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BOARD OF FORESTRY AND FIRE PROTECTION

Sacramento, CA
February 6, 2013

BOARD OF FORESTRY MEMBERS PRESENT:

Stan Dixon, Chairman
Bruce Saito
Mark Andre
Susan Britting
Mike Miles
Richard Wade

BOARD OF FORESTRY MEMBERS ABSENT:

J. Keith Gillless

BOARD STAFF:

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

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 February 6, 2013 meeting of the Board of Forestry and Fire Protection to order.

Announcement of Actions Taken in Executive Session

Civil penalties were imposed on the following individuals for failure to respond:

CP-12-07, Grace Sailors,
CP-07-04, James Blanes, and
CP-07-16, Stanley Lee Exum

Approval of Minutes

02-13-01 Member Andre moved to approve January 9, 2013 minutes. Member Britting seconded the motion. The motion passed unanimously.

MONTHLY BOARD REPORTS

Report of the Chairman

No Report

Report of the Director/Department. Ken Pimlott - Full Report available on the Board's website.

- Wildland fire investigation training and equipment fund, there are several sets of litigation going on. The fund was established in 2005 by the non-profit California District Attorney's Association. It was a tool that could be used for civil cost recovery for negligence in wildland fire. There have been a number of questions coming from the media relative to the fund. The department is working directly with the Resources Agency, Department of Finance, the administration and the legislature to review the process. The department is working with Department of Finance on the process and audit of that fund. The Director will keep the Board updated on the process.
- CalFire will be starting the budget process within the next month. The Director will keep the Board updated on the progress of the budget hearings as the department works towards the state's budget for the coming fiscal year.
- The Director thanked Executive Officer George Gentry, Board staff, and Cal Fire staff for working on issues raised by the Hills Emergency Forum regarding fuels treatment in the East Bay Hills. It has been a collaborative effort working on solutions to group B species and how to address significant fuels reduction needed in the East Bay Hills at the same time working through processes to comply with the Forest Practice Act.
- There have been additional occurrences of GSOB in Riverside County. Cal Fire will continue to work with the Board and locals to determine where to go next on the process.
- The department has completed the 2011/12 fiscal year billing. All 2011-12 postcards are complete 651,551 in total. All 2011-12 bills sent – 755,476 in total. Service Center Calls – Over 139,669 calls received since August 3rd (When postcards were first mailed); center calls now at 300 per day. Revenue - \$69.5 million in fees received (as of January 25th) inclusive of refunds. Appeals - 86,234 Petitions for Redetermination (Appeals) of one form or another have been received. Bills for 2012/13 are anticipated to start going out on or about March 15, 2013. Cal Fire will keep the Board updated.

Report of the Regulations Coordinator

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| • §1299 AB 1595 Defensible Space | Under OAL Review |
| • §1270 SRA Fire Safe Development | Approved by OAL |
| • SRA Fire Prevention Fees – Permanent Regulation | Under OAL Review |
| • AB 1492-Lumber Products Assessment Emergency | One readoption no later than March 13 |
| • MTHP Amendments 2013 | Under FPC review |

Report of Executive Officer.

Included in the binder is a new repeal on the SRA fee, it was recently amended by its author Gaines. It is a slight variation, as it exempts households that are less than 200% of the federal poverty level. Mr. Gentry provided the poverty guidelines figures. Mr. Gentry is in the process of setting up field tours. He requested Board members make suggestions to where the tours should be held.

Forest Practice, Mark Andre, Chair

- Continued review of Scoping for the Class II-L Watercourse Regulation.
- Discussion of items for next month's agenda, review of 2013 Priorities.
- Discussed Road Rules, and the possibility of a field trip in the coming months.

02-13-02 Member Andre moved to put out for 45 day notice, amendments to the Modified Timber Harvest Plan rule. Member Britting seconded the motion. The motion passed unanimously.

Resource Protection, Bruce Saito

- Utility Vegetation Management Programs update by George Gentry.
- Reviewed permanent regulations for State Responsibility Area Fees. Discussed issues with the 30 day time period to file a Petition for Redetermination.
- Update on Wildland Prevention Engineering. Mike Wilson, Assistant Chief, Wildland Fire Prevention
- VTP EIR is in public comment stage.
- There will be a Cal Mapper Program update by Sue Lang next month.

02-13-03 Member Saito moved to approve a CFIP-Cost Share Cap rate increase in two categories: Management Plan preparation and RPF supervision. Member Wade seconded the motion. The motion passed unanimously.

Report of Board's Advisory Committees

- Forest Pest Council-

- California Oak Mortality Task Force (COMTF) –Katie Palmieri

- Three new positive waterways were identified in Georgia, Texas, and Washington in 2012 as a result of the National *P. ramorum* Early Detection Survey of Forests, bringing the total number of known positive sites outside of the established disease range in CA and OR to 15. Seventeen states participated in the program, for a total of 114 stream baiting locations in all. Of the 12 previously positive sites in AL, FL, GA, MS, NC, and WA, 11 were surveyed in 2012 and continue to be positive, reinforcing the trend of annual repeat detections once a site is initially confirmed.
- California Nursery-Related Summary, 2012 – California had seven *P. ramorum* positive nurseries in 2012, of which four were previously positive. Five confirmations came from production facilities and two were retail. Two of the nurseries were in the quarantine area and five were in the regulated area.
- Sudden Oak Death in Curry County, Oregon, 2012 Review - Sudden Oak Death continued to intensify and spread in Curry county forests during 2012. As expected, this was most noticeable on the northern disease front and near areas where eradication treatments were suspended several times since 2009 because of lack of funds. Several new infestations were also found at considerable distance from other known infestations and in unexpected places, such as the Wheeler Creek and East Fork Winchuck River.

- **Monitoring Study Group- Pete Cafferata (Full report can be found on the BOF website)**
 1. Pete Cafferata and George Gentry gave a PPT presentation at the CFA annual meeting held on January 30th on lessons learned from 20 years of MSG monitoring, and planned next steps with the formation of the Effectiveness Monitoring Committee.
 2. The Effectiveness Monitoring Committee draft Charter has been produced, and will be sent to RSC Chair Rick Standiford the week of February 4th. The RSC will then provide comments on the Charter. After incorporation of their comments, the document will be vetted at an MSG meeting, hopefully on March 20th. We hope to begin Board appointments in April, with the first meeting in May.
 3. The next MSG meeting is tentatively scheduled for March 20th, location TBD. Tentative speakers include Cajun James, SPI, talking about post wildfire water quality and hillslope erosion data collected in the Battle Creek watershed, and Drew Loganbill, NRCS, speaking about post wildfire water quality data collected in the Little Creek watershed on Swanton Pacific Ranch, following the 2009 Lockheed Fire as part of his MS work at Cal Poly SLO. We will also have updates on formation of the EMC (and Charter), VTAC pilot projects, and FORPRIEM.
- **Research and Science Committee- George Gentry**
- Planning is underway for a meeting within the next few months.
- **Committee on Criminal Trespass- George Gentry**
- In the process of setting a symposium date. The tentative time frame will be sometime in May.
- **Range Management Advisory Committee- George Gentry**
- Committee met in January. Looking at meeting in the near future to discuss and get recommendations from the committee on the VTP EIR prior to close of public comment.
- **Professional Foresters Examining Committee – Matt Dias**
 - No changes in the RPF or CRM demographics
 - 1,230 valid RPF's and 76 valid CRM's
 - Received a draft RPF exam, the Licensing Officer is currently reviewing it. It will be presented to PFEC on February 14. The Licensing Office has received a fair amount of applications for the exam. The exam date to submit applications closed on February 11.
 - There are a number of RPF's who are in an Invalid status. The Licensing office is attempting to contact them to make them aware of the status of their license and give them an opportunity to renew if they decide to.

SPECIAL BOARD HEARINGS/REPORTS

REVIEW OF THE JACKSON ADVISORY GROUP PROPOSED CHARTER.

02-13-04 Member Saito moved to approve the Jackson Demonstration State Forest Charter with certain edits to language referring to “changing climate”. Member Britting seconded the motion. The motion passed unanimously.

REVIEW OF THE LUMBER ASSESSMENT GUIDANCE DOCUMENT.

Mr. Gentry reviewed the outreach efforts with the Board of Equalization and Industry representatives over the last two months. He noted that most issues have been resolved, but potentially complicated product definition will need to be considered in the near future.

02-13-05 Executive Officer Gentry requested extension of the current Emergency Lumber Assessment Rule allowing more time to draft a permanent rule. Member Britting so moved. Member Saito seconded the motion. The motion passed unanimously.

REVIEW: BOARD 2012 REGULATION AND PRIORITIES REVIEW

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

The Executive Officer will include an appendix to the Priorities Report in March. The Annual Report needs more input and fine tuning from Board members. The Executive Officer is drafting a document that includes the major issues that are before the Board. The Executive summary includes, Lumber Assessment, SRA Prevention Fee, Road Rules, Small Landowner regulatory improvement, Stewardship lands and State Forests, PRC 4290 and Safety Element review, Vegetation Treatment Program, Research and Science Committee Effectiveness Monitoring, Cumulative Effects, and Committee on Criminal Trespass. He looks forward to the Board Members thoughts, edits and recommendations and what recommendations you may want to make to the legislature.

Comment

Richard Gienger commented that he feels the Board should expand its commitment to reforming cumulative impacts process and to encourage the legislature to help in those efforts.

BOARD POLICY AMENDMENT: Review and Possible Adoption of Forest Practice Committee Revisions to Board Policy Number 0334 – “Maintenance of Timber Supply,” and Related Draft Correspondence to Local Governments.

Eric Huff reviewed the changes. Most related to updated information contained in the policy. One substantive edit was to recognize the use of conservation easements.

02-13-06 Member Andre moved to approve revisions Board Policy Number 0334 “Maintenance of Timber Supply.” Member Britting seconded the motion. The motion passed unanimously.

CONCLUSION

Public Forum

Bill Keye

- Commented that as legislature has come on board in favor of the industry he shared that he would like to see the Forest Service step up as well.
- Chantz Joyce has been appointed by CLFA to Sierra Nevada Forest Community Initiative dealing with public lands issues.
- Annual Meeting is March 8-9, 2013 Lion’s Gate Hotel, McClellan (Sacramento)
<http://www.clfa.org/annual-conference/>
- Commented on a North Coast Regional Quality Control Board meeting on the NTMP Waiver. He felt encouraged that landowner stakeholders were in attendance.
- Blodgett tours will continue in 2013, they’ve produced a report of the activities and will send copies to the Board.
- Mario DiBernardo with Assemblyman Chesbro’s office is working on the NTMP effort

Rob Diperna presented a rule making petition requesting the deletion of 14 CCR § 919.9g, 939.9g.

Patti Seebode commented and expressed would like particular sub divisions in El Dorado Hills to be redesignated from SRA to LRA. She submitted a map of the areas in question.

Wes Justin commented that his sub division did not fall under the SRA guidelines and should be removed from SRA.

New and Unfinished business

None

Adjourn

Respectfully submitted,



George D. Gentry
Executive Officer

ATTEST:



Stan Dixon
Chairman

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