

P.O. Box 944246
SACRAMENTO, CA 94244-2460
(916) 653-8007
(916) 653-0989 FAX
Website: www.bof.fire.ca.gov



BOARD OF FORESTRY AND FIRE PROTECTION

Sacramento, CA
March 6, 2019

BOARD OF FORESTRY AND FIRE PROTECTION MEMBERS:

Present:

Mark Andre, Vice Chair	Mike Jani
Rich Wade	Katie Delbar
Darcy Wheelles	Marc Los Huertos
Sue Husari	

Absent:

Keith Gillless, Chair Chris Chase

BOARD STAFF:

Matthew Dias, Executive Officer	Laura Alarcon-Stalians, AGPA
Dan Stapleton, Licensing Officer	Linda Cano, Executive Assistant
Jeff Slaton, Board Counsel	Brandi Goss, Environmental Scientist
Edith Hannigan, Land Use Planning Program Manager	Katie Harrell, Joint Institute for Wood Products Innovation
Eric Hedge, Regulation Program Manager	

DEPARTMENTAL STAFF:

Thom Porter, Director	Eric Huff, Staff Chief - Forest Practice Program
Janet Barentson, Chief Deputy Director	Bill Solinsky, Forester III - THP Administration
Helge Eng, Deputy Director - Resource Management	Stewart McMorrow, Deputy Chief - Forestry Assistance Programs
Matthew Reischman, Assistant Deputy Director	Dan Craig, Forester II - Forest Practice Project Review Coordinator
Dennis Hall, Assistant Deputy Director - Forest Practice	Pete Cafferata, Forester II - Forest Practice/Forest Hydrologist

Announcement of Actions Taken in Executive Session

Board Counsel reported on the following matters:

The Board discussed the items on the agenda.

- Coast Action Group vs. California State Board of Forestry and Fire Protection (Case No. RG17860755)

The Board adopted the proposed Administrative Law Judge decisions for:

- Civil Penalty CP-18-06 Reel
- Civil Penalty CP-18- 09 EBM Engineering and Construction

Consent Calendar Items:

- Approval of December 2018 and January 2019 Board Meeting Minutes (with minor edits if requested by members of the Board)

03-19-01 Member Andre moved to approve the December 2018 and January 2019 Board Meeting Minutes. Member Jani seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Abstained
Wheeles	Abstained
Los Huertos	Abstained
Andre	Aye

The motion failed with 3 abstentions

- Review of the Board's Rulemaking Matrix
- Consideration of the Re-adoption of Emergency Rulemaking to Facilitate Post-Fire Recovery Efforts within Counties of Lake, Siskiyou, Mendocino, Shasta, Trinity, and Napa, 2019

03-19-02 Member Jani moved to adopt the Emergency Rulemaking to Facilitate Post-Fire Recovery Efforts within the Counties of Lake, Siskiyou, Mendocino, Shasta, Trinity, and Napa, 2019. Member Wade seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye

Delbar	Aye
Wheeles	Aye
Los Huertos	Aye
Andre	Aye

The motion carried unanimously with 2 members absent

MONTHLY BOARD REPORTS

Report of the Chairman, Mark Andre, Vice Chair

Vice Chair Andre reported that Chair Gilles was in Washington DC. He shared that the March meeting would be his last with the Board. He commented that it has been a privilege serving with Board members, Board staff, CAL FIRE and stakeholders and wished the Board members luck with the Board's priorities.

Matt Dias, Executive Officer shared some thoughts from Chair Keith Gilles, Chair Gilles was disappointed that he was not able to be at Mark Andre's last meeting with the Board which prevented him from personally recognizing the Board's longest serving Board member for his superb service. Mark has been a constant positive presence at Board meetings; he was always prepared, an active listener, a thoughtful contributor, and always mindful of the Board's mission and ethical standards. The Board could count on Mark to step up and keep the Board moving forward in a way that recognized the differences in a room and that left members feeling heard and respected. He has left a permanent impression on the way in which we practice forestry in California, effectively balancing the demands on our resources while seeking to sustain them. Much of our best work on difficult issues are the outcome of Mark's tireless work, professionalism, and highest ethical and environmental values. It has been an honor working with Mark and he looks forward to interacting with him as he continues to be a key contributor to the California forestry community in the coming years.

Member Andre was presented with a Resolution from the Assembly in recognition for his service to the Board and the State of California.

Report of the Director, Thom Porter

Director Porter reported on the following matters:

Wildfire Mitigation Prevention Report (45-Day Report)

Will change the reporting elements of the fire prevention target.

- The Departments defensible space inspections target is 250,000 annually, with just over 100,000 defensible space inspections conducted to date.
- The Departments fuels reduction target (non-prescribed fire) is 20,000 acres annually, with 7,500 acres treated to date.
- The Departments prescribed fire target is 25,000 acres annually, with 10,500 acres treated to date.

Fire Activity

- The Department has responded to 90 fires this year, with the annual average being approximately 400 fires by this time of the year.

Forest Management Task Force

- Governor Newsom has appointed Jennifer Montgomery to oversee the program. She was the Placer County Supervisor and has been active in a lot of the forestry related activities. The Department is looking forward to her leadership from the Governor's office and increased attention to an action based agenda from the task force as opposed to an advisory group.

The Department is looking to increase to 10 fuel treatment crews from the current 6 crews, provided that the budget is approved. The initial fuel crews are currently in training.

Related to the fuels goals in the 45-day report, CAL FIRE has been asked to determine what can be done for the vulnerable communities of the State. The Department is not only looking at the granular look of communities, but also what elements of a community make them more vulnerable than others. Based on these criteria, a total of 35 projects across the State have been identified as high priority. CAL FIRE will be moving forward with these projects to provide vegetation management, fuels reduction, and adjacent forest resilience to communities that are the most vulnerable. CAL FIRE will proceed with the projects as soon as they receive the order from Governor Newsom based on the 45-day report. It will be a huge undertaking; it is approximately 90,000 acres of treatment and is anticipated to take 6-9 months to complete. If the target is met, it may be the most acres the Department has treated in a single year.

Grants

- Applications have been received for both the Fire Prevention and Forest Health grant programs.
 - Forest Health: 42 grant applications totaling \$180 million in project work.
 - Fire Prevention: 290 grant applications totaling \$190 million.
 - The applications will be screened and reviewed for award decision.
 - A portion of the money will be diverted to the 35 projects in the 45-Day Plan given that several of these projects submitted applications to the Fire Prevention grant program.

Aviation

- 2 helicopters have arrived in the United States and CAL FIRE is poised to accept one. This airframe is in Colorado getting its final fitting. The second airframe was damaged in transit and is being inspected for safety issues. The Department is scheduled to get a helicopter every four months.

C-130's

- The first C-130 should be ready in approximately two years. We are closely inspecting our current budget to try to rapidly develop and implement a training program for CAL FIRE pilots.

Wildfire Mitigation Plans

- The Department has been engaged with the California Public Utilities Commission (PUC) on the review of the eight Wildfire Mitigation Plans that have come in. CAL FIRE and the PUC will continue to work on these proposed plans to have them back to the utilities for implementation in April or May. There are requests from the private utilities regarding discussion on compliance with the proposed plans.

Report of Executive Officer, Matt Dias:

Executive Officer Dias reported on the following matters:

- Provided a staffing update
- Provided a website update
- Provided a legislative update on bills that may affect the Board

03-19-03 Member Wheelles moved to support Board in working as legislative consultants on behalf of the Board for a period of two years. Member Jani seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheelles	Aye
Los Huertos	Aye
Andre	Aye

The motion carried unanimously with 2 members absent.

Public Comment

Richard Gienger, Forests Forever, suggested that Board staff ask Board Counsel for guidelines on negotiating legislation.

- Executive Officer Dias provided an update on California Vegetation Management Program EIR; and
- Provided an update on the Forest Management Task Force

Report of the Regulations Coordinator

Regulations Coordinator, Eric Hedge reported on the following matters:

- Board Consideration of Approval of the Revised Final Statement of Reasons and Consideration of the Regulatory Text for “Fire Safe Regulations, 2020”.

03-19-04 Member Andre moved to approve the Revised Final Statement of Reasons for “Fire Safe Regulations, 2020.” Member Husari seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheeles	Aye
Los Huertos	Aye
Andre	Aye

The motion carried unanimously with 2 members absent.

03-19-05 Member Andre moved to adopt the Regulatory Text for “Fire Safe Regulations, 2020.”

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheeles	Aye
Los Huertos	Aye
Andre	Aye

The motion carried unanimously with 2 members absent.

Report of the Standing Committees

- Forest Practice Committee, Rich Wade, Chair
- Management Committee, Mark Andre, Chair
- Resource Protection, Susan Husari, Chair

03-19-06 Member Husari moved to approve the DRAFT Initial Statement of Reasons and DRAFT Regulations entitled: “Fire Safety Survey, 2019.” Member Wheeles seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheeles	Aye
Los Huertos	Aye
Andre	Aye

The motion carried unanimously with 2 members absent.

03-19-07 Member Husari moved to authorize a 45-day notice for DRAFT Regulations entitled: "Fire Safety Survey, 2019." Member Wheelles seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheelles	Aye
Los Huertos	Aye
Andre	Aye

The motion carried unanimously with 2 members absent.

Report of Board's Advisory Committees

Effectiveness Monitoring Committee –Sue Husari

Professional Foresters Examining Committee –
Licensing Officer, Dan Stapleton reported on the following matters:

- Noted the passing of the following Registered Professional Foresters:
 - RPF 163 – Paul Kirkendall
 - RPF 11 – James Nile
 - RPF 2030 – Michael Howell
- The Board considered the Revocation of RPF Licenses for Non-Payment of Bi-Annual Renewal:
 - RPF 2512 - Brian Talbert
 - RPF 1542 – Frederick Sutter
 - RPF 188 – Klaus Barber

03--19-08 Member Wade moved to approve the revocation for non-payment of the RPF licenses of Brian Talbert, Frederick Sutter and Klaus Barber. Member Wheelles seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheelles	Aye
Los Huertos	Aye
Andre	Aye

The motion carried unanimously with 2 members absent.

- The Board considered RPF an Withdrawal pursuant to 14 CCR §1608(a)
 - RPF 2056 – William Orme

03-19-09 Member Andre moved to approve the withdrawal of the RPF license of William Orme. Member Los Huertos seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheeles	Aye
Los Huertos	Aye
Andre	Aye

The motion carried unanimously with 2 members absent.

- Dan Stapleton requested Board action to award an RPF license to Jonathan Szecsei based on a regrading of the exam prompted by an applicant appeal of the initial grading effort.
 - RPF 2056 – Jonathan Szecsei

03-19-10 Member Jani moved to approve the appeal from the October 5, 2018 examination. Member Husari seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheeles	Aye
Los Huertos	No
Andre	Aye

The motion carried unanimously with 2 members absent.

- Joint Institute for Wood Products Innovation – Program Analyst, Katie Harrell
 - The Board considered Nominations for the Joint Institute Advisory Council for terms of two years. The Board authorized half of the nominees for three-year terms to stagger committee term expirations. Members include:
 - Joseph Desmond, Commonwise
 - Richard Emberley, Cal Poly San Luis Obispo

- Mikhail Gershfeld, Cal Poly Pomona; TallWood Design Institute
- Matt Henigan, Government Operations Agency
- Suzanne Kim, Sustainable Public Infrastructure
- Timothy Robards, CAL FIRE
- Heather Strong, WoodWorks
- Larry Swan, US Forest Service Pacific Southwest Region

03-19-11 Member Andre moved to approve the Nominations for the Joint Institute Advisory Council for terms of 2 years. Member Debar seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheeles	Aye
Los Huertos	Aye
Andre	Aye

The motion carried unanimously with 2 members absent.

SPECIAL BOARD HEARINGS/REPORTS

Presentation: Expansion of the Zone of Infestation for Goldspotted Oak Borer.
Kim Corella, CAL FIRE Pest Management Program.

03-19-12 Member Wade moved to approve the expansion of the Zone of Infestation for Goldspotted Oak Borer. Member Los Huertos seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheeles	Aye
Los Huertos	Aye
Andre	Aye

The motion carried unanimously with 2 members absent.

Initial Hearing: “Very High Fire Hazard Severity Zone Adoption, 2019.” The purpose of this rulemaking is to implement and make specific the Legislature’s requirement in GC § 51179(c) that local agencies send their adopted ordinances related to the designation of very high fire hazard severity zones to the Board. These regulations are intended to provide local agencies a transparent and consistent process

for submitting their ordinances to the Board through the adoption of 14 CCR §§ 1280.00, 1280.01 and amendments to § 1280.

03-19-13 Member Wheelles moved to direct staff to prepare the DRAFT Final Statement of Reasons for the rulemaking entitled “Very High Fire Hazard Severity Zone, 2019”. Member Los Huertos seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheelles	Aye
Los Huertos	Aye
Andre	Aye

The motion carried unanimously with 2 members absent.

Initial Hearing: “Subdivision Map Findings, 2019.” Senate Bill 1260 (Jackson, 2018) amended portions of the Government Code to allow the Board to request a consultation with a local jurisdiction’s board of supervisors or city councilmembers if the jurisdiction did not accept the Board’s recommendations to improve wildland fire risk reduction and mitigation in the general plan safety element. The proposed regulations include amendments to 14 CCR § 1265.03 to include this consultation which has been made available by statute.

No action was taken by the Board on this rulemaking effort. Board action is pending the preparation of the DRAFT Final Statement of Reasons to support the rulemaking effort. Board action upon this rulemaking will likely occur at the April Board Meeting.

Initial Hearing: “Safety Element Review, 2019.” The proposed regulations are intended, through amendments to 14 CCR §§ 1266.00, 1266.01, and 1266.02, to develop a transparent, clear, and standardized process for legislative bodies to make, and transmit to the Board, findings for tentative maps and parcel maps related to compliance with PRC §§ 4290 and 4291.

No action was taken by the Board on this rulemaking effort. Board action is pending the preparation of the DRAFT Final Statement of Reasons to support the rulemaking effort. Board action upon this rulemaking will likely occur at the April Board Meeting.

CONCLUSION

Public Forum

No public comment was offered.

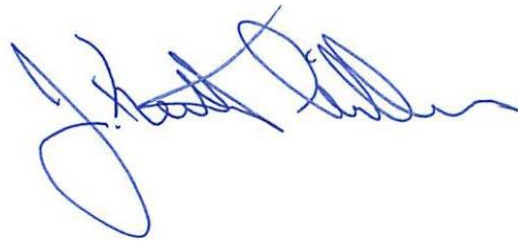
Adjournment

Respectfully submitted,

ATTEST:

A handwritten signature in blue ink, appearing to read "Matt Dias", with a stylized flourish at the end.

Matthew Dias
Executive Officer

A handwritten signature in blue ink, appearing to read "Keith Gilles", with a large loop at the beginning and a long horizontal flourish at the end.

Keith Gilles
Chair