

BOARD OF FORESTRY AND FIRE PROTECTION

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**Management Committee Meeting Report**

MANAGEMENT COMMITTEE
January 4, 2011
Time: 8:00 a.m. – 12:00 p.m.

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

Meeting Attendance

Committee Members Doug Piirto (Chair), Pam Giacomini, Tom Walz; Doug Ferrier (Forest Slopes Management); Dr. Helge Eng, Dr. Russ Henly, Bill Snyder (Department of Forestry & Fire Protection); Lorna Dobrovolny (Department of Fish & Game); Frank Mulhair (California Licensed Foresters Association); Charles Greenlaw, Dan Weldon (Alliance 4 Family Forests); Addie Jacobson, Susan Robinson (Ebbetts Pass Forest Watch); Gary Rynearson (Green Diamond Resource Company); Richard Gienger (Humboldt Watershed Council); Justin Augustine (Center for Biological Diversity); Jim Little (Registered Professional Forester).

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

Update on Status of Jackson Demonstration State Forest Advisory Group

At the request of Chairman Piirto, Assistant Deputy Director, Dr. Russ Henly provided a brief update on the status of the Advisory Group's work to date. Dr. Henly reported that a complete draft of the Group's final report has been produced and will be given a final review at the Group's meeting later in the week. The Group expects to provide the Board with its final approved report and recommendations by January 15, 2011. The Group's Chairman, Dr. John Helms and subcommittee Chairpersons will then present the report and recommendations to the full Board at the February 2011 meeting [**Note: the Board expects to conduct a one-day meeting in Sacramento on February 1 and will hear the Advisory Group's report at that time**].

Agenda Item #1: Presentation of Draft Board Policy Statement Regarding Cal Fire Implementation of AB 2351.

Staff introduced the topic and reviewed the proposed draft policy statement language for the Committee. The language is intended to recognize the Department's authorization to collect recreational user fees on State Demonstration Forests as provided by statute changes resulting from Assembly Bill 2351. The proposed new policy language would be added to the Board's existing "Policies for Recreation on State Forests" as Item "G" under Section 0351.5. Following the Department's expression of support for the new language, Member Walz made a motion for a Committee recommendation in support of full Board adoption of the Board Policy Statement and Member Giacomini seconded the motion. The motion carried unanimously.

FULL BOARD ACTION ITEM #1:

The Committee recommends that the full Board adopt without further modification the proposed Policy Statement in support of recreational user fee collection on State Forests.

Agenda Item #2: Status Report on Draft Soquel Demonstration State Forest Management Plan Update and Reconstitution of the Soquel Advisory Committee.

Staff reported that appointments to the Advisory Committee have not yet been made. Further work on the Management Plan update has therefore been delayed. The Forest will continue to be managed under the existing approved Management Plan pursuant to Board direction until such time as an updated Plan has been developed and approved by the Board.

Agenda Item #3: Continuing Discussion of Modified Timber Harvesting Plan (MTHP) Regulatory Proposal for Permitting of Fuel Hazard Reduction Projects.

Staff provided a summary of the Committee's work on this topic, noting that the regulatory proposal has been under review almost continuously for nearly three years. Staff went on to review the language additions to the rule plead and Initial Statement of Reasons (ISOR) for the benefit of meeting participants. The findings of the fire behavior simulations report prepared by Jeff Leddy of CAL FIRE as well as the California Wildlife Habitat Relationships System modeling report prepared by Bob Motroni of CAL FIRE and Lorna Dobrovolny of the Department of Fish & Game have been incorporated into the proposed rule documents. As the latter report was completed in late December 2010, the Committee spent time reviewing the analysis and findings contained therein.

Following discussion and several minor edits to the ISOR and rule plead language, Member Walz moved that the Committee recommend full Board approval of the circulation of a 45-day Notice of Rulemaking to commence formal public review and comment on the proposal. Member Giacomini seconded the motion and it carried unanimously.

FULL BOARD ACTION ITEM #2:

The Committee recommends that the Board approve a 45-day Notice of Proposed Rulemaking for the "Modified Timber Harvesting Plan for Fuel Hazard Reduction" regulatory proposal.

Agenda Item #4: New and Unfinished Business.

a. SYP Renewal Update – deferred.

b. February 2011 Agenda Items and Review of 2011 Committee Priorities

The Committee reviewed the draft 2011 Priorities Report and directed staff to coordinate with the Board's Executive Officer on further adjustments to the Committee's workload.

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MANAGEMENT COMMITTEE

Tracking Table for Committee Work in Progress - 1/4/2011

WORK IN PROGRESS	PURPOSE/HISTORY	ACTIONS TO DATE	WORK PRODUCT DUE	STATUS	NEXT STEPS
PTEIR/PTHP FPRS REVIEW (GOVERNANCE C.1)	Confusion regarding implementation of PTEIR/PTHP regulation combined with underutilization of this landscape level permitting process prompted Committee review.	Staff background work; Board Memo on PTEIR/PTHP regulation; presentation of draft guidance document.	Review and consideration of public/agency comments on draft PTEIR Guidelines document.	PTEIR Guidelines adopted at November 2009 Board Meeting.	Follow-up on implementation of Guidelines; interagency training and development of PTHP review procedures.
SYP FPRS REVIEW (GOVERNANCE C.2)	Confusion regarding implementation of SYP regulation combined with possible underutilization.	SYP Workshop held; ongoing Committee discussion of next steps.	Identification of possible comprehensive revisions to SYP regulations.	Ongoing Committee discussion. Periodic reports on SYP Renewal implementation.	Review of possible comprehensive revisions to SYP Regulations.
NTMP FPRS REVIEW (GOVERNANCE C. 3)	Confusion regarding implementation of NTMP regulation combined with possible underutilization.	No actions to date.	None identified at present.	Ongoing Committee discussion.	Further discussion to occur at subsequent meeting.

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Tracking Table for Committee Work in Progress - 1/4/2011

WORK IN PROGRESS	PURPOSE/HISTORY	ACTIONS TO DATE	WORK PRODUCT DUE	STATUS	NEXT STEPS
NTMP GROWTH AND YIELD GUIDELINES REVIEW	Department developed document to assist regulated public and agency foresters in conducting growth and yield analysis for the purpose of an NTMP.	Committee has discussed document and received status reports from Department staff at several meetings.	Committee's written comment to Department staff.	Agendized for December 2010 Committee Meeting.	Deferred Until February 2011.
DEMONSTRATION STATE FOREST MANAGEMENT PLAN/CEQA DOCUMENT REVIEW (STATUTORY RESPONSIBILITY)	Board is statutorily required to approve management plans. As lead agency, Board must certify CEQA documents in support of DSFs.	Committee has reviewed draft schedule for mgmt. plan review – 5 plans over next 5-years.	Board approved Management Plan for Soquel Demonstration State Forest.	Committee received introduction to Soquel Plan and EIR at April 2010 Meeting.	Department status report at January 2011 meeting.
JACKSON ADVISORY GROUP (JAG) WORK PLAN FOR 3-YEAR INTERIM PERIOD	JAG was formed to advise the Board on management during the 3-year interim period.	JAG has met and developed a work plan for interim period. Their work will continue.	Board approved JAG Work Plan	JAG will report periodically to Management Committee.	Report from JAG to full Board at February 2011 meeting.

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Tracking Table for Committee Work in Progress - 1/4/2011

WORK IN PROGRESS	PURPOSE/HISTORY	ACTIONS TO DATE	WORK PRODUCT DUE	STATUS	NEXT STEPS
REVIEW OF DRAFT REVISED THP FORM	CAL FIRE staff is currently working on a revised, more user-friendly draft of the THP form.	Committee has discussed topic.	Committee's written comment to Department staff.	Draft document discussed at December 2009 Committee meeting.	CAL FIRE staff to update Committee on status of draft form revision later in 2011.
2011 COMMITTEE PRIORITIES REPORT	The Priorities Report was developed for strategic planning purposes to guide full Board and Committee work in 2011.	Committee has reviewed priorities.	Completion of priority action items; addition of new priority items throughout year.	Work ongoing pursuant to priorities.	Modify Committee priorities as necessary and as work is completed.
DRAFTING & CONSIDERATION OF MTHP FOR FUEL HAZARD REDUCTION	Member Walz suggested that the MTHP approach could be adapted for the purpose of fuel hazard reduction.	Committee discussion of initial concept at February 2008 Meeting.	Draft Regulatory Proposal; presentation of FRAP modeling exercise.	Draft ready for consideration of 45-day Public Noticing by full Board.	Recommendation for 45-day Notice of Rulemaking at January 5, 2011 Board Meeting.

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Tracking Table for Committee Work in Progress - 1/4/2011

WORK IN PROGRESS	PURPOSE/HISTORY	ACTIONS TO DATE	WORK PRODUCT DUE	STATUS	NEXT STEPS
REVIEW OF \$1090.7(E) – NTO CONTENT	Department recommended that Board amend this subdivision to require the number of acres of the silvicultural prescriptions to be applied in the NTO for tracking purposes.	Department brought item forward as part of annual Policy Committee FPR review in 2009.	Possible regulatory proposal with ISOR and rule plead language.	45 day Notice of Proposed Rulemaking approved for circulation at October 2010 Board Meeting.	Public Hearing on 45 day Notice of Proposed Rulemaking to be conducted at February 2011 Board Meeting.

Work Completed by Committee to Date:

- **Road Management Plan, 2007** – Regulatory proposal drafted in Committee and adopted by Board in May 2007 to become effective January 1, 2008.
- **Staff Report on Use and Overall Utility of PTEIR/PTHP** – PowerPoint presentation and testimony from regulated public and agencies completed November 2006.
- **PTEIR Memorandum** – Memorandum drafted by Committee and endorsed by Board. Distributed to Agency heads and other interested parties in February 2007 and currently posted on the Board's website.
- **Fuel Hazard Reduction Permit Options Table** – Table authorized by Board for distribution to RPFs and other interested parties at November 2007 Meeting. The table was disseminated to all RPFs and other interested parties in August 2008.
- **SYP Regulation Review** – Staff PowerPoint presentation and initial testimony from regulated public and agencies completed at March 2008 Committee Meeting. Collins Pine and Beauty & Associates hosted SYP Workshop July 10, 2008. The workshop included participation of representatives from state agencies and the regulated public.
- **SYP Renewal, 2009 Regulatory Proposal** – Board made final adoption of the regulatory proposal at the August 2009 meeting. The rule change became effective on January 1, 2010.

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Tracking Table for Committee Work in Progress - 1/4/2011

- **Jackson DSF Advisory Group Charter** – Committee endorsed Department's revised draft Charter and recommended Board adoption. Board subsequently adopted Charter.
- **LaTour Demonstration State Forest Management Plan Update** – with great assistance of the Department's Demonstration Forest Program Manager, Helge Eng, LaTour Forest Manager, Bruce Beck, and Shasta-Trinity Unit Chief, Mike Chuchel, the Committee facilitated public review of the proposed management plan update. This included recommending and reviewing the Department's production of an Initial Study/Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program. The Board circulated these documents for 30-day public review and comment. The Board then adopted them during the August 2008 meeting and approved the Plan Update. Management under the updated management plan may now proceed.
- **Boggs Mountain Demonstration State Forest Management Plan Update** - with great assistance of the Department's Demonstration Forest Program Manager, Helge Eng, Boggs Mountain Forest Manager, Wayne Connor, and Assistant Forest Manager, Kimberley Sone, the Committee facilitated public review of the proposed management plan update. This included recommending and reviewing the Department's production of an Initial Study/Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program. The Board circulated these documents for 30-day public review and comment. The Board then adopted them during the November 2008 meeting and approved the Plan Update. Management under the updated management plan may now proceed.
- **Mountain Home Demonstration State Forest Management Plan Update** - with great assistance of the Department's Demonstration Forest Program Manager, Helge Eng, and Mountain Home Forest Manager, Jim Kral, the Committee facilitated public review of the proposed management plan update. This included recommending and reviewing the Department's production of an Initial Study/Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program. The Board circulated these documents for 30-day public review and comment. The Board then adopted them during the March 2010 meeting and approved the Plan Update. Management under the updated management plan may now proceed.
- **Authorization of Jackson Advisory Group Work Plan** – the Committee received a presentation by JAG Chair, John Helms on the proposed work plan and recommended full Board authorization. The Board subsequently authorized, jointly with the Director, the JAG Work Plan.

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Tracking Table for Committee Work in Progress - 1/4/2011

- **Department of Forestry and Fire Protection - Electronic Posting of Timber Harvesting Documents** –Deputy Director, Bill Snyder gave a presentation on the status and success of the Santa Rosa Forest Practice Review office's pilot electronic document posting program. At the conclusion of the presentation, Deputy Director Snyder reported that electronic posting of timber harvesting documents had commenced at its Redding and Fresno Forest Practice Review offices.
- **Emergency Notice Effective Period Extension, 2009** – The Board adopted the Final Statement of Reasons, response to comments and rule plead language at the September 2009 meeting. The regulation became effective on January 1, 2010.
- **Forest Improvement Program, Urban Forestry, Chaparral Management Regulatory Updates, 2009** – The Board made a final adoption of the non-forest practice regulatory proposal at their August 2009 meeting. Because they were not Forest Practice Rule changes, the regulatory changes became effective upon review and certification by the Office of Administrative Law (OAL).
- **PTEIR Guidance Document** – Following final Committee review at the November 2009 meeting, the Board unanimously authorized distribution of the PTEIR Guidance document developed by Allen Robertson, Deputy Chief for Cal Fire Environmental Protection Program.
- **Board Resolution of Support for Parcel Transfer between Mendocino Solid Waste Management Authority, State Parks, and JDSF to accommodate new construction of a solid waste transfer facility** – Committee undertook review of proposal over several meeting culminating with presentations by Michael Sweeney, Manager of MSWMA, at April 2010 Committee and full Board meetings. With Committee recommendation, the Board voted unanimously to offer its resolution of support.
- **Draft Modified Timber Harvesting Plan for Fuel Hazard Reduction Regulatory Proposal** – Committee completed nearly three years of work on the regulatory proposal at January 4, 2011 Committee meeting. Committee to recommend full Board approval of a 45-day Notice of Proposed Rulemaking at the January 5, 2011 Board Meeting.