

**BOARD OF FORESTRY AND FIRE PROTECTION**

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**MANAGEMENT COMMITTEE MEETING REPORT**

*-Meeting Held December 8, 2009-*

**MEETING ATTENDANCE**

Committee Members Tom Walz, Pam Giacomini and Doug Piirto (Chair); Gary Nakamura, Stan Dixon (Board of Forestry & Fire Protection) Bill Snyder, Crawford Tuttle, Allen Robertson, Chris Browder, Russ Henly, Helge Eng, Dennis Hall, Jeff Leddy, Chris Rowney (Department of Forestry & Fire Protection); Dr. John Helms (Chair-Jackson Advisory Group); Doug Ferrier (Forest Slopes Management); Bob Rynearson, Scott Carnegie (Wm. Beaty & Associates); Justin Augustine (Center for Biological Diversity); Bill Keye (California Licensed Foresters Association); Rhianna Lee, Lorna Dobrovolny (Department of Fish & Game); Dave Fowler (North Coast Regional Water Quality Control Board);.

*~Agenda Items appear in the order in which they were discussed by the Committee~*

**AGENDA ITEM 1: CONTINUING DISCUSSION OF A MODIFIED TIMBER HARVESTING PLAN (MTHP) REGULATORY PROPOSAL FOR STREAMLINED PERMITTING OF FUEL HAZARD REDUCTION PROJECTS.**

Staff introduced the topic and reported on a number of concerns expressed by Addie Jacobson of Ebbetts Pass Forest Watch during a phone conversation the previous day. Staff also highlighted the five criteria synthesized by Committee Chair, Doug Piirto for evaluation of MTHP rule language. The criteria as follows were distributed to Management Committee participants for use in further deliberations over the MTHP proposal:

- 1. Is the proposed regulation flexible?***
- 2. Is it effective in promoting treatments to reduce fuels and catastrophic fire risk?***
- 3. Are environmental values considered and protected?***
- 4. Is it landscape oriented?***
- 5. Is it useful--not so restrictive as to not be useful?***

Deputy Director Snyder introduced forester, Jeff Leddy who provided a progress report on the Department's fuels treatment modeling to support MTHP rule language. Mr. Leddy anticipates completion of the modeling work in time for presentation to the Committee in February 2010, and will keep the Committee apprised of any revisions to that timeline.

**At the conclusion of discussion, staff was directed to work on incorporation of contemporary research findings into the Initial Statement of Reasons and rule pleading language; draft a "cumulative effects checklist" for possible inclusion in the rule pleading language; and identify specific points of meeting participant disagreement over the proposal. Staff was directed to complete this work in anticipation of the January 2010 meeting.**

**AGENDA ITEM 3: DISCUSSION OF SUSTAINED YIELD PLAN IMPLEMENTATION AND POTENTIAL COMPREHENSIVE REVISIONS TO EXISTING REGULATIONS.**

Staff introduced the topic and referred meeting participants to Cal Fire's responses to the SYP Workshop questions. The responses were prepared by Mr. John Munn who recently retired from Cal Fire and include a number of suggestions for improvement of the SYP regulations. Staff suggested that meeting participants review the document in preparation for further discussion on the topic.

Bob Rynearson of Wm. Beaty & Associates introduced his colleague, Scott Carnegie who will be leading Beaty's SYP renewal team. Mr. Rynearson shared some preliminary information on the pending SYP renewal, including topics recently discussed in consultation with Cal Fire Deputy Director, Bill Snyder. Mr. Rynearson noted that Cal Fire Staff Chief, Dennis Hall had been designated the point person for the Beaty SYP renewal effort.

Mr. Rynearson went on to suggest that further regulatory changes to the SYP process were premature at this point and that it may be best to wait and see how the fledgling SYP renewal regulations operate. There was general agreement on this point. Cal Fire's Helge Eng and Bill Snyder indicated that there might be administrative (non-regulatory) adjustments that could be made to improve processing of SYP submissions and encourage further use of the regulation.

**Upon conclusion of discussion, Chair Piirto directed that the Committee revisit the SYP discussion in February or March of 2010 based upon consultation with the current SYP landowner representatives from Beaty and Collins Pine.**

**AGENDA ITEM 2: DEPARTMENT STATUS REPORT ON THE INITIAL STUDY TO SUPPORT THE DRAFT FOREST MANAGEMENT PLAN FOR MOUNTAIN HOME DEMONSTRATION STATE FOREST.**

Dr. Helge Eng, Demonstration Forest Program Manager presented the draft Initial Study and received comment from Committee participants. Dr. Eng suggested that the Committee could consider making a recommendation to the full Board such that the Department could move forward with public circulation of a Mitigated Negative Declaration at the conclusion of the Board Meeting. Ms. Rhianna Lee of the Department of Fish and Game expressed reservations about moving forward without additional opportunity for review of the Initial Study. She noted that Board staff had failed to provide the Initial Study to meeting participants such that detailed review and comment could be afforded. Ms. Lee recommended that the Committee delay action on this item until the January meeting.

**Chair Piirto concurred with this recommendation and directed meeting participants to provide any written comments on the draft Initial Study and Management Plan documents by December 18, 2009 to allow for timely review by the Committee at the January 2010 meeting. Staff was directed to place this item on the Committee and full Board agenda for January 2010.**

**AGENDA ITEM 5: JACKSON DEMONSTRATION STATE FOREST ADVISORY COMMITTEE (JAG) REPORT – COMMITTEE CHAIR, DR. JOHN HELMS**

JAG Chairman, Dr. John Helms provided a detailed briefing on the work thus far undertaken by the Advisory Group. Dr. Helms specifically identified five subcommittees of the JAG: the Landscape, Recreation, Research, Economics, and THP Review subcommittees, respectively. Each of these subcommittees has been focused on elements of the management of Jackson Demonstration State Forest. Dr. Helms highlighted these specific focus areas and informed the assembly of a number of items each of the subcommittees would be working on in the coming year.

The JAG is expected to provide its recommendations to the Board and Department in January 2011. Dr. Helms expressed confidence that the JAG would meet this deadline while acknowledging that much work was left to be completed. Following questions and further discussion amongst meeting participants, Dr. Helms indicated that he would keep the Committee updated as to the progress of the JAG over the coming year. **(Staff Note: Dr. Helms's presentation was very detailed and this brief summary is in no way sufficient to capture all of the elements. Staff anticipates providing a more detailed summary for distribution to meeting participants at a later date).**

**AGENDA ITEM 4: IDENTIFICATION AND REVIEW OF COMMITTEE PRIORITIES FOR 2010.**

Staff distributed copies of the 2009 Committee Priorities Report and suggested that Committee members and participants contemplate additional tasks for the Committee's consideration in 2010.

Staff was then directed to provide an updated Committee Priorities Report for additional discussion by the Committee at the January 2010 meeting.

**AGENDA ITEM 6: NEW AND UNFINISHED - DEPARTMENT REPORT ON STATUS OF THP FORM REVISION.**

Mr. Chris Browder, the Department's author of the proposed THP form revision presented an update on the new draft document and noted that numerous, constructive comments had been received to date. The Department anticipates creation of a revised draft for circulation to interested parties. Comments on the revised draft would then likely be incorporated into a final draft document.

**POTENTIAL AGENDA ITEMS FOR JANUARY 2010 COMMITTEE MEETING:**

- 1. Review and Discussion of the draft Initial Study/Mitigated Negative Declaration to Support the Draft Forest Management Plan for Mountain Home Demonstration State Forest (possible full Board action item).**
- 2. Review and Consideration of a Request for Parcel Swap Between the Mendocino County Waste Authority and Jackson Demonstration State Forest (possible full Board action item).**
- 3. Identification and Review of Committee Priorities for 2010.**
- 4. Continuing Discussion of a Modified Timber Harvest Plan (MTHP) Regulatory Proposal for Streamlined Permitting of Fuel Hazard Reduction Projects.**
- 5. New and Unfinished Business (Department Report on Status of Draft Growth and Yield Guidelines).**

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## MANAGEMENT COMMITTEE PRIORITIES FOR 2009

### **Management Committee**

*The mission of the Management Committee is to evaluate and promote long-term, landscape level planning approaches to support natural resource management on California's non-federal forest and rangelands.*

**NOTE: 22 IDENTIFIED COMMITTEE PRIORITIES RANKED IN DESCENDING ORDER OF IMPORTANCE FROM 1-3; COMPLEXITY RANKED IN ASCENDING ORDER OF PERCEIVED DIFFICULTY OF MATERIAL RESOLUTION FROM 1-3.**

### **Evaluation/Monitoring of Forest Practice Rules:**

#### **Priority 1 - Complexity 1 Items:**

1. Sustained Yield Plan (SYP) Review: Rule language under development. Phase 6. Possible adoption in 2009 for 2010 implementation.
2. Non-Industrial Timber Management Plan (NTMP) Review: Ongoing review of issues. **Department Draft NTMP Growth and Yield Guidelines document posted on Department website—currently in use by Department plan review personnel.**

#### **Priority 1 - Complexity 2 Items:**

3. Programmatic Timberland EIR Guidance Document: Department Guidelines under review by committee.
4. Modified THP for fuel reduction: Phase 5. Rule language development.

### **Demonstration State Forests Management:**

#### **Priority 1 - Complexity 1 Items:**

5. Jackson (Liaison to JAG): Jackson Plan was approved in the early part of 2008. Ongoing evaluation of the JAG work plan.
6. LaTour: Updated Management Plan was approved in summer of 2008. **All Board tasks completed, no further work required.**
7. Boggs: Updated Management Plan was approved in fall of 2008. **All Board tasks completed, no further work required.**

#### **Priority 1 - Complexity 2 Items:**

8. Mountain Home: Updated Management Plan under development. **Review to occur in 2009.**
9. Soquel: Updated Management Plan under development. **Review to occur in 2009.**

Items listed below were identified by the Policy Committee after November 2007-8 public input per Strategic Plan Criteria #7 Governance, Strategy E

## Department Comment, 2007 and 2008:

### Priority 1 - Complexity 1 Items:

10. **14 CCR § 1092.04(d)** [in part], A Notice of Intent shall include the following information:  
(4) The acres proposed to be harvested. (5) The regeneration methods and intermediate treatments to be used. 14 CCR § 1092.04(d)(4) requires stating the acres proposed to be harvested. Board should amend this paragraph to include all acres where **timber operations** will occur. Board should consider the current definition of logging area and the lack of a definition of plan area. 14 CCR § 1092.04(d)(5) This paragraph may not capture all possible treatments that may occur under a plan (special prescriptions, road right-of-way, or fuelbreak.)

### Priority 1 - Complexity 2 Items:

11. **14 CCR § 1051, Modified THP.** The Board could make changes to increase the utility of an MTHP, e.g., expanding the allowable acreage, limiting the application to small timberland owners and modifying certain limitations, or, as is currently being considered, focus a category of MTHPs on fuels reduction. **(See above, item under consideration by committee)**

### Priority 2 - Complexity 1 Items:

12. **14 CCR § 1090.7(e).** [NTOs shall contain i]dentification of silvicultural prescriptions to be applied. Board should amend this subdivision to require the number of acres of the silvicultural prescriptions to be applied in the NTO. (For tracking)

### Priority 3 - Complexity 3 Items:

13. **14 CCR § 913.11(a) [933.11(a), 953.11(a)].** Board should consider forming a technical working group to consider changes to existing MSP rule to provide more concrete standards for the MSP demonstration per 14 CCR § 913.11(a) [933.11(a), 953.11(a)].

## Public Comment, 2008:

### Priority 1 - Complexity 1 Items:

14. **14 CCR § 1052:** Time limits of fire salvage emergencies do not allow enough time for a THP to be prepared and approved. **(See item # 2 and 5)**
15. **14 CCR § 1052 and 14 CCR § 917.2:** "Slash to be treated for hazard reduction by burning shall be treated not later than one year following its creation."
16. Expand use of electronic posting to allow for greater public access to information. **(Cal Fire to prepare plan for implementation of electronic posting at Redding and Fresno offices for February 2009 Committee Meeting.)**

## 14 CCR § 912.9, Board of Forestry Technical Rule Addendum No. 2:

### Priority 1 - Complexity 1 Items:

17. Categories need to be expanded to include climate change and effect on fire threat from the proposed harvest.

**Priority 2 - Complexity 3 Items:**

18. *Maps need to show all the past, currently proposed, and likely future THPs layered into one map.*
19. *Biological assessment areas and proportional mitigations, expansion of consideration of non-conifer resources.*
20. *Is mitigation required proportional to the impacts? E.g., small harvest operations required to utilize the same mitigations as industrial operations.*

**Priority 3 - Complexity 3 Items:**

21. *Consider adding adjacent watersheds for evaluating past, present and future projects.*
22. *Assessment of impacts made project by project, need landscape approach. California State Wildlife Action Plan not being adhered to: "Using the best-available science, extent, pattern, and pace for timber-harvest in a forest watershed".*  
<http://www.dfg.ca.gov/wildlife/WAP/>

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