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**DRAFT  
MINUTES  
BOARD OF FORESTRY AND FIRE PROTECTION  
MEETING  
FEBRUARY 4, 2009  
SACRAMENTO**

**BOARD OF FORESTRY MEMBERS PRESENT:**

Stan Dixon, Chairman  
David Nawi  
Pam Giacomini  
Jim Ostrowski  
Bruce Saito  
Lloyd Bradshaw  
Tom Walz  
Jim Ostrowski  
Doug Piirto

**BOARD OF FORESTRY MEMBERS ABSENT:**

**BOARD STAFF:**

George Gentry, Executive Officer  
Eric Huff, Executive Officer, Forester's Licensing  
Teri Ashby, Board Counsel  
Chris Zimny, Regulations Coordinator  
Laura Alarcon-Stalians, Staff Services Analyst  
Linda Cano, Executive Assistant

**DEPARTMENTAL STAFF:**

Ruben Grijalva, Director, Forestry and Fire Protection  
Del Walters, Executive Officer  
Crawford Tuttle, Chief Deputy Director  
Bill Snyder, Deputy Director  
Duane Shintaku, Asst. Deputy Director  
Giny Chandler, Chief Counsel  
Russ Henly, Asst. Deputy Director

*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.*

## **CALL TO ORDER**

Chairman Dixon called the February 4, 2009 meeting of the Board of Forestry and Fire Protection to order.

## **APPROVAL OF MINUTES**

Chairman Dixon asked for Board approval of the January minutes.

**02-09-01:** Member Piirto moved to approve the January 2009 Board Meeting minutes. Member Saito seconded the motion. Member Nakamura offered some minor edits. Eight members were in favor with one abstention (Giacomini) and the motion passed.

## **REPORT OF THE CHAIRMAN**

No report.

## **REPORT OF THE DIRECTOR**

Director Ruben Grijalva announced that on February 3, 2009 he submitted a letter to Governor Schwarzenegger with his intent to retire from state service to pursue other opportunities.

Crawford Tuttle gave an overview of budget and furlough implementation, details are still being worked through. L.A.O. has released their initial budget recommendations for the 2009 and 2010 budget. The recommendations are in the process of review. Tuttle mentions he agrees with one recommendation in regards to \$55 million reduction to the department's budget. An observation made by L.A.O. that if recommendations are approved by the legislature the department will incur greater E-Fund expenditures this year. L.A.O. has also asked the department to provide information about divestiture of our state forests. The primary intention is to generate revenue to reduce the state deficit.

Mr. Tuttle acknowledges the excellent dialogue during the management committee meeting on February 3, 2009 regarding the JDSF management plan. The plan has the full support of the Director and the department.

Federal Stimulus package: The House and Senate are both are considering legislation regarding investments toward fuel treatment and other forest health efforts. The house is providing \$550 million that would be related to state agencies and local agencies to carry out project work with the Senate providing \$350 million. Discussions are on going. Cal Fire will provide technical assistance when requested by the governor's office.

## **REVIEW OF JACKSON ADVISORY GROUP PROGRESS REPORT AND THE GROUP'S PROPOSED WORK PLAN.**

Russ Henly gave an overview of the Jackson Advisory Group (JAG) work plan. The Board added language to the management plan that discusses harvesting during the interim period. The revenue production on Jackson for timber harvesting should not be substantially greater than needed to operate Jackson. They have been moving forward with getting harvesting plan approvals through

the department, although they experienced a set back due to a substantial loss of staff as a result of the June, 2008 lightning fires. There were no harvests in 2008. The JAG has reviewed the 14 Gulch timber harvesting plan.

The advisory group has been meeting monthly, and has brought in a facilitator, Steve Swieback to help the group with process and organization of their work. They have helped to develop new harvesting prescriptions for Brandon and Camp 3. Mr. Henly advised the Board that the plan is a work in progress and will be revised over time. The plan is intended to cover the principal work of the advisory group through the initial implementation period going into January, 2011. The goal of the JAG is to complete a draft of its report to the Board and department by June, 2010.

Member Piirto mentioned the report given by John Helms during the Management Committee meeting, and wanted to go over three points of John's which were:

- JAG is meeting deadlines
- It understands the seriousness of getting timber harvesting plans back on line
- It fully understands the Jackson Demonstration Forest operates under the statutes of California

During the Management Committee meeting, Dr. Helms also discussed JAG's Research Committee that identified five themes"

1. Sustainability
2. Watershed habitat and restoration
3. Carbon sequestration and climate change
4. Social aspects of forestry
5. Late seral restoration

**02-09-02: Member Piirto moved to approve the Jackson Advisory Group Work Plan. Member Nawi seconded the motion. All were in favor, and the motion carried unanimously.**

## **REPORT OF THE ADVISORY COMMITTEES**

### **CALIFORNIA FOREST PEST COUNCIL**

No report.

### **California Oak Mortality Task Force (COMTF)**

Katie Palmieri gave the Report. A copy of the report is maintained in the Board binder.

### **RANGE MANAGEMENT ADVISORY COMMITTEE (RMAC)**

Jeff Stephens, gave an overview of RMAC January meeting

Jeff stated that RMAC met on January 13<sup>th</sup> and 14<sup>th</sup> and highlighted a couple of the agenda items that were discussed during those meetings. One is the continued discussion on climate change and adopting management strategies for rangeland. Second is the continued review of the white

paper that deals with the acquisition of private land by public entities without provision for management.

Two issues were brought to the attention of RPC on behalf of RMAC regarding the validity of a reference that was quoted in the paper. The other is a data source that is being further investigated.

RMAC is working to fill three positions one is a general public member which has been advertised. They hope to have some nominees for the Boards consideration at a later date. Second is for California Association of Resources Conservation District, they intend to submit a nominee to fill the position. Third is for a position with the Wool Growers Association, they have elected to re-nominate Mel Thompson. RMAC is nominating Mel for consideration. The term will be for four years, ending 2013.

**02-09-03: Member Giacomini moved to approve the nomination of Mel Thompson. Member Piirto seconded the motion. All were in favor, and the motion carried unanimously**

**MONITORING STUDY GROUP (MSG)**

Report included in the Board's binder.

**PROFESSIONAL FORESTERS EXAMINING COMMITTEE (PFEC)**

Mr. Eric Huff, Executive Officer, Foresters Licensing, submitted a handout.

The following Registered Professional Forester has requested license **REINSTATEMENT** From withdrawal status pursuant to 14 CCR §1608 (d):

Mr. David Mc Hardy	RPF No. 1589*
Mr. Paul Veisze	RPF No. 2385*
Mr. Michael Warren	RPF No. 2373

The following Registered Professional Foresters have requested and meet the requirements for licenses **WITHDRAWAL** pursuant to 14 CCR § 1608(a):

Mr. Gary Ross	RPF No. 1717*
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The Following Registered Professional Foresters have **VOLUNTARILY RELINQUISHED** their licenses to practice forestry:

Mr. Robert Williams	RPF No. 948*
Mr. Hiram Webb	RPF No. 1827
Mr. James Benson	RPF No. 250
Mr. Richard Castaldini	RPF No. 77
Mr. Julian Howell	RPF No. 1206
Mr. John MacWilliams	RPF No. 149
Mr. James Herring	RPF No. 1582
Mr. Theorode Schuette	RPF No. 88
Mr. Ernest Andersen	RPF No. 1493
Mr. John Ferrell	RPF No. 581

\*indicates this action was taken/changed after Revocation notices were sent

## **DISCUSSION AND REVIEW OF THE BOARDS AND FISH AND GAME COMMISSIONS JOINT POLICY FOR ANADROMOUS SALMONIDS.**

Executive Officer Gentry gave an overview of the edits made to the update of joint policy.

Kevin Shaffer was there on behalf of Glenda Marsh of the Department of Fish and Game. He stated they plan to transmit the amended joint policy to the commission by March 5, 2009 and are officially approving the edits made at the committee meeting.

**02-09-04: Member Ostrowski moved to approve the Joint Policy for Anadromous Salmonids. Member Piirto seconded the motion. All were in favor, and the motion carried unanimously.**

## **PRESENTATION ON THE DRAFT REVISED FOREST PROJECT PROTOCOLS**

### **Gary Gero, President of California Climate Registry**

Mr. Gero gave an overview of the structure of Forest Protocols which he explained consists of three protocols. There are three project types that qualify, conservation based forest management, avoided conservation or deforestation and reforestation. The program relies on good quality standards and independent third party verification of activities for those standards. They provide the training, accreditation and oversight to verifiers to make sure they are qualified to do the work. There is a third component to the process in which they issue credits, for every credit issued a unique serial number is given that defines the project type, location and is tracked over time.

The program has registered two forest management projects and has issued several hundred thousand credits which are being transacted in the voluntary carbon market. They have seven other projects that are currently in their system that getting ready for activity verification. Their anticipation is to have several million tons of credits issued to a wide variety of project types within the next year.

California Climate Registry control has put together a work group of both interest and stake holders that have met regularly to develop a next generation protocol. They have put out a draft of the protocol for broad public review and have received 36 sets of comments. They respond to those comments in writing in part for their administrative record. The comments are then taken to the board for review. They have extended their protocols to fifty states as well as six Mexican states.

Mr. Gero will be speaking with the House Committee of Energy and Commerce about the work they are doing and how it can be incorporated at the federal level.

### **John Nickerson, Consultant, California Climate Registry**

Mr. Nickerson gave an overview of the update process for Forest Project Protocols. A copy of his presentation is in the Board binder.

**OVERVIEW OF THE OFFICE OF PLANNING AND RESEARCH PRELIMINARY DRAFT CEQA GUIDELINES AMENDMENTS FOR GREENHOUSE GAS EMISSIONS. HEATHER BAUGH, ASST. GENERAL COUNSEL, THE NATURAL RESOURCES AGENCY.**

Heather Baugh Asst General Counsel, gave an overview of the process for updating the CEQA guidelines and what Cal Fire should be doing now to analyze this in the timber harvest plans and other environmental documentation. She also gave a PowerPoint presentation of an overview of SB 97 and SB 32. A copy of the PowerPoint is maintained in the Board binder.

The statute in SB 87 asks Resources to update the guidelines relative to greenhouse gas and their emissions as well as mitigation. Because of the language of SB 97, Resources has taken the approach with Office of Planning and Research (OPR) to try to insure that lead agencies have a flexibility and discretion they maintain, as they've always have.

Resources and OPR are jointly responsible for creating the guidelines with OPR during the beginning, initial and formal process. OPR has put out the preliminary draft of what the guidelines should look like. OPR will present a draft to the Secretary of State, once the Secretary receives the draft Heather's office will be responsible for gathering evidence to support the rule making.

Once Heather submits an initial package to the Office of Administrative Law an official public comment period will open. She notes that this will be important to CalFire as well as other agencies interested the guidelines, it is in this period in which they comment that they will receive feedback in a record.

At the end of a 45 day period, Agency will hold two hearings in which there will be an opportunity to comment.

**PRESENTATION ON ROSBURG FOREST PRODUCTS ON THEIR PLANNED 14 MEGAWATT BIOMASS COGENERATION POWER**

Arne Hultgren gave an overview and presented a PowerPoint of the biomass cogeneration power facility in Weed Calif. A copy of the PowerPoint is maintained in the Board binder.

Arnie will be going to Washington D.C. next month with Woody's Biomass Coalition a national organization and will be meeting with the new administration and selling points on biomass.

Public comment Eric Carlson, Associated California Loggers noted they had their annual meeting in Reno. He stated one of the speakers at the meeting, Easel Castleberry with Castleberry Logging is looking into the potential expansion of biomass facilities in Alabama. He noted that Easel is in discussions with the Federal EPA to promote federal funding of biomass facilities in Alabama.

**REQUEST BY THE COUNTY OF SAN DEIGO, SAN DIEGO COUNTY FIRE AUTHORITY, DEPARTMENT OF PLANNING AND LAND USE, FIRE SERVICES SECTION, TO UPDATE CERTIFICATION OF LOCAL CODES AND ORDINANCES IN RELATIONSHIP TO THE "SRA FIRE SAFE REGULATIONS".**

Mr. Zimny gave an overview of a request by San Diego County pursuant to the Board's fire safe regulations on § 1270.03. Counties have the option to submit to the Board a request to certify their local fire safe ordinances as meeting or exceeding the state's minimum standards. To date approximately 80% of the counties have been certified by the Board since it's inception in 1991.

Member Giacomini added there were extensive discussions in committee meeting and that Cal Fire has done adequate review. There were some exceptions that the committee had expressed concern over, but it was determined that the county required a record of such exceptions. Each applicant is required to provide a detailed document on the record before the county will approve their project. Member Giacomini also added that an original signed copy of the letter by the San Diego Unit will be needed for record.

Documents received from the county that describe their request for certification are maintained the Board binder.

**02-09-05: Member Giacomini moved to approve the certification for San Diego County Fire Safe Regulations. Member Piirto seconded the motion. All were in favor, and the motion carried unanimously.**

## **STANDING COMMITTEES OF THE BOARD**

### **FOREST PRACTICE COMMITTEE (FPC): No action items to report**

Member Nawi mentions that they are making progress on the Threatened or Impaired Watershed rules, and there will be a special meeting on February 17, 2009.

### **MANAGEMENT COMMITTEE: No action items to report**

- Doug advises the Board that the SYP proposal will most likely be on the March agenda.
- Potential additions that might be possible to the forest system or other entities.
- Modified timber harvesting is a significant study before the committee; it will be a while before it moves forward.

### **RESOURCE PROTECTION COMMITTEE (RPC): No action items to report**

Member Giacomini updated the Board on progress for the Vegetation Treatment Program EIR. Jeff Stephens is working through the administrative draft doing edits and will get those to the sub committee. She hopes to have a public draft soon.

### **POLICY COMMITTEE:**

Member Ostrowski asked for the Board to consider issuing a possible forty five day public comment notice on the "Evaluation for Spotted Owl" regulation. The policy committee has made some changes and amendments as a result of the comments received.

The committee received valid comments regarding the definition of the activity center and that it is consistent with the Fish and Wildlife definition. Additionally, the Fish and Wildlife Service has announced they will no longer be accepting new requests for technical assistance in the Arcata Office.

**02-09-06: Member Ostrowski moved to issue a 45 day notice for the "Evaluation for Spotted Owl" regulation. Member Bradshaw seconded the motion. All were in favor, and the motion carried unanimously.**

Discussion item: Member Nakamura suggests the term "expert" be clarified on page 5 line 13 of the notice. Executive Officer will work with attorney to clarify.

Executive Officer Gentry states the draft initial statement of reasons which was given to the Board will have to be revised to meet the suggested edits. The initial statement of reasons still has the basic findings and review of alternatives and he requested the Board to approve the initial statement of reasons subject to minor edits.

**02-09-06: Member Nawi moved to issue an Initial Statement of Reasons with the aforementioned edits. Member Ostrowski seconded the motion. All were in favor, and the motion carried unanimously.**

## **REPORT OF THE REGULATIONS COORDINATOR**

**No Report**

## **REPORT OF THE EXECUTIVE OFFICER**

Mr. George Gentry, Executive Officer for the Board, reported on two pieces of legislation AB 149 and AB 54.

**PUBLIC FORUM:** Members of the public may address the Board on any topic within its jurisdiction not otherwise on the agenda. Submittal of written comments is encouraged to ensure that all comments will be included in the record before the Board. Please be prepared to summarize comments to three minutes in length, or otherwise at the discretion of the Chairman.

Bill Keye, CLFA, informs the Board of the CLFA meeting, March 6, 2009. Executive Director, Hazel Jackson will be retiring this year.

Dan Fisher, President Sierra Cascade Logging Conference invites the Board to attend the Sierra Cascade Logging Conference, February 12-14, 2009.

Dan Fisher also offered comment regarding Cal Fire's concerns about the conversion of TPZ to other uses. His concern is what's happening on California's land and other states in the west with tens of thousands of conversions every year. He would like to see the Board potentially having influence over law makers that provide the funding for the forest service to regenerate their properties.

## **NEW AND UNFINISHED BUSINESS**

Jim Ostrowski attended the Society of American Foresters and gave a brief report of the meeting. Hugh Stafford reported on some of the research that has been done on the Angora fire. Research shows and they are predicting that the trees that initially survived fire will continue to die over the next three years. They also found that there is very little natural regeneration.

Gary Nakamura made a follow up statement on Jim's comment regarding the Angora fire, of a side by side comparison that Tahoe Conservancy did to salvage logging and reforestation immediately following the fire.

**ADJOURNMENT**

The Chairman adjourned the February 4, 2009 meeting of the Board.

Respectfully submitted,

ATTEST:

George D. Gentry  
Executive Officer

Stan Dixon  
Chairman

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