

**Board of Forestry and Fire Protection
Range Management Advisory Committee (RMAC)**

**Minutes
October 5, 2006**

Attending:

RMAC:

Representing

Ken Zimmerman	California Cattlemen's Association
Mike Connor	Public Member
Clancy Dutra	California Farm Bureau Federation
Henry Giacomini	California Farm Bureau Federation
Scott Carnegie	California Forestry Association
Mel Thompson	California Wool Growers Association
Chuck Pritchard	California Assoc. of Resource Conservation Districts
Jeff Stephens	CDF / RMAC Executive Secretary

Members of the Public:

Tracy Schohr	Cattlemen's Association
Lisa Eidman	California Wool Growers Association
Jerry Reioux	NRCS
Joe Rawitzer	Public
Eric Huff	PFEC

Items 1 & 2 Call to Order and Introductions:

Ken Zimmerman called the meeting to order at 8:00 A.M. Introductions of all present were made. He indicated that the agenda would not be taken in order.

Item 3, Review and approval of the July 2006 minutes:

Minutes for the July 2006 RMAC meeting were approved with changes. Mike Connor made the motion to approve with corrections. Scott Carnegie seconded. Motion carried unanimously.

Ken Zimmerman noted the letter from the Coarsegold RCD on NPS, and asked that it be circulated to the Board. Jeff Stephens indicated that it would be circulated as instructed.

Item 4, A review of the State of California Bond and Legislative Process:

Ken Zimmerman noted that Dave Titus with CDF Legislation appeared before the Policy Focus Group the day prior due to a scheduling conflict with today's session. No further information has been received from Mr. Titus since that meeting. Clancy Dutra noted that he intended to respond today. Jeff Stephens will follow-up.

Item 5 & 6, Status of the State Fire Plan (SFP) & VTP EIR:

Ken Zimmerman called for a report on the status of the Resource Protection Committee and the SFP. Jeff Stephens indicated that there is no new significant movement on review of the SFP by the Board. Ken Zimmerman relayed a phone conversation with Joe Rawitzer expressing concern with an ad hoc committee that had been formed by the RPC for evaluation of CDF vegetation management programs in general. The concern being that methodology selected by the RPC for handling the issue of program review will not allow for public input. The discussion developed into one of mixing the issues of the RPC review of the CDF vegetation treatment programs and that of SFP since the two are very related. Jeff Stephens clarified that the ad hoc committee that has been formed has as its purpose to evaluate CDF vegetation management programs and that there has not been a great deal of activity. There is a scheduled meeting with high level management involvement on October 6, 2006 to discuss the nature of this committee and to solicit support for the assigned task. Jeff Stephens further identified the members of this committee to be Russ Henly, Chris Zimny, Glen Barley, Doug Forest, and Jeff Stephens from CDF, and Pam Giacomini and Mark Bosetti from the Board.

Jeff Stephens reported that the committee for evaluating CDF vegetation management programs is an in house committee other than it reports to Mark Bosetti and Pam Giacomini with the Board and RPC. Public comment is by way of attendance at the RPC.

Ken Zimmerman asked whether the lack of progress in evaluating the vegetation management programs would work as a hindrance to completing the VTP EIR, or performing work on the ground under the Prop 40 program. Jeff Stephens responded that the program evaluation and the EIR are very related; however, there are other means for doing work without having the EIR such as Categorical Exemptions and Negative Declarations. He did not believe that the problems with the program evaluation would hinder development of the EIR although to move forward with the evaluation is desired.

Jeff Stephens provided a brief review of the VTP EIR progress to date and proposed meetings with the Department of Food and Agriculture (CDFA) and other targeted agencies for input to the EIR.

Mel Thompson asked for clarification on how the recent court decisions on the use of herbicides involving state programs will impact a programmatic EIR. Jeff Stephens explained that the net result is that an agency can not rely on product labeling and permits to account for potential environmental impacts, and that predetermined mitigation cited in a programmatic EIR is not sufficient per the court ruling. It may require a project by project evaluation of herbicides in addition to the mitigations prescribed by the EIR.

Jerry Reioux provided a summary of WIN-PST: a program that evaluates potential impacts of herbicides to other resources based on the herbicide being proposed. This tool may offer some useful relief for the use of herbicides. He offered to provide a demonstration to RMAC and CDF. The RMAC agreed that a demonstration of the program is desired. Jeff Stephens will make the arrangements with NRCS.

Joe Rawitzer joined the RMAC and discussion returned to the review of CDF vegetation management programs and the committee formed by the Board for this review. Mr. Rawitzer confirmed his concerns as expressed by Ken Zimmerman in earlier discussion that review of the vegetation management programs by a group primarily of CDF

composition will not allow for stakeholder input in the shaping of end product that results from this work. As a consequence of this discussion RMAC took the following action in the form of a motion:

Motion by Henry Giacomini, second by Mike Connor: RMAC to request information from the RPC on its intent, and how the RPC sees the Vegetation Treatment Programs/Policy Review process unfolding. RMAC supports stakeholder participation within the Review. These concerns are based on concerns expressed to RMAC by interested public. Jeff Stephens shall prepare a letter from RMAC to the RPC expressing this concern. Motion passed unanimously.

Item 7, Agency and Association Reports:

Natural Resources Conservation Service (NRCS), Jerry Reiou Reporting: Jerry Reiou spoke on the California Rangeland Resolution and the fact it calls for the completion of tasks within a timely manner with the assets that are available. In view of this direction the NRCS State Conservationist, Ed Burton, directed Jerry Reiou and other staff to investigate the opportunity to work cooperatively with CDF in regards to the management of fuel. Subsequent discussion with CDF targeted the CDF Tehama-Glenn Unit (TGU) as an area of interest given the prescribed fire activity that had occurred historically.

NRCS met with TGU and Sacramento CDF staff to determine why the program had been successful within TGU. He stated that Ed Burton believes that collaboration is the key to success, and intends to continue pursuing the TGU example.

Chuck Pritchard asked why the effort was directed towards the north versus the south. Jerry Reiou responded by stating that the opportunities to demonstrate success are greater in air sheds that are not heavily impacted such as is the case with the southern San Joaquin Valley. Chuck Pritchard noted that with the recent fire activity in the south that now may be an opportune time for demonstrating the merits of prescribed fire versus wildfire, especially as it relates to air pollution. Jerry Reiou took this opportunity to introduce the concept of Exceptional Events currently under consideration by Federal EPA. Jeff Stephens explained that under this proposal Wildland Fire Use (WFU) projects and possibly prescribed fire may be removed from the air pollution load as it pertains to violation of EPA standards for pollutants. Removal of these pollutants would be optional for the local air districts when reporting on attainment of EPA standards. Comment on the proposal has closed; however, Jeff Stephens has heard nothing new on the subject since CDF was first approached for comment several months previous to the RMAC meeting.

Chuck Pritchard restated his belief that now is the time to emphasize the benefits of treating vegetation, and added that we tend to look at the problem of fuel piecemeal rather than the whole picture of which air quality is a part. Henry Giacomini commented that air quality has always been an obstacle to prescribed fire and that anything done to assist with the problem of constraints to burning will be useful.

Chuck Pritchard asked if it would help for RMAC to write a letter in support as well. Jeff Stephens noted that the period for comment has past.

California Cattlemen's Association (CCA), Tracy Schohr Reporting: Tracy Schohr reported that the next CCA meeting will be the 3rd week of November (15-17) at the Double Tree Motel, and that it will include an RMAC update in one of the sessions. She assumes a new

position with CCA that includes carrying forward the goals of the California Rangeland Resolution. Her position is partially funded by the US Fish & Wildlife Service. There will be an Annual Summit on the Resolution in January.

CCA has been monitoring the E. coli recall gathering information on the status. CCA is putting together a panel discussion to educate producers on the problem of E. coli in the food stream. She hopes to involve Ken Tate, Mel George and others if possible. Currently there is no evidence that it is being caused by cattle grazing.

Chuck Pritchard cited an example where other sources of E. coli from human activity such as camp grounds and septic systems that are located in the upper portions of a watershed, yet cattle grazing receives the blame for E. coli. Tracy Schohr responded by stating CCA supports testing for E. coli above and below grazing areas. She also cited examples in the Clear Lake area where public lands with grazing are receiving the blame for E. coli levels in the lake, however, the area is surrounded by older homes with septic systems, and CCA will be investigating this situation as well.

California Wool Growers Association (CWGA), Lisa Eidman Reporting: Lisa Eldman stated CWGA is seeking another member to fill the vacant position on RMAC. CWGA will be creating a new position that applies for grants that demonstrates the benefits of sheep grazing. Ken Zimmerman noted with appreciation that CWGA is signatory to the letter sent to the State Water Board on non point source pollution from grazing lands.

Item 8, Focus Group reports: Report from the October 4 Focus Group Meetings:

Water Focus Group Report, Henry Giacomini Reporting: Henry Giacomini briefly described the meeting of October 4, mentioning that a draft of the Producer Group letter to the State Water Board was presented by Noelle Cremers to the Water Focus Group. She also reported on the meeting with Tom Howard, staff to the Water Board. As a consequence of the information received at the Water Focus Group meeting Henry Giacomini made a recommendation to RMAC which is captured in the following motion.

Motion by Henry Giacomini, second by Clancy Dutra: RMAC will send a letter to the Board informing them of the industry letter evaluating the State Water Board's response to the Board of Forestry on non point source pollution, and suggesting that any further reaction by the Board of Forestry be deferred until after a response by the State Water Board. The RMAC letter will also ask for continued support of the California Rangeland Water Quality Management Plan by the Board of Forestry.

On a separate issue the Water Focus Group is recommending that RMAC invite a group of research professionals to RMAC with the objective of gathering information on the following:

1. What are the water quality standards that are achievable?
2. What are the water quality indicators that may be used by the producer to determine when a problem may exist?
3. What are the sources of non point source (NPS) pollution that are in addition to grazing?
4. What information is missing in terms of understanding NPS on grazing lands?

Henry Giacomini suggested visiting with Ken Tate and inviting him and others that he recommends to the next Water Focus Group meeting. This recommendation was taken under advisement by RMAC; no action taken.

Rangeland Focus Group, Mike Connor Reporting: Mike Connor stated that the main emphasis of the Group has been the Certified Range Manager (CRM) certification situation. He then asked Eric Huff to update the RMAC on the Professional Foresters Examining Committee (PFEC) opinion regarding the ability of CRMs to practice on forested versus non forested landscapes. Eric Huff stated that there has been no change since the last opinion rendered by the PFEC, and cited limitations within the Foresters Licensing Law that limits CRM practices to forested landscapes. He further stated that it would take new legislation creating a new CRM law that would expand the authority of CRMs to other landscapes.

Eric Huff stated that in his opinion the Foresters Licensing Law requires RPF involvement with the preparation of CEQA documents in general; however, this has resulted in intense opposition from other resource professionals. Henry Giacomini asked what was the position of the Professional Foresters Association on the issue of Foresters being required for work that goes well beyond just writing timber harvest plans. Eric Huff responded stating that they support his conclusions as to when an RPF is required; however, the solution has been the creation of a policy statement that encourages RPF and other specialists to work together for management of resources including rangelands. This would be a PFEC policy adopted by the Board.

Mike Connor asked for clarification on the Foresters Licensing law and that of the Forest Practices Act. Eric Huff explained that the Forest Practices Act specifically requires an RPF for preparation of a timber harvest plan. The Foresters Licensing Law requires an RPF when practicing forestry on a forested landscape, which has much broader implications as to when a RPF is required.

Mike Connor clarified with Eric Huff that oak woodlands with 10% or greater tree canopy do constitute the areas where CRMs and other resource professionals have legal authority to perform work depending on the skills required. For example oak woodlands that do not involve commercial species as defined by the Forest Practices Act could involve a CRM, arborist, etc. depending on what is being done. Eric Huff concurred and added that CEQA calls for consultation with resource professionals at the discretion of the lead agency.

Mike Connor turned the discussion to the issue of reported problems with the CRM certification process including slow response times for information and exam results provided by the Society of Range (SRM). He confirmed with Eric Huff that the fees paid to PFEC could be used to fund the CRM examination process, and that it could be handled with existing funds. Eric Huff stated that the current fund generated by RPF and CRM fees is approximately \$400,000, and is used primarily as a litigation fund. Mike Connor recommended that since SRM administers the CRM, RMAC should work with the SRM to make the certification process more efficient and use the fees for this purpose.

Eric Huff explained the process used to grade the RPF exams. He uses two professional graders and one test administrator. With this structure it takes about three months to implement and grade an RPF exam and felt that the same personnel could be used to conduct the testing for SRMs since relatively few apply each year. Scott Carnegie asked if the RPF graders would be qualified to grade CRM exams. Eric Huff responded that they

would through the use of a “key.” He also stated that the PFEC will meet in October and that this issue will be placed on the agenda for discussion.

Mike Connor stated that the best course was to consult with SRM and outline problems, exploring whether using the RPF process for administering exams is a better method than the current situation. Henry Giacomini commented that the problems associated with testing are a matter of service to the membership, and this point should be made with SRM.

Chuck Pritchard asked for clarification on what is meant by the 10% canopy requirement for forested landscapes. Eric Huff stated that it applies to the landscape recognizing that there may be some openings. Ken Zimmerman and Henry Giacomini asked what the unit of area (landscape) is based upon for determining canopy cover. Mr. Huff stated that it varies; typically it would be based on the unit of land defined by property lines. Measures of canopy could be made using accepted tools such as a densiometer.

Motion by Mike Connor, second by Ken Zimmerman: RMAC shall prepare a letter to the Professional Foresters Licensing Committee (Eric Huff) indicating that RMAC has received public comment that applicants to the Certified Range Managers program have not been receiving prompt service in terms of testing results and application requests. Motion passed unanimously.

Eric Huff stated that the term for the CRM representative on PFEC is expiring and that he would be seeking nominations for that position. Nominations close in January.

Policy Focus Group, Ken Zimmerman Reporting: Ken Zimmerman opened discussion on the proceedings of the Policy Focus group with the primary topic being the proposed paper on integrating resource management investments with management. He noted that RMAC’s task for the near term has changed from generating the paper to one of gathering additional information from sources of authority. He noted that Scott Carnegie would prepare a letter of invitation to the next RMAC meeting to the UC authors of the paper discussing obstacles to resource management, and the Executive Officer to the Wildlife Conservation Board (WCB).

Ken Zimmerman indicated that Dave Titus with CDF provided some input on Bond funds at yesterday’s Policy meeting, and that he agreed to report back with responses to questions posed at that meeting; Specifically definitions of terminology used within the Treasury Report on Bond Funds.

Ken Zimmerman stated that the task before RMAC is to produce a paper that provides the Board enough information to determine if a new direction on the use of bond funds is in order. This may be simply an endorsement of what has already been done by others such as the UC authors noted previously. Scott Carnegie stated that it may be appropriate to identify possible solutions as well. This led to the following motion.

Motion by Ken Zimmerman, second by Clancy Dutra: RMAC will prepare a letter to the University of California at Santa Cruz authors of the draft paper Obstacles to Land Stewardship in California, and to the Executive Officer of the Wildlife Conservation Board, inviting them to the December RMAC meeting. Motion passed unanimously.

Item 9, New and Unfinished Business:

Ken Zimmerman confirmed that the November meeting was moved to December 5 and 6, and that all members are in agreement with these dates.

Ken Zimmerman noted in previous minutes that J.R. McCollister was selected by RMAC to serve on the advisory committee for review of the State Fire Plan, and inquired on the status of the review and the committee. Jeff Stephens responded stating both the RPC and Wayne Mitchell of the Department were made aware of the fact that RMAC is seeking representation on the committee. The RPC and the Department acknowledged that RMAC will be represented. However, Jeff Stephens also stated that the advisory committee has not been active for quite some time, and that he knows of no plans to activate the committee in the near future. Review of the Fire Plan has been limited to the business conducted before the RPC for the past several months.

Ken Zimmerman expressed concern as to whether RMAC will be notified if the committee becomes active. Jeff Stephens stated he would see to notification. Ken Zimmerman expressed his desire that review of the Fire Plan should be coordinated with development of the VTP EIR. Jeff Stephens explained that much of the data layers used for the EIR are common to the Fire Plan of 1996; however, he prefers that these two processes occur simultaneously.

Ken Zimmerman stated he wishes to set meeting dates for 2007 at the December, 2006 meeting.

Other issues of interest the committee wishes to have more information on include: 1) Exceptional Events with CARB, 2) A report from Crispin Holland with the USFS on non point source pollution on federal grazing lands, 3) invite NRCS for a presentation on the WIN-PST program.

Item 10, Public Comment:

NONE

Adjourn

Action Items:

Motions:

1. Motion by Henry Giacomini, second by Mike Connor: RMAC to request information from the RPC on its intent, and how the RPC sees the Vegetation Treatment Programs/Policy Review process unfolding. RMAC supports stakeholder participation within the Review. These concerns are based on concerns expressed to RMAC by interested public. Jeff Stephens shall prepare a letter from RMAC to the RPC expressing this concern. Motion passed unanimously.
2. Motion by Henry Giacomini, second by Clancy Dutra: RMAC will send a letter to the Board informing them of the industry letter evaluating the State Water Board's response to the Board of Forestry on non point source pollution, and suggesting that any further reaction by the Board of Forestry be deferred until after a response by the State Water Board. The RMAC letter will also ask for continued support of

the California Rangeland Water Quality Management Plan by the Board of Forestry. Motion passed by unanimous vote.

3. Motion by Mike Connor, second by Ken Zimmerman: RMAC shall prepare a letter to the Professional Foresters Licensing Committee (Eric Huff) indicating that RMAC has received public comment that applicants to the Certified Range Managers program have not been receiving prompt service in terms of testing results and application requests. Motion passed unanimously.
4. Motion by Ken Zimmerman, second by Clancy Dutra: RMAC will prepare a letter to the University of California at Santa Cruz authors of the draft paper Obstacles to Land Stewardship in California, and to the Executive Officer of the Wildlife Conservation Board, inviting them to the December RMAC meeting. Motion passed unanimously.

Tasks:

1. Jeff Stephens will prepare a letter as stated above; Motion 1.
2. Jeff Stephens will prepare a letter as stated above; Motion 2.
3. RMAC shall invite members of the research community to attend the December meeting and provide information on standards that are achievable and not achievable by the livestock industry for NPS; water quality indicators; what are the primary sources of water quality problems; what information is lacking regarding NPS from grazing lands.
4. RMAC shall prepare a letter as stated above; Motion 3.
5. Scott Carnegie shall prepare a letter as stated above; Motion # 4