

BOARD OF FORESTRY AND FIRE PROTECTION

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**Management Committee Meeting Report**

MANAGEMENT COMMITTEE
June 8, 2010
Time: 8:00 a.m. – 12:00 p.m.

Location: **Resources Building**
15th Floor, Room 1506-12
Sacramento, California

Meeting Attendance

Committee Members Pam Giacomini, Tom Walz, Doug Piirto (Chair); Dr. Helge Eng, Dr. Russ Henly, Allen Robertson, Bill Snyder (Department of Forestry & Fire Protection); Thom Sutfin (retired Forest Manager-SDSF); Doug Ferrier (Forest Slopes Management); Bill Keye (California Licensed Foresters Association); Lorna Dobrovolny, Terris Kastner (Department of Fish & Game); Charles Greenlaw (non-industrial forest landowner); Dan Weldon (Alliance for Family Forests); Addie Jacobson, Holly Mines (Ebbetts Pass Forest Watch); Jodi Frediani (Central Coast Forest Watch); Kevin Collins (Lompico Watershed Conservancy); Stacy Heaton (Regional Council of Rural Counties), Dr. Scott Sink (Cal Poly SLO); Dr. John Helms (Chairman-Jackson Advisory Group); Stan Dixon (Board Chairman).

~ Items Appear in the order in which they were discussed by the Committee ~

Agenda Item #1: Continuing Review of NTMP Program, and Growth and Yield Guidelines Document.

Board staff introduced the topic and provided a brief status update on the draft Guidelines document. He also reported that Mr. Chris Maranto of Cal Fire is working on additional language that would further explain what it means to balance growth and harvest over time in reference to Forest Practice Rules Section 1090.5(j). Mr. Maranto anticipates presenting this language for possible inclusion in the draft Guidelines at the July Committee meeting. Beyond this, the next step in the review of the draft guidance document will be to revise the current draft and produce a final draft version for presentation to the Committee. **Staff will work with Cal Fire Staff Chief, Dennis Hall to complete the draft in time for presentation at the July or August Committee meetings.**

Agenda Item #2: Status Report on Proposed Revisions to the Soquel Demonstration State Forest Management Plan and Options for Addressing California Environmental Quality Act Compliance.

Staff introduced the topic before deferring to State Forests Program Manager, Dr. Helge Eng for the status report. Dr. Eng presented the Committee with the latest draft of the Management Plan Update and briefly summarized the elements that have been revised since the May Committee meeting. He went on to review the status of the next steps in the Plan Update process that were identified by the Committee in May. One of these steps includes the reconstitution of the Soquel Demonstration State Forest Advisory Group. The Committee reviewed the status of the membership of the Advisory Group noting that the authorizing statute, Public Resources Code Section 4662, specifies membership from the "Forest of Nisene Marks State Park Citizens Advisory Committee" which was dissolved in 1999. It is presently unclear what effect, if any, the dissolution of this statutorily recognized body would have upon the reappointment of the Soquel Advisory Group. **At Member Giacomini's suggestion, Dr. Eng as well as Board staff indicated that legal advice concerning this matter would be sought from Department and Board Counsel, respectively.**

Discussion of the Advisory Group concluded with the acknowledgment that representative appointments from the four statutorily specified organizations (not counting the dissolved Nisene Marks committee) as well as the four representative slots designated by the Director should be made expeditiously.

Dr. Eng then presented a timeline for completion of the Management Plan Update and new CEQA authorization that specifies a deadline of March 2011 for implementation of the updated documents. This prompted the Committee Members to consider a recommendation that the Board direct the Department to continue management under the current plan in the interim, consistent with Board policy to that effect. The Committee Members were unanimous in their concurrence and designated this recommendation as an action item for Board consideration on the following day.

Among the other items discussed was the need to provide the Committee with a copy of the Soquel Advisory Group's established bylaws, incorporate greenhouse gas analysis into the draft Plan Update document, and provide the Committee with a revised draft of the Plan Update following Advisory Committee reconstitution and review of the current draft.

COMMITTEE ACTION ITEM #1

THE COMMITTEE RECOMMENDS:

- **THE BOARD DIRECT THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION, CONSISTENT WITH BOARD POLICY, TO CONTINUE WORK UNDER THE EXISTING FOREST MANAGEMENT PLAN AND CEQA AUTHORIZATION; AND**
- **TO PROCEED WITH THE DEVELOPMENT OF THE MANAGEMENT PLAN UPDATE AND SUBSEQUENT NEW CEQA AUTHORIZATION TO MEET THE MARCH 2011 DEADLINE FOR IMPLEMENTATION.**

Agenda Item #3: Update on the Jackson Demonstration State Forest Advisory Group

Committee Chairman Piirto introduced Jackson Advisory Group (JAG) Chairman, Dr. John Helms. Dr. Helms began his report by emphasizing that substantial progress has been made toward completion of the tasks identified in the JAG Charter. Integration of JAG committee work product is expected to be completed at the upcoming meeting scheduled for June 25-26 in Fort Bragg. Once this integration work is complete, the JAG's efforts will then be directed toward preparation of the initial draft report.

Chairman Helms then reported on the work of each of the JAG committees beginning with Economics. This committee is currently looking at realignment of budgets to show both actual and projected costs by individual JDSF programs and functions; and differentiation of capital costs from operating expenses. The Economics group supports creation of at least a one-year reserve to fund operating costs in lean economic times. In terms of timber management, the group would like to ensure a stable harvesting program that supports consistency in JDSF operations and programs. One change contemplated by the group is switching from a stumpage timber sale program to a delivered logs sale program.

Dr. Helms moved on to an explanation of the Land Allocation committee's efforts toward designation of specific management areas consistent with the allocation categories described in the current Management Plan. These allocation categories include *Reserves*, *Late Seral Development Areas*, *Older Forest Development Areas*, and *Matrix Lands*. The intent in designating these areas is to ensure connectivity between management regimes.

It is anticipated that conservative timber harvesting would occur in all of these categories except the *Reserve* areas. The areas designated as *Matrix Lands* would be managed under conservative silviculture guidelines intended to promote growth of larger, better phenotypes. Default, non-research specific regeneration methods would be limited to single tree and small group selection aimed at removal of between 20% and 40% of basal area dependent upon re-entry cycles. Even-aged regeneration methods would only be utilized in the *Matrix* areas where specific research and demonstration objectives have been identified. The group is also discussing the possibility of designating an average of two dominant trees/acre outside of Class I & II Watercourse and Lake Protection Zones for retention through at least a 40 year planning horizon. Exceptions to this retention standard would be made for hardwood dominated sites. It is important to note, as indicated above, that silvicultural regimes directed toward approved research and demonstration projects would supersede the proposed *Matrix Lands* default prescriptions.

The Research and Demonstration committee led the JAG through a Science Workshop last February in which the idea of establishing a few compelling and durable “centers of excellence” was contemplated. These *centers* would be intended to provide a high level base for understanding ecosystem dynamics that would draw researchers and funding from state, national, and international research networks. JAG identified three such possible *centers of excellence*: *coho salmon recovery*, *upland terrestrial habitat and forest structural relationships*, and *sustainable forest management practices*. In discussing these *centers*, the Research and Demonstration group observed the importance of establishing landscape allocations based upon long-term research needs. In order to build recognition of JDSF as a world class research and demonstration forest, allocations should support a diversity of forest conditions. To that end, the group may offer the recommendation that a “Research and Planning Team” be created to assist in the refinement and integration of allocations supportive of the *centers* concept and identified research priorities. As envisioned by the Research and Demonstration group, this new *Team* would include scientists from a diversity of backgrounds in collaborative research. They would work under contract to produce allocations within a 3-6 month period.

Chairman Helms went on to note that because JDSF is actually regarded as a small forest for long-term research, JAG is considering a recommendation for establishment of a “Redwood Region Research Consortium.” The purpose in this concept is to unite research efforts across the redwood region and create a clearinghouse or hub for data banking, mutual support, and consistent communication amongst the research community

Another concept JAG is reviewing at a coarse scale is the appointment of a third-party oversight body, not affiliated with the Board of Department. This body could be JDSF-specific or provide oversight of the entire State Forests Program. JAG is only looking at this idea conceptually and, unless otherwise directed to do so, will likely limit further exploration of the notion leaving it to the Board and Department to contemplate further.

Chairman Helms concluded his report by noting a number of outstanding items that JAG is discussing including creation of a *woodlands special treatment area* designation, herbicide use, and final stakeholder outreach meetings.

The Committee Members thanked Dr. Helms for his report and requested that JAG continue to report to the Committee with greater frequency as the deadline for work completion approaches. Dr. Helms concurred with this request and will work with Board and Department staff to ensure close communication over the ensuing months.

Agenda Item #4: Continuing Discussion of Modified Timber Harvesting Plan (MTHP) Regulatory Proposal for Fuel Hazard Reduction Projects.

Staff summarized the outcomes of the May subcommittee meeting and noted that the next meeting of the subcommittee is scheduled for June 16.

Among the outcomes discussed was completion of a revised draft rule language plead reflective of subcommittee deliberation over a number of key elements. These key elements include specified retention of habitat features, limitations on the use of the rehabilitation silvicultural method, explicit recognition that the MTHP may only be used for intermediate treatments, among others.

Ms. Lorna Dobrovolny of the Department of Fish & Game is working with Cal Fire biologist, Bob Motroni to run Wildlife Habitat Relationships System (WHR) simulations. The purpose of these simulations is to assist in the identification of important habitat elements to be retained, potential impacts to habitat types, and treatment thresholds. It is anticipated that this simulation work will be utilized both in the discussion of rule standards and to support the Initial Statement of Reasons for the rule proposal.

The subcommittee will continue to refine the proposal with the goal of bringing a final draft rule plead to the Board's attention in July.

Agenda Item #5: Committee Consideration of Endorsement of the Department's Proposed Acquisition of PG&E Pacific Forest and Watershed Lands Stewardship Council Lands

Staff introduced the topic with a summary of the Committee's consideration of this item during the May meeting. Pursuant to statute and Board policy, the Board has a responsibility to advise the Director on acquisition of new State Forest lands. The Department requested Committee review and endorsement of the possible acquisition of eight (8) specific tracts of PG&E Stewardship Council lands identified as complementary to the State Demonstration Forest system. State Forests Program Manager, Dr. Helge Eng together with Assistant Deputy Director, Dr. Russ Henly then provided a more extensive explanation of the Department's purpose in pursuing the possible transfer of Stewardship Council lands. It was noted in particular that the lands of interest to the Department are especially desirable because the timber types exhibited are currently underrepresented in the State Forest system.

The Committee Members turned their attention to the two versions of the draft resolution prepared for their review. Member Walz requested that the resolution acknowledge that revenue generated from these prospective new Demonstration Forests would be returned to the State Forests Program rather than the State's General Fund. The Committee Members concurred with this suggestion as well as edits offered by Dr. Eng. Member Giacomini moved that the Committee recommend full Board endorsement of the proposed resolution as modified. Member Walz offered his second and the motion carried unanimously. The item was designated as Committee action item number 2.

COMMITTEE ACTION ITEM #2

THE COMMITTEE RECOMMENDS:

- **BOARD ADOPTION OF THE PROPOSED REVISED RESOLUTION ENDORSING THE ACQUISITION OF STEWARDSHIP COUNCIL LANDS IN FEE;**
- **BOARD SUPPORT FOR DIRECTOR WALTERS' APPROVAL OF ACQUISITION.**

Agenda Item #6: New and Unfinished Business

a. SYP Renewal Update

Staff reported on behalf of Mr. Scott Carnegie of Wm. Beaty & Associates regarding the status of the inaugural Sustained Yield Plan (SYP) Renewal to be submitted by Wm. Beaty & Associates for client lands currently managed under an SYP.

Mr. Carnegie conveyed that submission of the SYP Renewal document is anticipated in mid-July 2010. Currently, the Beaty team is working to incorporate and respond to agency pre-consultation comments.

b. Review of 14 CCR § 1090.7(e) – Notice of Timber Operations content – DEFERRED.

Possible Committee Agenda Items for July 2010 Meeting

The assembly identified the following agenda items for possible inclusion on the July 2010 Agenda:

1. Review of the revised draft NTMP Program and Growth and Yield Guidelines Document (July or August).
2. Status Report on Draft Soquel Demonstration State Forest Management Plan Update and Reconstitution of the Soquel Advisory Committee.
3. Continuing Discussion of Modified Timber Harvesting Plan (MTHP) Regulatory Proposal for Fuel Hazard Reduction Projects.
4. Review of 14 CCR §1090.7(e) – NTMP Notice of Timber Operations Content
5. New and Unfinished Business:
 - a. SYP Renewal Update
 - b. Review of 2010 Committee Priorities

Management Committee Priorities for 2010

PRIORITY 1:

Evaluation/Monitoring of Forest Practice Rules:

1. **Sustained Yield Plan (SYP) Review:** *Rules for SYP extension adopted. Comprehensive review of SYP and implementation of extension, 2010. Objective: Complete by end of 2010*
2. **Non-Industrial Timber Management Plan (NTMP) Review:** *Ongoing review of issues. Department Draft NTMP Growth and Yield Guidelines document posted on Department website—currently in use by Department plan review personnel. Review Guidelines, February 2010. Objective: Complete by mid 2010*
3. **(D09 #12)Modified THP for fuel reduction:** *The Board could make changes to increase the utility of an MTHP, e.g., expanding the allowable acreage, limiting the application to small timberland owners and modifying certain limitations, or, as is currently being considered, focus a category of MTHPs on fuels reduction. Phase 7. Stakeholder input. Discussion of monitoring, photo points. Objective: Complete by end of 2010*

Demonstration State Forests Management:

4. **Jackson (Liaison to JAG):** *Harvesting began in 2009. Nearing end of interim period; will need to consider revisions to management by end of 2010.*
5. **Soquel:** *Updated Management Plan under development. **Objective: Management Plan Update and CEQA coverage to be completed by Spring of 2011..***

PRIORITY 2:

6. **(D09 #15)14 CCR § 1092.04(d)** [in part], *A Notice of Intent shall include the following information: (4) The acres proposed to be harvested. (5) The regeneration methods and intermediate treatments to be used. 14 CCR § 1092.04(d)(4) requires stating the acres proposed to be harvested. Board should amend this paragraph to include all acres where **timber operations** will occur. Board should consider the current definition of logging area and the lack of a definition of plan area. 14 CCR § 1092.04(d)(5) This paragraph may not capture all possible treatments that may occur under a plan (special prescriptions, road right-of-way, or fuelbreak.)*
7. **(D09 #14)14 CCR § 1090.7(e)**, *NTOs shall contain identification of silvicultural prescriptions to be applied. Board should amend this subdivision to require the number of acres of the silvicultural prescriptions to be applied in the NTO. (For tracking)*
8. **(D09 #4)14 CCR § 913.11(a) [933.11(a), 953.11(a)]**, *Board should consider forming a technical working group to consider changes to existing MSP rule to provide more concrete standards for the MSP demonstration per 14 CCR § 913.11(a) [933.11(a), 953.11(a)]. Consider implications for assuring AB 32 targets.*

PRIORITY 3:

14 CCR § 912.9, Board of Forestry Technical Rule Addendum No. 2:

9. *Categories need to be expanded to include climate change and effect on fire threat from the proposed harvest. (To Policy Committee)*
10. *Maps need to show all the past, currently proposed, and likely future THPs layered into one map.(**Phase III of ASP review**)*
11. *Biological assessment areas and proportional mitigations, expansion of consideration of non-conifer resource. (**Phase III of ASP review**)*
12. *Is mitigation required proportional to the impacts? E.g., small harvest operations required to utilize the same mitigations as industrial operations. (Phase III of ASP review)*
13. *Consider adding adjacent watersheds for evaluating past, present and future projects..(**Phase III of ASP review**)*
14. *Assessment of impacts made project by project, need landscape approach. California State Wildlife Action Plan not being adhered to: "Using the best-available science, extent, pattern, and pace for timber-harvest in a forest watershed". <http://www.dfg.ca.gov/wildlife/WAP/>.(**Phase III of ASP review**)*
15. *CEQA case law states that where the environmental baseline demonstrates existing significant impacts, this heightens, rather than reduces, the scrutiny that must be applied*

*in the resulting cumulative impact assessment. The Board of Forestry, Cal Fire, DFG, Water Boards, and the scientific community should begin to address CWEs by developing detailed guidance documents on the subject. (to **Policy Committee discussion regarding WQ policy issues**)*