

Personal Public Comments by Andy Wellspring for the Full Board of Forestry for their June 19, 2024 Full Board of Forestry meeting and please share the same comments to the Management Committee of the Board of Forestry for their June 18, 2024 meeting as they are the committee designated to oversee Jackson Demonstration State Forest issues.

1. Regarding agenda topic 9.d. For the Full Board of Forestry Meeting:

Agenda item 9.d. looks at proposed changes to the Jackson Advisory Group Charter and ought to be removed from this June 19th agenda of the Board of Forestry until a later meeting due to the fact that CalFire has neglected to fix the documents as both I and the Board requested in May. These documents are STILL the most ridiculous way to show revisions I have ever seen.

The public, the JAG, and the Board of Forestry deserve to read a single document that is at its base the current JAG Charter, with proposed deletions marked with strikethrough formatting and proposed additions shown in a clearly distinguished color or format. If this is not required of CalFire, you are opening the door to a fundamental erosion of transparency in government that is required for democratic societies to function and you will see more of the same from CalFire ongoing.

We have been provided a misleading set of documents that requires us to look at two documents at the same time- the original charter, and the confusing track changes document that does not show us exactly what is being deleted from the current JAG Charter. This set of documents should be rejected on their face for this reason alone. This never happens with proposed laws, a 30-second google search easily finds several examples of how a proposed change in a legal document is formatted in California, including this screenshot:

**CALIFORNIA DEPARTMENT OF JUSTICE
TITLE 11. LAW
DIVISION 5. FIREARMS REGULATIONS
CHAPTER 14. CARRY CONCEALED WEAPONS LICENSES
TEXT OF PROPOSED REGULATIONS**

The original text published in the California Code of Regulations has no underline. Changes are illustrated by blue underline for proposed insertions and ~~red strikethrough~~ for proposed deletions.

How many changes are hiding due to CalFire's choice in document preparation? I don't know yet, I haven't had time to fact check the entire thing and the point is no one should have to, especially the California Board of Forestry, yet that is what CalFire is making you do.

Your choice now is, do you rubber stamp what CalFire gives you or do you require the same document preparation from them that you receive from other agencies and is the standard in our system of government? Remove this topic from your agenda today.

Harmful Changes to the JAG Charter Proposed by CalFire

This section of my public comment will be longer than it should be, because I have to quote two documents provided by CalFire in order to make my points; one needs to see what is removed from the first document and what is added in the second at the same time to even begin to discuss the faults of the changes.

On page 1 of the current JAG Charter it states:

“Mission: The Mission of the JAG is to provide advice/recommendations to CAL FIRE and the Board regarding issues relevant to the periodic review of the JDSF Management Plan required under Board policy; ongoing implementation issues; and policy matters relevant to JDSF.”

This sentence clearly enumerates the JAG's Mission to advise on three issues equally:

1. “The periodic review of the JDSF Management Plan required under Board policy;” 2.

“Ongoing implementation issues,” 3. “And policy matters relevant to JDSF.” This is inappropriately reduced to only one main issue in CalFire's proposed amendments, when that sentence would be deleted and the proposed new paragraph would read:

“PURPOSE

The purpose of the JAG is to provide advice and recommendations to CAL FIRE and the Board, as requested, regarding the periodic review of the Management Plan. The JAG serves as a conduit for local community input, and after consideration of such input the JAG provides advice or recommendations to CAL FIRE. As appropriate, CAL FIRE incorporates such advice or recommendations into the Management Plan. When CAL FIRE submits the Management Plan to the Board for its approval, CAL FIRE provides the JAG's advice or recommendations, in addition to CAL FIRE's recommendations. In accordance with Board Policy, CAL FIRE shall review each Management Plan at least every ten years. As requested by CAL FIRE, the JAG may provide advice and recommendations regarding CAL FIRE's ongoing implementation of the Management Plan, including management actions, research and demonstration activities, tribal outreach, educational opportunities, and recreational activities.”

Advising on the two topics “Ongoing implementation issues; and policy matters relevant to JDSF” is proposed to be relegated to the last sentence, no longer on equal standing with review of the Management Plan, in a list, as in the current Charter, and represents therefore a reduction in the power of the JAG regarding these broad areas of advise the JAG can currently provide.

Furthermore, these two issues are proposed to now be behind the power-grab phrase “As requested by CalFire,” a phrase CalFire has chosen to use in BOTH the first AND last sentences of this proposed Purpose section, this is another proposed reduction in the power of the JAG relative to CalFire.

These are inappropriate changes for CalFire to propose as the JAG is part of the system of oversight checks on CalFire to keep JDSF policies in balance. This change would effectively limit the JAG’s agenda to only topics CalFire requests input on, a huge reduction in the power of the JAG.

These changes are NOT in alignment with the point of the JAG when it was created, and the Charter Revisions should be rejected, please vote no on this agenda item.

Threats to Consensus Decision Making

The current charter states, quote: “To determine a degree of consensus, members will note their level of support for items as, for example, Strong Support, Support, Disagreement, and Strong Disagreement. The JAG may modify these categories to better meet its needs. Issues without a broad degree of support will not move forward as representing the views of the JAG.”

That quote is removed in the proposed changes, and I believe it is due to what happened with the Camp One THP. CalFire didn’t even provide ANY description in the November 2023 JAG meeting minutes regarding what happened after the JAG non-consensus vote on the Camp One THP. And the JAG did not approve their minutes because of this. Now, CalFire is pushing through changes to the JAG charter, this change in particular strips the JAG of its ability to define key terms in its decision-making process, which has ensured they can adequately convey their opinions to CalFire and to the Board of Forestry. No doubt CalFire wants to remove the power to create and define categories of disagreement once JAG members shared their “Strong disagreement.” Please vote no on these JAG Charter revisions.

On page 3 of the current JAG Charter is the section “Roles and Responsibilities.” The section begins with: “**Board of Forestry and Fire Protection:** Provides direction and oversight on policy matters. It shall designate a member of the Board or a staff member to serve as a liaison to the JAG. Additionally it shall approve the JAG’s work plans. As, Lead Agency, the Board is responsible for approving changes to the management plan for the Forest.”

In the proposed changes this section would read: “*Board of Forestry and Fire Protection:* Principal responsibility for approving the Management Plan for the JDSF. Adopts policies to

guide the Director's administration of State Forests. The Board may designate a member of the Board or a staff member to serve as a liaison to the JAG, in its discretion. When submitted by CAL FIRE in connection with a request to approve a Management Plan, reviews the JAG's advice or recommendations with respect to the Management Plan.”

Since we don't have a properly formatted document we have to look at both of these closely and several issues appear. The proposed changes no longer require the Board of Forestry to “Provides direction and oversight on policy matters.” This is quite a massive change, as it defines Board input as limited to solely the Management Plan, which is maybe convenient for you, the Board. I find this ironic because if it were true, as the Board of Forestry asserted in a March 26, 2024 letter to the Coalition to Save Jackson, then this JAG Charter Amendment would not be your decision to make. Please do not try to hide the fact that you are in charge of JDSF all the time, not just when it is time to review Management Plans.

I also find it ironic that the proposed changes no longer require anyone to approve the JAG work plans. The reality is that the JAG hasn't even had time yet, in the first half of 2024, to discuss their 2024 work plan because CalFire just fills their agenda with THPs to approve and presentations to get to the next phase of THP approval. If the JAG no longer has to provide their work plan to anyone for oversight as proposed, that shows that the Board of Forestry and CalFire are devaluing the JAG's work plan, and their ability to create their own work plan. The JAG work plan must continue to be respected and I believe the Board of Forestry retaining oversight over the work plan is a sign of respect for it. If the existing Charter is upheld the JAG will retain its ability to tell CalFire: “Stop burdening our agenda with so many THPs, we need to provide our work plan to the Board of Forestry so we need time to discuss it.” If the proposed changes are approved, the JAG might as well not even make a work plan for themselves because no one will even read it anyway.

Furthermore, in regards to when consensus is used or when quote “simple voting” is used, two sections on page 4 of the current JAG Charter have been removed. The sections removed are: “**Minor and Major Decisions** Not all decisions will have the same level of impact. Simple voting may be adopted for procedural or non-policy matters.

Select Decision Process in Advance Proposals for action should include the decision process to be used in considering the item.”

The proposed new charter language no longer says the type of process must be declared in advance and this is problematic, when will it be decided? By removing when it will be decided, it implies that no one needs to decide anymore, and then CalFire's Forest Managers will be telling the JAG when they are to vote certain ways, and this is another inappropriate loss of power of the JAG relative to CalFire.

It is NO COINCIDENCE that these Charter revisions come immediately after the Camp One THP was NOT approved by the JAG but instead saw 2 JAG members vote, quote “strongly opposed” and 1 voted to abstain. CalFire’s proposed revisions should be removed from your agenda and/or voted down because they are an attempt to fundamentally reduce the power of the JAG, right after the JAG took a historic step and for the first time ever, disagreed with CalFire’s proposed Timber Harvest Plan. If CalFire is allowed to reduce the power of this advisory group due to this incident of disagreement, then the JAG might as well not even exist, and I believe it should continue to exist according to its current charter, unamended.

2. What is happening next with the Camp One Timber Harvest Plan in Jackson Demonstration State Forest (JDSF)?

This was NOT approved by the Jackson Advisory Group (JAG) according to their Charter but rather saw 2 JAG members vote, quote “strongly opposed” and 1 voted to abstain. And we the public have yet to hear what comes next, and why does it not go back to the JAG agenda for further discussion and attempt to seek consensus as the JAG Charter requires? Why has the Camp One plan not come to the Board of Forestry agenda? Why has neither the Director of CalFire nor the JDSF Acting Forest Manager given any report on it to you at public Board of Forestry meetings? This was a THP that was not approved, for very substantive reasons which were clearly articulated by JAG members. Do you know what those reasons were? You should be alarmed that CalFire is not informing you of the activities of the JAG, if they are informing you privately you should require them to do so in public at your meetings.

And you should go visit the Camp One THP. It’s right next to a campground, Camp One, where you could stay. It’s beautiful around there, and Coho salmon were spotted in recent years when they haven’t been for many years before that! This THP is counterproductive to the recreational goal of JDSF and hurts other sources of income within JDSF- no one pays to go camping next to a THP. CalFire could easily create an online camping reservation system to join the 21st century (24 years late) and raise additional money for forest restoration. People fear driving off into the woods without a camping reservation, CalFire’s lack of an accessible system only further shows their disproportionate focus on Timber Harvest Plans to the detriment of the people of California’s access to this beautiful natural area.

3. The Board of Forestry should not be meeting on Juneteenth, June 19th, 2024.

Instead the national and state holiday should be celebrated, in line with the spirit of the Governor’s [2023 Proclamation](#) which equates Juneteenth with the 4th of July, as two important days to celebrate independence.