The Office of Emergency Services and the military department.
- Wildfire Awareness Week begins May 6. The kickoff event will be held at McClellan. Cal Fire is planning an aggressive statewide event to get the message out to public and media that this will be a significant fire year due to dry weather and fuel conditions. There are several events planned throughout the state, Sonoma-Lake-Napa Unit, May 7, joint event with the Oregon Forestry Department in the Northern area, May 7, Redding, May 7, Millerton May 8, San Diego May 9 and San Bernardino May 10.
- Wildfires year to date are 13,000 acres, 300 acres more than last year at the same time. Cal Fire has begun staffing early in San Bernardino, Riverside and San Diego, due to dry and windy weather conditions. The Sierra areas are phasing in staff two weeks earlier than normal. San Benito-Monterey will begin staffing April 29, Tuolumne-Calaveras, May 13, Madera-Mariposa-Merced, May 6, Fresno-Kings, May 13, and Tulare on April 29.
- Camp crew preparedness exercises, April 22 through the second week of May.
- Cal Fire held its first Supervision 5 course. The course was designed to prepare and provide future Cal Fire leaders with the tools necessary to succeed. The course will be offered annually concurrently with the budget process. The department received support from the Natural Resources Agency, committee staffers and the Department of Finance to help participants develop their skills in the various budget and control agency processes.
- DPA changes, Cal Fire will be re-assuming SRA responsibility of 80,000 acres from USFS, in the Lake Tahoe, Lake Arrowhead and Idyllwild areas. The department is redirecting existing resources to cover the areas and will go through a budget request for additional resources in the future.

- SRA billing has been suspended until the appeal process is complete. The department has received 88,000 appeals, 13,000 appeals have been granted. The departments focus will be the review of SRA boundaries for redetermination.

Report of the Regulations Coordinator-Eric Huff

- §1299 AB 1595
Defensible Space Partial Approval, Effective April 1, 2013
- SRA Fire Prevention
Fees Emergency Emergency Expires
01/23/13 Cert of compliances filed 01/22/13
- SRA Fire Prevention
Fees-Permanent Regulation Approved by OAL
- Class II-L Identification
Methods Amendments, 2012 Remanded to Forest Practice Committee
- AB 1491-Lumber Products
Assessment, Emergency Final Readoption Approved-Certificate
of Compliance due June 24, 2013
- AB 1492- Lumber Products
Assessment Permanent Regulation Under Board Review
- NSO Protection Measures, 2013 45-day Notice of Rule Making, pending
- NSO Activity Center Definition, 2013 45-day Notice of Rule Making, pending
- MTHP Amendments, 2013 45-day Notice of Rule Making, pending
- CRM Program Guidelines, 2013 Under PFEC review

Report of Executive Officer.

Introduced Edith Hannigan, Associate Governmental Program Analyst as the Board of Forestry's new staff member. She will be overseeing and assisting with AB 1241.

The executive officer shared that George Morris III had extended an invitation to the Board to tour Cal Fire's training facility in Lone. He suggested to Board members that they make it one of their field tours for 2013. He also suggested a tour of Cal Fire's nursery, Lake Arrowhead and La Tour forest.

Forest Practice, Mark Andre, Chair No action items

The committee held a Road Rules workshop on Monday April, 8, good progress was made. The committee is planning a field trip in June. Discussed having an additional Road Rules workshop May 6. NSO 45 day notice 919g for hearing in July.

Reviewed and consideration of draft Class II-L Forest Practice Rule amendments.

Presentation of options to address Hills Emergency Forum requests regarding native species restoration and hazardous fuels reduction activities.

Resource Protection, Bruce Saito

Welcomed Mary Rickert to the Board.

Reviewed permanent regulations for SRA Fees

Reviewed VTP EIR. George Gentry and Doug Wickizer

- 04-13-03 Member Saito moved to approve changes to Title 14 CCR 1299 and to put out for 45 day notice. Member Britting seconded the motion. The motion passed unanimously.**

Management Committee

There was an update on Stewardship Lands for Acquisition by the Department.

Reviewed the Effectiveness Monitoring Committee Charter.

Discussed effectiveness monitoring, stewardship lands that are under review by the Stewardship Council and state forests review. LaTour and Soquel are pending, La Tour has begun the process of updating the management plan.

- 04-13-04 Member Farber moved to authorize staff to move forward to create an initial study of the Management Plan for LaTour. Member Saito seconded the motion. The motion passed unanimously.**

Report of Board's Advisory Committees

- **Forest Pest Council- Bob Rynearson (Full report can be found on the BOF website)**
Mr. Rynearson gave an overview of the Forest Pest Council and gave a PowerPoint presentation.
- **California Oak Mortality Task Force (COMTF) –Katie Palmieri (Full report can be found on the BOF website)**

Monitoring Study Group- Pete Cafferata (Full report can be found on the BOF website)

The MSG met on March 20th at the USFS Mendocino National Forest Supervisors Office in Willows. There were 27 people in attendance, plus 12 people on a GoToMeeting webinar/conference line. Very brief summaries of key agenda items are provided below.

- Dr. Cajun James, SPI, provided a PowerPoint (PPT) presentation titled "Post Fire Erosion Study: Ponderosa Fire, Manton, California." Background information was presented on the Battle Creek watershed, including past SPI water quality monitoring work, and on the 2012 Ponderosa Fire.
- Mr. Drew Loganbill, NRCS, provided a PowerPoint (PPT) presentation on his Cal Poly SLO Masters thesis titled "Post-Fire Response of Little Creek Watershed: Evaluation of Change in Sediment Production and Suspended Sediment Transport." The Little Creek watershed is an MSG cooperative instream monitoring project and is located on Swanton Pacific Ranch near Santa Cruz.
- The Draft MSG Effectiveness Monitoring Committee Charter was discussed in the afternoon. The EMC concept was discussed by the MSG from 2008-2009, but put on hold until the completion of the VTAC work. One goal of an EMC is to determine if recently adopted Forest Practice Rules are effective in protecting beneficial uses such as salmonid habitat, or if further modification is required.
- Brief updates on CAL FIRE's FORPRIEM monitoring work and the VTAC's pilot projects were also provided. The next MSG meeting is tentatively planned for Willits in June.

- **Research and Science Committee- George Gentry**
No Report
- **Range Management Advisory Committee- George Gentry**
No Report
- **Professional Foresters Examining Committee – Matt Dias**
Gave an overview of the PFEC program
No significant changes to the demographics for RPF and CRM
Currently there are 1,230 valid RPF's and 76 active CRM's
Next PFEC meeting will be held in June
Finalizing updates to the CRM program guidelines. PFEC will be reviewing them and anticipates bringing a proposal before the Board in July.
An RPF exam was proctored on April, 19. There are 23 who will be taking the exam.

SPECIAL BOARD HEARINGS/REPORTS

REVIEW OF THE “CAL MAPPER” PROJECT. Suzanne Lang, CAL FIRE GIS Coordinator.
Suzanne gave a PowerPoint presentation.

REVIEW OF THE LUMBER ASSESSMENT REGULATION. George Gentry.

Possible action item: Board may authorize staff to develop permanent regulations for the April Board Meeting.

The Executive Officer gave an overview of the regulation.

Gary Roberts with James Hardie Building Products gave a PowerPoint presentation.

04-13-05 Chairman Gillless moved that Executive Officer Gentry’s determination, the product produced by Hardie does not fit under the assessment guidelines. Member Farber seconded the motion. The motion passed 6-3.

REVIEW: BOARD 2012 REGULATION AND PRIORITIES REVIEW – George Gentry

Possible action item: The Board may adopt its final report to the legislature, and make recommendations regarding future regulation and legislation. These areas can involve:

- Areas where questions exist on interpretation of the regulatory standards, including potential solutions.
- Issues encountered in achieving compliance with the regulatory standard of rules, including potential solutions.
- Suggested regulatory modifications which would either 1) clarify existing rule language to better achieve the intended resource protection, or 2) which would reduce regulatory inefficiencies and maintain the same or better level of protection.

Public Comment

Richard Gienger, commented on AB 1492, efficiencies and cumulative effects.

Discussion

Member Britting suggested crafting a page that includes an executive summary framed around the major issues.

04-13-06 Member Andre moved to authorize finalizing the Regulation and Priorities report for submission to the legislature. Member Britting seconded the motion with amendment. Member Andre accepted Member Britting’s amendment. The motion passed unanimously.

CONCLUSION
Public Forum

Rob DiPerna, commented on a Timber Harvest Plan, Nacho Libre, that was filed jointly by Sierra Pacific and Green Diamond Resource Company in Humboldt County, November, 2012. He shared concerns of a Northern Spotted Owl activity center on Sierra Pacific land.

New and Unfinished business

None

Adjourn

Respectfully submitted,



George D. Gentry
Executive Officer

ATTEST:



J. Keith Gilles
Chairman

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