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BOARD OF FORESTRY AND FIRE PROTECTION

Chico, CA
May 9, 2019

BOARD OF FORESTRY AND FIRE PROTECTION MEMBERS:

Present:

Keith Gillless, Chair	Mike Jani
Rich Wade	Chris Chase
Darcy Wheelles	Marc Los Huertos
Sue Husari	Katie Delbar

Absent:

BOARD STAFF:

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

DEPARTMENTAL STAFF:

Helge Eng, Deputy Director - Resource Management	Dennis Hall, Assistant Deputy Director - Forest Practice
Mike Mohler, Deputy Director of Communications	Pete Cafferata, Forester III - Forest Practice/Forest Hydrologist
Bill Solinsky, Forester III - THP Administration	

Announcement of Actions Taken in Executive Session

The Board discussed the items on the agenda:

- Coast Action Group vs. California State Board of Forestry and Fire Protection (Case No. RG17860755)
- Board Consideration of the Proposed Decision for CP-18-14 Buchanan
The Board adopted the Administrative Law Judge's Decision with a minor modification.

Consent Calendar Items:

- Approval of March and April 2019 Board Meeting Minutes (with minor edits if requested by members of the Board); and
- Review of the Board's Rulemaking Matrix.

**05-19-01 Chair Gilless moved to adopt the Consent Calendar items.
Member Jani seconded the motion.**

Wade	Aye
Husari	Aye
Jani	Aye
Wheeles	Aye
Los Huertos	Aye
Chase	Aye
Gilless	Aye

The motion carried with one member absent.

MONTHLY BOARD REPORTS

Report of the Chair, Dr. Keith Gilless

Chair Gilless expressed his appreciation and thanked Butte Unit Chief David Hawks, Unit Forester Dave Derby, and Butte County Fire Safe Council Executive Director Calli-Jane DeAnda for organizing a useful and informative field tour through the Camp Fire area. The tour served a very useful purpose for the Board and highlighted the importance of the Board's work. Discussion among agencies, regulators and stakeholders of what can be done to prevent recurrences, minimize damage and facilitate recovery was informative. It is valuable understanding the collaborations between agencies, private industry and communities lead to action on the ground. Some of the problems and communication issues that were highlighted and how to move forward to address them was quite helpful as well. While the Board always enjoys the informative nature of our field tours, this one was difficult to come away without great sadness of seeing the impact on the lives and communities so deeply affected by the Camp Fire.

Report of the Director, Helge Eng, Deputy Director, Resource Management

Deputy Director Eng reported on the following matters:

Director Thom Porter was occupied with Wildfire Preparedness Week events, and could not attend the May 2019 Board meeting. Deputy Director Eng started this reporting covering Wildfire Preparedness Week and highlighted the importance of fuel reduction and forest management in mitigating and preventing catastrophic wildfires. The Director and Deputy Director Eng attended the Joint Informational Hearing of the California State Assembly. Assembly members wanted to learn more about pre- and post-wildfire planning and after a very brief overview the conversation quickly moved to a discussion on the Camp Fire, which remained the focus for much of the hearing. Deputy Director Eng notes that the hearing was focused on many of the same issues that the Board has been dealing with for some time. Assembly members discussed that there appears to be a focus on several issues in addition to not building in high risk areas, including land use planning, connecting dead end streets, providing ingress and egress, landscape level forest management, home hardening and Wildland Urban Interface fuel breaks. It is a testament that Governor Newsom and legislators understand the issues that the state faces, and for the first time in a very long time it appears that the legislature and the Administration understand that forest management plays an important role in wildfire prevention. In a sense, something good has come from the Camp Fire tragedy, however, something that we hope will not be repeated.

Fuel Reduction

- CAL FIRE is occupied with implementing the 35 projects under the Governor's emergency proclamation, of which the greatest proportion are fuel breaks providing protection to vulnerable communities. Out of the 35 projects, 30 have been approved by the California Natural Resources Agency (CNRA).

Fire Season Outlook

- This year's abundant grass crop under a dense canopy of dead trees in the central and southern Sierras will likely be a source of wildfire this fire season. Once grasses cure CAL FIRE expects that wildfire activity will increase.
- Northern California is looking at near normal temperatures and precipitation through August. The generous snow pack will make a difference in keeping wildland fire activity down, however, it is expected by August there will be a shift in activity.

Exemption and Emergency (EX/EM) Monitoring and Reporting

- CAL FIRE and other agency cooperators continued work on these projects; Deputy Director Eng thanked the Board for their input on the first iteration of the Exemption and Emergency Monitoring Report. There are numerous non-trivial statistical challenges to the exercise, which CAL FIRE and other agencies are working to address.

Forest Resource and Assessment Program (FRAP)

- FRAP is working on a monitoring exercise, similar to EX/EM monitoring, for prescribed fire projects. With the amount of fuel reduction projects being conducted, and the level of state investment, there will clearly be expectations and requests for reporting of the effectiveness of the projects.
- CAL FIRE/FRAP is working with Dr. Fried with the Forest Service Pacific Northwest Research Station on intensification of the Forest Inventory Analysis that may result in moving from a 10 year to a 5 year remeasurement cycle. Discussion about intensifying the grid, by essentially doubling the number of plots within the inventory is also underway.
- The Fire Resource and Assessment Program, Office of State Fire Marshal, and the Board are working on the State Responsibility Area (SRA) review for 2020. Following the review, remapping of the Fire Hazard Severity Zones will begin.

California Climate Investment Program (CCI)

- The funding for CCI is \$200 million next year fiscal year and \$165 million this fiscal year. So far \$60 million has been allocated to Forest Health Fuel Reduction Projects. \$43 million has been allocated in grants through the Fire Prevention Program, which are generally WUI projects, or project in proximity to the WUI focusing on fuel breaks. \$13 million is allocated to Urban Forestry and \$4 million to research. CAL FIRE intends to conduct robust levels of research to determine optimal treatments types in given vegetation types.

Safe Harbor Agreement

- CAL FIRE is working with the Fish and Wildlife Service, with Dennis Hall in the lead, on a Safe Harbor agreement for the Northern Spotted Owl (NSO) for medium to small size landowners. It is hoped that this will provide some relief for that category of landowners.

Boggs Mountain Demonstration Forest

- After the 2015 Valley Fire, the Boggs Mountain Demonstration Forest is now open to the public. Reforestation activities have generally been completed. CAL FIRE is faced with early stand treatments and vegetation control for years to come.

Jackson State Forest

- CAL FIRE has completed Northern Spotted Owl surveys. While no nesting NSO have been found to date, several Barred Owls have been detected across the property.

Lewis A. Moran Reforestation Center

- Staff continues to work on bringing LA Moran Nursery to a fully operational state. Contacts with private industry to form an advisory committee have been established. Some members of the private nursery community provided comments to the Board during the review of the Board's nursery policy and CAL FIRE felt it important to make use of that knowledge to becoming fully operational.

Black Hawk Helicopters

- The first black hawk helicopter is tentatively scheduled for delivery in early July. CAL FIRE plans to retain the fleet of Super Hueys helicopters within the fleet. Once all Blackhawk aircraft arrive, the Super Hueys will be returned to the U.S. Forest Service. These aircraft have been loaned to CAL FIRE through the Federal Excess Property Program.

Mobile Equipment Management

- The Mobile Equipment Program is actively releasing new chippers, track chippers, track loaders and other equipment for conducting fuel reduction work. CAL FIRE is working with the California Air Resources Board which has a program named Portable Equipment Registration Program (PERP) to streamline local permits from the air quality districts.

Conservation Camp Program

- The Ventura Training Center began its third class of 25 participants on April 15, 2019.
- The statewide Conservation Camps population is currently at 71% of fire crew capacity.

Fuel Reduction Crews

- The hiring process has been completed, some new employees are still in training, but most are on the ground working on implementing the 35 emergency proclamation projects.
- CAL FIRE and the National Guard have signed a 12-month agreement for five 20-person military fuel crews. The National Guard crews will have 2 CAL FIRE Captains and 4 firefighters, allowing for 7 day a week coverage. They will be dedicated to prescribed fire, and can be assigned to initial attack. With the National Guard crews, the Department stands at 15 vegetation management crews.

Miscellaneous Updates

- Reviews of the Investor Owned Utilities Wildfire Mitigation Plans have been completed and submitted to the California Public Utilities Commission (CPUC) for their consideration.
- Work required by AB 2911 continues with the Office of the State Fire Marshal developing a list of low cost home retrofits.
- CAL FIRE Units are beginning to update their Unit Fire Plans. Staff is working on the Fire Plan report that will be presented to the Board in the near future.

Report of the Deputy Under Secretary for Forest Management (CNRA), Jessica Morse

Deputy Under Secretary, Jessica Morse reported on the following matters:

- Thanked the Board for facilitating the Paradise field tour. She commented it was sobering and helpful. With the severity of the mega fires California has been facing year after year and the recognition of compounding impacts of a century of fire

suppression on top of climate change, action must be taken. We must make sure that we are designing our strategies and programs with the resources and the political will of the public support in a way that will set up the next century of fire prevention effectively.

- There is an opportunity to take advantage of the many lessons learned as we develop strategies through forest health to help mitigate these tragedies in the future. We are looking for input, feedback and insights to ensure we get it right. Agencies should be working collaboratively to achieve these goals.
- Introduced the idea of a statewide mapping strategy concept to depict where we are conducting landscape level treatments, watershed level treatments and identify where the gaps for treatment are. We need to develop a twenty-year plan so that we know what we are doing in 5 years, 10 years and will know when to start each process of management. This strategy will produce a more proactive rather than reactive management approach.
- Workforce development, we need to think about how to recruit more foresters and how to encourage more women to apply in these fields. We must ensure that we are setting up our programs that encourage people to join and make it more appealing to stay, which would require a collaborative effort. Develop ways to draw interest for small markets and non-traditional markets in the wood products realm that will encourage economic vitality in rural communities.
- CNRA would like to offer their support with the California Vegetation Program Programmatic Environmental Impact Report (CalVTP). The Agency wants to see the CalVTP in place so there is an expedited transparent way for individuals to execute projects, upholding the high environmental standards but removing the red tape. There is an opportunity to let the ecology and the legacy drive our decisions, planning and our strategy and get the politics on board with that.

Public Comment: John Anderson, Humboldt Redwood Company/Mendocino Redwood Company, thanked Jessica Morse and the Board for joining the field tour, he commented that there is no better way to see the destruction and issues than going out to see it for yourselves.

Richard Gienger, Forests Forever, commented that it's going to be difficult with a lot of people and not enough resources.

Report of the Executive Officer, Matt Dias

Executive Officer Matt Dias reported on the following matters:

- Legislative Update
- Board staff is in the process of filling the Forester II position left vacant by Eric Hedge who promoted to a Forester III and remains on Board staff.
- Interviews were conducted to fill the vacant Forestry Assistant II position. A candidate has been selected and vetted through CAL FIRE Human Resources and we are prepared to offer this candidate the position.
- Shuhani Patel, Staff Services Analyst with the Registered Professional Foresters Licensing program, has accepted a promotion with the Office of the State Fire Marshal.

- The Board has been experiencing budget woes primarily as it relates to the Licensing Program, as well as keeping up with the costs associated with working on the CalVTP. The May Revise will be coming soon. We have Budget Change Proposals that have been supported by the Department of Finance.

Report of the Standing Committees

Forest Practice Committee – Chair Rich Wade reported on the following:

- Provided an update on reporting to the Legislature by the Board and Department’s reporting to Legislature regarding Exemptions and Emergency Notices pursuant to PRC § 4589; and
- Discussed Regulatory Amendments to 14 CCR § 1052.4 “Emergency Notice for Fuel Hazard Reduction;” and
- Discussed the development of a white paper supporting the use of feller-bunchers within a Watercourse and Lake Protection Zone under specified Best Management Practices; and
- California Department of Fish and Wildlife provided a presentation: Addressing Botanical Resources in the California Forest Practice Rule, Randi Adair, Senior Environmental Scientist.

Management Committee – Chair Chris Chase reported on the following matters:

- Discussed the potential revision of Stocking Standards; and
- Discussed the “Exemption Emergency Regulation 2019” 14 CCR 1038 et. seq.; and
- Discussed potential revisions to 14 CCR § 1401.1(d) within “State Forest Regulations, 2018”; and
- Discussed potential revision to Categorical Exemptions within 14 CCR § 1153.

Resource Protection Committee – Chair Susan Husari reported on the following matters:

- Provided an update on the review of existing Board Fire Protection Policies (commencing with Policy 0340).

05-19-02 Member Husari moved to approve the Fire Protection Policies, commencing with Section 0340. Member Los Huertos seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheeles	Absent
Los Huertos	Aye
Chase	Aye
Gilless	Aye

The motion carried with one member absent.

Public Comment: Helge Eng, CAL FIRE Deputy Director Resource Management, Supported the revised language in the DRAFT Fire Protection Policies.

- Provided an update on the discussion and review of Existing Board regulations for Maintenance of Utility Right of Way 14CCR §§ 1250 – 1258.

SPECIAL BOARD HEARINGS/REPORTS

Initial Hearing: “Registered Professional Forester and Certified Specialty Amendments, 2019.” The purpose of the proposed action is to provide clarity in the regulatory provisions applicable to both RPFs and Certified Specialists. Additionally, clarity has been improved with regards to the disciplinary process and professional standards and responsibilities for RPFs, the CRM specialty and any future specialties that may be approved by the Board for a private society or public agency.

Public Comment: Helge Eng, Deputy Director, Resource Management, commented that CAL FIRE is in support of the rule package.

George Gentry, California Forestry Association, commented that as a previous Licensing Officer, the regulation is one of the better regulations he has seen written and is way overdue.

Chair Gillless closed the public hearing upon completion of public comment.

05-19-03 Member Delbar moved to approve the Final Statement of Reasons for “Registered Professional Forester and Certified Specialty Amendments, 2019.” Member Husari seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheeles	Absent
Los Huertos	Aye
Chase	Aye
Gillless	Aye

The motion carried with one member absent.

05-19-04 Member Delbar moved to adopt the Rule Text for “Registered Professional Forester and Certified Specialty Amendments, 2019.” Member Los Huertos seconded the motion.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheeles	Absent
Los Huertos	Aye
Chase	Aye
Gilless	Aye

The motion carried with one member absent.

05-19-05 Member Gilless moved to allow Board staff to make non-substantive revisions to the rulemaking entitled “Registered Professional Forester and Certified Specialty Amendments, 2019” file prior to submittal to the Office of Administrative Law.

Wade	Aye
Husari	Aye
Jani	Aye
Delbar	Aye
Wheeles	Absent
Los Huertos	Aye
Chase	Aye
Gilless	Aye

The motion carried with one member absent.

Initial Hearing: “Fire Safety Survey, 2019.” The proposed action would provide a clear, direct, and standardized subdivision identification process that maximizes efficiency, provides transparency to the regulated public, and is utilized effectively to prevent property and life losses in the wildland-urban interface due to fire. As a result, this regulatory action will have a positive effect on the protection of public health and safety, worker safety, and the environment.

Chair Gilless closed the public hearing and no action on this rulemaking was taken by the Board. The Board directed staff to prepare the Final Statement of Reasons for this rulemaking effort.

CONCLUSION

Public Forum

No further request for comment.

Adjournment

Respectfully submitted,

ATTEST:

Matthew Dias
Executive Officer

Keith Gilles
Chair

DRAFT