

DRAFT 2020 STANDING COMMITTEE PRIORITIES

Forest Practice Committee (FPC)

The mission of the FPC is to evaluate and promote an effective regulatory system to assure the continuous growth and harvesting of commercial forests and to protect soil, air, fish and wildland, and water resources.

COMPLETED OR SUBSTANTIALLY COMPLETED IN 2019:

1. Report on Exemptions and Emergencies as Required by AB 1958 and AB 2029:

Status: *The Exemption-Emergency Notice pilot monitoring project was recently completed and the initial report was complete and published in May, 2019. CAL FIRE completed field data collection for 2019 in October and has released a draft Emergency Notice of Timber Operations Monitoring and Report on Exemption use, expected to be finalized in January of 2020. Additionally, CAL FIRE is working on filling five (5) Forester I positions that will focus on continuing exemption and emergency data collection. CAL FIRE intends for this data collection effort to be ongoing.*

2. Cumulative Effects:

Objective: *The FPC continues to track updates from the Resources Agency detailing the progress of AB 1492 Working Groups on the issue of cumulative effects. The FPC also continues to track CAL FIRE Forest and Rangeland Assessment Program (FRAP) on the preparation of each new FRAP Assessment. Additionally, the FPC will be reviewing staff recommendations on the development of an environmental document regarding the effect of forest management on Greenhouse Gas sequestration based on the AB 1504 reporting. This process may assist landowners in the preparation of Plans as it relates to the analysis of cumulative impacts of GHGs.*

Status: *The 2018 iteration of the FRAP Assessment was released in August, 2018.*

The background paper on approaches to ecological performance measures has been drafted and will begin the workshopping process on January 15, 2019. The Campbell Creek Planning Watershed Pilot Project has completed the first phase and a draft report is in development as of December, 2018.

The Board will continue to provide annual reporting on above and below ground carbon stocks associated with the forestlands of California. Future reporting updates will consider the effects of harvested wood products on the state's carbon stocks. Upon the addition of those data, the FPC will consider staff recommendations on the preparation of an environmental document that will analyze these data. A data update was released on May 15, 2018 covering the years 2007-2016 and a formal report to the Board is planned for the January, 2019 meeting.

The Board may prioritize this item again in the future based on future developments in the AB 1492 and AB 1504 projects discussed above. The Board will also continue to

monitor cumulative effects through the EMC as they continue to fund and receive updates from various projects testing the FPRs and related regulations.

3. Watercourse and Lake Protection Rule Review (14 CCR § 916):

Objectives:

- *Should mechanical feller-bunchers be classified as "heavy equipment" in WLPZs?*
- *Mapping of Class III Watercourse crossings. Language in 14 CCR §§1034(x)(7) and 916.4 [936.4,956.4] needs to be considered and potentially reconciled for purposes of consistency.*
- *Review the necessity and utility of assessing and mapping standards of 14 CCR § 916.4 for spawning and rearing habitat for anadromous salmonids.*

Status: *The Board approved for publication the white-paper titled "Partial harvest in Watercourse and Lake Protection Zones Using Low Ground Pressure Equipment to Support Fire Resilient, Ecologically Diverse Stands and Associated Ecosystem Services", to assist CAL FIRE and responsible review Agencies in making determinations regarding proposed use of ground-based equipment within WLPZ. The Board may continue to address other issues as necessary.*

4. Review of Emergency Notice for Fuels Hazard Reduction:

Objective: *Review the regulations for the Emergency Notice for Fuels Hazard Reduction. Specifically, address the issues of canopy closure, surface fuels, and allowable geographic locations with respect to fuels reduction and fire prevention efforts. Address how to improve clarity related to canopy standards, clearance standards, and QMD standards.*

Status: *Emergency regulations for this issue were adopted in August of 2019. They were intended to clarify and simplify the Emergency Notice for Hazard Fuel Reduction exemption within the FPRs to encourage greater use of the specific Emergency Notice process and to improve the effectiveness of hazardous fuel removals by landowners in strategic areas. The Board is currently engaged in the process of permanent rulemaking on this topic.*

Priority 1 for 2020

1. Review of Forest Practice Northern Spotted Owl (NSO) Rules:

Objective: *The FPC recommended publication of a 45 Day Notice of Rulemaking for the "Activity Center Definition" rule proposal in 2013. The Board subsequently authorized the publication of the 45 Day Notice. However, publication was postponed as the Fish and Game Commission considered a petition requesting state listing of NSO. The*

Commission accepted the petition and has determined that state listing for the NSO is warranted.

Status: The FPC tabled discussion of NSO issues in early 2019 due to numerous parallel activities surrounding NSO management, including revisions which were made to USFWS Northern Spotted Owl Take Avoidance Analysis and Guidance Attachments A and B, ongoing executive-level discussions between USFWS, CDFW, and Board staff, the development of a regional Spotted Owl Resource Plan (SORP), ongoing discussion of barred owl threats and management thereof, and continuing stakeholder forums led by CDFW. Currently, the problem statement is still in development by the Board members and staff.

The FPC will continue the development of a problem statement and the review of consistency issues in 2020.

2. 14 CCR § 1034, Contents of Plan:

Objectives:

- 14 CCR § 1034(r), How are the requirements of 14 CCR § 1032.7(f) to be met? The reference to 1032.7(f) is obsolete, since it refers to the past requirement that the RPF distributes and publishes a copy of the NOI.
- 14 CCR § 1034(x)(7), On a plan map, show the location of all watercourse crossings of classified watercourses except temporary crossings of Class III watercourses without flowing water during timber operations. The Board should consider revising 1034 to make Class III watercourse crossings a required mapping feature within a Plan.
- The Board should consider amending 14 CCR § 1034 when it adopts or amends any rule that adds elements that are considered a required portion of a harvesting plan. This ensures a central location where the RPF can find essential information that must be included in a harvesting document. The Board may want to consider a rule package that consolidates all required plan contents under 14 CCR §§ 1034, 1051, 1090.5, and 1092.09.

Status: No reportable actions were made on this topic in 2019.

3. Expanded Allowance for Use of Ground-Based Harvest Equipment:

Objective: Review existing Forest Practice Rules related to limitations on the use of ground-based log yarding equipment to improve antiquated language and allow the rules to be more responsive to recent developments in technology. Address code sections for potential amendments; these sections may include, but are not limited to:

- 14 CCR § 913.1 (a) (2) – tractor yarding acreage limitations.
- 14 CCR § 914.3 (e) – tractor use limitation in cable yarding areas

- 14 CCR § 916.5 – reduced WLPZ widths for cable yarding

Status: The Committee began consideration of this issue in August 2019

PRIORITY 2 FOR 2020:

1. Review the Regulatory History, Implementation, and Future of 14 CCR § 916.11; Monitoring for Adaptive Management in Watersheds with Coho Salmon:

Objective: The Rule requires the Board to develop a monitoring and adaptive management program for timber harvesting operations in watersheds with coho salmon. Multiple purposes for this program are stated within the Rule. The Board has since established a new science-based, multi-stakeholder, and multi-disciplinary Effectiveness Monitoring Committee (EMC) for the purpose of reviewing the efficiency and effectiveness of the Board's Forest Practice Rules relative to forestry and environmental protection, including the protection of watershed resources critical to listed species such as coho salmon. The FPC will review the history and requirements of 14 CCR § 916.11 to ensure the mission and activities of the EMC adequately address the purposes stated for this Rule and will determine if any additional specific Board action is necessary.

Status: No reportable actions were made on this topic in 2019.

2. 14 CCR § 913.4(d) - Variable Retention Silviculture:

Objective: Several questions have been raised regarding implementation of this Special Prescription: (1) Should the Variable Retention regulation specify a minimum re-entry period for designated retention areas?; (2) Should the current regulation require a minimum stand age necessary for harvest to occur in order to demonstrate maximum sustained production (MSP) as is required for even-age silviculture under 14 CCR § 913.11(c)?; and (3) Are the minimum stocking requirements of CCR § 913.4 (d)(3)(H) relative to aggregate versus dispersed retention clear enough for consistent application and enforcement?

Status: No reportable actions were made on this topic in 2019.

PRIORITY 3 FOR 2020:

1. 14 CCR § 913.2 (b) – Transition Silviculture:

Objective: It has been reported that CAL FIRE does not allow use of the Transition silviculture method in timber stands which were most previously harvested utilizing the Selection method. This 'policy' is not consistent with 14CCR § 913.2(b) or (b)(2). THP was returned on this issue without being evaluated through PHI to support the determination.

Status: No reportable actions were made on this topic in 2019.

2. 14 CCR § 1054.8 – Order of the Board:

Objective: CAL FIRE has requested that the Board consider amending this rule section for purposes of obtaining consistency with PRC § 4582.7(d) and 14 CCR § 1037.6. Additionally, CAL FIRE has requested that the Board take into consideration the lack of consistency between PRC § 4582.7(d) and 14 CCR § 1037.6 with current CEQA Guidelines and case law as they pertain to re-circulation of a Plan with substantial new information.

Status: No reportable actions were made on this topic in 2019.

3. 14 CCR § 1032.7(d) and 14 CCR § 1092.04(d) [in part]:

“A Notice of Intent shall include the following information:

- i. The acres proposed to be harvested.*
- ii. The regeneration methods and intermediate treatments to be used.”*

Objectives:

(4) The Board should amend this paragraph to include all acres where timber operations will occur, not just the area where timber will be harvested. In doing so, the Board should consider the current definition of logging area and the lack of a definition of plan area.

(5) Requires stating the regeneration methods and intermediate treatments to be used. This paragraph may not capture all possible treatments that may occur, e.g., special prescriptions and other types of associated timber harvesting, such as road right-of-way or timberland conversion.

Status: This item was initially addressed by the Management Committee in 2010 in the form of a rule proposal to amend the NTMP NTO requirements. The item was remanded back to the Management Committee following publication of a 45-day Notice of Rulemaking in December 2010 and initial hearing in February 2011. No further action was subsequently taken. No reportable actions were made on this topic in 2019.

4. Regulatory Amendments to 14 CCR § 1032.10 – Request for Domestic Water Supplies:

“The THP submitter shall provide notice by letter to all other landowners within 1,000 feet downstream of the THP boundary whose ownership adjoins or includes a Class I, II, or IV watercourse(s) which receives surface drainage from the proposed timber operations. The notice shall...”

Objectives: CAL FIRE has requested the following items be potentially addressed regarding Notice of Timber Operations:

- Overland flow or channel flow.

- *Publication may need to be given in a newspaper of general circulation. CAL FIRE assumes this requires notification as defined in Government Code §§ 6000-6027.*
- *A tie should be made with the requirement to provide protection to domestic water supplies, as required per 14 CCR § 916.10 [936.10, 956.10].*
- *Require more current notification in which the post-marked date is no more than one year prior to submittal of the plan.*
- *Does a plan have to be returned if the RPF requests an exemption from one of the noticing requirements and CAL FIRE does not accept the request? The rule requires at least ten days passing after notification before submission of the plan.*

Status: *No reportable actions were made on this topic in 2019.*

5. Definitions for Site Survey Area and Logging Area (14 CCR § 895.1):

Objective: *CAL FIRE has archaeological or historical sites along appurtenant roads that are not specifically associated with the commercial harvesting of forest products, but are associated with operations such as road construction, re-construction or maintenance. Considering these findings, CAL FIRE has requested a review of the definitions of Site Survey Area and Logging Area, balanced against the definition of timber operations in PRC § 4527, to address the issue of potential impacts to archaeological resources located along appurtenant roads where commercial harvesting is not occurring.*

Status: *No reportable actions were made on this topic in 2019.*

6. Archaeological Training (14 CCR § 929.4 [949.4, 969.4]):

Objective: *CAL FIRE indicates that existing Board regulations are not clear in terms of when a 5-year refresher training course for identification and protection of archaeological resources must be completed. It is recommended to review the existing rule to determine if further regulatory clarity could be achieved.*

Status: *No reportable actions were made on this topic in 2019.*

7. Board Policy Review:

Objective: *The Board currently has many policies in place, some dating back decades. The Board aspires to review and contemporize all policies and make them available to the public via the Board's website. Board policies cover a myriad of topics; committee assignment of this ongoing policy review will be based upon the subject matter of the individual policy under review.*

Status: *Continuously ongoing.*

Management Committee (Committee)

The mission of the Management Committee is to evaluate and promote long-term, landscape level planning approaches to support natural resource management on California's non-federal forest and rangelands.

COMPLETED OR SUBSTANTIALLY COMPLETED IN 2019:

1. Mountain Home Demonstration State Forest (MHDSF) Management Plan:

Objective: *Continue to review the management of Mountain Home Demonstration State Forest pursuant to Board Policy 0351.10.*

Status: *Revisions to the Management Plan and Initial Study began in 2017. In the summer of 2017, Board staff toured the state forest and were made aware of significant work that had been done on the forest that would result in the need for a substantial update to the Management Plan. MHDSF staff attended a Committee meeting in late 2017 and presented their initial assessment of the required workload for the Management Plan update. During this meeting, it became clear that the update would require substantial work, and the current MHDSF staff did not have sufficient time or resources to complete the update by the expected deadline. Due to these extenuating circumstances, the Committee voted to extend the deadline until 2020, and the Board approved this decision. Full revisions are expected to be submitted to the Committee by the forest manager in 2020. The Board expects full review and certification pursuant to CEQA by the first quarter of 2020.*

2. Permanent Post-Fire Recovery Exemption:

Objective: *Develop and approve rulemaking language for a permanent post-fire recovery exemption. Each year the Board considers emergency regulations for post-fire recovery; these regulations would allow for faster recovery in communities where fire has impacted forested land.*

Status: *In September, 2019 the Board adopted a Permanent Post-Fire Recovery Exemption which will take effect on January 1, 2020. The adoption of this exemption was intended to aid in protecting structures and public safety in the aftermath of a wildfire. It allowed dead or dying trees to be harvested or removed, when within 300 feet of a structure, without a need to satisfy completions report and stocking report requirements and plan preparation and submission requirements of the FPA. To qualify, the activities must be consistent with a current state of emergency or an emergency declared by a gubernatorial executive order, or an RPF must certify that trees are dead or dying as a result of a wildfire that took place within the previous three years.*

3. State Forest Regulations Update

Objective: Modernize language surrounding the management of state forests, and increase revenue to help offset the costs of increased recreation and overnight camping.

Status: The Office of Administrative Law approved the Board's State Forest Regulations Update in April of 2019, and they took effect on July 1, 2019. PRC 4652 allows CAL FIRE to collect user fees for overnight camping and reserved group activities in Demonstration State Forests. Despite this, existing regulation did not provide for the collection of such fees, which have become increasingly necessary to maintain high-quality facilities for public use and protect environmental quality in areas surrounding recreational facilities in state forests. This regulatory package explicitly allowed CAL FIRE to collect fees for the above-mentioned activities and created a schedule for such fees. It also clarified existing and, sometimes, outdated regulatory language regarding state forests.

4. Board Policy Review (Completed in Part):

Objective: The Board currently has many policies in place, some dating back decades. The Board aspires to review and contemporize all policies and make them available to the public via the Board's website. Board policies cover a myriad of topics; committee assignment will be based upon the subject matter of the individual policy under review.

Status: The Board revised two (2) existing policies – the Board's Nursery policy and the State Forest policy – and engaged stakeholders to comment on revisions.

The Board's nursery policy update was mainly centered on the reemergence of the CAL FIRE LA Moran Reforestation Center as a fully functional nursery and reforestation center. The revitalization of the center will help provide native conifer seeds to augment private vendors throughout the state. The CAL FIRE Stewardship Division Chief, in consultation with the Board, decided to add revisions that included ensuring seed production from a wide variety of climates so that the seed bank can serve the entire state, particularly as the climate continues to change. New revisions also included stipulations to ensure that the existence of a CAL FIRE seed bank does not infringe on other existing nurseries' and seed banks' capabilities to produce seeds or seedlings. Rather, the Board's policy envisions the CAL FIRE seed bank acting as a backup to existing facilities, with utmost importance placed on growing seedlings for small non-industrial landowners. The policy also requires the Department to report to the Board every 10 years on the state of the nursery.

5. Non-Industrial Timber Management Plan (NTMP) Review:

Objective: Ongoing review of the regulatory standards associated with the NTMP, including CAL FIRE's Draft NTMP Growth and Yield Guidelines document posted on CAL FIRE's website. This guidance document is currently in use by CAL FIRE Plan review personnel. Additionally, the following issues associated with a Notice of Timber Operations may be addressed:

- Consider requiring the inclusion of the number of acres proposed for harvest along with the required legal description on a submitted NOP. (Department of Tax and Fee Administration (formerly BOE) request).
- Consider requiring the mapped location of each ownership if multiple ownerships are being harvested under the same NOP. This applies to all Plans and Exemptions. (Department of Tax and Fee Administration (formerly BOE) request).

Status: The Board adopted NTMP Amendments in September of 2019. They were submitted to OAL in October, and it is anticipated that they will take effect on January 1, 2020. Sections of the Forest Practice Rules relating to NTMPs were updated to provide clarity, reflect modern mapping standards and technologies, and make them consistent with recently passed legislation (SB 901). Notably, the amendments made explicit that multiple small landowners may participate in one NTMP and that one agent may be designated as a single point of contact for all landowners involved. Certain exemptions are also made permissible within the footprint of an NTMP.

6. Small Landowner Harvest Options:

Objective: Find effective methods to facilitate small landowner harvest. Such approaches include 1) An NTMP approach for landowners of 320 acres or less that cannot utilize a regular NTMP and 2) Woodlot owners of less than 40 acres seeking minimal harvesting.

Status: The Management Committee has intermittently discussed the development of small land owner harvest options over the course of several years. Senate Bill 901 (Dodd, 2018) has mandated the adoption of a small landowner exemption within 14 CCR § 1038. A few specifics of the exemption were required by the legislature in statute, but substantial discretion was given to the Board to adopt measures that they deemed appropriate for this exemption.

7. Review of Required Post-Harvest Stocking Standards (14 § CCR 913; 14 CCR § 1071), Pursuant to Assembly Bills (AB) 2082 (2014) and 417 (2015), Affecting Public Resource Code (PRC) 4561:

Objective: The request has been made to investigate the current stocking standards as they relate to various regeneration methods and forest health, including fuel hazard reduction, within certain forest types.

Status: Recent legislative mandates (AB 2082, 2014 and AB 417, 2015) were chaptered by the Brown Administration and grant the Board the authority to review required minimum stocking standards pursuant to PRC § 4561. The FPC discussed this topic periodically throughout 2018, but due to a large workload this issue was moved to the Committee for further action. The Stocking and Silvicultural Amendments were adopted by the Board in September of 2019, which will take effect on January 1, 2020.

Stocking standards for replanting following harvest or disturbance have been in place for several decades. Over that time, seedling survival has improved dramatically, and stressors facing forests, such as diseases, drought, insects, and fire, have increased in frequency and severity. The amendments lowered the required stocking of seedlings on a district by district basis in order to address various forest health and ecological goals as identified by the Board, as well as aligned the requirements of specific silvicultural prescriptions with those goals.

8. Review of Categorical Exemption Regulations (14 CCR § 1153)

Status: The Board adopted amendments to the list of potentially categorically exempt Board activities in November 2019. It is anticipated that these amendments will become effective April 1, 2020.

PRIORITY 1 FOR 2020:

1. Limited Timber Operators License & Timber Operator Education:

Objective: CAL FIRE has indicated that education for Limited Timber Operators is not equal to the education and insurance requirements for Full Licensed Timber Operators. However, the current regulations do not clearly identify the tasks that a Limited Timber Operator may not complete. This may result in unintended impacts to the landscape. CAL FIRE requests that the Board clarify the regulatory language to identify which tasks may be performed, pursuant to the necessary education and insurance for each type of license.

Status: The Committee began consideration of this issue in September, 2019.

2. Program Timberland Environmental Impact Report (PTEIR) for Carbon Sequestration and Fuel Reduction Program:

Objective: AB 862, chaptered by the Brown Administration in 2014, directs the Board of Forestry and Fire Protection to develop regulations, guidelines or publications to facilitate a grant program that allots funding for the development of PTEIRs that promote carbon sequestration and fuel hazard reduction on state or private lands. The grant program is to be administered by CAL FIRE.

Status: The PTEIR was briefly discussed at the beginning of the year, and was reported out to the full Board in February. After Board discussion, it was agreed that it would be prudent for Chair Gillless and Vice-Chair Andre to draft a letter to the State of California Assembly Committee on Natural Resources to recommend possible legislative actions that could address issues that have been plaguing the PTEIRs use. No action has resulted from the recommendations.

3. Issues Pertaining to Conversion of Timberland:

- *Regulatory amendments to 14 CCR § 1100(g)(2) - Definition of Timberland Conversion - Existing Board regulations are currently inconsistent with PRC § 4621 as it applies to conversion of timberland. Current Board regulations address proposed conversions in the Timber Production Zone (TPZ) where an immediate re-zone out of TPZ has been approved. State law does not recognize zoning as a controlling factor in the conversion of timberland. CAL FIRE has requested that the Board bring the current definition of conversion into conformance with State law to recognize all timberland conversions regardless of zoning status.*
- *Regulatory amendments to 14 CCR § 895.1 – “Crop of Trees, Available for, and Capable of...” – CAL FIRE has made the request to address the definition of “crop of trees” to aid CAL FIRE in identification of timberland. The Committee has received briefings from Board staff and CAL FIRE on potential options to address this issue.*

Status: *The Board anticipates that bullet points one and two will require significant effort because they both require regulatory amendments and input from a variety of agencies and stakeholders. The Board may begin to address these issues in 2020.*

4. Maximum Sustained Production (MSP) 14 CCR § 913.11(a) [933.11(a), 953.11(a)]:

Objective: *Review performance of existing MSP rules since Board adoption. The Committee may consider the following actions for MSP review:*

- *Consider forming a technical working group to consider changes to existing MSP rules to provide more concrete standards for the MSP demonstration per 14 CCR § 913.11(a) [933.11(a), 953.11(a)].*
- *Consider implications for carbon stocks and fluctuations.*
- *Review the constraints of the effective period of a Sustained Yield Plan (SYP) (PRC § 4551.3) against current Board regulations.*

Status: *The Committee reviewed the MSP rules in February of 2011 and found no further action necessary. CAL FIRE has resubmitted the issue in 2015, and industry stakeholders expressed concern over the effective period of the SYP in 2017. The Board may begin to address this issue in 2020.*

PRIORITY 2 FOR 2020:

1. Research Plan (PRC § 4789.6):

Objective: *The Board, assisted by the Director, shall biennially determine state needs for forest management research and recommend the conduct of needed projects to the Governor and the Legislature.*

Status: Previously, during review of Demonstration State Forest Management Plans the Committee has requested improvements in the documentation and distribution of forest management, wildlife, fisheries, botanical and watershed research conducted on each forest or by CAL FIRE. The Committee intends to continue to work with each State Forest and CAL FIRE to better document and catalog results of these research efforts and seek improvements in the distribution of research reports through either CAL FIRE or the Board's website(s). The Committee also intends to review a draft Research Plan in the near future. The Board may address this issue in 2020.

PRIORITY 3 FOR 2020:

1. Site Index for Major Young-Growth Forest Woodland Species in Northern California - Discussion of Update to 14 CCR § 1060 Site Classification:

Objective: FPC completed initial review of this topic in April-June of 2010 and deferred additional review until completion of the Road Rules. The Committee will continue review of the issue when sufficient Committee time is available.

Status: No reportable actions were made on this topic in 2019.

2. Development of Pilot Programs for SERM Option (v) Projects:

Objective: CAL FIRE has formed a Technical Advisory Committee (VTAC) to develop and provide advice on pilot programs to implement option (v) projects under the Anadromous Salmonid Protection Rules (ASP).

Status: No reportable actions were made on this topic in 2019.

3. Pacific Forest and Watershed Lands Stewardship Council:

Objective: Board approved CAL FIRE's effort to acquire lands in the Stewardship Council planning units of "Pit River," "Battle Creek," "Cow Creek," "Burney Gardens," "Lake Spaulding," "Bear River," "North Fork Mokelumne River," and "Lyons Reservoir" that would be suitable for inclusion in CAL FIRE's Demonstration State Forest Program. Substantial work is required of CAL FIRE for the acquisition of these lands and the Board must approve management plans for each parcel.

Status: The Stewardship Council Board has recommended fee title transfer of lands within the North Fork Mokelumne River, Pit River, Tunnel Reservoir, Battle Creek, Cow Creek, Lake Spaulding, and Bear River planning units to CAL FIRE. With the Stewardship Council Board recommendation for transfer of lands to CAL FIRE at Bear River in November 2018, fee title recommendations have been completed. In 2018, the Stewardship Council Board approved final Land Conservation and Conveyance Plans (conservation easements and agreements known also as LCCPs) for North Fork Mokelumne River, Pit River, and Tunnel Reservoir. The Stewardship Council continued to develop the final LCCPs for the remaining projects during 2019.

The Department of General Services and Pacific Gas & Electric (PG&E) have developed the final form and content for each of the transaction documents, which will be utilized to construct documents for each of the transactions going forward. The California Natural Resources Agency has also participated in these discussions and is working to bring along associated transactions with State Parks. CAL FIRE and PG&E signed the Property Acquisition Agreement for the North Fork Mokelumne property in 2019 and received subsequent approval from the California Public Utilities Commission on October 7, 2019 to proceed with closing the transaction. It is expected to go to the Public Works Board in December of 2019 for final State approval allowing for the close of escrow.

Conservation easement holders for each of the properties have been recommended by the Stewardship Council Board and include: Shasta Land Trust (Pitt River, Tunnel Reservoir, Cow Creek), Western Shasta Resource Conservation District (Battle Creek), Mother Lode Land Trust (North Fork Mokelumne River), Placer Land Trust (Lake Spaulding), and Bear, Yuba, and Placer Land Trusts (Bear River). As currently written, CAL FIRE has successfully negotiated identical or very similar terms with each of the conservation easement holders to reduce the number of unique restrictions on any property. CAL FIRE has been on site to document baseline conditions and discuss the intended management with each of the conservation easement holders.

It is expected that the Pitt River, Tunnel Reservoir, Lake Spaulding, and Bear River planning units will close in late 2020.

4. Board Policy Review:

Objective: *The Board currently has many policies in place, some dating back decades. The Board aspires to review and contemporize all policies and make them available to the public via the Board's website. Board policies cover a myriad of topics; committee assignment will be based upon the subject matter of the individual policy under review.*

Status: *Continuously ongoing.*

Resource Protection Committee (RPC)

The mission of the Resource Protection Committee is to develop and promote a policy and regulatory program that implements fire safe land use planning and effective vegetation management, pursues a fire prevention program in alignment with the State Fire Plan, and improves forest and rangeland health in California.

COMPLETED OR SUBSTANTIALLY COMPLETED 2019

1. California Vegetation Treatment Program PEIR (CalVTP PEIR)

Objective: *Certify a statewide program environmental impact report for vegetation treatment.*

Status: A final version may be certified by December 2029.

2. Fire Safe Development Workgroup

Objective: *Develop a workgroup to revise the Title 14 SRA Fire Safe Regulations on a triennial basis to coincide with the California Fire Code updates. Ensure consistent, technically sound, and appropriate regulations and guidelines are established for governing fire safe development in State Responsibility Area and other locations determined to be within the statutory responsibility of CAL FIRE and the Board.*

Status: Fire Safe Development Regulations were adopted by the Board in March of 2019, were approved by OAL in September of 2019, and will become effective on January 1, 2020. The Board has been regulating defensible space in SRA since 1991. These SRA Fire Safe Regulations have, in some cases, come into conflict with other overlapping regulations, including county and state fire codes. These amendments specified that the SRA Fire Safe Regulations shall be updated every three years, concurrently with the California Fire Code. Additionally, they clarified and updated existing requirements to make these regulations suitable for modern buildings, land use patterns, firefighting tactics, and dimensions of firefighting apparatus.

3. Utility Right of Way Exemptions

Objective: *Review existing Forest Practice Rules for areas of conflict or inconsistency with utility clearance requirements established by the California Public Utilities Commission (CPUC). Make updates as needed to modernize regulations and reduce fire risk.*

Status: *The Board is currently engaged in rulemaking on this topic. It is anticipated that a regulations package will be submitted to OAL in early 2020, and requirements being phased in beginning on July 1, 2020.*

4. Fire Safety Survey

Objective: *Clarify, interpret, or make specific new legislation from 2018 (AB 2911, SB 1260, SB 901) via regulation, as necessary. With the Office of the State Fire Marshal,*

by July 1, 2021 survey existing subdivisions of 30 or more residential structures without secondary access at high fire risk, and develop recommendations to improve that subdivision's fire safety.

Status: Fire Safety Survey regulations were adopted by the Board in June of 2019, submitted to OAL, and withdrawn from OAL in October due to clarity issues. The rules will be revised and resubmitted to OAL in December of 2019, likely taking effect on April 1, 2020. The Board, in consultation with the State Fire Marshal, is required by Public Resources Code § 4290.5 to identify existing subdivisions at significant fire risk and without a secondary egress route that are located in SRA or VHFHSZs. The regulatory amendments within this rulemaking specified which subdivisions were to be surveyed. All subdivisions within SRA and VHFHSZs of LRA are to be surveyed under these rules. The rulemaking also clarified definitions related to roads and egress routes.

ANNUAL ONGOING ITEMS

5. Safety Element Review (all counties with SRA; cities with VHFHSZ)

Objective: *Review General Plan Safety Elements of all counties with SRA and cities with Very High Fire Hazard Severity Zones.*

Status: Review of safety elements ongoing.

6. Fire Safe Development Regulations Certification

Objective: *Review and certify local county ordinances submitted for certification under 14 CCR §1270.03.*

Status: Ongoing as counties submit ordinances.

7. Forest Pest Council

Objective: *Ongoing monitoring, management, and education and outreach (for professionals and lay people) regarding invasive pests and pathogens of concern in California's urban and wildland forests.*

Ongoing effort to offer relative, practical information on tree dieoff as well as native and invasive pests and pathogens affecting California's urban and wildland forests.

Ongoing effort to further advance the CA Firewood Task Force 'Buy It Where You Burn It' message as well as the risks associated with spread of invasive species through the long-distance movement of firewood.

Status: Ongoing review in 2019.

2020 PRIORITIES

PRIORITY 1

1. Policy Updates

Objective: Review and update, as necessary, all policies related to the Board of Forestry and Fire Protection and associated Committees. Examine all general policies, licensing policies, joint policies with other agencies, and other policies as identified and revise policies to reflect current programs and business operations.

Status: Review of relevant policies ongoing.

2. Fire Safe Regulations Update

Objective: Clarify, interpret, or make specific new legislation from 2018 (AB 2911, SB 1260, SB 901) via regulation, as necessary. By July 1, 2021, update the 14 CCR 1270 regulations to apply to LRA, to establish requirements for greenbelts around communities, and to protect undeveloped ridgelines.

Status: No progress to date.

3. Fire Risk Reduction Communities List

Objective: Clarify, interpret, or make specific new legislation from 2018 (AB 2911, SB 1260, SB 901) via regulation, as necessary. By July 1, 2022, develop a list of local agencies taking fire risk reduction activities.

Status: No progress to date.