BOARD OF FORESTRY AND FIRE PROTECTION MEETING MINUTES

Sacramento, CA

January 18, 2023

**BOARD OF FORESTRY AND FIRE PROTECTION MEMBERS**

**Present:**

* J. Keith Gilless, Chairman
* Chris Chase, Acting Chairman
* Rich Wade\*
* Mike Jani
* Elizabeth Forsburg-Pardi
* J. Lopez
* Dawn Blake
* Katie Delbar
* Jeremiah Hallisey

\*Mr. Wade arrived late after all action items had been called.

**Absent:**

**BOARD STAFF PRESENT:**

* Edith Hannigan, Executive Officer
* Dan Stapleton, Licensing Officer
* Robert Roth, Board Counsel
* Jane Van Susteren, Senior Environmental Scientist
* Andrew Lawhorn, Forestry Assistant II
* Dr. Kristina Wolf, Environmental Scientist
* Claire McCoy, Wildfire Planning Specialist
* Katie Harrell, AGPA-Joint Institute for Wood Products Innovation
* Anna Castro, Executive Assistant

**DEPARTMENTAL STAFF PRESENT:**

* Matthew Reischman, Deputy Director Resource Management CAL FIRE
* Eric Huff, Staff Chief, Forest Practice Program, CAL FIRE

**Announcement of Action(s) Taken in Executive Session:**

Robert Roth, Counsel for the Board reported that there were no reportable actions taken on the two items in closed session.

**Consent Calendar Items:**

* Approval of the December 7, 2022, meeting minutes.
* Review of Rulemaking Matrix

**01-18-01 Chairman Gilless moves to adopt the Consent Calendar as noticed. Member Lopez seconds the motion.**

**Roll Call:**

**Chase: Aye**

**Blake: Aye**

**Delbar: Aye**

**Hallisey: Aye**

**Lopez: Aye**

**Forsburg-Pardi: Aye**

**Jani: Aye**

**Wade: Absent**

**Gilless: Aye**

**Motion passed.**

**Report of the Director, Matthew Reischman, Deputy Director, CAL FIRE**

**Prescribed Fire and Environmental Protection**

Prescribed Fire

* The most recent prescribed fire claims fund collaborative meeting was on January 11th. The group is trying to meet every two weeks.

Vegetation Management

* The California Vegetation Treatment Program Environmental Impact Report (CalVTP) continues to be used. Currently, CAL FIRE has 9 VTP projects in the Northern Region and 4 VTP projects in the Southern Region. There is a total of 35 approved VTP projects listed on the Board of Forestry and Fire Protection website from all lead agencies.

Reforestation Services

* A total of 207 pounds of seeds were sold in 2022 accounting for 17 orders.
* A total of 193,526 seedlings grown in 2022 accounting for 20 orders between a mix of landowner types. Efforts continue to expand our growing space through constructing additional greenhouses and other improvements to the facility.

Jackson Demonstration State Forest

* The Jackson Advisory Group has announced the dates for their 2023 meetings: Wednesday, March 15; Tuesday June 6; Friday, September 15; and Wednesday, November 15. Meeting locations and agendas will be posted no later than 10 days prior to each meeting.

California Forest Improvement Program (CFIP)

* CFIP has accepted approximately $1,000,000 in small landowner projects for our December 31, 2022 cut off. CFIP will be selecting CFIP applications every 2 months to deliver approximately $2 to $3 million each period as funding allows.
* There are no plans to offer a Wildfire Resilience Block Grant solicitation due to lack of funding. Current grant projects continue to complete their work.

Forest Health Program

* Forest Health launch the FY 2022-2023 grant solicitation on December 15. This grant solicitation includes four different grant types including Forest Health, Post-Fire Reforestation and Regeneration, and Tribal Wildfire Resilience Planning. The solicitation for all four grant types closes on February 28.

Wood Products & Bioenergy Program

* Released a joint press release with Sierra Pacific Industries in December to announce partnership in their plans for a new 25 million/year conifer tree nursery.

Forest Data Hub

* FRAP is entering into an agreement with the Climate Wildfire Institute on the development of an Early Phase Data Hub. This is expected to be implemented as a 3-year Research Grant. FRAP is coordinating with IT Staff on the Scope of Work.

Prescribed Fire Monitoring

* Following a successful fall prescribed season, attention now turns to data management, preparedness for winter burning, and 2023 planning. Work continues establishing new agreements with UC Davis and Chico State to support and expand prescribed fire monitoring. The prescribed fire monitoring program is also working with Climate and Energy Division to provide field monitoring protocols that meet reporting requirements under AB 203.

Fire Protection

Law Enforcement/Civil Cost Recovery

* During the year 2022, CAL FIRE Law Enforcement officers made 162 arson arrests.
* The 2022 CAL FIRE Peace Office Standards Training (POST) Recruit Basic Training started this week at the California Fire Training Center with 24 cadets.

Aviation

* CAL FIRE has 4 staff in Arizona assisting with instruction at the National Aerial Firefighting Academy.
* We continue to monitor the progress between the United States Coast Guard and United States Air Force on the C130 Retardant Delivery System installation. We now have 5 of 7 C130’s painted and on site at McClellan.

Mobile Equipment Program

* The facilities that sustained significant storm damage, mainly fencing, communication lines and two vehicles, one of which was totaled.

Cooperative Fire Protection Program

* The California Fire Assistance Agreement (CFAA) meeting was held on January 10, 2023, at CAL OES to finalize proposed amendments to the existing agreement.

State/Federal Programs

* Statewide Direct Protection Area (DPA) annual review continues with Units, Regions, and Programs. The due date was January 6, 2023, with the next phase of revising and mapping underway, including approvals by each agency signatory to the California Cooperative Wildland Fire Management and Stafford Act Response Agreement (CFMA) and the California Wildland Fire Coordinating Group (CWCG).

Camps and Crews Program

* The current statewide strength of Type I Hand Crews is 88 out of the 227 funded. This includes 51 California Department of Corrections and Rehabilitation (CDCR) crews staffed out of a total of 152 funded, 21 California Conservation Corps (CCC) Crews staffed out of 30 funded, 4 of the 29 funded CAL Fire Firefighter I Crews and 12 of the 13 funded California National Guard Crews.
* The current CDCR inmate strength is 973 inmates out of the allocated 2,584, leaving the Conservation Camp Program with a shortage of 1,611 inmates. The total CDCR Camp population is at 59% with a crew capacity of 38%.

Training Program

Statewide Training

* Efforts continue to be made on establishing the University of Phoenix, Sacramento as a statewide training site, as well as a Statewide Training Program site in Martell/Jackson.

CAL FIRE Training Centers

* Progress continues to be made to establish Training Center North (Redding), with a target startup date of April 2023.

Wildfire Preparedness

Burn Permits

* The online burn permit application launched January 3rd with great success. Staff are making minor adjustments as needed. The webinar trainings held throughout December and early January were attended by almost 1000 participants with great interaction and questions from the field that were addressed, and some comments helped make the application better. There are over 1,000 burn permits that were issued under the electronic platform.

Defensible Space Program

* Inspections ended the year with 197,411 properties inspected. Adding our contract county partners’ total of 137,931 equals 335,342 total inspections in the SRA. The additional permanent inspectors really made a significant impact on properties inspected.

Wildfire Prevention (WP) Grants

* Grants launched the FY 2022-23 solicitation on December 14th and will close on March 15th, 2023.
* WP Grants hosted an online workshop on January 11, 2023.
* WP Grants will also be announcing “Office Hours” during the workshop to assist perspective grantees.
  + Office Hours are the extra online technical assistance we will be providing due to the switch of Grants Portal to assist the applicants with application questions.

Equal Employment Opportunity (EEO)/Diversity Equity and Inclusion Program (DEI)

* The DEI program continues to work with the Department’s Application Services Web Master, Communications Program, amongst various programs throughout the organization, in support of diverse and inclusive language, imagery, equitable solicitation, notification, access to public messaging, and best practices.
* Recently in working with CALHR we were able to add Foresters II’s and III’s. This is our supervisory classification within our department called pay differential 369. Chief Officer pay differential that identifies several of our employees within the department as Chief Officers. This added a monthly stipend to our four supervisory classifications in hopes of recruiting and retaining people in those positions.

**Board Questions/Comments:**

Member Chase: What is CAL FIRE’s response to the small group that has filed suit regarding the arial retardant drops alleging point source discharges of a contaminate into a waterway? How drastic of an impact could this potentially have on CAL FIRE’s ability to fight fire from the air?

* Chief Reischman stated CAL FIRE has been in communication with Forest Service and anything that inhibits our ability to use arial attack on going fires is going to be a challenge.

Chairman Gilless: Is the Department engaged in any way with the review in Northwest Forest Plan that the Forest Service is starting?

* Chief Reischman stated because it affects our north coast units, we requested that our region office provide support for that. There will be staff that is represented on the committee or working group.

Member Jani: Regarding Jackson, with the new concept of non RPF being the manager of the forest do you anticipate that this will spread to the other forest as we get people retiring? Will change be something you do across the board?

* Chief Reischman clarified that the classification is being used is an environmental program manager. This does not me that this individual won’t be an RPF. They just will not be within the safety classification that is within the department. There is no interest in having Environmental Program Managers at our other state forest.

Chairman Gilless thanked CAL FIRE, OES and all the law enforcement agencies for a job well done over the last month. Acknowledges that CAL FIRE responded to a lot of critical local issues to keep everyone safe during those rain events.

**Public Comments:**

George Gentry, Vice President of California License Foresters Association, and the Chair of their Licensing Committee. As part of conducting classes for RPF’s he examines qualifications for varies jobs and agencies to make sure the training that is delivered is contemporary. Regarding the Jackson Demonstration State Forest position, a RPF could be hired for that position but is not required. Does not think it’s a dangerous ground to walk on to reclassify a position and not at least list it as a desirable qualification to be a Registered Professional Forester when you are the Forester for a demonstration state forest.

Richard Gienger thanked CAL FIRE and other State agencies that helped during the high water events. The Jackson discussion between YG and Member Jani was not reflected in the Director's report. Richard was unaware of the controversy in a proposal to have someone head Jackson that is not a forester. Very frustrated and concerned with how things are being handled regarding the Jackson position.

* Chief Reischman stated that hiring a E.P.M. doesn’t mean a forester is not being hired for the position.

**Executive Officer Report, Edith Hannigan, Executive Officer**

Staffing Update

* The Staff Service Manger I position has been flown. Candidates have been received and interviews are being organized.
* Forester III position has been recently re-flown. Currently looking for candidates to fill that position.
* The Senior Environmental Planner will be flown shortly.

Draft Annual Report Update

* We are working expeditiously on the Annual Report. Andrew Lawhorn is tracking all the data that will be included in the Annual Report. A draft hopefully will be circulated between this and the next meeting for your feedback.

Consideration of Approval of the CAL FIRE DRAFT Monitoring Report on the Forest Fire Prevention Exemptions

* CAL FIRE has made a few changes to the draft to address Board member questions, comments, and concerns. There will be a short presentation for the Board on those changes. We will be asking you to vote to approve that report.

**Board Comments:**

Member Chase, thanks and appreciates the integration of the proximity analysis. It is a great addition, and it was presented very well.

**Public Comments:**

No public comments.

**01-18-02 Chairman Gilless moves to approve the CAL FIRE Monitoring Report on Forest Fire Prevention Exemptions as presented in the revised form. Member Jani seconds the motion.**

**Roll Call:**

**Chase: Aye**

**Blake: Aye**

**Delbar: Aye**

**Hallisey: Aye**

**Lopez: Aye**

**Forsburg-Pardi: Aye**

**Jani: Aye**

**Wade: Absent**

**Gilless: Aye**

**Motion passed.**

**Report of the Standing Committees**

**Management Committee, Chris Chase, Chair**

The Management Committee had 4 items on the agenda yesterday.

* Maximum Sustained Production: This draft plead made some modest changes to permit landowners to factor fire risk and fire protection when determining maximum sustained production.

**Public Comment:**

* Cedric Twight, Sierra Pacific Industries, supports the rulemaking change. It is important to identify high hazard fire risk is part of your long-term management plan. We can grow a great deal of wood fiber on these forests if we take into consideration preventing wildfire and how we treat landscapes for fuel reduction. Feels that what is lacking is the waste disposal problem that we do not have an outlet for. Would like to see the Board more forceful with leadership in the State, Governor, CPUC, CEC, on having bridge technology. Doesn’t believe that there is enough time for biomass residual outputs to come to about in the time frame necessary to get serious about fuel reduction.

**01-18-03 Member Chase moves to authorize Board staff to submit the rulemaking entitled “Maximum Sustained Production Amendments, 2023” for noticing of the 45-day Comment Period and take all appropriate actions consistent with the Administrative Procedures Act for this purpose, including preparation and submission of the notice of Proposed Action and Initial Statement of Reasons. Member Forsburg-Pardi seconds the motion.**

**Roll Call:**

**Chase: Aye**

**Blake: Aye**

**Delbar: Aye**

**Hallisey: Aye**

**Lopez: Aye**

**Forsburg-Pardi: Aye**

**Jani: Aye**

**Wade: Absent**

**Gilless: Aye**

**Motion passed.**

* Silvicultural Methods allowed within the Coastal Zone and Coastal Zone Special Treatment areas: The goal of this rule plea is to allow burning to mitigate fire risk within the Coastal Zone and Special Treatment areas and to expand the sweep of allowable prescriptions including fuel breaks and defensible space treatments. Also, to allow stocking requirements with the remaining Coast District. A scheduled field tour with the Coastal Commission in Humboldt County.
* Discussion of the Management plan update on the La Tour Demonstration State Forest. The Forest and the Board Staff are working to insure there is adequate CEQA coverage. In the next couple months Management Committee will be ready to present it before the full Board.
* Management Committee finalized list of priorities for 2023. Currently addressing all our number one priority. Members on the Management Committee are taking the lead on different issues on the priority list and making progress.

**Forest Practice Committee, Mike Jani, Chair**

* Received from CAL FIRE, through Eric Huff, document regarding the Treatment of Slash to Reduce Fire Hazard in all Districts. There is room for us to move within some regulations or guidance documents to address the situation of slash and how it is being treated.
* Jane Van Susteren made a presentation on changes to Tractor Operations and Cable Yarding. Committee reviewed it and edited with minor changes. Will be back for full presentation to the full Board at our next meeting.
* Discussed 2023 Priorities and made some changes. Removed a few items off the list that we felt were no longer necessary.

**Resource Protection Committee Meeting, J. Lopez, Chair**

The Resource Protection Committee had on item on the agenda.

* Land Use Planning Program Update from Chief Rudy Baltazar: there will be Damage Assessment Training in February of 2023. Two Battalion Chiefs have been added to the North Region. Three Captains for North Region and two Captains for the Southern Region for the Land Use Program.
* Firewise Communities continue to grow at 642 completed and 241 are re-applying.
* 38 counties have had public hearings for Fire Hazard Severity Zones that have gone over well.
* 2 safety elements were reviewed. One for the City of San Luis Obispo and the other for Napa County.

**Report of Board’s Advisory Committees**

**Effectiveness Monitoring Committee, Dr. Elizabeth Forsburg Pardi, Co-Chair**

EMC met in November and voted to recommend 3 projects for funding:

* EMC-2022-003: Santa Cruz Mountains Post-Fire Redwood Defect Study. This will improve understanding of how post fire damage correlates with the amount of defect in Coast Redwood Trees
* EMC-2022-004: A critical evaluation of Forest Practice Regulation’s capacity to accommodate forest restoration and resilient targets. Which will examine how current forest practice regulations can facilitate or preclude meaning forest restoration resilient targets.
* EMC-2022-005: Decay rate and fire behavior of post-harvest slash in coastal redwood forests. Which will look at fuel loads, decay rates, and the fire behavior under current Forest Practice Rules for slash treatment within recently harvest, timber harvest plans in Sonoma and Mendocino counties. I would like to ask the Board to approve the EMC’s funding recommendations.

**Public Comments:**

No public comments.

**01-18-04 Member Forsburg-Pardi move to approve project funding for EMC 2022-003: the Santa Cruz Mountains Post-Fire Redwood Defect Study as presented. Member Delbar seconds the motion.**

**Roll Call:**

**Chase: Aye**

**Blake: Aye**

**Delbar: Aye**

**Hallisey: Aye**

**Lopez: Aye**

**Forsburg-Pardi: Aye**

**Jani: Aye**

**Wade: Absent**

**Gilless: Aye**

**Motion passed.**

**01-18-05 Member Forsburg-Pardi move to approve project funding for EMC-2022-004 Critical Evaluation of Forest Practice Regulation’s Capacity as presented. Member Lopez seconds the motion.**

**Roll Call:**

**Chase: Aye**

**Blake: Aye**

**Delbar: Aye**

**Hallisey: Aye**

**Lopez: Aye**

**Forsburg-Pardi: Aye**

**Jani: Aye**

**Wade: Absent**

**Gilless: Aye**

**Motion passed.**

**01-18-06 Member Forsburg-Pardi move to approve the project funding for EMC-2022-005, the Decay rate and fire behavior of post-harvest slash in coastal redwood forests as presented. Member Jani seconds the motion.**

**Roll Call:**

**Chase: Aye**

**Blake: Aye**

**Delbar: Aye**

**Hallisey: Aye**

**Lopez: Aye**

**Forsburg-Pardi: Aye**

**Jani: Aye**

**Wade: Absent**

**Gilless: Aye**

**Motion passed.**

EMC also received the completed research assessment for EMC-2017-008: Forest Practice Rules to Minimize Fir Mortality from Root Diseases.

**Professional Forester’s Examining Committee-Certification of October 2022 RPF and CRM Exam Results, Dan Stapleton, Licensing Officer, Board of Forestry and Fire Protection.**

The California Board of Forestry and Fire Protection (Board) has reviewed and certified the October 2022 RPF and CRM Exam results. The following individuals are recommended for licensing as Registered Professional Foresters (RPF) by the Professional Foresters Examining Committee. License numbers will be assigned after the meeting.

|  |  |
| --- | --- |
| Applicant 7387 – Kristy Peterson | Applicant 7392 – Colin Wong |
| Applicant 7393 – Nicholas Smith | Applicant 7396 – Clint Doucette |
| Applicant 7404 – Joseph Reddan | Applicant 7421 – Lisa Gonzales-Kramer |
| Applicant 7441 – Alan Eberman | Applicant 7448 – Paul Ohlman |
| Applicant 7458 – Alex Geritz | Applicant 7459 – Camila Quintana |
| Applicant 7463 – Jarran Tindle | Applicant 7473 – Tanner Mar |
| Applicant 7474 – Samuel Macadam | Applicant 7476 – Anne Fehrenbach |
| Applicant 7477 – Cameron Musser |  |

The following individual is recommended for licensing as a Certified Rangeland Manager (CRM) by the California Pacific Section of the Society for Range Management.

Applicant 7484 – Roxanne Foss

**Public Comment:**

No public comments.

**01-18-07 Member Chase move to certify as licensed Registered Professional Foresters and Certified Rangeland Managers those individuals recommended by the Professional Foresters Examining Committee as fulfilling all qualifications required under the Professional Foresters Law. Member Lopez seconds the motion.**

**Roll Call:**

**Chase: Aye**

**Blake: Aye**

**Delbar: Aye**

**Hallisey: Aye**

**Lopez: Aye**

**Forsburg-Pardi: Aye**

**Jani: Aye**

**Wade: Absent**

**Gilless: Aye**

**Motion passed.**

**Joint Institute for Wood Products Innovation, Katie Harrell, AGPA Board Staff**

Jason Weiss, Oregon State University, presented a draft report on Cellulose Nanocrystals as a Value-Based Additive for Low Carbon Footprint Concrete with Limestone.

**HEARINGS**

**Public Hearing “Northern Spotted Owl Take Avoidance Pathways and Habitat Definition Updates, 2023”, Jane Van Susteren, Senior Environmental Scientist**

* This rule making proposes to amend regulations related to the Northern Spotted Owl to conform with the updated take avoidance pathways and habitat definitions described in the US Fish and Wildlife survey protocols and guidance. It updates definitions to reflect current guidance and removes outdated definitions and it clarifies take avoidance pathways.

**Agency Comments:**

* Eric Huff, Staff Chief, Forest Practice Program, CAL FIRE Headquarters, appreciates Forest Practice Committee’s leadership on this issue and also appreciate State Department of Fish and Wildlife’s participation and collaboration on this topic. Believes that this rule making brings the Forest Practice Rules for take avoidance for Northern Spotted Owl into the contemporary. It reflects where we are currently at, what is used and what does not get used for take avoidance pathways. For these reasons CAL FIRE supports the adoption of the ISOR and the rule text without any further modification. Looks forward to further discussion on the topic of Norther Spotted Owl.
* Tim Ryan, Department of Fish and Wildlife, thanked the Forest Practice Committee for leading the way on this collaborative process with Board Staff and CAL FIRE in particularly Stacy Stanish. This provides the clarity that is needed for state quotas. It brings things up to date with how to get to take avoidance.
* Chairman Gilless thanked Department of Fish and Wildlife for their participation.

**CONCLUSION**

**Public Forum**

* Nancy Macy, Chair of the Valley Women’s Club of San Lorenzo Valley Environmental Committee, and Chair of the Utility Wildfire Prevention Taskforce, brought up the failure of the Notices of Violation. Hoping that the Board of Forestry can take some action to see if those items will be dealt with. A number of trees that have been cut down were not necessarily danger trees. Quite sure that thousands of them were not that were cut down by PG& E under their enhanced vegetation management program. There are thousands of people impacted and tens of thousands of trees have been destroyed. The concern is that they did not do this work under the right of way exemption permit that they were required to have. They are hoping that the Board will look at that and make sure that CAL FIRE can somehow oversee the process that the utilities do when they are taking down trees outside of their rights of way and to confirm that those trees are truly danger trees. Also bring back the utility right of way exemption permit process.
* Kimberly Burr stated that she hopes the Board is seriously considering the President’s executive order, which was signed in April of 2021, that stated the importance of protecting our mature and old growth trees to fight climate change. Believes there has been a rush to cut California’s forest and thinks that it is misguided. Also, feels that climate change should be seriously looked at and protect people’s homes. She urges the Board to think about everyone not just the industries and not to relieve them of any restrictions or minimize and change their rules so they can do emergency logging, logging on the coast. These all are extremely scary and hope that the Board represent everyone. This is important and our forest are key. Saving the forest is important, especially the forests that are far away from homes.
* Richard Geinger stated that there is an issue over PG&E and ponderosa pine in Mendocino County with eagles nesting in it. Believes that changes need to be made that are much deeper and protecting the eagle’s nesting tree is an important starting point. PG&E did a lot of line clearing in southern Humboldt. PG&E has changed their system rather than just clearing and laying it up to maintenance. The Board may not discuss or act on any matter raised during the public forum period except to decide whether to place the matter on the agenda of a future meeting. States that there should have a public hearing process going over the Jackson moderation of the management and the co-management issues. From those hearings that you could and should have would come a process that would give a group of representatives of the different interests and knowledge of these issues to really come up with something that will be adequate to for us to culturally deal with the issues that are so important for Jackson as a model moving forward in these times of forest and human being.

**Adjournment**

Respectfully submitted,

ATTEST:





Edith Hannigan J. Keith Gilless

Executive Officer Chairman