VTAC Meeting Minutes

October 29, 2010
Mendocino National Forest Supervisors Office
Willows, California

Attendance

The following VTAC members attended the meeting:
Mike Liquori (Chair); Dr. Matt O'Connor, Dave Hope, Dr. Kate Sullivan, Richard Gienger, Dr. Kevin Boston, Peter Ribar, Mark Lancaster

The following VTAC agency representatives attended the meeting:
Bill Short (CGS), Bryan McFadin (NCRWQCB), Stacy Stanish (DFG), Drew Coe (CVRWQCB), Bill Stevens (NMFS), Pete Cafferata (CAL FIRE)

Attendees:
Crawford Tuttle (CAL FIRE), Bill Snyder (CAL FIRE), Duane Shintaku (CAL FIRE), Dennis Hall (CAL FIRE), George Gentry (BOF)

[Action items are shown in bold print].

Introductions

Chair Mike Liquori called the meeting to order and the group introduced themselves, providing background information and stating reasons for their interest in the VTAC process.

VTAC Policy Background Briefing

George Gentry provided a brief explanation of the State Board of Forestry and Fire Protection (BOF) process used from 2006 through 2009 to produce the Anadromous Salmonid Protection (ASP) rules. The BOF utilized a science-based approach, forming a Technical Advisory Committee (TAC) to summarize existing knowledge regarding five key riparian functions (TAC primers are posted at: http://www.bof.fire.ca.gov/board_committees/technical_advisory_committee_(tac)_/tac_documents/t_i_scopeofwork__final_approved5_11_07_.pdf). The TAC was also utilized to oversee a contract for reviewing recent literature on riparian buffers and functions completed by Sound Watershed Consulting (the SWC final report for the BOF is posted at: http://www.soundwatershed.com/board-of-forestry.html).

Mr. Gentry stated that at the end of the TAC process, the BOF heard presentations on spatially explicit riparian management (SERM) and was very impressed with this concept. Additionally, the SWC report stressed the need to have an option for active management in riparian zones based on site specific conditions. With this information, the Board was supportive of including 916.9 [936.9, 956.9] Section (v) in the ASP rule package, allowing landowners to deviate from moderately conservative prescriptive rule standards to prescriptions based on site-specific riparian conditions. Section V (10)

mandates at least two pilot projects and development of a guidance document that will allow broad application of the site-specific approach for riparian management. The BOF's Final Statement of Reasons (FSOR) for the ASP rule package was provided to the VTAC. Mr. Gentry reviewed highlighted sections of the FSOR pertaining to Section (v) and site specific plans (the FSOR is posted at the following site; see pages 3, 6, and 7: http://www.bof.fire.ca.gov/regulations/proposed_rule_packages/ANADROMOUS_SALMONID_PROTECTION_RULES_2009/asp_fsor_10_9_09_.pdf).

In particular, the FSOR states that: (1) "Site-specific plans are necessary to be consistent with scientific literature findings that suggest protection and restoration of watersheds is best obtained by assessing watershed conditions and identifying needs for the specific location", and (2) "The Board finds that it is necessary for successful implementation of site-specific plans to provide additional guidance documents, technical addendums, pilot projects, and collaborative monitoring and adaptive management." The VTAC was formed to facilitate this process.

Summary of Potential VTAC Pilot Projects

Crawford Tuttle, CAL FIRE Chief Deputy Director, summarized several potential VTAC pilot projects listed in an Excel spreadsheet that was provided as a handout to the group. Mr. Tuttle wrote letters and called potential landowners during the summer of 2010 to gauge their interest in participating in the Section (v) pilot project process and encourage their participation. Initially, it was envisioned that large wood placement in watercourses would be the main type of project in coastal watersheds, with fuel hazard reduction projects to reduce the risk of catastrophic wildfire dominating potential projects in the interior part of the state. Mr. Tuttle stated that he learned from landowners that there is also interest in (1) thinning trees in riparian zones to accelerate conifer growth (reducing overstory canopy cover), and (2) modifying stand composition to restore conifer deficient areas or develop a more appropriate mixture of conifers and hardwood species.

Mr. Tuttle then briefly summarized the potential projects, beginning in the Coast Ranges, moving from south to north. These projects include: (1) Soquel Creek watershed—discussions with Big Creek Lumber Company and Soquel Demonstration State Forest for large wood placement, (2) Scotts Creek/Little Creek watershed—discussion with Cal Poly-San Luis Obispo for large wood placement and WLPZ design, (3) Big River/Salmon Creek watershed—discussion with The Conservation Fund for thinning in the riparian zone, (4) Noyo/Ten Mile River watersheds—discussion with Campbell Timberland Management for large wood placement, (5) SF Eel River/Usal Creek watersheds—discussions with the Redwood Forest Foundation, Inc. (RFFI) for riparian thinning, (6) interior Humboldt/Del Norte County watersheds—discussions with Green Diamond Resource Company regarding modifying existing riparian stand composition for lands outside GDRCO's HCP, and (7) Mill Creek watershed—discussion with the California Department of Parks and Recreation regarding thinning in the riparian zone.

In the Klamath Mountains and the Cascade/Sierra Nevada Provinces, Mr. Tuttle summarized these additional potential projects: (1) Scott River watershed—discussion with Timber Products for riparian thinning to reduce risk of catastrophic fire, (2) Klamath River watershed basins—discussions with Fruit Growers Supply Company for riparian thinning to reduce risk of catastrophic fire, and Deer Creek/Mill Creek watersheds—discussions with Collins Pine Company for riparian thinning to reduce risk of catastrophic fire. Further details on these potential projects are available in the Excel spreadsheet posted on the VTAC ftp site (ftp://frap.cdf.ca.gov/pub/incoming/VTAC/).

Considerable discussion followed Mr. Tuttle's presentation. Significant points raised included:

- The economics of proposing and conducting site-specific riparian management projects are considerably different for small nonindustrial landowners compared to large timberland owners. Forest fragmentation effects far exceed impacts associated with timber operations. Project design and monitoring costs are difficult obstacles for small landowners (Lancaster).

- The VTAC produced guidance document will be critical for the success of these types of projects, particularly for small landowners (Coe, Hall, Snyder).

- Currently the proposed Section V process is expensive and timber values are very depressed. Where will incentives come from for landowners to thin very low value trees in riparian zones? (Ribar, Gienger).

- Section V is an active regulation. DFG has completed six pre-consultations for site-specific management in the riparian zone for specific sites associated with THPs being developed (note that all that is needed for plan approval is DFG written concurrence prior to plan submittal for prescriptions developed for specific sites) (Hall, Stanish, Shintaku).

- Proper context is needed for Section V work—is this approach required widely throughout the state, or only in a few localized locations? (Sullivan)

- Funding for these types of projects is available, on a limited basis, from government grants (e.g., SB 271 for wood placement projects), but the main mechanism for use will be THP driven, and whether there are adequate incentives in the private sector remains a critical question (Snyder, O'Connor).

Site-Specific Riparian Management Science Background

Mike Liquori provided the VTAC with a condensed version of PowerPoint presentations given to the BOF in June and October 2008 titled "Scientific Literature Review of Forest Management Effects on Riparian Functions for Anadromous Salmonids" (posted at: http://www.soundwatershed.com/uploads/2/3/8/1/2381599/bof_lit_review_presentation.pdf) and "Spatially Explicit Riparian Management" http://www.soundwatershed.com/uploads/2/3/8/1/2381599/bof_serm_presentation_060209.pdf).

The condensed PowerPoint summarized the scientific literature review work conducted by Sound Watershed Consulting on riparian functions. Mr. Liquori showed figures comparing standard riparian buffer strip protection zones vs. customized buffers based on site-specific information. He stressed the importance of managing for longitudinal variation, as well the need for protecting biological "hotspots." Additional points included: (1) disturbance processes are important for proper riparian zone functioning, (2) there are dynamic interactions among and between riparian exchange functions, which present problems when only one function is considered (e.g., managing for large wood recruitment can adversely impact nutrient input), (3) active management can limit risk and benefit listed salmonids when conducted properly, (4) a policy framework is needed to allow spatially explicit management, and it was provided by the BOF with Section V in the ASP rules, (5) different riparian functions require different buffer widths, (6) wood input varies greatly with dominant input mechanism (i.e., bank erosion is different than mass wasting), and (7) nutrient input and cycling is very important but has been largely ignored in the past (i.e., wood input has received considerably more emphasis).

Mr. Liquori stated that there are three main approaches for riparian management: (1) riparian reserves (low risk but long time frames), (2) resource optimization (driven by modeling), and (3) advanced recovery and enhancement (BOF Section V approach). He stressed that focus should be on the VTAC guidance document development and use of case study trials (i.e., pilot projects), with adaptive management utilized for correcting noted problems. Analytical "toolboxes" for wood supply, thermal loading, and erosion controls can be included in the guidance document if this level of detail is desired.

Discussion points raised following Mr. Liquori's presentation included:

- Chapter 7 of the SWC final report (Synthesis) raised a set of unproven hypotheses; it is important to determine how much spatial variability can be captured in a useful manner and how useful this approach is for riparian management in California (Sullivan).

- The guidance document should be developed to apply at both the watershed scale and the site-specific scale (Gienger).

- The main target for the guidance document is small landowners and companies without HCPs; for small landowners, easy transferability (or a "working template") is required (Snyder).

- Some riparian functions are easier to provide guidance for than others (e.g., wood input is easier than nutrients and temperature) (Sullivan).

- The THP process is not broad enough to determine what is required for proper riparian management prescriptions (Boston).

- Small landowners will not conduct a watershed scale analysis prior to preconsultation with agencies, but rather will propose a site-specific riparian prescription and ask the reviewing agencies if it is acceptable (Hall).

- Pre-consultation with the reviewing agencies is a simple way to link the considerable amount of existing watershed information currently available to the THP review process (Snyder, Ribar).

- It is important to build a process that provides all the reviewing agencies (not just CAL FIRE) with sufficient information to review a project and determine if a significant adverse impact will occur (Sullivan).

- In sediment/temperature impaired watersheds, alternatives can be proposed if water quality objectives are still met. Water Board Basin Plan amendments that allow for short term impacts in recognition of expected long term benefits are under discussion (McFadin).

Based on this discussion, Mr. Liquori summarized several items that the VTAC needs to consider during the development of the guidance document, including:

(1) Timescale trends vs. existing conditions,

(2) Dealing with permitting requirements across different regulatory agencies (including obtaining a Waiver for a Section V project from a Regional Water Quality Control Board),

(3) Creation of a system that allows landowners to be proactive instead of requiring passive retention in riparian zones,

(4) Resolution of data required (site-specific vs. basin plan information),

(5) Availability of existing data sources—and how accurate and relevant they are to a particular landscape,

(6) Need for experimental flexibility to learn new things in some locations—but not everywhere,

(7) cumulative watershed effects and how to deal with them,

(8) Development of a system that allows the evaluation of risk to occur, and is applicable to both small and large landowners,

(9) Use of a diagnostic approach vs. an assumed problem with a technical justification to move through the regulatory process, and

(10) Assumption of the null hypothesis for these issues (i.e., start with the assumption that we cannot resolve these concerns, then work to prove that some or all of these issues can be addressed).

Discussion of VTAC Charter

Pete Cafferata provided a revised version of the VTAC Charter, dated October 15, 2010, with strikeout and underscore for suggested changes. After reading through the document, the group suggested further modifications. Peter Ribar suggested

deemphasizing the pilot projects and placing greater emphasis on the guidance document. He suggested using the pilot projects as case studies to determine how well the guidance document works for landowners. Adding to this suggestion, Mike Liquoir proposed moving the pilot project tasks (items #2 and #3 under Section IV, part A of Tasks) to a separate section of the document. The main VTAC tasks, therefore, would be: process development, context assessment, and guideline document development. Peter Ribar suggested item #4 should be "evaluation" and context assessment. **Pete Cafferata will produce an updated version of the VTAC Charter reflecting these suggested changes prior to the next meeting.** Kate Sullivan stated that it is critical to have endorsement from all the reviewing agencies for this type of process, so that landowners have assurance before they submit a plan using Section V for review. She also suggested it was unclear how much "context assessment" will be necessary and that it would be valuable for the VTAC to role play, as if the group was actually attempting to complete a pilot project. Dr. Sullivan stated that the group could start with one watershed with abundant information and one with little existing information.

Schedule for Upcoming VTAC Meetings

Mike Liquori suggested using the next two meetings to layout a general framework for the VTAC guidance document, using the role playing scenario suggested by Kate Sullivan. The group agreed to use an abstraction (aka "cartoon") approach. **It was suggested that agency staff talk to their co-workers and determine what the potential "deal-killers" are for a Section V project from each agency's perspective. It as also suggested that VTAC members re-read the entire 916.9 [936, 956] (v) language in the California Forest Practice Rules (pages 96-99 found at: http://www.fire.ca.gov/resource_mgt/downloads/2010_FP_Rulebook_w-Diagrams_wo-TechRule_No1.pdf).** There was general agreement that the VTAC would need to meet often if the deadline specified in the Forest Practice Rules is to be met. **Pete Cafferata stated he would find a mutually agreeable meeting date in Willits prior to Thanksgiving using "Doodle" on the Internet.**

Discussion of VTAC Administrative and Logistics Issues

Pete Cafferata agreed to be lead staff for the VTAC. VTAC meeting minutes will be posted both on the VTAC ftp site (ftp://frap.cdf.ca.gov/pub/incoming/VTAC/) and the VTAC BOF site (http://www.bof.fire.ca.gov/board_committees/vtac/). Literature related to the VTAC effort is currently posted on the ftp site. VTAC members wishing to post material on the ftp site should contact Pete Cafferata for the username and password for the site.

Dennis Hall briefly explained the travel reimbursement process and distributed several forms to be filled out by VTAC members prior to CAL FIRE processing travel claims. While some forms were returned to Mr. Hall at the end of the meeting, several members did not complete the forms and return them. **Dennis Hall will provide the group with a list of members who will need to complete the forms prior to the next meeting.** Mr. Hall also advised the group that each member wishing to be reimbursed for travel will need to sign an Oath of Allegiance. **Dennis Hall will provide VTAC members**

with Oath of Allegiance forms to allow travel claims to be processed by the State of California. Claims for reimbursement should be provided to Pete Cafferata at VTAC meetings. Each member will need to provide dates and times of travel, and all receipts related to VTAC travel expenditures.

George Gentry briefly summarized the Bagley-Keene Open Meeting Act requirements. Staff will publically notice VTAC meetings with Internet postings on the CAL FIRE and BOF sites, as well as with hard copy mailings of the agenda to the BOF's mailing list. Teleconferencing may be possible. Mr. Gentry stated that any communications regarding VTAC business should go through the chairman, Mr. Liquori, so that he can distribute the message to the entire VTAC. The VTAC vice-chair was not elected at this meeting.