Revised Meeting Announcement and Agenda

California Board of Forestry and Fire Protection

Posting Date: October 25, 2019

Location: 1416 9th Street Sacramento, California 95814

# FULL BOARD MEETING:

## EXECUTIVE SESSION:

Date: November 6, 2019, 8:00am

Room: Resources Auditorium

## REGULAR SESSION:

Date: November 6, 2019, 9:00am

Room: Resources Auditorium

# COMMITTEE:

## JOINT COMMITTEE (All members of the Board may participate)

Date: November 5, 2019, 9:00am – 4:00 pm

Room: Resources Auditorium

# 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-17-25A (Robert Jones), OAH No. 2019061057
6. Licensing Case 335

## 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 August and September Board Meeting Minutes (with minor edits if requested by members of the Board);
5. Re-appointment of Member Susan Husari as Vice-Chair of the Effectiveness Monitoring Committee,
6. Re-appointment of Matt O’Connor to the Effectiveness Monitoring Committee;
7. Appointment of Elliot Chasin, Department of Fish and Wildlife as an Agency Representative to the Effectiveness Monitoring Committee;
8. Appointment of Michael Ian Jones to the Jackson Advisory Council for a term of 4 years; and
9. Review of Rulemaking Matrix

## MONTHLY BOARD REPORTS

1. **Report of the Chairman, Dr. Keith Gilless**
2. **Report of the Director, Thom Porter, Director CAL FIRE**
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. DRAFT Annual Report and Priorities Review
5. Cal VTP Outreach
6. Discussion and Board consideration 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.
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 Program Manager or Land Use Planning Program Manager on items presented in the report.
8. 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 **“**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.
9. 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 **“**Subdivision Map Findings, 2019.” The purpose of theproposed action is to develop a transparent, clear, and standardized process for counties to make fire safety findings on their tentative/parcel maps and transmit them to the Board.
10. 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 **“**Very High Fire Hazard Severity Zone Adoption, 2019.”The purpose of the proposed action is to implement and make specific the Legislature’s requirement in GC 51179(c) that local agencies send their adopted VHFHSZ ordinances to the Board.
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. Board consideration of approval of the Initial Statement of Reasons and authorization for 45-day noticing of rule text for the proposed rulemaking action entitled “Southern Subdistrict and Marin Co. Point Count Amendments” (14 CCR §§ 913.8, 926.1, 926.8, 926.25, 927.9, 927.10 & 927.16). The proposed action is intended to make the stocking standards within the Southern Subdistrict of the Coast Forest District consistent with the recently amended minimum resource conservation standards of the Coast Forest District and to improve the clarity of the regulations.
13. Board consideration of the approval of the Final Statement of Reasons and adoption of the regulatory text for the rulemaking action entitled “Categorical Exemption Amendments, 2019” (14 CCR § 1153). The purpose of the proposed action is to implement the requirements of 14 CCR § 15300.4 and to update the list of specific Board activities which fall within the exempt classes, as identified within 14 CCR § 15300 et. seq.
14. Board consideration of approval of the Initial Statement of Reasons and authorization for 45-day noticing of rule text for the proposed rulemaking action entitled “Appeal Amendments, 2020” (Amend 14 CCR §§ 1605(a), 1605(b), 1647 and Adopt 1605(e)). The purposeof the proposed action is to improve the clarity of the regulations related to the RPF examination appeals process. Additionally, the proposed action would establish a fee for exam applicants whom wish to file an appeal in relation to their qualification as a Registered Professional Forester.
15. **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 Joint Committee agenda which are incorporated as though fully set forth herein.)
16. Joint Committee - Keith Gilless, Board Chair (Other Committee Chairs may provide supplemental updates)
17. **Report of Board’s Advisory Committees.**
18. Effectiveness Monitoring Committee – Sue Husari, Co-Chair

## SPECIAL BOARD HEARING/REPORTS

1. **PRESENTATION: Francis H. Raymond Award- Recipient: Geri Bergen.** The award was named after Francis H. Raymond who was the Director of the California Department of Forestry and Fire Protection from 1953 to 1970, and was one of the primary advocates for the passage of the Professional Foresters Law in 1973.  Since 1987 it has been awarded to groups or individuals who have achieved excellence in forestry in California.
2. **PRESENTATION: Fire Plan Annual Update,** Scott Witt, CALFIRE/OSFM Risk and Planning Manager
3. **PRESENTATION:** **CAL FIRE Forest Health Research Program Overview and 2019-20 Request for Proposals**, Tadashi Moody, CALFIRE/FRAP Environmental Scientist

## 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 AGENDA

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

## JOINT COMMITTEE MEETING

1. Update on Reporting to Legislature on Exemptions and Emergency Notices (PRC § 4589)
2. Safety Element Review
   1. City of Dunsmuir
   2. County of Nevada
3. Presentation: Tethered Logging Systems: Matthew Mattioda, Vice President CTL Systems, Miller Timber Services
4. Presentation: Tethered Logging in Partial Harvested Stands in California, Paul Chapman, Area Manager, Campbell Global
5. 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.
6. Discussion of Regulatory Amendments to 14 CCR § 1052.4 “Emergency Notice for Fuel Hazard Reduction” – Permanent Rulemaking

**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. To ensure comments and other materials submitted comply with the Board’s website posting requirements, please provide all comments and materials in a format that satisfies the Americans with Disabilities Act (ADA) and applicable Web Content Accessibility Guidelines (WCAG). Comments and materials that do not satisfy these requirements will be accepted, but will not be posed to the Board’s website.**

## 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. Please provide all materials in a format that satisfies the Americans with Disabilities Act (ADA) and applicable Web Content Accessibility Guidelines (WCAG) in accordance with the Board’s policies to allow posting to the Board’s website. Materials that do not satisfy these requirements will be accepted, but will not be posted to the Board’s website.