

**BOARD OF FORESTRY AND FIRE PROTECTION**

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**MANAGEMENT COMMITTEE MEETING REPORT**

*-Meeting Held July 7, 2009-*

**MEETING ATTENDANCE**

Committee Members Pam Giacomini, Tom Walz, Doug Piirto (Chair); Bill Snyder, Allen Robertson, Chris Browder, Dr. Russ Henly, Dr. Helge Eng (*CAL FIRE*); Addie Jacobson, Brian Josey, Holly Mines (Ebbetts Pass Forest Watch); Richard Gienger (Humboldt Watershed Council); Doug Ferrier (Forest Slopes Management); Frank Mulhair, Bill Keye (CLFA); Stacy Heaton (RCRC); Lloyd Bradshaw (Hearst Corporation), Jim Ostrowski (Timber Products Company).

**AGENDA ITEM 1: CONTINUING DISCUSSION OF A MODIFIED TIMBER HARVESTING PLAN (MTHP) REGULATORY PROPOSAL FOR STREAMLINED PERMITTING OF FUEL HAZARD REDUCTION PROJECTS.**

Staff introduced the topic and briefly described the contents of the proposal to date, noting that there are two MTHP options currently included in the proposal. Deputy Director, Bill Snyder provided a progress report on the status of fuel treatment modeling to be completed by Tim Robards of the Fire and Resource Assessment Program (FRAP) and Jeff Leddy of *CAL FIRE*. Mr. Snyder noted that Messrs. Robards and Leddy had competing priorities between the modeling work and state forest projects. It may be September before the modeling can be completed.

Member Walz questioned Mr. Snyder about the MTHP "fair argument" implications of public comment directed at greenhouse gas emissions. Discussion of this topic continued with the question of how best to address greenhouse gas considerations within the regulation. Upon conclusion of that discussion, Mr. Doug Ferrier offered his observations about the current proposal and suggested that landowners would be unlikely to consider using it in its present form. Mr. Ferrier and Member Walz noted that the permit streamlining previously envisioned in the form of reduced cumulative effects analysis had been lost due to increased stand information and other requirements now included in the proposal. Following further discussion, staff was directed to follow up with Deputy Director Snyder on the modeling work and continue revision of the ISOR and plead language. Staff further offered to solicit review and comment by Dave Sapsis of FRAP, and discuss possible demonstration fuels treatment projects on state forests. The item will be agendaized for the August Committee meeting.

**AGENDA ITEM 2: PTEIR GUIDANCE DOCUMENT REVIEW.**

Staff introduced the author of the draft document, Deputy Chief, Allen Robertson. Mr. Robertson then provided an in-depth review of each section in the draft document and fielded questions and comments from the assembly. He noted that the document was intended to be a purely educational "bridge" between the California Environmental Quality Act (CEQA) and the Forest Practice Act and Rules. Following Mr. Robertson's excellent presentation, the Committee assembly complimented him for a job well done and moved to consideration of next steps. Member Walz recommended that the Committee seek full Board authorization for website posting of the document in anticipation of further Committee review in August and possible full Board adoption of the Guidelines in September. Chair Piirto suggested that the posted document should have a note for the benefit of the reader that explains the history and purpose of the document.

The Committee unanimously concurred with this action and offers the following action item for the Board's consideration:

**BOARD ACTION ITEM**

**The Committee unanimously recommends that the Board authorize staff to post the draft PTEIR Guidelines document on the Board's website for public review with a "note to the reader" that explains the non-regulatory/ educational purpose of the document and provides staff contact information for the receipt of public comments. It is anticipated that the document will be reviewed and discussed at the August Management Committee meeting and agendized for Committee and full Board consideration of adoption at the September meeting.**

**AGENDA ITEM 3: STATUS UPDATE ON PUBLICLY NOTICED REGULATORY PROPOSALS.**

Staff summarized the status of noticed regulatory proposals that originated in the Management Committee. A public hearing for the "FIP, Urban Forestry, and Chaparral Management Regulatory Updates, 2009" and "Emergency Notice Effective Period Extension, 2009" proposals will be conducted at the August Board Meeting. Board consideration of the adoption of the Final Statement of Reasons, findings, and response to public comments for the "Sustained Yield Plan Renewal, 2009" proposal is likewise anticipated to occur as early as the August meeting.

Assistant Deputy Director, Dr. Russ Henly provided an update on the status of legislative and executive efforts to revise the statutes authorizing the Board's regulations for FIP, Urban Forestry, and Chaparral Management. Dr. Henly advised the Committee that Assemblyman Jeffries is carrying Assembly Bill 135 and has made all of the necessary revisions to the bill language requested by *CAL FIRE*. It appears based upon the status of the legislation that the Board may be able to consider final adoption of the regulatory proposal for FIP, Urban Forestry, and Chaparral Management in the late summer or early fall. As the proposal is not forest practice related rulemaking, the regulatory revisions could take effect immediately upon the Office of Administrative Law's (OAL's) approval.

**AGENDA ITEM 4: DISCUSSION OF POSSIBLE COMPREHENSIVE REVISIONS TO THE EXISTING SUSTAINED YIELD PLAN REGULATION.**

Staff was directed to solicit proposed revisions and comment from interested parties for consideration at the August or September Committee meetings. Staff pledged to coordinate a conference call prior to the August meeting for the purpose of identifying proposed rule revisions and comment.

**AGENDA ITEM 5: NEW AND UNFINISHED.**

State Forest Program Manager, Dr. Helge Eng provided an update on state forest activities including the status of the Mountain Home and Soquel Demonstration State Forest Management Plan Updates and timber sale activities at Jackson and Mountain Home Demonstration State Forests. Dr. Eng noted that the MSP Option (a) for Mountain Home may be submitted in August and that the Initial Study for the management plan update could be prepared for Committee review in September.

Mr. Richard Gienger suggested that the Department consider web posting of interactive state planning watershed maps with nested information, including but not limited to timber harvest project sites, acreage, silviculture, cumulative impacts information, geologic features, and biological resources. As envisioned by Mr. Gienger, the maps would be publicly accessible and provide comprehensive information in one location for the benefit of interested parties. Deputy Director, Bill Snyder suggested that he could provide the Committee with a presentation on the topic at a future date. Chair Piirto concurred with Bill's suggestion, but noted that it may be some time before Bill could prepare a presentation in light of his myriad other responsibilities.

**POTENTIAL AGENDA ITEMS FOR AUGUST 2009 COMMITTEE MEETING:**

- 1. Continuing Discussion of a Modified Timber Harvest Plan (MTHP) Regulatory Proposal for Streamlined Permitting of Fuel Hazard Reduction Projects.**
- 2. Continuing Review of PTEIR Guidelines Document.**
- 3. Status Update on Publicly Noticed Regulatory Proposals.**
- 4. Discussion of Possible Comprehensive Revisions to the Existing Sustained Yield Plan regulation.**
- 5. New and Unfinished**

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