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BOARD OF FORESTRY AND FIRE PROTECTION

Sacramento, CA
November 2, 2016

BOARD OF FORESTRY MEMBERS PRESENT:

J. Keith Gilles, Chair
Mark Andre, Vice Chair
Rich Wade
Susan Husari
Stuart Farber
Mike Miles
Darcy Wheelles

BOARD OF FORESTRY MEMBERS ABSENT: Marc Los Huertos

BOARD STAFF:

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

DEPARTMENTAL STAFF:

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
Daniel Berlant, Assistant Deputy Director, CAL FIRE/State Fire Marshal
Joel Vela, Deputy Chief, SRA Fee Program
John Ramaley, Forest Practice Manager, North Ops
Dan Craig, Forester II, Forest Practice Project Review Coordinator
Lynne Tolmachoff, Information Officer

NATURAL RESOURCES AGENCY:

Russ Henly, Assistant Secretary of Forest Resources Management, Natural Resources Agency

Announcement of Actions Taken in Executive Session.

Executive Officer Dias stated that the Board discussed the items on the agenda and no action was taken by the Board.

Approval of September Meeting Minutes.

11-16-01 Chairman Gilless moved to approve September Meeting Minutes. Member Andre seconded the motion.

Roll Call

Miles	Abstained
Farber	Aye
Wheeles	Aye
Andre	Aye
Wade	Aye
Husari	Aye
Gilless	Aye

The motion passed with one member absent and one abstention.

MONTHLY BOARD REPORTS

Report of the Chairman.

Chair Gilless commented that the November 1st VTPEIR meeting was successful. The Board discussed public comments received during the 60 Day Public Comment Period.

Report of the Director/Department. Janet Barentson, Chief Deputy Director

The Director attended the commemoration of the 50th anniversary of the Loop Fire in Southern California, a deadly fire which took the lives of 12 members of the USFS El Cariso Hot Shots. CAL FIRE commemorated not only the Loop fire, but also the 10th anniversary of the Esparanza Fire, which took the lives of 5 USFS suppression forces, and the 25th anniversary of the Oakland Hills fire, which took the lives of 25 people, including 2 first responders.

Fire Statistics

To date, CAL FIRE has responded to 4,825 fires that have burned 307,000 acres. This is compared to the 5 year average of 4,412 fires for 164,000 acres burned. There have been 400 more fires to date, and 150,000 more acres burned than the 5 year average. Even with the drought, CAL FIRE is maintaining 94 percent of all fires at 10 acres or less, which is a testament to the folks who have worked hard all summer.

Fuels Treatment Memo/Engine Staffing

Northern Region has begun downstaffing engines. They are sending some resources south to meet weather staffing pattern needs and to provide additional capacity to meet fuels treatment targets. Staff will continue to pile burn backlog of piles from past several years and will ramp up prescribed fire in spring. The department currently has removed burning restrictions in all northern units. Southern Region is maintaining current staffing and working on fuels treatment and tree mortality projects. Fresno-Kings Unit, for example, has completed more than 900 acres of prescribed fire in the last two weeks. Burning restrictions have been lifted in the Sierra and Central Coast units. The far southern part of state is not anticipating any significant precipitation and remains in a D4 drought category.

Succession Planning

Chris Rowney has been appointed to Assistant Deputy Director for Cooperative Fire, Safety, and Training. Eric Hoffman has stepped up to be the acting Mendocino Unit Chief until a replacement is named. Chief Rowney will shadow Phyllis Banducci until her retirement at the end of December.

The Department has added additional Assistant Region Chiefs to address the significant workload and travel commitments of the current Region Chiefs and Assistant Region Chiefs. As a result, Mike Bradley was appointed to 2nd Assistant Northern Region Chief and Dan Johnson was appointed to 2nd Assistant Southern Region Chief.

Director Pimlott signed a cooperative MOU with the National Forest Corporation (CONAF), Chile's national fire agency, in Santiago, Chile. CAL FIRE has had long standing cooperative learning relationship with Chile since the first Brown administration. With Chile having a similar climate, the Director shared lessons learned and prevention activities which Chile might benefit from. The department will look for partnering and cross training opportunities into the future.

Forest Carbon Plan

The Draft plan is with the Natural Resources Agency for Review It will be released for public comment in the next several weeks and public comment workshops are planned in the near future. The Board will also receive a copy of the draft.

Conservation Camps

The current inmate count has remained static. The Department continues to work with California Department of Corrections and Rehabilitation to evaluate the effects of Proposition 57.

In the interim, the Department is working with California Conservation Corp to support a proposal to staff Los Pinos with fire crews in Southern California. Program staff continues to evaluate other potential options should inmate count continue to decline.

Watershed Emergency Response Reports

The department has completed a Watershed Emergency Response Report, for the Loma and Soberanes fires, detailing the potential for erosion and debris flow. Interagency groups, including the U.S. Geologic Survey and Department of Fish and Wildlife participated in the development of the reports. The interagency groups were able to get information out to the communities so they could address the potential hazards of erosion potential as a result of winter rainfall. The reports were well received by affected communities, as well as partner local agencies. Kudos went out to Pete Cafferata and his team for their work on these efforts.

SB 859

SB 859 requires the Public Utilities Commission (PUC) to extend financial support for a period of 5 years to biomass plants to generate an additional 125 megawatts of electricity utilizing at least 80% waste from sustainable forestry management, including waste generated from the tree mortality areas. The Department is working with the PUC to develop appropriate definitions to assist the PUC in the implementation of this bill, including where the feedstock can originate. It also requires the Natural Resources Agency to convene a working group to evaluate additional wood products markets. This working group will also reach out to the Utilization Working Group of the Tree Mortality Task Force as needed. A report is due by the end of the fiscal year.

Grants

Grant applications for both Tree Mortality and SRA grants have been submitted and are being evaluated. Initial notifications are expected to be provided to the applicants by early December. Greenhouse Gas Reduction Fund initial grant applications are being evaluated. Contenders will be notified by the end of the year, and asked to submit the necessary information to meet the Air Resources Board carbon sequestration metrics. Final awards are expected by April 1.

Tree Mortality Emergency Declaration

It has been one year since the Governor declared a state of emergency in the tree mortality areas. The Department is awaiting new mortality numbers from the United States Forest Service in Washington. In the interim CAL FIRE will be putting information out regarding progress to date on the 19

directives from the emergency declaration. A draft document with information on the progress of those directives will be posted to CAL FIRE's website.

Report of the Regulations Coordinator, Matt Dias

- a) Reviewed Rulemaking Calendar

Report of Executive Officer, Matt Dias

- a) Gave an Update on Call for Annual Regulatory Review
- b) Discussed Draft Board Comment Letter on Red Rocks Biofuel Pilot Project

11-16-02 Chairman Gillless moved to approve the transmittal of the comment letter on Resilient Forests and Low Carbon Fuels Pilot Project to Senator Ron Wyden. Member Farber seconded the motion.

Roll Call

Miles	Aye
Farber	Aye
Wheeles	Aye
Andre	Aye
Wade	Aye
Husari	Aye
Gillless	Aye

The motion passed with one member absent.

Public Comment:

George Gentry, Vice-President Regulatory Affairs, CFA, expressed gratitude on behalf of Tad Mason in the Board preparing a letter of support in the matter of the Resilient Forests and Low Carbon Fuels Pilot Project.

- c) Discussed formation of the 2018 Fire Plan Steering Committee

11-16-03 Chairman Gillless moved to approve the Fire Plan Steering Committee roster as distributed. Member Wheeles will represent the Board of Forestry and Fire Protection with Member Husari as an alternate. Member Wade seconded.

Roll Call

Miles	Aye
Farber	Aye
Wheeles	Aye
Andre	Aye
Wade	Aye
Husari	Aye
Gillless	Aye

The motion passed with one member absent.

d) Mr. Dias gave a brief update on his participation on upcoming meetings and activities throughout the month of November, which includes the Pest Council Annual Meeting, RPF Exam Preparation Course, California Tree Farm Committee, BOE Timber Tax Committee, Humboldt State 471 course, 1492 Leadership Team, Effectiveness Monitoring Committee, and the Interagency Northern Spotted Owl Working Group.

e) Member Wade gave an update of activities with the Tree Mortality Task Force.

f) Larry Camp provided overview on the Sierra Forest Health Report that is currently being work on by the Forest Health and Resiliency working group of Tree Mortality Task Force.

Report of the Standing Committees.

Forest Practice Committee & Management Committee Joint Meeting, Stu Farber and Mike Miles

- 1) Discussed updates on RPF/LTO Responsibilities

Public Comment:

George Gentry, California Licensed Foresters Association (CLFA), commented that CLFA supports the concept of RPF responsibilities for RPF error but is not certain they will support a regulation at present. Mr. Gentry asked the Board in the exemption process to consider bifurcating AB 2029 and AB1958 regulatory efforts. He commented AB1958 will be a complicated issue and AB2029 can be handled with a section 100 non-substantive revision rather than regular rule making.

- 2) Jackson Demonstration State Forest Presentation of the Draft Recreation Plan and Discussion of a Five Year Review of the Management Plan

Agency Comment:

Helge Eng, Deputy Director, Resource Management, CAL FIRE, commented CAL FIRE appreciates the efforts on moving the Jackson Forest Demonstration State Forest Management Plan forward. He would like to take advantage of both the community and the advisory group's support to get the process back on a normal track with a five year update and include the research plan and the recreational plan into one management plan.

11-16-04 **Member Farber moved to authorize staff to prepare an addendum to the Jackson State Demonstration State Forest Management Plan PEIR and make minor revisions to the draft Recreation Plan. Member Wade seconded the motion.**

Roll Call

Miles	Aye
Farber	Aye
Wheeles	Aye
Andre	Aye
Wade	Aye
Husari	Aye
Gilless	Aye

The motion passed with one member absent.

- 3) 14 CCR § 1038 Exemptions
 - a. AB 1958 and AB 2029 Discussion and review of pleading draft regulatory text
- 4) Discussion of Technical Rule Addendum #2 and Cumulative Impacts Assessment Checklist (14 CCR § 912.9)

Resource Protection Committee, Sue Husari, Chair

- 1) Safety Element review
 - a. Tulare County
 - b. San Diego County
- 2) 4290 Certifications
 - a. Napa County

11-16-05 Member Husari moved to certify Napa County local ordinances as meeting or exceeding the Title 14 CCR § 1270 Fire Safe Regulations. Chairman Gilles seconded the motion.

Roll Call

Miles	Aye
Farber	Aye
Wheeles	Aye
Andre	Aye
Wade	Aye
Husari	Aye
Gilles	Aye

The motion passed with one member absent.

- b. San Bernardino County

11-16-06 Member Husari moved to certify San Bernardino County local ordinances as meeting or exceeding the fire safe regulations. Chairman Gilles seconded the motion. Chairman Gilles seconded the motion.

Roll Call

Miles	Aye
Farber	Aye
Wheeles	Aye
Andre	Aye
Wade	Aye
Husari	Aye
Gilles	Aye

The motion passed with one member absent.

- 3) 14 CCR 1270 SRA Fire Safe Regulations and Cal Poly Single Access Study Results

Report of Board's Advisory Committees.

- 1) Forest Pest Council - Katie Harrell gave update on current findings of Sudden Oak Death, and Forest Pest Council activities.

- 2) Effectiveness Monitoring Committee - Stuart Farber
 - a. Discussed and gave an update on funding and expenditures

Public Comment:

Richard Gienger, Forests Forever, submitted an online questions asking if the "caution" is straight scientific supposed perspective of the EMC versus the Board of Forestry as policy/political body and it's decisions?

- b. Co-Chair Farber provided an update on the timeline for the revised Strategic Plan

Professional Foresters Examining Committee – Matt Dias

11-16-07 Chairman Gilless moved to approve RPF withdrawals as listed on the Vital Stats dated November 2, 2016. Member Andre seconded the motion.

Roll Call

Miles	Aye
Farber	Aye
Wheeles	Aye
Andre	Aye
Wade	Aye
Husari	Aye
Gilless	Aye

The motion passed with one member absent.

Withdrawn Registered Professional Foresters pursuant to 14 CCR § 1608:

RPF 484 – Wilbur Charter
RPF 1740 – Daniel Fisher
RPF 2404 – David Hammons
RPF 2446 – Donald MacKenzie
RPF 2866 – Chet Behling

SPECIAL BOARD HEARINGS/REPORTS

Presentation: Fire Plan Annual Update - Staff Chief Dave Shew, CAL FIRE/OSFM, Planning and Risk Analysis Manager

CAL FIRE Report to the Board pursuant to 14 CCR § 913.4(3)(7): Aspen, meadow and wet area restoration. The Department shall review the post-harvest field conditions of the proportions of plans using the aspen, meadow and wet area restoration silvicultural prescription and prepare a monitoring report every five (5) years for the Board. The monitoring report shall summarize information on use of the prescription including:

- (i)** The level of achievement of the measures of success as stated in the plan per 14 CCR §§ 913.4, 933.4, and 953.4, subsection (e)(5);
- (ii)** Any post-harvest adverse environmental impacts resulting from use of the prescription;
- (iii)** Any regulatory compliance issues; and
- (iv)** Any other significant findings resulting from the review. The review shall include photo point records.

CONCLUSION

Public Forum:

Richard Gienger, Forests Forever, submitted an online comment, webinars are an important part of public enablement of participation and transparency and should be recorded and available for a sufficient period of time, including committee and full board meetings. He noted Parks & Recreation Commissions use of Cal-Span for such implementation.

Russ Henly, Assistant Secretary of Forest Resources Management, spoke to the many benefits that are attributed to AB 1492 including monitoring of FPRs by CAL FIRE and more participation of CGS and Waterboard staff in various committees. AB 1492 is working to limit inspector opinions conflicting with the responsible or lead agency missions.

Adjournment

Respectfully submitted,

ATTEST:

Matthew Dias
Executive Officer

Keith Gilles
Chair

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