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BOARD OF FORESTRY AND FIRE PROTECTION

Sacramento, CA
December 8, 2016

BOARD OF FORESTRY MEMBERS PRESENT:

Mark Andre
Rich Wade
Susan Husari
Stuart Farber
Mike Miles
Darcy Wheelles
Marc Los Huertos

BOARD OF FORESTRY MEMBERS ABSENT: J. Keith Gilles, Chair

BOARD STAFF:

Matthew Dias, Executive Officer
Connor Pompa, Regulations Forester I
Edith Hannigan, Associate Government Program Analyst
Linda Cano, Executive Assistant
Laura Alarcon-Stalians, Associate Government Program Analyst
Ali Karaouni, Board Counsel

DEPARTMENTAL STAFF:

Ken Pimlott, Director
Janet Barentson, Chief Deputy Director
Helge Eng, Deputy Director, Resource Management
Bill Solinsky, Forester III, THP Administration
Dennis Hall, Forest Practice
Dave Shew, Staff Chief - Planning and Risk Analysis Division
Matthew Reischman, Staff Chief Forest Practice
John Melvin, Staff Chief, Resource Protection & Improvement
Stewart McMorrow, Stewardship Forester
Dave Loveless, State Forests Program Manager
Pete Cafferata, Forest Practice/Forest Hydrologist Forester II

NATURAL RESOURCES AGENCY:

Russ Henly, Assistant Secretary of Forest Resources Management, Natural Resources Agency
Bill Condon, Environmental Program Manager, Fish & Wildlife

Announcement of Actions Taken in Executive Session.

Discussed Civil Penalty 14-12. It was confirmed that the directive order has become final by default against Respondent.

Approval of November Meeting Minutes.

12-16-01 Member Husari moved to approve November Meeting Minutes. Member Los Huertos seconded the motion.

Roll Call

Farber	Aye
Wheeles	Aye
Los Huertos	Abstained
Wade	Aye
Husari	Aye
Miles	Aye
Andre	Aye

The motion passed with one member absent and one abstention.

MONTHLY BOARD REPORTS

Report of the Chairman

Report of the Director/Department. Ken Pimlott

- **Department Succession:**
 - Phyllis Banducci will be retiring at the end of December; she has been instrumental in the Fire Plan and SRA/DPA review. Chris Rowney has accepted the Assistant Deputy Director for Cooperative Fire, Training, Safety and EMS behind Phyllis.
 - Caroline Godkin has accepted a promotion to the Natural Resources Agency as its Legislative Director.
 - The Administration is working to find replacements for both the Legislative Deputy and the State Fire Marshal positions.
- **Grant Awards:**
 - The Department was awarded \$15.7 million in SRA and Tree Mortality grants.
 - 62 of these grants have been awarded in the tree mortality areas.
 - \$5 million of the SRA grants were awarded statewide.
- **Camps Program:**
 - CAL FIRE remains 955 inmates short in the Camps program. The Department is evaluating opportunities to make up the difference in capacity, including California Conservation Corps and other state classifications.
- **Cooperation with Chile:**
 - The Director stated that he had an opportunity to meet with his counterpart in Chile. Chile, like California, is known for having a Mediterranean climate and has been facing increased fire activity within their country as well. The goal of the meeting was to discuss the similarities between wildfire management issues and cross-training opportunities between California and Chilean prevention and suppression forces. An MOU was signed to support future collaborate efforts.

- **Fire Stats:**
 - The state has observed a 22% increase in fire activity over the past 5 years.
 - Currently, both Northern and Southern Regions are downstaffing as weathers patterns have shifted.
- **Prescribed Fire Goals:**
 - CAL FIRE continues to work towards the goal of 20,000 acres of prescribed fire. This new elevated goal is lofty, specifically given that the focus of CAL FIRE Units has not been on prescribed fire for many years. To date, Regions have reported completing at least 4,000 acres of treatment. They have completed a managed fire in Mountain Home State Demonstration Forest.
- **CPUC:**
 - CAL FIRE is working with California Public Utilities Commission (CPUC) on a variety of forestry and climate change issues. The Department is in the process of developing an MOU with the CPUC to continue the cooperative efforts on climate change issues.
- **FCAT:**
 - Russ Henly, California Natural Resources Agency, provided an update on Forestry Climate Action Team (FCAT) and the DRAFT Forest Carbon Plan.

Report of the Regulations Coordinator, Conner Pompa

- Reviewed Rulemaking Calendar

Report of Executive Officer, Matt Dias

- Gave an update on the Board's Annual Report timeline. EO Dias hopes to bring forth a DRAFT version of the 2017 Annual Report in January.
- Gave an update on the progress of staffing vacant Board staff positions.
- 2018 Fire Plan Steering Committee meeting was held on December 12.
- EO Dias discussed his participation in the NCRWQCB hearing on the Waste Discharge Requirements (WDR) for Elk River in Eureka, CA. He reported that the NCRWQCB adopted the WDR.

Public Comment:

- **Gary Rynearson, Green Diamond Resources**, stated that the Board of Forestry also needs to realize that the NCRWQCB also adopted the TMDL Basin Plan Amendment.
- Rich Wade gave an update on the Tree Mortality Task Force and Forest Health Working Group's recent activities.

Report of the Standing Committees

Forest Practice Committee & Management Committee Joint Meeting, Co-Chairs Stu Farber and Mike Miles provided updates on the following topics:

- RPF/LTO Responsibilities
- Technical Rule Addendum #2 and Cumulative Impacts Assessment Checklist (14CCR§ 912.9)
- AB 1958 and AB 2029 Discussed and Reviewed Pleading Draft Regulatory Text

Resource Protection, Chair Sue Husari, provided an update on the following topics:

- 4290 Workgroup Vision/Scope
- SB 379 Impacts
- Land Use Planning Program Workshop summary
- 4290 Certification Status

Report of Board's Advisory Committees

- Forest Pest Council-Katie Harrell No Report
- Effectiveness Monitoring Committee
 - Board Member Stuart Farber, Dr. Russ Henly, and Dr. Kevin Boston provided a presentation on the revised EMC Strategic Plan. The Board offered minor revision to the plan, primarily to the Executive Summary explanation of proposed projects, and asked for additional time to review the document. The revised Strategic Plan will be updated and brought forth at the January 2017 Board Meeting.
- Range Management Advisory Committee- Edith Hannigan
 - Gave an update on RMAC undertakings. Ms. Hannigan is doing outreach to find a suitable committee member to fill Chuck Pritchard's vacant seat. The next RMAC meeting will be January 5, 2017.
- Professional Forester Examining Committee- Matt Dias
 - EO Dias gave a brief status report as it concerns RPF and CRM licensing statistics. PFEC and CLFA will be co-sponsoring an Exam Preparation Course, February 16, 2017; Matt Dias and George Gentry will be instructing the course.
 - It was noted that RPF Jim Greig recently passed away.

SPECIAL BOARD HEARINGS/REPORTS

Presentation: Safe Harbor Agreements: Ryan Mathis Senior Environmental Scientist, California Department of Fish and Wildlife gave a presentation on Safe Harbor Agreements.

Public Comment:

- **Eric Moore, member of the public**, made mention of supporting programs that provide efficiencies in permitting for small landowners.
- **Katherine Moore, member of the public**, the current forest practice rules are a deterrent to habitat. She asked the Board to structure regulations to reward landowners for their environmental efforts and improvements rather than penalizing them. Relax regulations as long as conditions are maintained. Continuous regulation isn't working.
- **Richard Gienger, Forests Forever**, referred to section b in the Forest Practice Rules, and questioned if there is a plus benefit to species.

California Forestry Challenge Presentation: Diane Dealey-Neill and student team from Nevada Union High School; Shasta Forestry Challenge. The Forestry Challenge is an academic event for high school students in technical forestry and current forestry topics. The Board of Forestry and Fire Protection acknowledged the first-place team, Nevada Union High, who achieved 218.3 points at the Shasta Forestry Challenge.

Presentation: CAL FIRE Annual Report on Regulatory Review and Discussion of Comments in response to the Annual Call for Regulatory Review: Bill Solinsky, Forester III THP Administration

Public Comment:

- **George Gentry, California Forestry Association**, commented that they have no additions to the priorities list and wanted to point out that AB 2029 and AB 1958 need to be a priority and that the Board's previous priority related to stocking needs to be provided higher priority status. He commented that the submitted by Campbell and Cullen in regards to self-certification of home loss are incorrect and that existing regulations fully address their concerns. When applying for a waiver on the SRA prevention fee after home loss, an owner can self-certify; it is not contingent upon inspection.
- **Eric Carlson, Associated California Loggers**, stated that the regulatory proposal that is before the Forest Practice Committee should continue to remain a Board priority for 2017. After 3 years ACL would like to see closure regarding the issue of LTO's being cited for taking unprofessional actions by an RPF. They recommended to the FPC a 3-month plan to draft a regulation.
- **Richard Gienger, Forests Forever**, commented in support of certain aspects of EPIC's comments regarding MSP.

Online Public Comment:

- **Taiga Takahashi, Attorney, Latham & Watkins on behalf of Rancho Guejito**, stated he's available to answer any questions or discussions about the request from Rancho Guejito otherwise requests the Board members read through the comment letters with an open mind and ask that appropriate action be taken. At it is known Rancho Guejito was harmed by a licensed CRM and based on his experience does not believe that the licensing disciplinary process is adequate. Looks forward to working with the Board and staff in formulating a more effective program for CRM regulation and oversight.

CONCLUSION

Public Forum

- **Richard Gienger, Forests Forever**, Forest Carbon Action Plan and how to get comprehensive response and action. Timber regulation and forest restoration program fund processes should address carbon sequestration, greenhouse gas reduction and fire issues and should be integrated comprehensively. With the significant and continuing rain chinook salmon have made it to their prime spawning beds. Encouraged the Board to attend the Planning Watershed Pilot Projects meeting on December 15 in Ft. Bragg.
- **Eric Carlson, Associated California Loggers**, Encouraged Board members to attend the ACL Annual Meeting, January 10-12, 2017 in Reno, Nevada. The Board of Directors of the Sierra-Cascade Logging Conference will be holding their meeting during the ACL Annual Meeting and will make a presentation on behalf of Sierra-Cascade Logging.

ADJOURNMENT

Respectfully submitted,

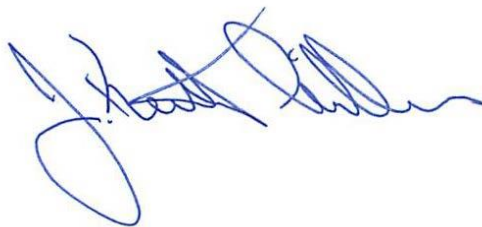
ATTEST:

Respectfully submitted,

ATTEST:

A handwritten signature in blue ink, appearing to read "Matt Dias", with a stylized flourish at the end.

Matthew Dias
Acting Executive Officer

A handwritten signature in blue ink, appearing to read "Keith Gilles", with a large, stylized initial "K" and a long horizontal flourish.

Keith Gilles
Chair