

ASSEMBLY BILL

No. 875

Pilot projects

The bill would require the Secretary of the Natural Resources Agency and the Secretary for Environmental Protection, by July 1, 2014, in consultation with various entities, to select a pilot project assessment team, as specified, to undertake pilot projects with the primary goal being to improve the state’s collection, organization, management, use, and distribution of vital forestry-related information. The bill would require the pilot projects to accomplish certain things, including enabling restoration measures to be identified for listed anadromous salmonids, other wildlife, watersheds, and forest health issues. The bill would require the pilot projects to conclude on January 1, 2017. The bill would require the pilot project assessment team to create a report of its findings, conclusions, and recommendations and hold a public meeting to discuss the report.

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Article 5.5. Watershed Pilot Projects

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9 *4564. (a) By July 1, 2014, the Secretary of the Natural*
10 *Resources Agency and the Secretary for Environmental Protection,*
11 *in consultation with the state’s timber harvest plan review agencies,*
12 *relevant federal agencies, and qualified stakeholders from the*
13 *timber industry and environmental and science communities, shall*
14 *select a pilot project assessment team to undertake the pilot*
15 *projects described in Section 4565.*

16

17 *(b) Before selecting the pilot project assessment team, the*
18 *Secretary of the Natural Resources Agency and the Secretary for*
19 *Environmental Protection shall hold at least one public meeting*
20 *to discuss the assessment team selection process and the general*
21 *manner in which the team will approach the projects. This meeting*
22 *shall occur at a special session hearing of the Board of Forestry*
23 *and Fire Protection.*

24

25 *(c) (1) The pilot project assessment team shall include all of*
26 *the following:*

27

28 *(A) Two representatives from each state agency that is regularly*
29 *involved in the timber harvest review process. If feasible, each*
30 *agency shall have representatives who, collectively, have expertise*
31 *in the sciences and art of cumulative impacts and the collection*
32 *and organization of data.*

33

34 *(B) If available, qualify representatives from federal agencies*
35 *involved in forestry issues.*

36

37 *(C) Two qualified representatives from the environmental*
38 *community.*

39

40 *(D) Two qualified representatives from the timber industry.*

41

42 *(E) Two registered professional foresters, one of whom shall*
43 *have experience with preparing harvest plans for landowners who*
44 *are not primarily engaged in the manufacture of forest products.*

45

46 *(F) Two scientists, including, but not limited to, qualified*
47 *fisheries and wildlife biologists.*

1 (G) Two individuals from the watershed restoration practitioners
2 community.

3 (2) For each group of representatives, there shall be one person
4 who has experience with forestry issues in the Coast Forest District
5 and one person who has experience with forestry issues in the
6 Northern Forest District.

7 (d) (1) As approved by the Board of Forestry and Fire
8 Protection, members of the pilot project assessment team may be
9 reimbursed for their actual and necessary expenses incurred in
10 the performance of official business related to the pilot projects.

11 (2) Members of the pilot project assessment team shall not
12 receive more than five thousand dollars (\$5,000) in any five year.

13 (3) This subdivision shall not apply to a public employee whose
14 participation is consistent with his or her job description.

15 4565. (a) By July 1, 2015, the pilot project assessment team
16 shall undertake two pilot projects, one in a Coast Forest District
17 watershed containing Central California Coast Coho Salmon and
18 one in a Northern Forest District watershed in the Sierra Nevada,
19 with the primary goal of improving the state's collection,
20 organization, management, use, and distribution of vital
21 forestry-related information. The pilot project shall accomplish
22 all of the following:

23 (1) Make the evaluation and response to cumulative impacts
24 credible and effective.

25 (2) Enable restoration measures to be identified for listed
26 anadromous salmonids, other wildlife, watersheds, and forest
27 health issues.

28 (3) Determine appropriate and effective post-harvest monitoring
29 procedures and standards.

30 (b) The pilot projects shall have a focus on (1) developing
31 efficiencies and cost savings for state agencies and landowners
32 and (2) improving the evaluation of ecological performance. The
33 pilot project assessment team may use the State of Washington's
34 Watershed Analysis Manual, the Methods Manual developed by
35 the State of California's North Coast Watershed Assessment
36 Program, the Recovery Strategy for California Coho Salmon, the
37 National Oceanic and Atmospheric Administration fisheries'
38 recovery plans for California evolutionarily significant units, the
39 State Wildlife Action Plan, and other pertinent reports, programs,

1 and documents as guidance to the extent that they do not conflict
2 with this article.

3 (c) The pilot projects shall take place on a CalWater Planning
4 Watershed level. The pilot project assessment team shall select
5 watersheds that (1) are representative of both private and public
6 trust values and (2) will produce analyses that are transferable to
7 other watersheds.

8 (d) The pilot projects shall establish, to the extent feasible,
9 templates, consistent symbology, uniform mapping requirements,
10 and other requirements to bring information together (1) in a
11 publically accessible electronic database and (2) in a manner that
12 meets the basic needs of all stakeholders to make decisions on
13 environmental conditions and impacts.

14 (e) By January 1, 2015, the pilot project assessment team shall
15 develop a draft plan explaining the scope and process of the pilot
16 projects and hold at least one public hearing to discuss the draft
17 plan and take public comment.

18 (f) The pilot projects shall conclude on July 1, 2017.

19 4566. (a) By January 1, 2018, the pilot project assessment
20 team shall complete a draft report of its findings, conclusions, and
21 recommendations and hold at least one public meeting to discuss
22 the draft report and take public comment. This public meeting
23 shall occur at a special session hearing of the Board of Forestry
24 and Fire Protection.

25 (b) The pilot project assessment team's recommendations shall
26 include all of the following:

27 (1) Measures to develop a centralized database system that will
28 meet the goals described in subdivision (a) of Section 4565 and
29 contain the focus described in subdivision (b) of Section 4565.

30 (2) Guidance on how to incorporate the centralized database
31 system into processes that will meet the goals described in
32 paragraphs (1) to (3), inclusive, of subdivision (a) of Section 4565
33 and contain the focus described in subdivision (b) of Section 4565.

34 (3) Identification of any impediments to implementing
35 paragraphs (1) and (2).

36 (c) By July 1, 2018, the pilot project assessment team shall have
37 completed the final report of its findings, conclusions, and
38 recommendations and hold a public meeting, no later than
39 September 1, 2018, to discuss the final report.

1 (d) Prior to a public meeting held pursuant to subdivision (c),
2 the pilot project assessment team shall, at a minimum, make its
3 report and any supporting documents available to the public
4 through the department's Internet Web site.

5 (e) (1) No later than August 1, 2018, the pilot project
6 assessment team shall deliver copies of the final report to the
7 Legislature.

8 (2) The requirement for submitting a report imposed pursuant
9 to paragraph (1) is inoperative on July 1, 2022, pursuant to Section
10 10231.5 of the Government Code.

11 (3) A report submitted pursuant to paragraph (1) shall be
12 submitted in compliance with Section 9795 of the Government
13 Code.

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Draft Flow Chart for AB 875 Pilot Project Process

**TO BEGIN THE DEVELOPMENT OF, AS CALLED FOR IN AB 1492,
“EFFICIENCIES”, “PROCESS IMPROVEMENTS”, “DATA & TECHNOLOGY
IMPROVEMENT”, AND “EVALUATING ECOLOGICAL PERFORMANCE”**

**FOR FOREST PRACTICES AND LONG-TERM FOREST STEWARDSHIP
THROUGH PILOT PROJECT PROCESSES**

LEGISLATION – PROVIDED BY PROVISIONS IN AB 875

NATURAL RESOURCES AGENCY AND CALEPA

**THP REVIEW AND
APPROVAL ENTITIES**

**PRIVATE & PUBLIC
STAKEHOLDERS**

**PUBLIC HEARING ON THE
PILOT PROJECT(S) PROCESS
& SELECTION OF MEMBERS
OF PILOT PROJECT WORKING GROUP(S) [PPWG(s)]**

**PPWG(s) DRAFT SCOPE AND PROCESS
FOR PILOT PROJECTS**

PUBLIC HEARING

IMPLEMENTATION OF PILOT PROJECTS

**DRAFT FINDINGS, CONCLUSIONS,
AND RECOMMENDATIONS**

PUBLIC HEARING

**FINAL FINDINGS, CONCLUSIONS,
AND RECOMMENDATIONS**

**ADOPTION OF APPROPRIATE RULES,
PROCEDURES, REGULATIONS, OR STATUTES**

**ACCESSIBLE INFORMATION AND DOCUMENTATION AVAILABLE
THROUGHOUT THE PROCESS**

**PUBLIC, LEGISLATIVE, AND ADMINISTRATIVE OVERSIGHT
THROUGHOUT THE PROCESS**

**INITIAL PILOT OR PILOTS' FOCUS
FOR TWO CALWATER 2.2.1 PLANNING WATERSHEDS*:**

**EVALUATING & RESPONDING
TO CUMULATIVE IMPACTS**

**COHERENT, ACCESSIBLE, AND
BASIC TEMPLATES OF INFORMATION
TO FACITITATE ACOMPLISHMENT
OF EFFICIENCIES AND
ECOLOGICAL PERFORMANCE**

**LOCATING & FACILITATING
RESTORATION & RECOVERY
OPPORTUNITIES**

**ESTABLISHING INFORMATION
NEEDED TO ENABLE
PRACTICAL AND EFFECTIVE
MONITORING PROTOCOLS**

* The Calwater 2.2.1 Planning Watershed Scale is almost always the scale that CalFire requires Cumulative Watershed Impacts to be considered. It is also the scale recommended for Coho Recovery Plans, Limiting Factor determination, and Data organization in the California Coho Recovery Strategy for Timberlands.

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The Focus of the Pilot Projects

Information

- Reforming and standardizing requirements for vital information on a CalWater Planning Watershed basis.
 - Establish basic templates for mapping and other information.
 - The templates will provide basic and electronically accessible information deemed necessary by the agencies, plan submitters, and the public to understand and fulfill their legal responsibilities.

Cumulative Impacts

- Making the evaluation and response to cumulative impacts credible and effective.

Restoration Measures

- Enabling restoration measures to be identified for listed anadromous salmonids, other wildlife, watersheds, and the forest itself.

Monitoring

- Determining appropriate and effective monitoring procedures and standards.

The Requirements for the Pilot Project

Who's Involved?

- The Board and Department of Forestry, guided by the Natural Resources Agency and CalEPA, in partnership with harvest plan review agencies, the range of public stakeholders, and the scientific community shall conduct pilot projects to determine and implement processes that result in long-term efficiencies and cost savings while ensuring environmental performance that will protect and restore vital soil, water, wildlife, timber, and forest values and resources.
- The industry, agencies, and the public will have the opportunity to participate in the development and implementation of needed pilot projects in transparent processes.
- Pilot projects shall be conducted by persons and entities with relevant training and experience.
- There shall be consultation with and comment sought from appropriate scientific experts and the public, including, but not limited to, qualified fisheries and wildlife biologists, in order to develop evaluation and implementation guidelines that are feasible, enforceable, and protective of the public trust.

Where?

- Take place at the appropriate spatial scale.

Determining Baseline and Parameters

- Use reproducible, preferably quantitative, methods of evaluation as the primary means of determining baseline and/or existing physical, chemical, or biological parameters.

Pilot Projects Legislative Proposal – md 1.31.13

- All documents that form the basis for the pilot projects that are developed pursuant to this section shall be posted on the department's Internet Web site.
- The board, with the assistance of a multidisciplinary technical advisory committee, and in consultation with the Natural Resources Agency, CalEPA, and others, develop recommendations and pass regulations for providing electronic public access to all relevant documents that assist the department in administering timber harvest regulations, in the protection and recovery of forest and watershed health and productivity, and in monitoring. Watershed specific information shall be organized by CalWater Planning Watersheds which may then be conglomerated into larger aggregations as appropriate.

The Future

- It is intended that pilot projects will be used in the future as needed to improve forest practices, recovery measures, and the quality of California's forestland, watershed, and wildlife resources; and the human communities that depend upon them.

Timeline

- It is intended that the first pilot project, or set of pilot projects, be completed by 1 January 2017 or sooner.
- It is intended that rules and process changes resulting from these initial pilot projects be in place by 1 January 2018 or sooner.

Funding

- Funding and personnel for the development and implementation of pilot projects shall be utilized from existing department and responsible agencies' budgets and personnel, including first priority funding from AB 1492 for timber plan review agencies. Additional funding shall be sought from private and public sources, statewide and nationally, with an emphasis on receiving support from educational institutions.

INTERAGENCY WATERSHED ANALYSIS TEAM PILOT PROJECT
28 November 2001

Background: The Forest Stewardship Committee, in January 2001, voted on a list of 12 concerns which were perceived as key factors in hindering or preventing relief or incentives to the small forest landowner. The four factors with the highest number of votes were Cumulative Impacts, Divergent Agency Criteria, Lack of Agency Services, and THP Documentation. Proposed Alternative #4, here described in the context of a pilot project, addresses each of these four factors.

Goal: The goal of this pilot project is to develop, test, and refine a simple and credible interagency method, in cooperation with landowners and stakeholders, for analyzing watershed conditions, trend of resources of concern, and to identify protection and recovery needs, opportunities, and priorities on a planning watershed or sub-basin scale – consistent with both private and public trust values.

Objectives:

1. To test the ability to economically generate State-agency-led watershed analyses and watershed protection and recovery findings and recommendations that:
 - a. Are sufficient in quality and scope to garner wide support among responsible regulatory and funding agencies, landowners, watershed residents, industries, professions, land managers, and other stakeholders;
 - b. Will facilitate better stewardship and management at the watershed scale of both economic and public trust resources by these interest groups.
 - c. Will facilitate more consistent agency regulatory requirements by providing a more uniformly and widely used set of data and information regarding watershed conditions and recommendations for prioritizing watershed-scale protection/recovery priorities and needs.
 - d. Will lift much of the burden of project-specific cumulative watershed effects assessment from individual landowners by allowing them to tier such assessments to a broader project-independent watershed analysis.
 - e. Will expedite decisions regarding planning, funding and actions for improved resource production, protection, recovery, and monitoring.
2. To develop practical application of the results of the North Coast Watershed Assessment Program (NCWAP), and evaluate cost and timesavings where NCWAP data are available.
3. To provide landowners and stakeholders with an acceptable and viable approach, on a planning watershed scale, to address Clean Water Act requirements, and to recover beneficial uses identified as impaired under the 303(d) list.
4. To provide landowners and stakeholders with an acceptable and viable approach to conserving state and federally listed aquatic species on a planning watershed scale.
5. To report the knowledge gained and make recommendations for applying a planning watershed analysis approach over a broader area, including:
 - a. The basic technical needs (e.g., information/data collection and management) for an effective, efficient watershed analysis approach; and