

**BOARD OF FORESTRY AND FIRE PROTECTION**

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**MANAGEMENT COMMITTEE MEETING REPORT**

*-Meeting Held November 3, 2009-*

**MEETING ATTENDANCE**

Committee Members Tom Walz, Pam Giacomini and Doug Piirto (Chair); Bill Snyder, Allen Robertson, Chris Browder, Russ Henly, Helge Eng, Dennis Hall, Duane Shintaku (Department of Forestry & Fire Protection); Doug Ferrier (Forest Slopes Management), Addie Jacobson (Ebbetts Pass Forest Watch), Steve Elias (Sierra Club); Bill Keye (California Licensed Foresters Association); Rhianna Lee, Lorna Dobrovolny, Curt Babcock (Department of Fish & Game); Dave Fowler (North Coast Regional Water Quality Control Board); Paul Mason (Pacific Forest Trust); Stacy Heaton (Regional Council of Rural Counties).

*~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 summarized the composition of the current draft regulatory proposal. Deputy Director Snyder reported on the status of the anticipated fuel condition modeling to be completed by the Department. The Committee observed that completion of the modeling work would be of great benefit to the MTHP discussions.

Considerable discussion ensued and several members of the assembly explained their opposition to the proposal as currently drafted. Concerns identified included the lack of an acreage maximum and the ability of the public to be informed enough by the RPF's paperless cumulative impacts analysis to raise "fair arguments" about the potential for project impacts. The assembly observed that there was general agreement regarding the necessity of consistent fuels management, but divergent opinions on how best to achieve desired outcomes.

**Following lengthy discussion, Chair Piirto suggested that the metrics for evaluating proposed MTHP language identified in a previous Committee meeting might be of assistance to the assembly. Staff was then directed to isolate and distribute those metrics to Management Committee participants prior to the December meeting.**

**The Committee also requested that Deputy Director Snyder keep the assembly apprised of the status of the fuel reduction modeling.**

**AGENDA ITEM 2: PTEIR GUIDANCE DOCUMENT REVIEW.**

Following staff's introduction of the topic, the document's author, Allen Robertson (Deputy Chief, CAL FIRE) presented the final draft of the proposed PTEIR Guidance document to the assembly. Mr. Robertson thanked Rhianna Lee and Dennis Hall for their careful editorial review of the document. He then reviewed the content of the two comment letters received on the document from Green Diamond Resource Company and the Central Valley Regional Water Quality Control Board. Mr. Robertson identified a minor addition to the document based upon Green Diamond's comment letter and went on to respond to the Central Valley Board's concerns.

Curt Babcock, the only person in the room familiar with PTHP review offered his perspective and helped further clarify the Central Valley Board's concerns regarding the PTHP review process. He identified specific language in the document that he felt needed to be edited.

Mr. Robertson with the assistance of the Members and others then offered revised language acceptable to the assembly.

In the course of lengthy discussion, Deputy Director Snyder noted that the Department viewed the guidance document as an important first step. Following the Board's authorization of the document, the Department intends to work with forest practice review staff to refine procedures for review of PTHPs. There was general agreement amongst the assembly that this effort would be of great value to the overall understanding of the PTEIR/PTHP processes.

**ACTION ITEM #1:**

**At the conclusion of the discussion, Member Walz made the following motion:**

**11-09-01**

**Member Walz moved that the Committee recommend that the Full Board authorize the PTEIR Guidance Document as amended in Committee and direct staff to freely distribute the document to interested parties. He further moved that the Board encourage the Department to carry out its intention to work with forest practice staff in refining PTHP review procedures. Member Giacomini seconded the two part motion. The motion carried unanimously.**

**AGENDA ITEM 3: DEPARTMENT PRESENTATION OF REVISED DRAFT FOREST MANAGEMENT PLAN FOR MOUNTAIN HOME DEMONSTRATION STATE FOREST.**

Dr. Helge Eng, Demonstration Forest Program Manager presented the revised draft Management Plan to the assembly and led a thorough review of the revisions to the document based upon the Committee's initial comment. The Committee offered several further suggested edits to the draft document in the course of this review.

Dr. Eng reported that the MSP Option (a) document to support ongoing work on the forest had been submitted to the Department for review and possible approval. Discussion ensued concerning both the process by which the public could review the Option (a) document and its relationship to the draft management plan.

Following Dr. Eng's presentation and the precipitating discussion, the Committee sought to identify the next steps toward ultimate adoption of the draft Plan. Dr. Eng suggested that the draft Plan might be at a point where the Department could move forward with an Initial Study. The purpose of the Initial Study would be to determine the appropriate CEQA document for analysis of potential impacts related to implementation of the Plan as proposed. The Committee ultimately agreed that the document was far enough along in its development to justify moving forward with the Department's Initial Study.

**ACTION ITEM #2:**

**11-09-02**

**Member Walz moved that the Committee recommend that the Full Board authorize and direct the Department to move forward with an Initial Study to determine the appropriate level of CEQA disclosure to support the draft Management Plan. Member Giacomini seconded the motion. The motion carried unanimously.**

**AGENDA ITEM 4: JACKSON DEMONSTRATION STATE FOREST ADVISORY COMMITTEE (JAG) REPORT – COMMITTEE CHAIR, DR. JOHN HELMS**

Due to Dr. Helms' illness, this item was deferred to December.

**AGENDA ITEM 5: DEPARTMENT REPORT ON STATUS OF THP FORM REVISION AND DRAFT NTMP GROWTH AND YIELD GUIDELINES.**

Mr. Chris Browder, the Department's author of the proposed THP form revision presented the new document and led the assembly through a brief review of the various elements. In the course of this review, he responded to several questions from the Members and meeting participants.

Mr. Browder explained the process by which the document was constructed and public comment solicited. He noted that the comment period on the document would conclude on November 20, 2009 and encouraged the assembly to provide written comments prior to the deadline. It was also reported that the Professional Foresters Examining Committee (PFEC) would likewise be reviewing the document at its upcoming meeting on November 5, 2009.

**AGENDA ITEM 6: NEW AND UNFINISHED BUSINESS.**

No new or unfinished business to report.

**POTENTIAL AGENDA ITEMS FOR DECEMBER 2009 COMMITTEE MEETING:**

1. Continuing Discussion of a Modified Timber Harvest Plan (MTHP) Regulatory Proposal for Streamlined Permitting of Fuel Hazard Reduction Projects.
2. Department Status Report on the Initial Study to Support the Draft Forest Management Plan for Mountain Home Demonstration State Forest; General Department Update on Demonstration Forest Program.
3. Jackson Demonstration State Forest Advisory Committee (JAG) Report – Committee Chair, Dr. John Helms.
4. Presentation by Bob Rynearson and Jay Francis on Sustained Yield Plan Implementation and Potential Comprehensive Revisions to Existing Regulations.
5. Identification and Review of Committee Priorities for 2010.
6. 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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