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## **BOARD OF FORESTRY AND FIRE PROTECTION**

**Sacramento, CA**  
**March 2, 2016**

### **BOARD OF FORESTRY MEMBERS PRESENT:**

J. Keith Gilles  
Mark Andre  
Mike Miles  
Stuart Farber  
Mary Rickert  
Susan Husari  
Kim Rodrigues  
Mark Los Huertos

### **BOARD OF FORESTRY MEMBERS ABSENT: Rich Wade**

### **BOARD STAFF:**

Matthew Dias, Acting Executive Officer  
Thembi Borrás, Regulations Coordinator  
Edith Hannigan, Associate Government Program Analyst  
Laura Alarcon-Stalians, Associate Government Program Analyst  
Linda Cano, Executive Assistant  
Ali Karaouni, Board Counsel

### **DEPARTMENTAL STAFF:**

Ken Pimlott, Director  
Janet Barentson, Chief Deputy Director  
Helge Eng, Deputy Director, Resource Management  
Bill Solinsky, Forester III, THP Administration  
Gabe Shultz, Staff Chief, Regional Resource Manager  
Tom Smith, Sr. Plant Pathologist  
Drew Coe, Forest Practice Monitoring Program Coordinator, Forester II  
Stacy Stanish, Senior Environmental Scientist

## **REGULAR SESSION**

### **Executive Session**

- a. Christ v. California Dept. of Forestry and Fire Protection, et al., Court of Appeals (3rd District), Case No. C076957
- b. Rancho Guejito Corp. v. Board of Forestry and Fire Protection, San Diego County Superior Court, Case No. 27-2014-00027683
- c. White v. Pimlott, et al., Court of Appeals (3rd Dist.), Case No. A141475
- d. White v. Walters, et al., Court of Appeals (3rd Dist.), Case No. A142886
- e. EPIC/CAG v. Board of Forestry, Alameda Superior Court, Case No. RG15793090
- f. Discussion of Civil Penalty 14-06 against Respondent
- g. Discussion of permanent replacement of Executive Officer

Acting Executive Officer Dias stated that the items on the agenda were discussed and that the Board at that took action on Civil Penalty 14-06 by requesting additional information from Cal Fire in the case.

### **Reconvene**

#### **Approval of January 2016 Meeting Minutes.**

**03-16-01 Member Andre moved to approve the January 2016 Meeting Minutes.  
Member Rickert seconded.**

#### **Roll Call**

<b>Husari</b>	<b>Aye</b>
<b>Miles</b>	<b>Aye</b>
<b>Farber</b>	<b>Aye</b>
<b>Rickert</b>	<b>Aye</b>
<b>Rodrigues</b>	<b>Aye</b>
<b>Los Huertos</b>	<b>Aye</b>
<b>Andre</b>	<b>Aye</b>
<b>Gilless</b>	<b>Aye</b>

**The Motion passed with one member absent.**

## **MONTHLY BOARD REPORTS**

### **Report of the Chairman.**

The Board of Forestry Executive Officer position has been relisted with a higher salary range. The Board retained applications from the previous listing and will be accepting new submissions.

Acknowledged Mary Rickert's resignation from the Board and wished her well in her future endeavors and also recognized Thembi Borrás's resignation as Regulations Coordinator and congratulated her on her new position with La Tour Demonstration State Forest.

### **Report of the Director/Department.**

#### **Succession**

- Glenn Barley has been appointed to Unit Chief, San Bernardino Unit.
- Allison Lyman appointed to Chief of EEO (from the Department of State Hospitals).

- There are currently Unit Chief vacancies in Lassen Modoc, Butte, Sonoma Lake Napa, and San Luis Obispo. The department is currently completing exams for the Unit Chief classification and anticipates filling vacancies in the next few months.
- Boggs State Forest Manager Nicholas Kent has resigned from state service.

#### Tree Mortality Task Force

- FRAP has been focused on a second iteration of designated High Hazard Zones which is more inclusive of fire risk and encompasses additional assets which would be at risk as a result of fire and/or falling trees. The draft of the second iteration is scheduled to be completed in March.
- A Regulations Guidelines document has been completed by the Regulations Working Group. The document will be posted on the Task Force website for general review. Pursuant to the Governor's proclamation, a public meeting will be scheduled to receive comment on the document.
- The team also working on process by which counties, with areas impacted by tree mortality, but are not within High Hazard Zones can receive assistance.
- Biomass is one of the main focuses of the Task Force. This issue of infrastructure retention through power purchase agreements is significant point of discussion.

#### Green House Gas Budget Proposal

- The Department introduced its proposal for utilizing GHG funding for the 2016-17 Budget at the Joint Hearing on Forest Health.
- The proposal addresses a pilot project to demonstrate a landscape/watershed level approach.
- The Department is looking at leveraging GHG funds with other funding sources, including SRA funds, Environmental Quality Incentives Program, Forest Service funding through the Farm Bill, and private landowner contribution to maximize the impacts from investment.
- The Department is also looking at leveraging partnerships, including Sierra Nevada Conservancy, U.S. Forest Service, Natural Resources Conservation Service, Air Resources Board, Council of Land Trusts and private landowners. The Department realizes that addressing landscape level impacts cannot be done by a single agency or entity and that collaborative planning is necessary and beneficial.

#### State Responsibility Area Billings

- 5<sup>th</sup> year SRA billings are scheduled to go out March 1.
- Cal Fire is making a significant effort to ensure that habitable structure owners who lost their homes get the exemption they are entitled to.

#### Helicopter Replacement

- The bid deadline for the airframe replacement is March 8, 2016. Once a bid has been approved the Department will then negotiate the terms and conditions of the delivery schedule.

#### Staffing for Fire Season

- The Department is beginning its first round of Seasonal Firefighter hires in March. Hiring will begin in the north part of the state and followed soon thereafter by the

southern region. The seasonal hires will be implementing fuels treatment activities, prescribed burns, dead tree removal and other projects as necessary throughout the State. Fire Crew training exercises will begin in April and May.

**Report of the Regulations Coordinator.** The Board's Regulations Coordinator will report on ongoing regulatory matters.

- a) Thembi Borrás, Regulations Coordinator, announced that the Emergency Water Drafting Rules expired March 3, 2016.
- b) Edith Hannigan, Board Staff, led a discussion of SRA Fire Prevention Fund Grant Guidelines draft Rule Plead and draft Initial Statement of Reasons.

**03-16-02 Member Husari moved to authorize 45 Day Notice for SRA Fire Prevention Fund Grant Guidelines Rule Plead and ISOR. Member Andre seconded.**

**Roll Call**

Husari	Aye
Miles	Aye
Farber	Aye
Rickert	Aye
Rodrigues	Aye
Los Huertos	Aye
Andre	Aye
Gilless	Aye

**The Motion passed with one member absent.**

**03-16-03 Member Husari moved to adopt SRA Fire Prevention Fund Grant Program Procedural Guide. Member Rickert seconded.**

**Roll Call**

Husari	Aye
Miles	Aye
Farber	Aye
Rickert	Aye
Rodrigues	Aye
Los Huertos	Aye
Andre	Aye
Gilless	Aye

**The Motion passed with one member absent.**

**Report of Executive Officer.** The Board's Acting Executive Officer reported on ongoing administrative matters, proposed state or federal legislation or programs, or new items coming before the Board.

- a) Discussed Board Staffing vacancies and future structure of Board Meetings while vacant positions are being filled.
- b) Legislative Report
- c) Review of Board's Annual Report

- d) Discussion of Tree Mortality Task Force
- e) Discussion of Board Priorities
  - The 2016 Board Priorities were finalized.

**Report of the Standing Committees.** Committee Chairpersons will report on the items discussed from Committee meetings.

- Forest Practice, Mike Miles, Chair

RPF/LTO responsibilities – Chair Miles introduced the draft letter prepared on behalf of the Board in regards to the issue of RPF/LTO responsibilities.

Public Comment:

Eric Carlsen, Associated California Loggers (ACL), stated that he supports the letter and is continuing to work with CAL FIRE on potential regulatory revisions.

**03-16-04 Member Miles moved to have the Acting Executive Officer provide a copy of the letter regarding RPF/LTO responsibilities, as written, to Director Pimlott. Member Andre seconded.**

**Roll Call**

<b>Husari</b>	<b>Aye</b>
<b>Miles</b>	<b>Aye</b>
<b>Farber</b>	<b>Aye</b>
<b>Rickert</b>	<b>Aye</b>
<b>Rodrigues</b>	<b>Aye</b>
<b>Los Huertos</b>	<b>Aye</b>
<b>Andre</b>	<b>Aye</b>
<b>Gilless</b>	<b>Aye</b>

**The Motion passed with one member absent.**

A discussion of White and Black Oak Woodland Management Special Prescription was offered by Chair Miles. He noted that an Initial Statement of Reasons (ISOR) was not substantially completed for the draft regulatory text. Therefore, the Board will review the draft regulatory text, as well as a draft ISOR at the April Board meeting.

Public Comment: Gary Rynearson, Green Diamond, stated that oak woodlands may not be timberland and that the stocking standards may be too high.

- Resource Protection, Sue Husari, Chair

Chair Husari reported on discussions that occurred in committee. No actionable items were reported.

- Management Committee, Stuart Farber, Chair

Chair Farber indicated that the Management Committee worked wholly upon the draft WFMP regulatory text. No actionable items were reported.

## Report of Board's Advisory Committees.

- Forest Pest Council - Katie Harrell.
  - Provided a presentation on the impacts of Polyphagous Shot Hole Borer.
- Effectiveness Monitoring Committee- Stuart Farber.

Co-Chair Farber reported on the following topics:

- Encouraged the Board to go online to view the meeting notes.
- Bagley Keen update was offered to the EMC at the February Meeting.
- Presentation on the Third Experiment in the Caspar Creek Experimental Watersheds by Dr. Salli Dymond, Research Hydrologist, USFS Pacific Southwest Research Station.
- Boggs Demonstration State Forest update by Drew Coe, Forest Practice Monitoring Program Coordinator, Forester II.
- EMC Website has been built and is up for public and agency use.

- Range Management Advisory Committee – Edith Hannigan. No Report
- Professional Foresters Examining Committee – Matt Dias. No Report

## SPECIAL BOARD HEARINGS/REPORTS

**Presentation: 14 CCR § 1273.09 Single Access Subdivision Study.** David Conn, Project Team Lead, Professor Emeritus of City & Regional Planning, Cal Poly University.

**Presentation: Multi-Species Recovery Plan.** Charlotte Ambrose, California Programs Coordinator and Erin Seghesio, Recovery Coordinator for North Central California Coast Area, NOAA Fisheries.

Public Comment:

Richard Gienger, member of public, 916.4, restoration activities, impacts of riparian zones in streams, integrate recovery in the Forest Practice process.

Gary Rynearson, Green Diamond, two different standards regarding Recovery Plan development vs Conservation Plan. There are 650,000 acres of covered habitat conservation plans in Humboldt and Del Norte Counties that include salmonid HCB's

**Presentation: DRAFT Wolf Plan.** Karen Kovacs, Wildlife Program Manager, Department of Fish and Wildlife

## Preliminary Draft Vegetation Treatment Program EIR.

- Update on revisions by Gabe Shultz, Northern Region Staff Chief, CAL FIRE
- Discussion of prospective release for public comment under CEQA was led by Edith Hannigan, Board Staff.

**03-16-05 Chair Gillless moved to implement the Board's findings that the preliminary draft of the VTPEIR reflects the Board's independent judgement and analysis and therefore authorizes a public comment period of 60 days. The Board additionally authorizes staff to prepare all required documentation to open the comment period. Member Farber seconded.**

## Roll Call

Husari	Aye
Miles	Aye

<b>Farber</b>	<b>Aye</b>
<b>Rickert</b>	<b>Aye</b>
<b>Rodrigues</b>	<b>Aye</b>
<b>Andre</b>	<b>Aye</b>
<b>Gilless</b>	<b>Aye</b>

**The Motion passed with two members absent.**

## **CONCLUSION**

### **Public Forum.**

Richard Gienger, member of the public, provided a short presentation video of coho regarding recovery actions. He is doing a joint presentation with Russ Henly on pilot projects at the Salmonid Restoration Federation Conference on April 8, 2016 in Fortuna CA; the conference runs April 6-8.

### **Adjournment.**

Respectfully submitted,

ATTEST:

Matthew Dias  
Acting Executive Officer

Keith Gilless  
Chair

Copies of the attendance sheets can be obtained from the Board Office.