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BOARD OF FORESTRY AND FIRE PROTECTION

Sacramento, CA
June 17, 2015

BOARD OF FORESTRY MEMBERS PRESENT:

J. Keith Gilles, Chair
Bruce Saito
Rich Wade
Mike Miles
Stuart Farber
Mary Rickert
Susan Husari
Mark Andre

BOARD OF FORESTRY MEMBERS ABSENT:

BOARD STAFF:

George Gentry, Executive Officer
Matthew Dias, Executive Officer, Forester's Licensing
Thembi Borrás, Regulations Coordinator
Laura Alarcon-Stalians, Analyst
Edith Hannigan, Analyst
Linda Cano, Executive Assistant
Stephen Lerner, Esq., Board Counsel

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.

REGULAR SESSION

Reconvene

Report of Actions Taken in Executive Session

Board Counsel gave report of actions. Board discussed Employee Evaluations, and was updated on the following:

- a. Brown, et al. v. State of California, San Diego County Superior Court (Small Claims Division), Case No. 37-2014-00310580
- b. Christ v. California Dept. of Forestry and Fire Protection, et al., Court of Appeals (3rd District), Case No. C076957
- c. Rancho Guejito Corp. v. Board of Forestry and Fire Protection, San Diego County Superior Court, Case No. 27-2014-00027683
- d. White v. Pimlott, et al., Court of Appeals (3rd District), Case No. A141475
- e. White v. Walters, et al., Court of Appeals (3rd District), Case No. A142886

Approval of Minutes from Previous Meetings.

06-15-01 Member Saito moved to approve meeting minutes for April and May, with edits recommended by Mr. Lerner. Member Rickert seconded the motion.

Motion passed unanimously by acclamation.

MONTHLY BOARD REPORTS

Report of the Chairman.

Announced George Gentry taking a position with California Forestry Association as of July 11. Matt Dias will be Acting Executive Officer for the Board of Forestry.

Report of the Director/Department. Ken Pimlott.

- Staffing: Thom Porter is the new Southern Region Chief
- Fire Activity 2,200 YTD compared to 1461 on average.
- The Department has reached peak staffing across the state and had responded to 235 wildland fires in the prior week, across the state.
- Budget: Department provided with additional augmentation for hiring and training at the Cal Fire Academy and Units to process hiring, drought augmentation beginning July 1, to keep the Department staffed through the calendar year. Additional monies for Timber Regulation and Forest Restoration Program
- Budget also provides funding to replace tanker 81 out of Hollister that was tragically lost at a fire outside Yosemite National Park.
- Augmenting with two additional large airtankers.
- The Department is excited to announce its partnership with California Conservation Corp. A model program, started in Ventura, staffs fire crews in Camarillo. Beginning in 2016, the Department and CCC are funded to staff the Butte Fire Center

- Working on Public Education across the state, the Department received \$1.2 million in funding towards public service announcements related to the treatment of dead and dying trees, and a variety of items on fire safety and fire prevention.
- The Department received funding to aid in processing 250-300 tons of illegal fireworks that have been confiscated for removal and disposal.
- There has been discussion of the future of the State Responsibility Area Emergency Fund grant program, currently there is \$5 million funded for the program.
- Cap and Trade--There has been discussion regarding process and where funding should lie as it relates to the forest sector. Greenhouse gas was removed from the main budget and is being discussed separately. The Department is moving forward with the \$42 million that was allocated across seven forestry programs, in particular Urban Forestry and conservation easements. The proposals are with the Air Resources Board to look at the proposed projects.
- FCAT continues to move forward with developing a Carbon Forest Plan. The goal is to have it completed by 2016. Updates can be found on the Cal Fire website, <http://www.fire.ca.gov/fcat/>
- Cooperative Fire Protection is in the process of submitting a proposal to the City of Coalinga to provide fire protection and emergency services.
- The Department is collaborating and has met several times with Public Utilities Commission to discuss fire prevention and protection methods to prevent fire starts.
- On June 5, the Cal Fire Academy graduated 20 Law Enforcement officers will begin their Field Training Program in various areas across the state.

Report on State Responsibility Area Fee Expenditures – Dave Shew. Report covered expenditures under the fee. Report available on Board’s website.

Report of the Regulations Coordinator - Thembi Borrás
Gave a status update on current and pending regulations.

Report of Executive Officer – No report

Report of the Standing Committees.

Forest Practice, Mike Miles, Chair

FPC proposed Emergency Rulemaking to address Drought-related Dead and Dying Trees.

Glenn Barley gave an update of the tree mortality as it relates to the drought.

Thembi Borrás gave an overview of the Notice of Proposed Emergency Action: “Drought Mortality Amendments, 2015”

Public Comment

Bill Condon, Department of Fish and Wildlife brought to the Board’s attention 1038a, which calls for Cal Fire to monitor and report on the statewide use of the exemption.

Rob DiPerna, EPIC, shared his concerns, doesn’t feel the need to move forward with the Emergency Action. Moving forward with the rule has the potential to have a significant adverse effect on the environment that won’t be analyzed in an emergency setting.

Larry Camp, Forest Landowners of California, supported the proposed action.
Gary Rynearson, California Forestry Association, supports the proposed action. The Board may wish to consider the timing of the second emergency; it would not make sense to renew it immediately in November/December as it would expire before the operating season begins.

06-15-02 **Member Miles moved to adopt the findings pursuant to the Proposed Emergency Action for the regulation entitled, “Drought Mortality Amendments, 2015” and to adopt, as an Emergency Regulation, “Drought Mortality Amendments, 2015”. Member Wade seconded the motion.**

Roll Call Vote:

Husari	Aye
Miles	Aye
Farber	Aye
Rickert	Aye
Saito	Aye
Andre	Aye
Wade	Aye
Gilless	Aye

The motion passed unanimously, one seat vacant.

FPC also discussed:

1. Discussion of Technical Rule Addendum #2, Cumulative Impacts Assessment.
2. New and Unfinished Business, 2015 Priorities.
 - a. Stocking Issue Discussion related to AB 2082
 - b. Oak Woodlands Restoration

Resource Protection, Bruce Saito, Chair

RPC discussed:

1. Discussion on “Active Notice” relating to harvest activities near utility lines.
2. Safety Element Assessment
 - a. Calaveras County
 - b. City of Orange
3. Update on Board’s Grant Program, review of potential grant regulations.
4. Board Letter to Counties Advising on Changes to PRC 4290. Moved letter forward to full board for approval
5. Range Management Advisory Committee.
 - a. Prescribed Herbivory Paper.
 - b. Proposed comment on State Wildlife Action Plan
6. New and Unfinished Business, 2015 Priorities.
 - a. Monitoring requirements for the Forest Fire Prevention Pilot Project Exemption
 - b. Vegetation Treatment Plan Update

Management Committee, Stuart Farber, Chair

MC discussed:

Issues Related to Timberland Conversion.

- a. Rasmussen Conversion, Rule Proposal
 - b. Boles Fire, Emergency Procedures
 - c. Definitions “Available For”, “Capable Of”, “Crop of Trees”, “Conversion”
2. Discussion of PTEIR for Carbon Sequestration and Fuel Reduction Program.
 3. Discussion of Small Landowner THP approach.
 4. New and Unfinished Business, Priorities 2015.

Report of Board’s Advisory Committees

- Forest Pest Council- Katie Harrell
 - Forest Pest Conditions Report presentation
- Monitoring Study Group- Pete Cafferata
- Effectiveness Monitoring Committee- Stuart Farber
- Range Management Advisory Committee- Kevin Conway
- Professional Foresters Examining Committee –Matt Dias.

SPECIAL BOARD HEARINGS/REPORT

Presentation by the Fire and Resource Assessment Program. Dr. Chris Keithley, Program Manager. Pursuant to PRC 4789.3, the Department is required to prepare and submit a forest and rangeland resource assessment. Based on a review of the assessment, and consistent with Sections 740 and 4513, the board prepares a forest resource policy statement. [Assessment Home Page](#)
<http://frap.fire.ca.gov/assessment/index.php>

Public Comment

Gary Ryneanson CFA, commented on discrepancies in the numbers reported on a previous presentation regarding carbon, with a similar summary, 2010 FIA data. Suggested FRAP compare and harmonize the numbers.

Dr. Chris Keithley, responded to look at the newer analysis to compare numbers. The new analysis having a larger timeframe it improves the statistical certainty of estimates.

Hearing: Working Forest Management Plan. Assembly Bill 904 created the Working Forest Management Plan (WFMP) program. The WFMP is a long-term forest management plan available to nonindustrial landowners (with less than 15,000 acres of timberland) if they commit to uneven aged management and sustained yield.

Agency Comment

Bill Solinsky, Forester III went over comment letter submitted by Cal Fire. Comment letter can be found on the Board of Forestry website under Proposed Rule Packages.
http://www.bof.fire.ca.gov/regulations/proposed_rule_packages/

Bill Short, Cal Fire Geological Survey, commented on concerns the draft not incorporating the new 2015 Road Rule language.

David Fowler, NCRWQCB gave overview of comment letter submitted by NCRWQCB comment letter #11

Bill Condon Department of Fish and Wildlife, sec 1094.23 c9 subsection (c)(9) Substantial deviation, omit the word logging.

Public Comment

Matt Greene, CLFA stated that this has been a four year process. The regulation has become so intricate that some interested landowners will no longer participate.

Ed Struffenecker, CFA stated support for the draft regulatory proposal with inclusion of Option 2.

Rob DiPerna, EPIC stated the rule package is not ready for adoption and that CEQA and APA are not adequately addressed. The potential environmental impacts that could occur on the identified 81 landowners properties need to be adequately assessed.

Mike Taddlock, Campbell Global state support for draft regulatory proposal.

Richard Gienger stated that he supports the concept of the WFMP, but wants the draft regulations to address how 916.4 will be implemented. Suggested higher stocking standards for the WFMP for perpetuity agreement.

Clayton Code, CLFA stated support for draft regulatory package with the inclusion of Option 2 language.

Larry Camp, FLC stated that issues such as the 5-year review, timber inventory, late successional forests were negotiated with participation of all stakeholders during the development of AB904. Expressed support for the draft regulatory proposal with Option 2 language.

06-15-03 **Member Farber moved to adopt the Working Forest Management rule text as noticed in the 45-Day Notice with the inclusion of option 2 language and exclusion of option 1 language. Member Rickert seconded the motion.**

Member Andre made a friendly amendment, which was accepted by Member Farber, to approve the Working Forest Management Plan with option 1 language. There was no second to member Andre's motion, consequently it expired.

Return to original motion:

Roll Call Vote:

Husari	Aye
Miles	Aye
Farber	Aye
Rickert	Aye
Saito	Aye
Andre	Aye
Wade	Aye
Gilless	Aye

The motion passed unanimously.

CONCLUSION

Public Forum

Richard Gienger, 18th Annual Coho Confab, titled The Coho Field guide to Coho Salmon Recovery, August 21 - 23, 2015 at the Westminster Woods Camp.

Timber regulation and recovery program funding, hopes the multi-stake holders/review teams will include landowner, Forester, LTO, environmental, watershed restoration group representation so there is a spectrum to look at a planning watershed.

Bill Solinsky, Forester III, acknowledged Mr Gentry's leaving to Board to take position with CFA. Gave a brief history of how they came to know each other and their work history and wished him well.

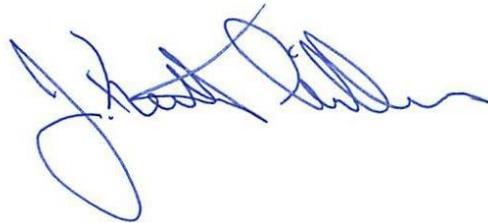
New and Unfinished business. Adjournment.

Respectfully submitted,

ATTEST:



Matthew Dias
Acting Executive Officer



Keith Gilles
Chair

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