DRAFT BOARD OF FORESTRY AND FIRE PROTECTION MEETING MINUTES

Sacramento, CA

May 6, 2020

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

## **Present**:

* Keith Gilless, Chair
* Katie Delbar
* Rich Wade
* Marc Los Huertos
* Darcy Wheeles
* Chris Chase
* Susan Husari
* Mike Jani

# **BOARD STAFF PRESENT:**

* Matt Dias, Executive Officer
* Eric Hedge, Regulations Program Manager
* Dan Stapleton, Licensing Officer
* Jeff Slaton, Board Counsel
* Deniele Cade, Staff Analyst, Licensing
* Edith Hannigan, Land Use Planning Program Manager
* Brandi Goss, Environmental Scientist
* Katie Harrell, Joint Institute for Wood Products Innovation
* Linda Cano, Executive Assistant

# **DEPARTMENTAL STAFF PRESENT**:

* Thom Porter, Director, CAL FIRE
* Dennis Hall, Assistant Deputy Director, Forest Practice
* Eric Huff, Staff Chief, Forest Practice Program
* Bill Solinsky, Forester III, THP Administration
* Tom Smith, Sr. Plant Pathologist, Resource Management
* Matt Damon, Battalion Chief, AVL Project Manager, CAL FIRE

# **Announcement of Action(s) Taken in Executive Session**:

Jeff Slaton, Board Counsel, reported that the Board discussed the items on the agenda during Executive session. There were no reportable actions taken.

## Consent Calendar Items

1. Approval of the April Board Meeting Minutes
2. Review of Rulemaking Matrix
3. Review of the Legislative Report
4. Board acceptance of RPF and CRM License Withdrawals

The following five (5) Registered Professional Foresters requested license WITHDRAWAL pursuant to 14 CCR §1608(a) since the last Board Meeting:

* RPF 100 – Dale A. Houston
* RPF 511 – Wayne Knauf
* RPF 2460 – Andrew Elsbee
* RPF 2576 – Mark Heffley
* RPF 2990 – Curtis Tyler

**05-20-01** **Chair Gilless moved to approve the items on the Consent Calendar. Member Los Huertos seconded.**

 **Roll Call:**

**Wade aye**

**Husari aye**

**Jani aye**

**Delbar aye**

**Wheeles aye**

**Los Huertos aye**

**Chase aye**

**Gilless aye**

**The motion passed unanimously.**

# MONTHLY BOARD REPORTS

## **Report of the Chairman, Dr. Keith Gilless:**

Chair Gilless thanked the fire service community for their service during the Covid-19 global crisis. He shared that he had taught his last class as an active faculty member at the University of California, Berkeley as he will be retiring in June 2020. Chair Gilless announced he has agreed to be the Chair of the 2021 SAF National Convention, to be held in Sacramento, which will provide an opportunity to showcase California forestry.

## Report of the Executive Officer, Matt Dias:

Executive Officer, Dias reported on current contract processing. Board staff is working diligently with the Business Services Office on contracts as they relate to various Board programs, to get them processed before the June 30, 2020 deadline. It is possible that some contracts will not be executed by the approach deadline. Executive Officer Dias wanted to advise the Board that this may affect some of the Boards advisory committee efforts.

## Report of the Director, Thom Porter, Director CAL FIRE:

The Director offered to those who have suffered losses or significant issues due to the COVID-19 crisis.

* California Fire Assistance Agreement, which is 5-year agreement with the USFS and other federal agencies, was signed April 30.
* Wildfire Preparedness week, which is occurring simultaneously with the Board Meeting this year, has an identified theme of “Together, Let’s be Ready When Disaster Strikes”. The public can find useful information at readyforwildfire.org and the Ready for Wildfire app.

### Fire Season Outlook

* As the Department prepares for fire season it is considering the state’s COVID-19 requirements.
* Experts are predicting that, by mid-May through June there will be a quick change to above normal for significant fire potential. The drought monitor is showing that the northern part of the state may be in drought conditions. Due to late spring rain the southern coastal regions will be at a below average for significant fire potential during early fire season. The Department is expecting a busier year than last year for fire activity. There is a potential for a number of off shore wind events that will come with the usual concerns for fire spread and public safety power shut offs. CAL FIRE is working with the Office of Emergency Services (OES) and electric utility companies to reduce the impacts from potential power shutdowns.
* Initial attack is a key strategy for CAL FIRE during suppression activities, and the Department is continuing to engage with the USFS to ensure aggressive initial attack on incidents this fire season. The Director reported that he has been meeting weekly with the USFS management, as well as other other federal partners, to discuss wildland fire management strategy. CAL FIRE remains strong in messaging on putting every fire out with initial attack and work to pursue prescribe burning activities where it is necessary at a later period. CAL FIRE does not intend to engage in managed wilfdfire.

### Staffing

* The Department is in full swing of moving into transition staffing. The first round of seasonal firefighters has been hired.
* 249 of 356 fire engines, 59 bulldozers, 10 helicopters and 22 airtankers are staffed.

As the Department moves into peak season every engine will be staffed and there will be 24/7 bulldozer coverage.

* There are concerns of how staff will be affected by the COVID-19 crisis. The Department responds to approximately 500 to 1,000 medical related and fire calls per day, which have involved COVID-19 positive patients. They are pleased to report there have been zero work related positive COVID-19 employee illnesses.
* Inmate shortage for fire crews is of concern, the Department is 47 crews short of 196 crews. This is approximately 20% short of crew capacity. The Department is looking at other solutions to make up for the shortage.

### Training Program

* The Department is following state guidelines for social distancing in training and in the permanent firefighter academy setting for driver operator and firefighters. They have adopted a hybrid class system that’s being partially implemented by online learning and teaching.

### Aviation

* The COVID-19 crisis brought concerns regarding pilot core being unable to fly due to being out with the illness. The Director explained that the CAL FIRE are contract pilots through Dyne Corp. He assured that if there should be illness in the air program, it shouldn’t modify the ability to put aircraft in the air to fight fires.

### Statewide COVID-19 Response

* CAL FIRE is deeply involved, working with OES under mission tasking. The Department has had well over 100 employees assigned to the state mission. The Director has been on daily coordination calls with the CAL FIRE management team. Incident management teams 4,5 and 6 were transitioned out to work through the logistical purchasing issues related to federal medical facility stand-ups and alternate care facilities.

### Fuels Reduction

* CAL FIRE is working with the National Guard after Governor Newsom received authorizationto put 3,500 troops on a title 32 federal activation. They attached task force Rattle Snake, the 5 crews that were doing fuels reduction most of last year, were brought back to continue fuels work. They will be given additional training to be primed, should they be needed later in the season.
* There are three (3) National Area Command Teams in the United States.  One (1) of the National Area Command Teams is led by CAL FIRE’s San Luis Obispo Unit Chief Scott Jalbert.  Chief Jalbert’s Team was assigned to develop the federal “Geographic Area Wildland Fire Response Plan” that covers California.  This plan focuses on the best management practices for wildland fire control under a COVID-19 environment.

### Budget

* Budget Change Proposals (BCP) that were being worked on to increase staffing are largely off the table with the economic challenges that COVID-19 has brought to the state. All state departments and agencies are looking at their programs to determine a working budget to keep them going. The department is preparing for difficult times in the coming months.

## Report of the Board’s Advisory Committee

1. Range Management Advisory Committee – Brandi Goss, Board Environmental Scientist
* Board consideration of the DRAFT Strategic Plan and Committee Priorities

**05-20-02 Member Delbar moved to adopt the RMAC Strategic Plan and 2020 Implementation of Objectives. Member Jani seconded.**

**Roll Call:**

**Wade aye**

**Husari aye**

**Jani aye**

**Delbar aye**

**Wheeles aye**

**Los Huertos aye**

**Chase aye**

**Gilless aye**

**The motion passed unanimously.**

## Report of the Standing Committees

### Joint Committee Workshop

#### **Forest Practice Committee Items: Rich Wade**

* Staff provided update covering potential amendment of existing Forest Practice Rules within 14 CCR §§ 914.2[934.2, 954.2], and 914.3[934.3, 954.3] pertaining to limitations on the use of ground-based equipment in cable and tractor yarding areas.

#### Resource Protection Committee Items – Darcy Wheeles

* Committee discussed adoption of Emergency Regulations Amendments for SRA Fire Safe Regulations within 14 CCR § 1270 et seq. Staff was directed to host a workshop to continue discussing the proposed regulations.
* Discussion of Fire Safe Regulation Certification
1. County of Sonoma

### Public Comment:

**Linda Schiltgen,** Deputy County Counsel, County of Sonoma, wanted thank the Board of Forestry, Directors and Board staff for working with them and reviewing in depth their processes over the last several months. She looks forward to working with Ms. Hannigan Land Use Planning Program Manager, to improve the process. She was encouraged to hear that Board believed that their current practices are comprehensive. She asked a clarifying question, she commented that they have shared what they do for fire evaluations for single family homes, for small level use permits, versus a high visitor use, like a hotel or a huge winery expansion, and major subdivisions requiring secondary road access. She understands that the Board is asking Sonoma Co. to put this into an administrative policy included into their references of existing road standards rather than calling them pre-1991 exemptions. Ms. Hannigan responded that was also her understanding of what was discussed during the Joint Committee Meeting the previous day. She looks forward to working with Sonoma Co. to address the administrative policy that will be a workable solution for Sonoma Co. and the Board.

**Craig Harrison**, member of the public, commented that Sonoma Co. is not complying with CAL FIRE rules, the rules are clear that they are required. They are concerned with Sonoma Co. behavior going forward as well as clarifying what they need to do. He commented that it’s reprehensible example to the public, especially health and safety issues, it undermines the moral authority rule of law, why should citizens obey county ordinances when Sonoma Co. refuses to obey CAL FIRE rules. He wants to see Sonoma Co. obey the rules while they go through this process.

**Donald Petrozzini**, he shared his concerns and his confusion with the Board’s direction regarding Sonoma Co.

**Deborah Epstein**, member of the public, shared her concerns with the certification process. She suggested that instead of reviewing the entire rule package, an addendum should be added with specific updates or changes requested. She added that it’s easy to miss something when reading through an entire rule package.

**Dee Swanhauzer,** member of the publicrequested that the Board pass the regulation amendments before they certify Sonoma County’s Fire Safe Regulation. She commented that it’s important that Sonoma Co. comply with what the Board ultimately has in the final Emergency Regulation.

#### **Management Committee – Chris Chase**

* Reviewed the Mountain Home Demonstration State Forest Management Plan update
* Staff provided update covering Camping Fees at the Demonstration State Forests

**05-20-03 Member Chase moved to approve the Initial Statement of Reasons and authorize a 45-Day Public Comment period regulatory text for the rulemaking entitled Camping Fee Amendments, 2020. Member Los Huertos seconded.**

**Roll Call:**

**Wade aye**

**Husari aye**

**Jani aye**

**Delbar aye**

**Wheeles aye**

**Los Huertos aye**

**Chase aye**

**Gilless aye**

**The motion passed unanimously.**

# Special Board Hearing and Reports

# Presentation: Introduction of the Annual Pest Conditions Report, 2019 – Tom Smith, Senior Plant Pathologist

# CONCLUSION

## Public Forum

# Adjournment

Respectfully submitted,

ATTEST:



Matthew Dias

Executive Officer

Keith Gilless

Chair