Revised Meeting Announcement and Agenda

California Board of Forestry and Fire Protection

Posting Date: September 13th, 2019

Meeting Date: Tuesday, September 24th, 2019, 9am

Location: Piccadilly Inn, 2305 West Shaw Ave. Fresno, CA 93711

# FULL BOARD MEETING:

## EXECUTIVE SESSION:

Date: September 26th, 2019, 8:30am

Room: Crown Room

## REGULAR SESSION:

Date: September 26th, 2019, 9:00am

Room: Crown Room

# COMMITTEES:

## MANAGEMENT COMMITTEE

Date: September 24th, 2019, 9:00am – 12:00 pm

Room: Director’s Room

## FOREST PRACTICE COMMITTEE

Date: September 24th, 2019, 1:00pm – 4:00pm

Room: Director’s Room

## RESOURCE PROTECTION COMMITTEE

Date: September 24th, 2019, 1:00pm – 4:00pm

Room: Crown Room

# FIELD TOUR:

Date: September 25, 2019, 8:30am – 4:30pm

Location: Piccadilly Inn, 2305 West Shaw Ave. Fresno, CA 93711

See “Additional Information for Field Tour” located on page 2.

# ADDITIONAL INFORMATION FOR FIELD TOUR:

* ***All persons attending the field tour are requested to RSVP by 5:00 p.m. on September 19, 2019. This is necessary to ensure that appropriate accommodations for transport of tour participants are provided. Please RSVP with Linda Cano, Executive Assistant, via phone at (916) 653-8007 or via email at Linda.Cano@bof.ca.gov.***
* *Please be certain to wear appropriate footwear for light hiking.*
* *Please be sure to bring sufficient amounts of water and sunscreen.*
* *Lunch is not provided. Please be certain to bring a lunch along.*
* *A bus will be provided for field tour participants to limit the number of vehicles in transit.*

# FIELD TOUR AGENDA:

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| TIME | LOCATION | TOPIC |
| 8:30 am | Piccadilly Inn  2305 W. Shaw Ave Fresno, CA 93711 | Introductions and Departure  Speaker: Jim McDougald, CAL FIRE Assistant Chief |
| 10:00 am - 10:15 am | Sierra Marina 45795 Tollhouse Road Shaver Lake, Ca. 93664 | Meet Southern California Edison (SCE) Forestry staff  (Restroom Stop) |
| 10:20 am - 11:50 am | Introduction to Edison Vegetation Management Plan | Walking Tour of 2018 Prescribed Fire  Speakers: Jim McDougald, CAL FIRE Assistant Chief; Steve Byrd, SCE Forest Operations Manager; and Ryan Stewart, SCE Senior Forestry Supervisor |
| 12:00 pm - 2:00 pm | Road 2 Campground | Lunch and restroom stop  Presentations on SCE use of prescribed fire in the management of private timberlands  Speakers: Steve Byrd, SCE Forest Operations Manager; and Ryan Stewart, SCE Senior Forestry Supervisor |
| 2:15 pm - 3:00 pm | Tour SCE forest health treatments adjacent to Road 2 | Walking/Driving tour of Edison VMP forest health treatments  Questions and dialogue about how CAL VTP can assist in like kind projects |
| 3:00 pm - 4:30 pm | Piccadilly Inn  2305 W. Shaw Ave Fresno, CA 93711 | Return to Piccadilly Inn |

# BOARD MEETING AGENDA

**(Please refer to page 1 of this notice and agenda for meeting times and locations)**

## EXECUTIVE SESSION

1. **Call to Order.**
2. **Adjourn to Executive Session.**
3. **Executive Session (Closed to the Public) -** Discussion of matters pursuant to Government Code section 11126, including pending litigation (subd. (e)), potential disciplinary actions (subd. (f)(2)), licensing matters and examinations (subd. (c)(1)-(2)), administrative adjudication proceedings (subd. (c)(3)), and public employee hiring and evaluation (subd. (a)(1)). (The Executive Session may be reconvened if determined necessary.) **Possible Action Items.** The Board will discuss:
4. Coast Action Group vs. California State Board of Forestry and Fire Protection (Case No. RG17860755)
5. Board Consideration of Administrative Law Judge Proposed Decision on Civil Penalty CP-18-20; Bareilles Trucking

## REGULAR SESSION

1. **Reconvene.**
2. **Announcement of Action(s) Taken in Executive Session.**
3. **Consent Calendar Items:** Consent items are expected to be routine and non-controversial. It is recommended that the Board adopt these items without discussion. If any interested party, member of the Board, or staff member requests that an item be removed from the Consent Calendar, it will be considered separately. **Possible Action Items.**
4. Approval of May and August Board Meeting Minutes (with minor edits if requested by members of the Board); and
5. Appointment of Frank Mulhair as Vice-Chair of the Professional Foresters Examining Committee, and
6. Appointment of Mike Bacca (public) and James Eggleton (consultant) to four year terms to the Professional Foresters Examining Committee, and
7. Approval of RPF and CRM Withdrawals and Voluntary Relinquishments, and
8. Review of Rulemaking Matrix

## MONTHLY BOARD REPORTS

1. **Report of the Chairman, Dr. Keith Gilless**
2. **Report of the Director, Michael Bradley, Northern Region Chief**
3. **Report of Executive Officer.** The Board’s Executive Officer will report on ongoing administrative matters, proposed state or federal legislation or programs, or new items coming before the Board. **Possible Action Items:** The Board may act in response to requests of the Executive Officer on items presented in the report.
4. Legislative Update
5. EMC Requests for proposals
6. Announcement of the Annual Call for Regulatory Review
7. **Report of the Regulations Coordinator.** The Board’s Regulations Coordinator will report on ongoing regulatory matters. **Possible Action Items:** The Board may act in response to requests of the Regulations Coordinator on items presented in the report.
8. Board consideration of approval of the Final Statement of Reasons and adoption of draft regulatory text for the rulemaking entitled “Nonindustrial Timber Management Plan Amendments, 2019” (14 CCR § 1090 *et. seq*.) - The purpose of the proposed action is to: 1) clarify and effectuate revised statute PRC § 4593, pursuant to SB 901 (2018), in the regulations to add provisions for multiple landowners; 2) to allow the use of exemptions pursuant to 14 CCR § 1038 et seq. within the footprint of an NTMP; and 3) to update the mapping standards. **Possible Action Items.**
9. Board consideration of approval of the Final Statement of Reasons and adoption of draft regulatory text for the rulemaking entitled “Stocking and Silvicultural Standards Amendments, 2019.” The proposed action seeks to revise stocking and resource conservation standards and address various ecological goals through the amendment of regulations. **Possible Action Items.**
10. Board consideration of approval of the Final Statement of Reasons and adoption of draft regulatory text for the rulemaking entitled “Permanent Post-Fire Recovery Exemption, 2019.” The purpose of the proposed action is to provide a permanent regulatory exemption from portions of the Forest Practice Act for the harvesting of dead and dying trees, which have been damaged by wildfire and are within 300 feet of certain structures, in addition to other conditional requirements. **Possible Action Items.**
11. Board consideration of authorization of a 15-day public notice of modifications to the regulatory text and additions to the rulemaking file for action entitled “Registered Professional Forester and Certified Specialty Amendments, 2019.” The proposed action seeks to provide clarity in the regulatory provisions related to the administration of both RPFs and Certified Specialists.
12. **Report of the Standing Committees**. Committee Chairpersons will report on the items discussed from Committee meetings. **Possible Action Items:** The Board may act in response to Committee recommendations. (See Committee Agendas which are incorporated as though fully set forth herein.)
13. Forest Practice Committee - Rich Wade, Chair
14. Management Committee – Chris Chase, Chair
15. Resource Protection – Darcy Wheeles, Chair
16. **Report of Board’s Advisory Committees.**
17. Professional Foresters Examining Committee – Licensing Officer, Dan Stapleton

The Executive Officer for Professional Foresters Registration will report on ongoing PFEC matters**. Possible Action Items**: Issuance of RPF Licenses/CRM Certifications, Withdrawals, Reinstatements, Voluntary Relinquishments, Suspensions, Revocations, or other Actions.

* 1. Board consideration of approval of the Initial Statement of Reasons and authorization for 45- Day comment period for the rulemaking entitled “Licensing Fee Amendments, 2020”. The proposed action seeks to revise the fees associated with the Registered Professional Foresters and Certified Rangeland Managers licenses and certificates. **Possible Action Item.**
  2. Introduction of draft rule text entitled “Appeal Procedure Amendments, 2020”. The proposed action seeks to revise regulatory standards as they relate to appeals of qualifications of Registered Professional Forester and Certified Rangeland Manager applicants pursuant to 14 CCR § 1647.

1. Range Management Advisory Committee – Brandi Goss, Environmental Scientist
2. Joint Institute for Wood Products Innovation – Katie Harrell, Joint Institute Program Analyst

## CONCLUSION

1. **Public Forum.**

Members of the public in attendance may address the Board on any topic within its jurisdiction not otherwise on the agenda. Submittal of written comments is encouraged to ensure that all comments will be included in the record before the Board. Please be prepared to summarize comments to three minutes in length, or otherwise at the discretion of the Chairman. Submit your request to address the Board under this item via supplied speaker cards prior to the item being called. Note that the Board may not discuss or take action on any matter raised during the public forum period, except to decide whether to place the matter on the agenda of a future meeting. [Government Code §§ 11125, 11125.7(a).]

1. **Adjournment**

# COMMITTEE MEETING AGENDAS

**(Please refer to page 1 of this notice and agenda for committee meeting time and location)**

## MANAGEMENT COMMITTEE MEETING

1. Discussion on the Potential Revision of Stocking Standards within the Southern Sub-District (14 CCR §§ 913.8 and 927 *et. seq.*)
2. Discussion of Limited Timber Operators License and Timber Operator Education (14 CCR §§ 1022.1 and 1024)

## FOREST PRACTICE COMMITTEE MEETING

1. Update on Reporting to Legislature on Exemptions and Emergency Notices (PRC § 4589)
2. Discussion of the Development of Non-Regulatory Action Supporting the Use of Feller-Bunchers within a Watercourse and Lake Protection Zone (WLPZ) under Specified Best Management Practices.
3. Discussion 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, and discussion of potential regulatory or non-regulatory actions.
4. Discussion of Regulatory Amendments to 14 CCR § 1052.4 “Emergency Notice for Fuel Hazard Reduction” – Permanent Rulemaking

## RESOURCE PROTECTION COMMITTEE MEETING

1. Safety Element Review
   1. City of Desert Hot Springs
   2. City of Villa Park
2. Review of Proposed Rule Text and ISOR for Vegetation Clearance of Utility Infrastructure 14 CCR § 1250 *et. seq.*

**Note:** The Board’s Standing Committees may continue discussion of items included in their agendas, or the Full Board agenda, if the Board recesses or adjourns.

# IMPORTANT BOARD MEETING INFORMATION

## CONTACT INFORMATION

Those requiring further information regarding this meeting notice may contact Matt Dias, Executive Officer, State Board of Forestry and Fire Protection, P.O. Box 944246, Sacramento, CA, 94244-2460, (916) 653-8007. This meeting notice is also available in electronic format at: [Board Meeting Agendas and Schedules](http://bof.fire.ca.gov/business/meeting-agendas-and-annual-schedules/) (http://bof.fire.ca.gov/business/meeting-agendas-and-annual-schedules/)[.](file:///\\fphq01\Root\Data\Board_of_Forestry\Board%20Business\Agendas%20and%20Minutes\1%20Agendas\2019\.%20) For other meeting materials and to sign up for webinars, go to: [the Board's Website](http://www.bof.fire.ca.gov/) (http://bof.fire.ca.gov).

## WEBCAST

The Full Board, Committee, and/or Workshop meetings will be accessible via live webcast. Board members will be in attendance at the meeting’s noticed locations, along with any members of the public that choose to attend. Members of the public may register for the webinar(s) at [the Board's Website](http://www.bof.fire.ca.gov/) (http://bof.fire.ca.gov). Audio recordings of the full Board meeting may be preserved and available on the Board’s website. Due to space limitations on its servers, the Board does not preserve video recordings of its Board meetings and/or audio recordings of its committee meetings or Workshops. The physical meetings will continue if the webinar broadcast is interrupted or terminated for any reason. Public comments on agenda items may be accepted via live webcast if feasible, and if the comments are concise and limited in number. Please see the section on Submission of Written Materials for information on submitting a written comment.

## PERSONS WITH DISABILITIES

Pursuant to the Americans with Disabilities Act, individuals who, because of a disability, need special assistance to attend or participate in a State Board of Forestry and Fire Protection meeting may request assistance at the Board Office, 1416 9th Street, Sacramento, CA. 95814 or by calling (916) 653-8007. Requests should be made one week in advance whenever possible. These facilities are accessible to persons with disabilities.

## SUBMISSION OF WRITTEN MATERIALS

The public is encouraged to comment on any item on the agenda. The Board may accept written materials as public comment on agenda items if feasible and if received prior to the deadline below. However, to ensure a public comment is considered by the Board during the discussion of the agenda item, please attend the meeting and provide the comment directly to the Board. You may submit your comments by one of the following methods (only one is necessary):

**E-mail:** [publiccomments@bof.ca.gov](mailto:publiccomments@bof.ca.gov)

**Fax:** (916) 653-0989

**U.S. mail:** Board of Forestry and Fire Protection

PO Box 944246

Sacramento, CA 94244-2460

**All written materials shall be due no later than 12:00 p.m. the Thursday before the Board meeting, unless there is a date specified on a specific hearing notice pursuant to the Administrative Procedures Act (Chapter 3.5 (commencing with § 11340), Part 1, Division 3, Title 2, of the Government Code). Timely submittal of written materials provides Board staff and Board members the opportunity to familiarize themselves with content of written documents. Written materials received after the deadline above will not be considered. Written materials submitted may be posted online by Board staff to allow for public inspection. All written materials submitted will be considered part of the public record.**

## SPEAKING AT THE FULL BOARD MEETING

If you wish to speak on an agenda item, please fill out a "Speaker Card" and give it to Board staff **BEFORE** the agenda item is heard. Cards will be available near the entrance of the meeting room. If you wish to speak on a non-agenda item within the Board’s jurisdiction during the Public Forum period of the Board meeting, please see the Public Forum section of this agenda.

* Individuals with a shared position are encouraged to select a spokesperson for their group.
* Individuals who sign up by the deadline will have a maximum of three minutes to speak.
* The three-minute speaking time may be amended by the Chair, depending on the number of speakers. A speaker may not cede time to another speaker. The total amount of time to be allotted to a comment period is based upon the number of those wishing to comment, and will be announced by the Chair prior to the beginning of the comment period.
* The order of speakers will generally be based on random selection, but public officials may be taken out of order.
* The Chair retains the right to stop any speaker who raises an issue that is not under the Board’s jurisdiction.
* Beverages, food, and sticks or any other objects with handles are strictly prohibited. Larger signs, or signs with handles, may be left in the area between the auditorium entrance and the security screening for retrieval after the meeting.
* Speakers may bring written copies of their own comments to the Board meeting for distribution to the Members of the Board. Copies of the written comments shall be given to the Clerk of the Board who will ensure the appropriate distribution of the comments. Please provide eleven (11) copies.
* The Board retains the right to remove disruptive attendees from the Board meeting.
* The Board reserves the right to override the above rules in case of emergency or other unforeseen circumstances.

## WHEN WILL MY AGENDA ITEM BE HEARD?

The Board begins each session at the time listed on the Meeting Notice and generally considers each agenda item in the sequence listed; however, the Board may take any non-hearing agenda item out of order as time permits. The Board may also act on recommendations by its committees on items listed in their respective agendas, including recommendations for notice of rulemaking.

## VISUAL PRESENTATIONS

PowerPoint presentations must be provided on a USB flash drive, flash memory card, or DVD and can be provided to Board staff the day the presentation is being given. **All presentations are considered part of the public record**. All electronic formats must be Windows PC compatible. It is recommended that a hard copy of any electronic presentation be submitted in case of technical difficulties.