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## NOTICE OF PUBLIC MEETING

### State Provides Update on Timber Regulation and Forest Restoration Program and Requests Comments on Draft Working Group Charters

SACRAMENTO, Calif. – The California Natural Resources Agency (Agency), California Environmental Protection Agency (CalEPA), and their responsible departments and boards will be providing an update on the status of Assembly Bill (AB) 1492, the Timber Regulation and Forest Restoration Program. Oral and written public comments on the program's draft working group charters are welcomed.

**WHAT:**

Update on AB 1492 Timber Regulation and Forest Restoration Program and public comment on draft working group charters.

**WHEN:**

Fri., Dec. 19, 2014, 9:30 to 11:30 a.m. PST

**WHERE:**

In person:

- CalEPA, Klamath Training Room, 1001 I Street, Sacramento

WebEx:

- Visit the meeting [WebEx Link](#)
- If requested, enter your name and e-mail address
- If a password is required, enter the meeting password: 1492
- Click "Join"

Teleconference:

- Call-in toll-free numbers: (866) 564-9796 or (210) 453-7876
- Attendee access code: 9162905

Depending on the number of persons wishing to make oral comments at the meeting, a speaking time limit may be established. Written comments may also be emailed to [AB1492program.comments@resources.ca.gov](mailto:AB1492program.comments@resources.ca.gov). Draft charters may be viewed at <http://resources.ca.gov/forestry/>. All comments must be submitted by Jan. 5, 2015.

AB 1492 addresses accountability for California's forest management regulatory programs and provides funding for forest restoration grant programs. Three core working groups operate under the program: Data and Monitoring, Ecological Performance Measures and Administrative Performance Measures. Agency shares with CalEPA the responsibility for implementing the program. Agency is the lead for coordinating implementation of the program by the two agencies and their responsible departments and boards: Department of Conservation, Department of Fish and Game, CAL FIRE and the State Water Resources Control Board.

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# CHARTER

## Ecological Performance Measures Working Group

December 2, 2014

### Mission and Background

**Mission** The Mission of the Ecological Performance Measures Working Group is the development of and implementation planning for ecological performance measures, as called for by Assembly Bill (AB) 1492:<sup>1</sup>

- “The Legislature further finds that the state’s forest practice regulatory program needs to develop adequate performance measures to provide transparency for both the regulated community and other stakeholders.” Public Resources Code (PRC) § 4629.1
- “On or before January 10, 2013, and on each January 10 thereafter in conjunction with the 2014–15 Governor’s Budget and Governors’ Budgets thereafter, the Secretary of the Natural Resources Agency, in consultation with the Secretary for Environmental Protection, shall submit to the Joint Legislative Budget Committee a report on the activities of all state departments, agencies, and boards relating to forest and timberland regulation. This report shall include, at a minimum, all of the following:...

  - (8) In order to assess efficiencies in the program and the effectiveness of spending, a set of measures for, and a plan for collection of data on, the program, including, but not limited to:...
  - (F) Evaluating ecological performance.” PRC § 4629.9(a)

Ecological Performance Measures are explored in the 2014 Assembly Bill 1492 Annual Report to the Joint Legislative Budget Committee.<sup>2</sup>

The California Natural Resources Agency (CNRA) and the California Environmental Protection Agency (CalEPA) have the primary responsibility for the development of the full scope of ecological performance measures, monitoring, and data management of concern to the agencies and the public under AB 1492. The Ecological Performance Measures Working Group will take the lead in planning and conducting this work. The work of the Ecological Performance Measures Working Group will be closely linked with its sister AB 1492 entity, the Data and Monitoring Working Group.

CNRA and CalEPA, through the timber harvest review team agencies [Departments of Conservation (California Geological Survey), Fish and Wildlife, and Forestry and Fire Protection (CAL FIRE) at CNRA; State and Regional Water Boards at CalEPA] will take coordinated actions, through the Ecological Performance Measures Working Group and AB 1492 Leadership Team, to develop ecological performance measures. The review team agencies recognize the importance of providing opportunities

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<sup>1</sup> [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201120120AB1492&search\\_keywords=](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB1492&search_keywords=)

<sup>2</sup> [http://resources.ca.gov/forestry/docs/AB-1492\\_Annual\\_Report\\_2014\\_to\\_Legislature\\_FINAL.pdf](http://resources.ca.gov/forestry/docs/AB-1492_Annual_Report_2014_to_Legislature_FINAL.pdf)

for public input into this work. Figure 1 at the end of this Charter shows how the Ecological Performance Measures Working Group fits in with other elements of the AB 1492 program and the Board of Forestry and Fire Protection's Effectiveness Monitoring Committee (EMC). The recently established EMC will be a partner for the review team agencies in the development of ecological performance measures.

As discussed in the AB 1492 Annual Report for 2014, developing ecological performance measures for management outcomes on the State's forestlands is a challenging task that will take significant effort and some time to accomplish. The task is likely to require additional resources for the review team agencies, including scientific and technical expertise and public input process expertise.

The challenges to developing ecological performance measures include:

- Identifying science-based performance measures that can be applied across the great diversity of the forest ecosystems found on the state's forestlands;
- Developing a system of performance measures that has a scientific basis and is recognized as suitable by the review team agencies, other state and federal natural resource agencies, regulated forestland owners, environmental organizations, and other stakeholders;
- Determining the appropriate scale or scales at which to develop the measures (e.g., site, project, watershed, ownership, hydrologic basin, bioregion, forest practice district, state);
- Developing ecological performance measures for these scales of analysis;
- Creating a comprehensive baseline understanding of current ecological conditions, including, as appropriate, reference conditions;
- Determining how to address intermingled forestlands that largely are not subject to state timber harvest regulation (particularly National Forest lands);
- Expressing goals and objectives, and an understanding of the trade-offs among them (e.g., the value of having one habitat versus another habitat type on a given area);
- Thoroughly evaluating and reporting on the linkage between timberland management activities and mitigations and how these affect ecological health;
- Expressing relationships among ecological performance targets and landscape metrics as models to enhance interpretation of results and to enable identification and testing of assumptions;
- Accurately characterizing timberlands by empirical metrics as well as Forest Practice Rule compliance;
- Identifying the data needs for selected performance measures, determining whether these data are available, and developing approaches to collecting data where they are lacking;
- Crafting and testing performance-measure-appropriate sampling systems;
- Developing a system of performance measures that is meaningful and that can be practically achieved with available resources.

The Ecological Performance Measures Working Group, operating under the direction of the AB 1492 Leadership Team, will play the lead role in the development of ecological performance measures. As needed, the review team agencies will endeavor to bring in expertise that is not available within the state agencies to assist in the development of ecological performance measures and related monitoring needs. The best approach for bringing in the necessary expertise has not yet been determined and stakeholder input on potential approaches is being sought. The Natural Resources Agency has been appropriated initial funding (\$200,000 per year for two years) to bring in both science and public input process experts to assist with the development of ecological performance measures.

A broader question regarding ecological performance measures is how these measures may be able to be integrated with environmental indicators that are used for other state or federal agency monitoring and planning activities. Examples include the State Water Plan (prepared by the Department of Water Resources), the Forest and Rangeland Resource Assessment (prepared by CAL FIRE), the State Wildlife Action Plan (prepared by the Department of Fish and Wildlife), Water Quality Control Plans (also called "basin plans," prepared by the Regional Water Quality Control Boards), National Forest Management Plans (prepared by the USDA Forest Service), and the Governor's Environmental Goals and Policy Report (Governor's Office of Planning and Research). The California Biodiversity Council is currently exploring how state and federal agencies may be able to develop and maintain over time a set of common environmental indicators. There may be potential for the environmental data and ecological performance indicators developed under the auspices of AB 1492 to help support this common set of indicators, or for these indicators to help support the AB 1492 ecological performance measures.

The development of ecological performance measures coupled with spatially and temporally nested monitoring can help to drive an adaptive management approach for the state's system of regulating timber harvest activities. While an adaptive management approach is not explicitly called for in AB 1492, it is a natural and needed extension of ecological performance measures. Where the ecological performance measures and associated monitoring data indicate that desired forest conditions or trends are not being achieved as the result of forest management, the agencies can then modify program approaches to improve ecological performance. These modifications could occur through means such as focused harvesting plan review or inspection, continuing education of Registered Professional Foresters or Licensed Timber Operators, modification of regulations, or targeting of restoration grant programs to address problems that arise outside of the contemporary commercial timber harvesting context.

Once a preferred set of ecological performance measures is selected, the review team agencies will identify additional resources needed to fulfill the data collection and analysis required to feed the performance measures and support the associated adaptive management process. The agencies may accordingly seek appropriate opportunities to propose budget change proposals for any needed funds and staffing. The Timber Regulation and Forest Restoration Fund represents an appropriate funding source for such needs as may be identified.

#### **Duties of the Ecological Performance Measures Working Group**

##### **1. Develop a stakeholder outreach and communication plan for gathering input on potential approaches to identifying and quantifying ecological performance measures.**

###### **Tasks:**

- A. Contract for assistance with outreach and communication.
- B. Work with the AB 1492 Leadership Team to develop a list of stakeholders (including contact information) to be targeted for outreach.
- C. Work with the contractor(s) to conduct a stakeholder analysis and develop a stakeholder outreach plan, including an informational webpage that allows interested parties to sign up to receive update notices.
- D. Work with the contractor(s) to implement the outreach plan.
- E. Work with the contractor(s) to modify the outreach plan over time, as needed.

**2. Develop a brief background paper on approaches to ecological performance measures. The intent of the paper is to provide a starting point for discussions with stakeholders, including the first stakeholder outreach workshop.**

**Tasks:**

- A. Identify persons within Review Team or related agencies who have knowledge or expertise to provide.
- B. Identify general questions related to ecological performance.
- C. Survey literature and websites.
- D. Outreach to knowledgeable parties both inside and outside of state agencies, including the Board of Forestry and Fire Protection's Effectiveness Monitoring Committee.
- E. Develop a simple conceptual framework. Ideally, the framework should:
  - a. Seek to nest ecological performance measures within a broader monitoring framework that allows for linkage between spatial and temporal scales.
  - b. Seek to select performance measures that are sensitive to land management actions to ensure that the adaptive management cycle can be completed.
- F. Seek to integrate with existing efforts to address ecological performance or conditions [e.g., indicator-based efforts of the State Wildlife Action Plan (DFW), Forest and Rangeland Resources Assessment (CAL FIRE), State Water Plan (DWR), Water Quality Control Plans (Regional Water Quality Control Boards), Board of Forestry and Fire Protection, and Forest Service].
- G. Prepare a brief (<=20 pp.) background paper and share it with stakeholders.
- H. Conduct initial stakeholder workshops on ecological performance measures.
- I. Identify potential individuals or organizations with critical scientific or technical skill necessary to support the development of ecological performance measures, for consideration as contractors or as potential peer reviewers of products.

**3. Develop a draft set of ecological performance measures.**

**Tasks:**

- A. Identify specific questions related to ecological performance.
- B. Contract with outside scientific or technical expertise as necessary to assist in the development of ecological performance measures.
- C. Following the initial stakeholder workshop, begin developing an initial draft set of measures.
- D. Develop hypotheses that can be tested using ecological performance measures.
- E. Work closely with Data and Monitoring Working Group regarding the availability of the data that are needed to support any ecological performance measures under consideration.
- F. Work closely with the Interagency Information Systems Working Group on data management needs related to the ecological performance measures under consideration.
- G. As appropriate, coordinate with the Board of Forestry and Fire Protection's Effectiveness Monitoring Committee in the development of ecological performance measures.
- H. Develop an initial draft set of ecological performance measures.
- I. Conduct an initial outreach to key stakeholders and experts on an individual or collective basis.
- J. Develop a revised draft set of ecological performance measures.

- K. Hold stakeholder workshops to get input on the revised draft ecological performance measures.

**4. Develop a final working set of ecological performance measures, an implementation plan, and an adaptive management approach.**

**Tasks:**

- A. Based on input received on the revised draft ecological performance measures, prepare a second draft set of ecological performance measures.
- B. Develop a draft implementation plan for the ecological performance measures, working with the Data and Monitoring Working Group, Interagency Information Systems Working Group, and the Board of Forestry and Fire Protection Effectiveness Monitoring Committee on matters within their respective scopes.
- C. Design an adaptive management approach for program monitoring and modification over time.
- D. Conduct stakeholder outreach workshops on the second draft set of ecological performance measures, draft implementation plan, and adaptive management design.
- E. In response to stakeholder comments, develop the final working set of ecological performance measures, implementation plan, and adaptive management approach.
- F. As needed, develop and implement pilot projects to test or refine the ecological performance measures.

**Preparation of a Work Plan**

Upon establishment, the Ecological Performance Measures Working Group will develop a Work Plan. The first Work Plan will address the activities necessary to complete the duties described above in a timely fashion. The Working Group will review the Work Plan at the end of each fiscal year, or other times, as needed, and update it as necessary. All Work Plans will be submitted to the AB 1492 Leadership Team for review and approval. Stakeholder input will be solicited on draft Work Plans.

**Tentative Major Milestones**

1. Work plan for the Ecological Performance Measures Working Group Completed: January 31, 2015.
2. Background paper on approaches to ecological performance measures completed: First quarter 2015.
3. First stakeholder outreach workshops: First quarter 2015.
4. Initial draft set of ecological performance measures completed: End of 2015.
5. Second stakeholder outreach workshops: January 2016.
6. Second draft set of ecological performance measures, draft implementation plan, and draft adaptive management plan completed: May 2016.
7. Third stakeholder outreach workshops: June 2016.
8. Final working set of ecological performance measures, implementation plan, and adaptive management plan completed: July 2016
9. Budget change proposal for implementation plan: Included in January 2016 budget for the 2016/17 fiscal year.

Based on the outcomes of processes, these timelines may need to be adjusted.

## **Working Group Membership and Leadership**

The Working Group will be composed of staff from the review team agencies. The review team agencies will select a Chairperson and a Vice Chairperson for the Performance Measures Working Group. The Vice Chairperson will chair meetings of the Working Group in the absence of the Chairperson. The AB 1492 Leadership Team requests each agency to assign at least one staff person and a back-up person to the Working Group.

## **Subcommittees**

The Working Group may establish subcommittees as needed to accomplish its work. The subcommittees will operate with well-defined scopes of responsibility and clearly articulated tasks and timelines.

## **Consultation**

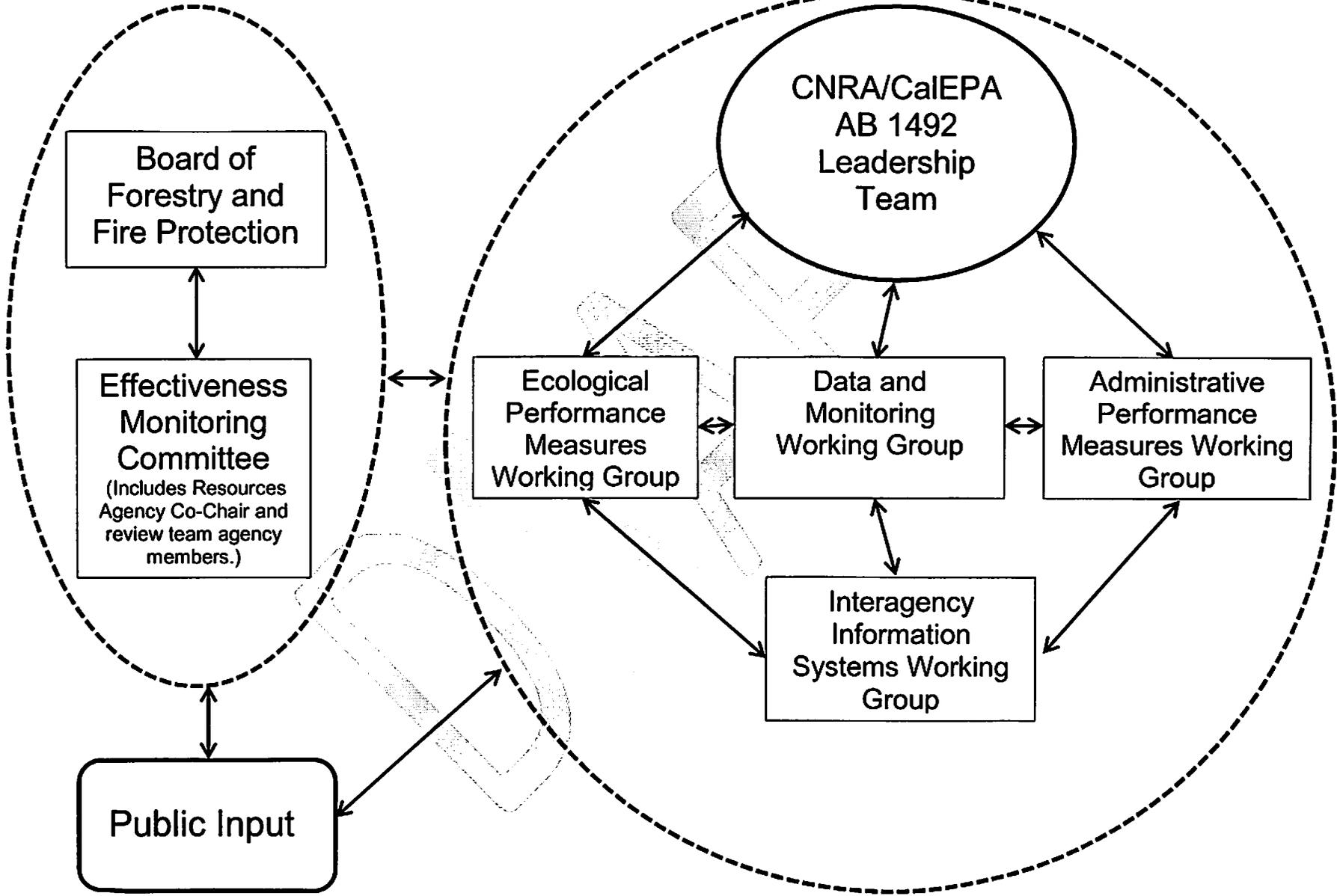
When additional expertise is needed to assist the Working Group and/or its subcommittees in completing their work, assistance may be requested from the review team agencies non-timber program staff, or from other state and federal agencies, such as NOAA Fisheries, U.S. Fish & Wildlife Service, USDA Forest Service, or from professional and scientific organizations, and educational or research institutions.

## **Review and Modification of this Charter**

The AB 1492 Leadership Team is responsible for the approval of this charter and its maintenance and modification over time. The Leadership Team will provide the public with the opportunity to comment on the draft charter before its initial approval and any significant changes it makes to the charter. The Leadership Team will review the charter at least annually to determine if any modifications are warranted.

**EMC at Board of Forestry and Fire Protection**

**AB 1492 Program at CA Natural Resources Agency and CA Environmental Protection Agency**



**Figure 1. Organizational Framework for AB 1492 Program Structure and its Relationship to the Board of Forestry and Fire Protection and its Effectiveness Monitoring Committee.**

# CHARTER

## Data and Monitoring Working Group

December 2, 2014

### Mission and Background

**Mission** The Mission of the Data and Monitoring Working Group is to identify and address data and monitoring sources and needs related to the implementation of two of the three accountability areas established by Assembly Bill (AB) 1492:<sup>1</sup>

- Environmental Data Assembly and Sharing
- Ecological Performance Measures

Each of these areas is explored in the 2014 Assembly Bill 1492 Annual Report to the Joint Legislative Budget Committee.<sup>2</sup> Figure 1 at the end of this Charter shows how the Data and Monitoring Working Group fits in with other elements of the AB 1492 program and with the Board of Forestry and Fire Protection's Effectiveness Monitoring Committee.

Environmental data assembly and sharing are essential for the implementation of AB 1492. Forest resources data, particularly when geo-referenced, are helpful for landowners, foresters, and biologists preparing timber harvesting permit documents, for the agencies reviewing these documents, and for members of the public who are concerned about the condition of the state's many important forest resources. In other words, these data are important elements in efficiency and accountability. While much of this data is available online, not all of the data relevant to forest management and forest conditions are readily available, or collected and reported in a consistent manner. Some of the data available online can be challenging to find for the public.

The kinds of data described above also will be important inputs to the kinds of measures and models that will be developed to provide ecological performance measures. Similarly, the data needed to support the ecological performance measures will drive the work of the Data and Monitoring Working Group to pursue the collection of additional data. Thus, it is important for the Data and Monitoring Working Group to coordinate closely with the Ecological Performance Measures Working Group. Similarly, the Data and Monitoring Working Group may be able to help support some of the data needs of the Board of Forestry and Fire Protection's Effectiveness Monitoring Committee. The Interagency Information Systems Working Group will be an important partner in developing the information management systems needed to manage these data, serve them to the public, and support data visualization.

The Data and Monitoring Working Group should take every opportunity to make use of or build onto existing data and monitoring sources and programs. These opportunities include, for example, work conducted under the aegis of the California Water Quality Monitoring Council, CAL FIRE's Forest Practice Watershed Mapper and Cal MAPPER (currently under development), the Department of Fish and

<sup>1</sup> [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201120120AB1492&search\\_keywords=](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB1492&search_keywords=)

<sup>2</sup> [http://resources.ca.gov/docs/forestry/AB-1492\\_Annual\\_Report\\_2014\\_to\\_Legislature\\_FINAL.pdf](http://resources.ca.gov/docs/forestry/AB-1492_Annual_Report_2014_to_Legislature_FINAL.pdf)

Wildlife's BIOS system, the State and Regional Water Quality Control Boards' Surface Water Ambient Monitoring Program, and the USDA Forest Service's Forest Inventory and Analysis program.

## Duties of the Data and Monitoring Working Group

### 1. Environmental Data Assembly and Sharing

#### Tasks:

##### A. Identify:

- The important forest resources data that are already readily available;
- Important data resources that exist but are not readily available;
- Data that have not been collected using appropriate protocols or are in an inappropriate format;
- Opportunities to access valuable data sets developed by landowners or nonprofit organizations;
- Gaps in existing data series that are important to fill and opportunities to fill them;
- Data types that are important but are not currently available and opportunities to collect them;
- Limits on appropriate data use (e.g., scale of application);
- Ways to make data more available and more useful to all interested parties, including data visualization; and
- Ways to connect these data with overarching state programs and efforts to increase the availability of geospatial data.

This task is to be completed within six months of the establishment of the Working Group.

B. Test a pilot approach to the assembly of available data on the planning watershed level to assess cumulative impacts and identify opportunities for restoration of the habitat for listed anadromous salmonids. The intent here is to test an approach similar to past legislative proposals. Subject to the availability of staff, funding, local partners, and timing of public input, the pilot is to be completed within 24 months.

C. Work with the Interagency Information Systems Working Group to identify, develop, and implement the information system elements needed to support environmental data and monitoring systems.

D. Work with the AB 1492 Leadership Team to identify existing resources or seek new resources needed to complete the above tasks.

2. Support the Data Needs of Ecological Performance Measures The kinds of data described above also will be important inputs to the metrics and models that will be developed to provide ecological performance measures. Similarly, the data needed to support the ecological performance measures will drive the work of the Data and Monitoring Working Group to develop approaches to collecting or acquiring additional data.

**Tasks:**

- A. Coordinate closely with the Ecological Performance Measures Working Group.
- B. Determine the availability of data needed to support the ecological performance measures that are being explored by or have been selected by the Ecological Performance Measures Working Group.
- C. Develop data, and, where funding and staffing resources are available, implement monitoring plans (see also Task 3, Monitoring) to collect or otherwise acquire the data needed to support the ecological performance measures that have been selected for implementation.
- D. Work with the Interagency Information Systems Working Group to identify, develop, and implement the information system elements needed to support ecological performance measurement data and monitoring systems.
- E. Work with the AB 1492 Leadership Team to identify existing resources or seek new resources needed to complete the above tasks.

3. Monitoring Monitoring is the process of systematically collecting and maintaining data or information about specific metrics of concern. These data need to be readily available for access and utilization by agencies or private parties who are interested in them. In general, it is preferred that monitoring data be spatially referenced (i.e., GIS-based).

**Tasks:**

- A. Identify the important monitoring programs and results that are already readily available.
- B. Work closely with the Ecological Performance Measures Working Group, the Interagency Information Systems Working Group, and, as appropriate, the Board of Forestry and Fire Protection's Effectiveness Monitoring Committee.
- C. Develop monitoring plans to collect environmental data that are needed to support harvesting plan preparation and review, ecological performance measures, and, as appropriate, the work of the Board of Forestry and Fire Protection's Effectiveness Monitoring Committee.
- D. The Working Group is encouraged to find partners to assist the timber harvest review team agencies<sup>3</sup> with monitoring plan implementation (e.g., assistance with data sets, staff, and/or financial resources). Potential partners include other programs within the review team agencies [e.g., the Water Boards' Surface Water Ambient Monitoring Program (SWAMP)] or with other agencies (e.g., U.S.

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<sup>3</sup> Departments of Conservation (California Geological Survey), Fish and Wildlife, and Forestry and Fire Protection under the California Natural Resources Agency; and the State and Regional Water Boards under the California Environmental Protection Agency.

Environmental Protection Agency, US Geological Survey, USDA Forest Service, National Oceanographic Administration Fisheries, US Fish and Wildlife Service, University of California, Resource Conservation Districts), or private parties (e.g., large forestland owners, conservation organizations).

- E. Where needed, (i) work with the AB 1492 Leadership Team to secure funds for implementation of monitoring plans (through the normal State budget processes) and (ii) provide guidance to the implementing entity.

### **Preparation of a Work Plan**

Upon establishment, the Data and Monitoring Working Group will develop a Work Plan. The first Work Plan will address the activities necessary to complete the duties described above in a timely fashion. The Working Group will review the Work Plan at the end of each fiscal year, or other times, as needed, and update it as necessary. All Work Plans will be submitted to the AB 1492 Leadership Team for review and approval. Stakeholder input will be solicited on draft Work Plans.

### **Tentative Major Milestones**

A number of the tasks of the Data and Monitoring Working Group will be of an ongoing nature or have timeframes that are indefinite at this stage. More details on the timing of the completion of tasks will be developed in the Group's Work Plan. Some tasks with specific timelines are:

1. Complete Task 1A within 6 months of the formation of the Working Group.
2. Complete the planning watershed pilot project (Task 1B) within 24 months of the formation of the Working Group, subject to the availability of staff, funding, local partners, and timing of public input.

### **Working Group Membership and Leadership**

The Working Group will be composed of staff from the review team agencies. The review team agencies will select a Chairperson and a Vice Chairperson for the Data and Monitoring Working Group. The Vice Chairperson will chair meetings of the Working Group in the absence of the Chairperson. The AB 1492 Leadership Team requests each agency to assign at least one staff person and a back-up person to the Working Group.

### **Subcommittees**

The Working Group may establish subcommittees as needed to accomplish its work. The subcommittees will operate with well-defined scopes of responsibility and clearly articulated tasks.

### **Consultation**

When additional expertise is needed to assist the Working Group and/or its subcommittees in completing their work, assistance may be requested from the review team agencies' non-timber program staff, or from other state and federal agencies, such as NOAA Fisheries, U.S. Fish & Wildlife Service, USDA Forest Service, professional and scientific organizations, and educational or research institutions.

## Review and Modification of this Charter

The AB 1492 Leadership Team is responsible for the approval of this charter and its maintenance and modification over time. The Leadership Team will provide the public with the opportunity to comment on the draft charter before its initial approval and any time it makes significant changes to the charter. The Leadership Team will review the charter at least annually to determine if any modifications are warranted.

**DRAFT**

AB 1492 Program at CA Natural Resources Agency and CA Environmental Protection Agency

EMC at Board of Forestry and Fire Protection

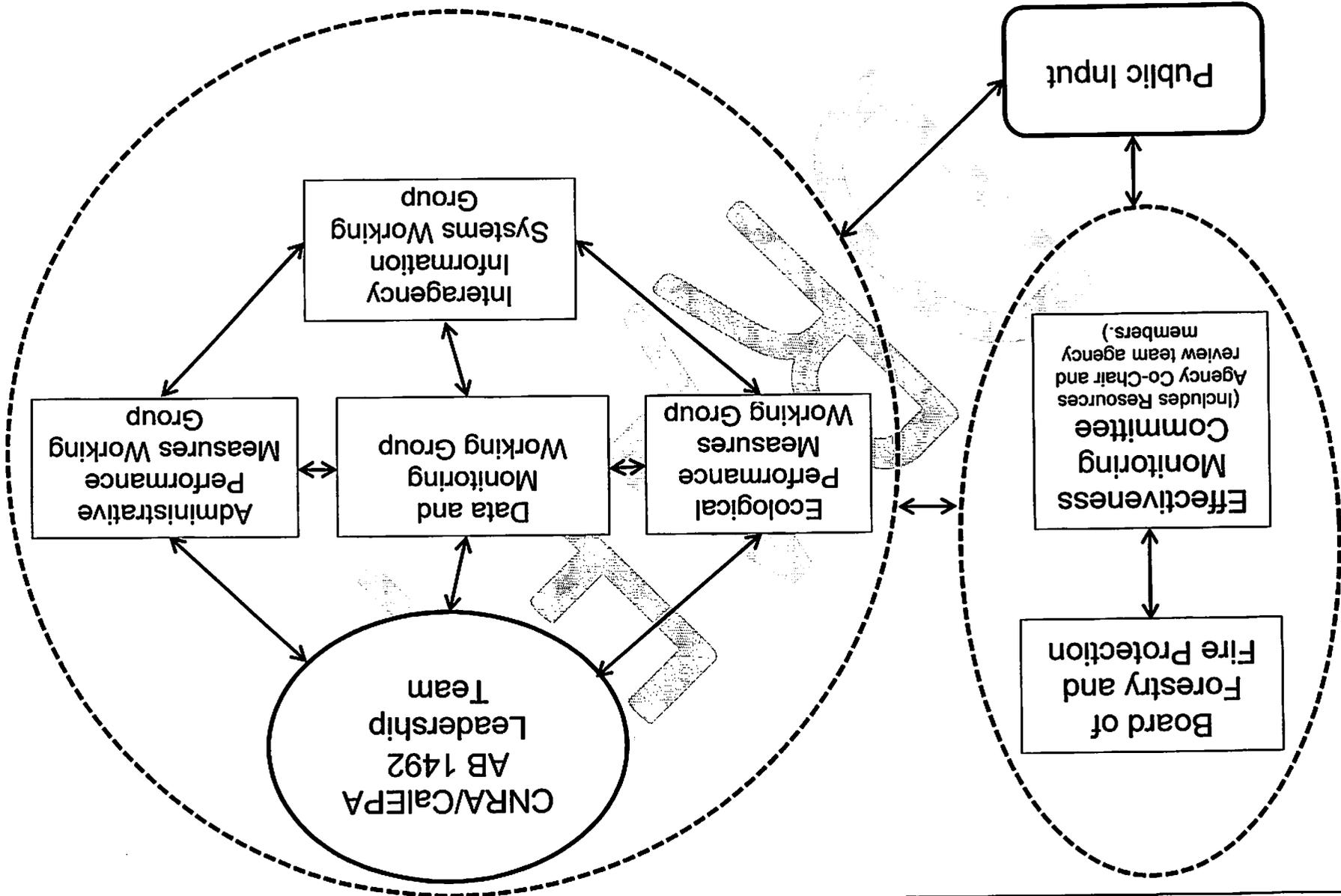


Figure 1. Organizational Framework for AB 1492 Program Structure and its Relationship to the Board of Forestry and Fire Protection and its Effectiveness Monitoring Committee.

# CHARTER

## Administrative Performance Measures Working Group

December 2, 2014

### Mission and Background

**Mission** The Mission of the Administrative Performance Measures Working Group is to develop performance measures for administrative transparency and efficiency, as called for by Assembly Bill (AB) 1492.<sup>1</sup>

In AB 1492, the Legislature finds that "...the state's forest practice regulatory program needs to develop performance measures to provide transparency for both the regulated community and other stakeholders." [Public Resources Code (PRC) § 4629.1]. And, the Legislature expresses the intent to "Promote transparency in regulatory costs and programs through the creation of performance measures and accountability for the state's forest practice regulatory program...." and "Identify and implement efficiencies in the regulation of timber harvesting between state agencies." [PRC § 4629.2(f-g)].

Program accountability and efficiency both require tracking of staff activities at the timber harvest review team agencies<sup>2</sup> to understand how staff members are spending their time and what outputs are achieved through their efforts. Program accountability also considers whether review team staff is performing necessary and appropriate functions pursuant to AB 1492. Review team agency staffs have begun working to develop approaches to better track and account for staff activities and outputs. The goal is to implement an improved tracking system during the 2014-15 fiscal year.

While providing useful information, there are limits to meaningfully accounting for output productivity. These limits exist because while units of outputs may be readily quantified [e.g., number of timber harvesting plans (THPs) or nonindustrial timber management plans (NTMPs) reviewed, number of preconsultation meetings, number of field inspections conducted], these outputs are not homogenous commodities. Rather, timber harvesting permits vary greatly in scope (e.g., number of acres), intensity of management activity (e.g., single tree selection versus clearcut harvesting), and complexity (e.g., presence of listed species, sensitive riparian habitats, water quality issues, and slope stability). The greater these factors are for a timber harvesting permit, the more staff time it will take for preconsultation, review, approval, and inspection for a permit.

A critical element of transparency and accountability is the ability of members of the public to easily access harvesting permit documents, both while a permit is under review and after its approval. CAL FIRE has for some time provided a timely posting of many timber harvesting permit documents (e.g., THPs, NTMPs, preharvest inspection reports, registered professional forester (RPF) responses to agency questions, and amendments) via a file transfer site (<ftp://thp.fire.ca.gov/THPLibrary/>). CAL FIRE also

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<sup>1</sup> [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201120120AB1492&search\\_keywords=](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB1492&search_keywords=)

<sup>2</sup> Departments of Conservation (California Geological Survey), Fish and Wildlife, and Forestry and Fire Protection under the California Natural Resources Agency; and the State and Regional Water Boards under the California Environmental Protection Agency.

provides an on-line geographic information system that makes certain spatial information about timber harvesting available to the public ([http://calfire.ca.gov/resource\\_mgt/resource\\_mgt\\_forestpractice\\_gis.php](http://calfire.ca.gov/resource_mgt/resource_mgt_forestpractice_gis.php)).

Some stakeholders have requested that additional types of documents or information be posted (e.g., notices of commencement for THPs, completion and stocking reports, exemptions and emergency notices, emails shared or exchanged among the review team members), and that more readily searchable document formats be used. The Natural Resources Agency and CAL FIRE have been jointly working with stakeholders to better understand their concerns and to work with the review team agencies to investigate potential ways to improve the posting of timber harvesting related documents.

Some stakeholders also have communicated their concerns about challenges to providing their input to the harvest plan review process. Specific challenges identified include getting their comments submitted within the timelines for the review process (which are dictated in statute and regulation) and the manner in which much of the interagency review work occurs (via electronic or phone communications among review team members and permit applicants rather than open public meetings). All of the review processes of the state agencies are conducted to be compliant with CEQA, the Forest Practice Act, and the Forest Practice Rules. However, stakeholders often desire greater online access to the timber harvesting documents and related information being developed, as well as greater access to the interagency discussions that are occurring during harvesting plan review and the decision-making process.

The Redding Pilot Project<sup>3</sup>, whose initiation predates AB 1492, took an initial step to investigate opportunities to improve administrative efficiency and accountability in the timber harvesting permit review process. The Project resulted in 11 recommendations, which partially address the requirements stipulated in AB 1492.

In addition to the general language of AB 1492 regarding administrative transparency and efficiency, AB 1492 requires annual reporting of very specific information about harvesting plan review activities conducted by the review team agencies. These requirements are (see PRC § 4629.9):

A listing, by organization, of the proposed total costs associated with the review, approval, and inspection of timber harvest plans and associated permits.

1. The number of timber harvest plans, and acreage covered by the plans, reviewed in the 2011–12 fiscal year (FY), or the most recent FY.
2. To the extent feasible, a listing of activities, personnel, and funding, by department, for the forest practice program for 2012–13, or the most recent FY, and the preceding 10 FYs.
3. The number of staff in each organization dedicated fully or partially to (A) review of timber harvest plans, and (B) other forestry-related activities, by geographical location in the state.
4. The costs of other forestry-related activities undertaken.
5. A summary of any process improvements identified by the administration as part of ongoing review of the timber harvest process, including data and technology improvement needs.
6. Workload analysis for the forest practice program in each organization.
7. In order to assess efficiencies in the program and the effectiveness of spending, a set of measures for, and a plan for collection of data on, the program, including, but not limited to:

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<sup>3</sup> The Redding Pilot Project reports are available here: [http://resources.ca.gov/forestry/redding\\_pilot\\_project/](http://resources.ca.gov/forestry/redding_pilot_project/)

- A. The number of timber harvest plans reviewed.
- B. Average time for plan review.
- C. Number of field inspections per inspector.
- D. Number of acres under active plans.
- E. Number of violations.
- F. Evaluating ecological performance. [Please note that this last item is addressed by the Ecological Performance Measures Working Group.]

Figure 1 at the end of this Charter shows how the Administrative Performance Measures Working Group fits in with other elements of the AB 1492 program and with the Board of Forestry and Fire Protection's Effectiveness Monitoring Committee.

### **Duties of the Administrative Performance Measures Working Group**

#### 1. Identify, collect, analyze, interpret, and report the program administrative and implementation data that are needed to demonstrate administrative performance and efficiency.

##### **Tasks:**

- A. Build on the lessons learned and relevant recommendations made as a part of the Redding Pilot Project.
- B. Conduct informal outreach to stakeholders to better understand the kinds of program efficiencies and administrative performance measures that are important to them.
- C. Identify measures of administrative performance and the data needed to inform these measures, including the tracking and accounting of staff activities and outputs.
- D. Working with the Interagency Information Systems Working Group, develop information system solutions to routinely collect and analyze these data. Utilize existing information systems to the extent feasible.
- E. Review the administrative data reporting done in the 2014 AB 1492 Annual Report and modify as needed to ensure that it (i) appropriately reflects the efforts of the review team agencies, and the reporting requirements of AB 1492 and PRC § 4629.9 in particular, and (ii) provides the public with meaningful information on administrative performance and efficiency.
- F. Identify any staff resource or budgetary constraints that make it problematic to achieve the needed level of administrative performance and efficiency tracking and reporting; provide recommendations on what is needed to address these constraints.

#### 2. Identify opportunities to improve the format, scope, transparency, and accessibility of process-oriented and substantive information related to the submission, review, approval, implementation, inspection, and enforcement of timber harvesting projects. To the extent feasible, make these improvements.

##### **Tasks:**

- A. Follow up on relevant recommendations made as a part of the Redding Pilot Project.
- B. Continue to work with stakeholders who have already been engaged with the review team agencies on these matters.

- C. Reach out to other stakeholders for input.
- D. Identify needed improvements to the format, scope, transparency, and accessibility of process-oriented and substantive information related to the submission, review, approval, implementation, inspection, and enforcement of timber harvesting projects.
- E. Work with the Interagency Information Systems Working Group to develop information system solutions to problems and opportunities identified. Utilize existing information systems to the extent feasible.
- F. Where crosscutting issues are identified, work with the Data and Monitoring Working Group and the Ecosystem Performance Measures Working Group.
- G. Identify any staff resource or budgetary constraints that make it problematic to achieve the needed levels of transparency and accessibility; provide recommendations on what resources are needed to address these constraints.

### **Preparation of a Work Plan**

Upon establishment, the Administrative Measures Working Group will develop a Work Plan. The first Work Plan will address the activities necessary to complete the duties described above in a timely fashion. The Working Group will review the Work Plan at the end of each fiscal year, or other times, as needed, and update it as necessary. All Work Plans will be submitted to the AB 1492 Leadership Team for review and approval. Stakeholder input will be solicited on draft Work Plans.

### **Tentative Major Milestones**

More details on the timing of the completion of tasks will be developed in the Group's Work Plan. Some tasks with specific timelines are:

1. Conduct informal stakeholder outreach on program efficiencies and administrative performance measures. First quarter 2015.
2. Develop initial revisions to administrative performance data reporting. First quarter 2015.
3. Complete the development of administrative performance measures. Second quarter 2015.
4. Design information system solutions for collecting and analyzing administrative performance measures. Third quarter 2015.
5. Implement initial solutions for collecting and analyzing administrative performance measures. Beginning of Fiscal Year 2015-16. Longer-term information solutions will be developed by the Interagency Information Systems Working Group.
6. Milestone dates for Task 2 will be developed as part of the Working Group's Work Plan.

Based on the outcomes of processes, these timelines may need to be adjusted.

### **Working Group Membership and Leadership**

The Working Group will be composed of staff from the review team agencies. The review team agencies will select a Chairperson and a Vice Chairperson for the Administrative Performance Measures Working Group. The Vice Chairperson will chair meetings of the Working Group in the absence of the Chairperson. The AB 1492 Leadership Team requests each agency to assign at least one staff person and a back-up person to the Working Group.

## **Subcommittees**

The Working Group may establish subcommittees as needed to accomplish its work. The subcommittees will operate with well-defined scopes of responsibility and clearly articulated tasks and timelines.

## **Consultation**

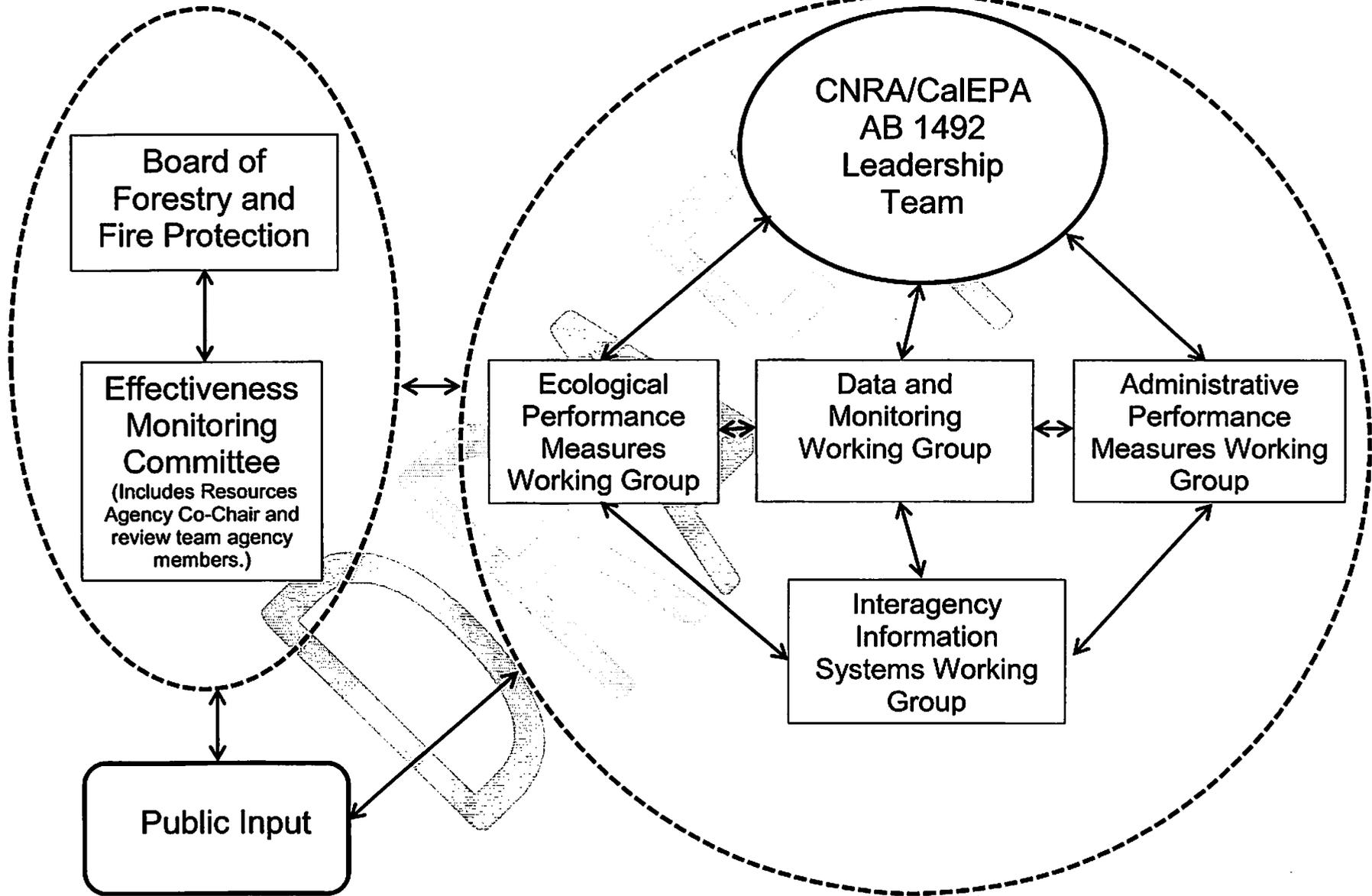
When additional expertise is needed to assist the Working Group and/or its subcommittees in completing their work, assistance may be requested from the review team agencies non-timber program staff, or from other state and federal agencies, such as NOAA Fisheries, U.S. Fish & Wildlife Service, USDA Forest Service, or from professional and scientific organizations, and educational or research institutions.

## **Review and Modification of this Charter**

The AB 1492 Leadership Team is responsible for the approval of this charter and its maintenance and modification over time. The Leadership Team will provide the public with the opportunity to comment on the draft charter before its initial approval and any significant changes it makes to the charter. The Leadership Team will review the charter at least annually to determine if any modifications are warranted.

**EMC at Board of Forestry and Fire Protection**

**AB 1492 Program at CA Natural Resources Agency and CA Environmental Protection Agency**



**Figure 1. Organizational Framework for AB 1492 Program Structure and its Relationship to the Board of Forestry and Fire Protection and its Effectiveness Monitoring Committee.**