

**BOARD OF FORESTRY AND FIRE PROTECTION  
PROFESSIONAL FORESTERS REGISTRATION**

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**Professional Foresters Examining Committee**

**OPEN SESSION MEETING MINUTES**

**Held: August 20th 2015**

Resources Building, 1416 9<sup>th</sup> Street  
15<sup>th</sup> Floor Large Conference Room, No. 1506-12  
Sacramento, California

**Members Present:**

Otto van Emmerik – Vice Chairman  
Dan Sendek  
Jerry Jensen  
Jason Poburko  
Jon Gustafson  
Kim Rodrigues  
Tom Osipowich

**Staff Participating:**

Matt Dias, Executive Officer - Foresters Licensing  
Shuhani Patel, Assistant to the Executive Officer

**Members of Public:**

Bill Apger

**Associated California Loggers:**

Eric Carlson  
Bob MacMullin  
Myles Anderson  
Mike Anderson  
Joe Griggs

**California Licensed Foresters Association:** Clayton Code

**CAL FIRE staff:**

Matthew Reischman  
Cary Japp

**Conference call:**

Len Lindstrand  
Bob Heald

The items on the agenda were reorganized by Vice-Chair van Emmerik to allow the discussion of RPF/LTO responsibilities to occur early in the meeting.

### **1. RPF/LTO Responsibilities with participation including, but not limited to, Associated California Loggers, CAL FIRE and California Licensed Foresters Association.**

EO Dias has crafted a draft letter for the PFEC and members of the public to review. The draft letter is couched as a directive to the department and is the recommendation by the PFEC to the Forest Practice Committee (FPC). The draft letter could be rejected, revised or accepted by the FPC. The content of the draft letter addressed the Departments assimilation of RPFs and LTOs communities into trainings and to work with California Licensed Foresters Association (CLFA) and Associated California Loggers (ACL).

Tom Osipowich stated that he is supportive of the outline of the draft letter draft and supports the education and training aspect of it.

Jerry Jensen is supportive of a non-regulatory pathway. Kim Rodrigues stated that if a non-regulatory path is taken, she would like to see what measures of success looks like in a few years down the line to ACL and the LTO community. She also suggested that training once a year would be a good idea and doesn't want to add more regulatory layers in the process.

Jon Gustafson stated that we should review two years down the line to see if things have improved regarding this issue.

Kim R. stated that one measure of success would be to see how the RPFs would work proactively with the LTOs.

ACL stated that a measure of success would be a regulatory path that states in black and white what responsibility resides with which professional license. A non-regulatory path would be a review process for violations that are given that the LTOs and the LTOs feels that they should be able to appeal violations. Several of the LTOs stated that this has been an on-going issue for over 27 years and wants actions to resolve the issue. They don't want the problem to be swept under the rug like soe past issues.

Cary Japp stated that he is still supportive of a non-regulatory path with education, communication, and training. A standard for reporting back to the Board will provide the board the opportunity to determine if the situation has been remediated.

Matthew Rieschman stated that we should evaluate how many violations were actually given that were unduly assigned to an LTO and get some base study going to utilize the data.

Member Rordrigues stated that training should include that LTOs should have knowledge on all the processes available to them through Cal Fire to pursue the issuance of violations. Training should also be given to inspectors on how to exercise discretion when issuing violations.

Cary Japp stated that additional training would take some time to initiate because much of the departmental staff is out on fires, but the Department has updated training curriculum to address issues such as consistency during inspections and investigations.

**08-20-01 Member Rodrigues moved to amend the draft letter and add a paragraph to include informal review process, collaborative communication and education/training. Member Jensen**

**seconded. Roll Call: Rodrigues (Aye); Osipowich (Aye); Gustafson (Aye); Sendek (Abstained); Jensen (Aye); Emmerik (Aye); Poburko (Aye).**

## **2. Reports from the Chairman and Executive Officer.**

EO stated that all meetings will have to broadcast via webinar, but committee members will not be able to participate remotely in meetings due to potential violations of Bagley-Keene Open Meeting Act. Committee Members need to notify EO Dias at least 10 days prior to scheduled meetings if participation will be conducted remotely. EO stated that the summer edition of the Licensing News was published. The next PFEC will be held in the second week of December, likely on a Thursday, depending on availability of the committee members.

## **3. Approval of Open Session Minutes of February 4, 2015 and June 24, 2015 Meeting.**

Minutes were reviewed from the members of the PFEC and want to be approved with a few minor errors that needed to be corrected.

**08-20-02 Member Jensen moved the approval of the February 4, 2015 Open Session Minutes. Member Sendek seconded. Roll Call: Rodrigues (Aye); Osipowich (Aye); Gustafson (Abstained); Sendek (Aye); Jensen (Aye); Emmerick (Abstained); Poburko (Abstained).**

**08-20-03 Member Poburko moved the approval of the June 24<sup>th</sup>, 2015 Open Session Minutes. Member Jensen seconded. Roll Call: Rodrigues (Abstained); Osipowich (Aye); Gustafson (Abstained); Sendek (Aye); Jensen (Aye); Emmerik (Aye); Poburko (Aye).**

## **3. Discussion of Contracts.**

EO Dias stated that a new contract is going to be flown for an Expert Grader and it should be coming out after Labor Day.

## **4. Discussion of Committee Membership and Chairmanship**

EO Dias stated that a Call for Nomination for a public membership will soon be published and sent out. Member Rodrigues will be replacing Board Chairman Gillless as the Board liason to the PFEC. Jon Gustafson will not be holding the CRM seat in the near future. The CRM Panel will be working to identify a replacement to assume Member Gustafson's seat. A Chairman needs to be appointed to replace Doug Ferrier after his passing. There was discussion of Member van Emmerik to take assume the Chairmanship and Member Rodrigues taking the seat as Vice Chairman.

**08-20-04 Member Poburko moved to have EO Dias request appointment by the Board of Member van Emmerik as the Chairman and Member Rodrigues as the Vice Chairperson of the PFEC . Member Jensen seconded. Roll Call: Rodrigues (Aye); Osipowich (Aye); Gustafson (Aye); Sendek (Aye); Jensen (Aye); Emmerik (Aye); Poburko (Aye). The motion was carried unanimously.**

## **5. Discussion of the Current Condition of the Professional Foresters Fund**

EO Dias brought forth that the current fund balance is at \$352, 058.38. EO Dias will continue monitoring the fund balance and working closely with the accounting unit to get expenditures and revenue reports. He is meeting with the accounting office in September of 2015 and there will be discussion further on the fund in the December meeting.

## **6. New and unfinished business.**

None.

## **Move to Closed Session.**

Open Session was reconvened upon the conclusion to report out action in closed session. No public were present.

## **7. Adjournment.**