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**BOARD OF FORESTRY AND FIRE PROTECTION**

**Sacramento, CA**  
**March 4, 2015**

**BOARD OF FORESTRY MEMBERS PRESENT:**

J. Keith Gilles, Chair  
Mark Andre  
Bruce Saito  
Rich Wade  
Mike Miles  
Susan Britting  
Stuart Farber  
Mary Rickert  
Susan Husari

**BOARD OF FORESTRY MEMBERS ABSENT:**

**BOARD STAFF:**

George Gentry, Executive Officer  
Matthew Dias, Executive Officer, Forester's Licensing  
Thembi Borrás, Regulations Coordinator  
Laura Alarcon-Stalians, Analyst  
Edith Hannigan, Analyst  
Linda Cano, Executive Assistant  
Stephen Lerner, Esq., Board Counsel

*The Board's Mission:*

*To lead California in developing policies and programs that serve the public interest in environmentally, economically, and socially sustainable management of forest and rangelands and a fire protection system that protects and serves the people of the state.*

## Reconvene

### Report of Actions Taken in Executive Session

Stephen Lerner, Esq., Board Counsel gave a status update on pending litigation involving:

- a. Discussion and action item regarding Department of Forestry and Fire Protection's Application for Correction to correct the Board's final decision dated February 6, 2015 in the Michael Ryan Administrative Appeal;
- b. Discussion and action item regarding judgment entered in small claims division of San Diego County Superior Court in Brown v. State of California;
- c. Discussion of case status and strategy in Rancho Guejito Corp. v. Board of Forestry;
- d. Brown, et al. v. State of California, San Diego County Superior Court (Small Claims Division), Case No. 37-2014-00310580

### Approval of Minutes from Previous Meetings

Deferred

## MONTHLY BOARD REPORTS

### Report of the Chairman

The Chair acknowledged and thanked Susan Britting for her service to the Board.

### Report of the Director/Department. Ken Pimlott

- Reported on the Highway Patrol investigation at the Cal Fire Academy in Lone. Sixteen employees have been disciplined; Cal Fire is working to fill vacant positions.
- The department is preparing to ramp up resources towards the end of March.
- Fire Season: Draught response Reported on fires in Siskiyou County and Owens Valley. The department has maintained engines and staffing in the north and south throughout the winter. A second contract airtanker has been acquired in addition to the one that was added last year.
- The replacement of 12 helicopters was included in the budget; the process will be initiated July 2016.
- Grant programs for the SRA Fire Prevention Fund awards will go out in March and the Cap and Trade Program is soliciting project applications.
- Cal Fire is taking a leadership role on the Forest Climate Action Team with the Resources Agency and the Air Resources Board. They will offer public, stakeholder workshops in helping to build the carbon plan.
- The Arbor Day poster contest winners were announced in a press conference at the State Capitol.

### **Hearing: The Board considered adoption of the proposed new maps for State Responsibility Areas pursuant to Public Resources Code 4125:**

*The board shall classify all lands within the state, without regard to any classification of lands made by or for any federal agency or purpose, for the purpose of determining areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the state. The prevention and suppression of fires in all areas that are not so classified is primarily the responsibility of local or federal agencies, as the case may be.*

**03-15-01 Member Saito moved to adopt new maps for State Responsibility Areas as presented to the Board. Member Husari seconded the motion.**

**Roll Call**

<b>Saito</b>	<b>Aye</b>	<b>Britting</b>	<b>Aye</b>
<b>Andre</b>	<b>Aye</b>	<b>Wade</b>	<b>Aye</b>
<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>Gilless</b>	<b>Aye</b>

**The motion passed unanimously**

**Report of the Regulations Coordinator**

Coordinator Borrás gave a status update on current and pending regulations.

**Report of Executive Officer**

Board meeting is planned April 7-9 in Blodgett.  
 The May Board meeting days will change, Full Board meeting will be Tuesday, May 12, Committee meetings will be held on May 13.  
 Priorities 2015 discussion, nothing to add.  
 Gave State Responsibility Area updates  
 Mr. Gentry will send the Annual Report to Board members for review.

**Report of the Standing Committees.**

**Forest Practice, Sue Britting, Chair**

1. Discussion of AB 1867 rule development.
2. Discussion of the Sensitive Watershed Rule.
3. Discussion of Technical Rule Addendum #2, Cumulative Impacts Assessment.
4. New and Unfinished Business, 2015 Priorities.

**Resource Protection, Bruce Saito, Chair**

1. Review of Proposed Changes to California Forest Improvement Program Rates.

**03-15-02 Member Saito moved to accept Proposed Changes to California Forest Improvement Program Rates. Member Miles seconded the motion.**

**Roll Call**

<b>Saito</b>	<b>Aye</b>	<b>Britting</b>	<b>Aye</b>
<b>Andre</b>	<b>Aye</b>	<b>Wade</b>	<b>Aye</b>
<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>Gilless</b>	<b>Aye</b>

**The motion passed unanimously**

2. Discussion of monitoring requirements for the Forest Fire Prevention Pilot Project Exemption.
3. Update on Board's Grant Program, review of potential grant regulations.
4. Safety Element Assessment Methodology. Edith Hannigan.
5. Discussion on "Active Notice" relating to harvest activities near utility lines.
6. Range Management Advisory Committee
7. New and Unfinished Business, 2015 Priorities.
  - a. Vegetation Treatment Plan Update.

**Management Committee, Stuart Farber, Chair**

1. Presentation on Issues Related to Timberland Conversion.
  - a. Definitions "Available For", Capable Of", "Crop of Trees", "Conversion"
  - b. Case Study: Rasmussen Conversion
  - c. Case Study: Boles Fire
2. Discussion of PTEIR for Carbon Sequestration for Fuel Reduction Program, and Potential Rule Language.
3. Discussion of Small Landowner THP approach.
4. New and Unfinished Business, Priorities 2015.

**Report of Board's Advisory Committees**

**Forest Pest Council- Katie Harrell**

Report on California Oak Mortality, and firewood/pests entering California

**Professional Foresters Examining Committee –Matt Dias.**

**Revocations of RPF and CRM Licenses pursuant to PRC §783 due to non-payment:**

RPF 940 – William Baden	RPF 1567 – Henry Martin
RPF 538 – Richard Pfilf	RPF 1948 – Thomas Berry
RPF 563 – Jack Hansen	RPF 2872 – Jason Meyer
RPF 746 - Warren Shaw	RPF 2084 – John Plantin
RPF 1122 – Bruce Vanzee	RPF 2114 – Leslie Connor
RPF 1357 – David Boyd	
RPF 1390 – Don Swabb	

**03-15-03 Member Wade moved to accept the revocation of RPF and CRM Licenses of the above mentioned. Member Andre seconded the motion.**

**Roll Call**

<b>Saito</b>	<b>Aye</b>	<b>Britting</b>	<b>Aye</b>
<b>Andre</b>	<b>Aye</b>	<b>Wade</b>	<b>Aye</b>
<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>Gilless</b>	<b>Aye</b>

The motion passed unanimously

Matt Dias nominated Doug Ferrier for the Francis Raymond award.

**SPECIAL BOARD HEARINGS/REPORTS**

1. **Update on the Department’s Greenhouse Gas Reduction Fund Grant Program. Chris Zimny**
2. **Update from the Pacific Gas and Electric Company Fuel Reduction Grant Program. Niel Fisher.**
3. **Hearing: SRA Fire Safe Regulations, 2014.** The Board is authorized under Public Resources Code Sections 4290 to adopt regulations for wildfire protection. The regulations set standards for future design and construction of structures, subdivisions and developments in SRA and provide for basic emergency access and perimeter wildfire protection. [15 day Notice Fire Safe Regulations](#)

Public Comment- None received

**03-15-04      Member Miles moved to adopt SRA Fire Safe Regulations, 2014.  
Member Britting seconded the motion.**

**Roll Call**

<b>Saito</b>	<b>Aye</b>	<b>Britting</b>	<b>Aye</b>
<b>Andre</b>	<b>Aye</b>	<b>Wade</b>	<b>Aye</b>
<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>Gilless</b>	<b>Aye</b>

The motion passed unanimously

**Hearing: Working Forest Management Plan.** Assembly Bill 904 created the Working Forest Management Plan (WFMP) program. The WFMP is a long-term forest management plan available to nonindustrial landowners (with less than 15,000 acres of timberland) if they commit to uneven aged management and sustained yield. [45 day Notice Working Forest Management Plan](#)

**Public Comment**

**Dave Fowler**, NCRWQCB, in support of the regulation except for 1094.6i, their main comment is that the section uses terms that are undefined. It is inconsistent with sections of the Forest Practice Rules, incompatible with the regional basin plans, suggests using the term that is already defined in 895.1. If left as is it is misleading to plan submitters. He added for consistency that the word “potential” be added.

**Richard Gienger**: commented he is sceptical of the standards of the Forest Practice Rules of how they’ve been implemented, in particular 916.4

**Larry Camp**, Forest Landowners, expressed concerns that are procedural, the word “potential”, opposed to opening up and re writing the 5 year plan, inclusion of provisions for monitoring plants and animals within the context of the original plan.

**Matt Green**, CLFA, in support except for few procedural changes that are included in the comment letter submitted.

**Bob Rynearson**, Lands Manager, William Beatty and Associates, urged the Board not to delay the adoption of the plan. The plan is ready except for a few technical changes.  
Bill Short, commented on the inconsistencies in the rule language, specifics are in the comment letter submitted.

**03-15-05      Member Farber moved to remand back to committee for further review. Member Rickert seconded the motion.**

**The motion passed unanimously by acclamation.**

**CONCLUSION**

**Public Forum.**

Eric Carlson, gave a brief statement honoring Doug Ferrier's career and contributions to the various committees he served on.

Richard Gienger, urged the Board to move forward with the pilot projects having to do with timber regulation forest restoration act with transparency.

New and Unfinished business. Adjournment.

Respectfully submitted,

ATTEST:



George D. Gentry  
Executive Officer

Keith Gilles  
Chair

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