

P.O. Box 944246  
SACRAMENTO, CA 94244-2460  
(916) 653-8007  
(916) 653-0989 FAX  
Website: [www.bof.fire.ca.gov](http://www.bof.fire.ca.gov)



**BOARD OF FORESTRY AND FIRE PROTECTION**

**Yreka, Sacramento, CA**  
**September 27, 2018**

**BOARD OF FORESTRY MEMBERS PRESENT:**

J. Keith Gilles, Chairman  
Mark Andre, Vice Chair  
Rich Wade  
Chris Chase  
Katie Delbar  
Mike Jani  
Darcy Wheelles

**BOARD MEMBERS ABSENT:**

Marc Los Huertos  
Susan Husari

**BOARD STAFF:**

Matthew Dias, Executive Officer  
Dan Stapleton, Licensing Officer  
Jeff Slaton, Board Counsel  
Edith Hannigan, Land Use Planning Program Manager  
Eric Hedge, Regulations Coordinator  
Conner Pompa, Forestry Assistant II  
Laura Alarcon-Stalians, AGPA  
Brandi Goss, Environmental Scientist  
Linda Cano, Executive Assistant

**DEPARTMENTAL STAFF:**

Janet Barentson, Chief Deputy Director  
Thom Porter, Southern Region Chief  
Dennis Hall, Assistant Deputy Director, Forest Practice  
Bill Solinsky, Forester III, THP Administration  
Eric Huff, Staff Chief, Forest Practice Program  
Stewart McMorro, Deputy Chief, Forestry Assistance Programs

## **Announcement of Actions Taken in Executive Session**

- The Board discussed the items on the agenda; there were no reportable actions taken.

## **Consent Calendar**

**09-18-01 Member Andre moved to accept Board action on the Consent Calendar items. Member Delbar seconded the motion.**

- Approval of July and August 2018 Board Meeting Minutes with minor edits requested by members of the Board; and
- A review of the Board's Rulemaking Matrix; and
- Approval of a 90-day extension of Emergency Regulations to facilitate post fire recovery efforts within the Counties of Napa, Sonoma and Mendocino; and
- Approval of the Initial Statement of Reasons and Authorization of a 45-Day Notice for the regulations entitled "State Forest Regulations, 2018," amending Title 14 CCR §§ 1400 – 1521.

### **Roll Call Vote:**

<b>Wade</b>	<b>Aye</b>
<b>Jani</b>	<b>Aye</b>
<b>Delbar</b>	<b>Aye</b>
<b>Wheeles</b>	<b>Aye</b>
<b>Andre</b>	<b>Aye</b>
<b>Chase</b>	<b>Aye</b>
<b>Gilless</b>	<b>Aye</b>
<b>Husari</b>	<b>Absent</b>
<b>Los Huertos</b>	<b>Absent</b>

**The motion carried with two members absent.**

## **MONTHLY BOARD REPORTS**

### **Report of the Chair, Dr. Keith Gilless**

The Chair spoke on the following matters:

The Chair thanked the guest speakers who spoke throughout the Northern Spotted Owl field tour. He conveyed that it was interesting and informative to have an opportunity to get a firsthand look at the issues and to hear the concerns faced by the landowners, stakeholders and agencies. The conversations among the forestry community during the tour will be very useful to the Board.

### **Report of the Director, Janet Barentson, Chief Deputy Director/Thom Porter, Southern Region Chief**

**Chief Deputy Director Barentson presented on the following matters:**

#### **Fire Activity**

- Forecasters are predicting warmer than usual temperatures through the end of the calendar year.

- The Administration has supported additional resources, including a 4th firefighter on one third of CAL FIRE engines for the remainder of the year. When not engaged in fire activity, these resources will be utilized for fuels reduction activities.

### **Red Flag Warnings**

- There were an increased number of Red Flag Warnings over much of the northern state.
- CAL FIRE is refocusing their communications outreach to the residents of California. The goal is to have residents and visitors treat red flag warnings like they would for tornado or hurricane warnings.

### **Helicopter Procurement**

- The first Sikorsky Blackhawk helicopter is currently in Texas and will be shipped to Colorado for paint and test flights. There are four additional on the assembly line in Poland, with ready for shipment near the end of the calendar year.

### **Ventura Training Center**

- CAL FIRE and the California Department of Correction (CDCR) are preparing for the first cohort of parolees to start wildland suppression training on October 22, 2018. Candidates for the next two training cohorts have been identified. Each training candidates must apply and be recommended by CAL FIRE and CDCR staff for enrollment. Training curriculum will achieve Firefighter I statue with CAL FIRE or the equivalent of an entry-level federal wildland firefighter.

### **Greenhouse Gas Restoration Fund Grants**

- 2017-18 approved grantees have all been notified and are in the process of completing their grant agreements. CAL FIRE Programs are now focusing on the 2018-19 grant cycle, with the grant announcements anticipated to go out in October, which will allow the awards to go out earlier in calendar year 2019.

### **Fuels Reduction Crews**

- Staffing of the fuels reduction crews authorized in the 2018/19 budget are currently being established. CAL FIRE is actively recruiting for the Forestry Tech classification. Three crews will be headquartered in the Northern Region and three in the Southern Region. The crews will have the opportunity to be assigned statewide to fuel reduction projects. Hoping to have hiring complete by the first of the year.

## **Southern Region Chief Thom Porter presented on the following matters:**

### **Legislation Update**

- SB 901 and the affect upon CAL FIRE:
  - CAL FIRE will be working with the Air Resources Board to increase the number of burn days and make sure the effects of smoke emissions from prescribed fire and wildfires are being properly monitored.
  - CAL FIRE will be building a Wildfire Resiliency Program, which will partially rely upon existing programs such as, CFIP, grant programs and other CAL FIRE forestry staff. The goal is to have all information pertaining to grants, permitting options, cost-share programs and nursery information in a single online location. The goals it to increase the knowledge base on forest management nonindustrial timberland owners.
  - For 5 fiscal years CAL FIRE will receive \$1 billion in total funding for forest health and fire prevention activities. Each year \$165 million will go to grant projects. CAL FIRE will also receive \$35 million each year that in intended to increase the pace and scale for prescribed fire and other forest health projects. CAL FIRE is working on plans to possibly increase the number of fuels crews with the this additional \$35 million in annual funding.

- SB 1260 and the effect on CAL FIRE:
  - SB1260 will assist CAL FIRE in expanding the use of prescribed fire throughout the state. The bill provides a means to share liability for private burners who use CAL FIRE resources in prescribed fire implementation. The Department will work with the Office of the State Fire Marshal (OSFM) office to certify private burners through a new training/certificate program. Guidance will be provided by CAL FIRE and OSFM programs so private burners will have to meet burn standards that are currently used.

### **Forest Management Task Force**

- The Task Force had its first official meeting September 17. The Working Group chairs have been assigned and are scheduling their first group meetings. The Working Groups will be addressing the goals and objectives that are outlined by Task Force leadership and these goals and objectives are informed by the Executive Order that was published earlier in the year. CAL FIRE will continue to report to the Board on Task Force meetings as they occur.

### **Defensible Space Inspections and Prescribed Fire Targets**

- There is a slight decline compared to last year in the number of defensible space inspection that were conducted to date. This results from the heavy draw on CAL FIRE employees for suppression efforts during this year's fire season. CAL FIRE targets for defensible space inspections remains at 250,000 inspections year, and the expectation is that those targets will be met.
- CAL FIRE has been active in both fuel reduction activities through prescribed fire and other vegetation management activities throughout the state. The goal for fuel reduction acres is 20,000 and prescribed fire acres is 25,000 for this year. The Department is diligently working towards a 60,000 acre a year number.

### **Employee Health and Welfare**

- The current and previous years' fire seasons are taking a toll on CAL FIRE's physical and behavioral health. There is going to be a significant increase in the investment and emphasis on making sure all employees, particularly the firefighting family, are getting the rest and recovery they need to maintain pace and scale of not only the fuels work but longer fire seasons.

### **Report of Executive Officer, Matt Dias:**

Executive Officer Dias reported on the following matters:

- Introduced Brandi Goss, the new Environmental Scientist with the Board. Ms. Goss started her staff position with the Board August 31.
- Introduced the Lumber Assessment Regulations for their required annual review. EO Dias stated that program is working well and that now specific updates to the regulations is currently required. The Board accepted the EO recommendation to not consider any revisions to the Lumber Assessment Regulation for 2018.
- Provided a legislative update on current bills that will affect the Board's programs and reported that required rulemaking under the Forest Practice Act, as well as within the Land Use Planning program will require significant rulemaking efforts. AB 2518 requires the Board to work in collaboration with the Forest Management Task Force to look at identifying sites and potential strategies for developing manufacturing facilities. AB 2518 doesn't appear to have a direct effect on the Board in terms of regulatory workload, but does have an effect on its programs in terms of dedication of personnel to specific projects with other agency stakeholders.

- An update on the Effectiveness Monitoring Committee (EMC) was provided. The Executive Officer reported that applications for projects to be funded for next fiscal year closed on September 7, 2018 and 7 projects were submitted. The EMC will be reviewing these submitted projects and will be considering the projects for funding over the next several months. The DRAFT revised EMC Strategic Plan will be forthcoming. Per Board direction, the Strategic Plan has been divided into two parts, with one being a Strategic Plan with three-year update intervals, and the other being an Annual Report and Work Plan that will be updated annually.

## **Report of the Standing Committees:**

### **Forest Practice Committee, Rich Wade, Chair**

Committee Chair Wade reported on the following matters:

- Provided an update on reporting to legislature on Exemptions and Emergency Notices (PRC § 4589). The plan is to give a report to the Board at the beginning of 2019.
- Discussed SB 901 and the new sections of Public Resources Code that will become effective as of January 1, 2019 as they related to Exemptions.
- Discussed Northern Spotted Owl issue and the issues that the committee heard, including:
  - August 22, 2018 CDFW Memo “Potential Impacts of Post-Wildfire Timber Operations on Northern Spotted Owls: Analysis in the Interior of Northern California”; and
  - A presentation by David Wiens, Barred Owl Science Team Committee Chair gave a presentation on the Barred Owl Science Team on the structure and progress of the committee; and
  - Mandy Culpepper, CDFW, gave a presentation on problems identified during CDFW Stakeholder Outreach; and
  - Reviewed DRAFT Technical Rule Addendum No. 6 and “Option 1” Draft Rule Text. This item was tabled and will be brought back at a future date.
- Discussed the use of Feller-Bunchers within a Watercourse and Lake Protection Zone (WLPZ) and potential revisions to Forest Practice Rules as they relate to prohibitions of heavy equipment within WLPZs. Chair Wade reported that the Committee has decided to attempt to pursue non-regulatory action in regard to this issue.

### **Management Committee, Mark Andre, Chair**

Committee Chair Andre reported on the following matters:

- Discussed potential updates to the Nonindustrial Timber Management Plan, including pending committee actions resulting from SB 901; and
- Reviewed Board Policy §§ 0353 – 0353.5 – Nurseries.

**Public Comment: Sari Somerstrom, CalForest Nursery** – Stated that CalForest Nursery would like to review and provide comment on the DRAFT Nursery Policy. Committee Chair Andre stated that the Draft Policy would reside within committee to allow written comment to be submitted by CalForest Nursery, which would be reviewed at the November Committee Meeting.

### **Resource Protection Committee, Darcy Wheelles**

Member Wheelles reported on the following matters:

- The Resource Protection Committee did not meet this month, but individual committee members have been conducting work with staff on the Fire Protection Policies over the last month by providing input to Edith, who intends to provide a revised staff draft to be reviewed in November.

## Report of Board's Advisory Committees

### SPECIAL BOARD HEARINGS/REPORTS

**Presentation: Board Consideration and Discussion of Emergency Rulemaking to Facilitate Post-Fire Recovery Efforts.** Eric Hedge, Regulations Coordinator. The purpose of this presentation is to cover the following topics:

- Board consideration of the adoption of emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code to facilitate post-fire recovery within the Counties of Mendocino, Lake, and Shasta; and
- Board consideration of development of permanent statewide regulations to facilitate post-fire recovery. The Board commented that permanency of regulations for post-fire recovery seemed premature at this juncture and that using the current emergency regulations as a case study would inform the potential necessity and utility of permanent regulations.

**09-18-02 Chair Gilless moved to approve the adoption of the Emergency Rulemaking to Facilitate Post-Fire Recovery Efforts rule text with the addition of Trinity County. Member Jani seconded the motion. A friendly amendment by Member Andre to correct the title of the rule plead was offered. Members Gilless and Jani accepted the friendly amendment.**

#### Roll Call Vote:

<b>Wade</b>	<b>Aye</b>
<b>Jani</b>	<b>Aye</b>
<b>Delbar</b>	<b>Aye</b>
<b>Wheeles</b>	<b>Aye</b>
<b>Andre</b>	<b>Aye</b>
<b>Chase</b>	<b>Aye</b>
<b>Gilless</b>	<b>Aye</b>
<b>Husari</b>	<b>Absent</b>
<b>Los Huertos</b>	<b>Absent</b>

**The motion carried with two members absent.**

#### Initial Hearing: "SRA Fire Safe Regulations, 2020."

- Edith Hannigan, Land Use Planning Program Manager, opened the Hearing and provided the Board an overview of written comment received during the 45-day comment period. The Board discussed the comments and determined there were no changes needed to the noticed rule text. The Board provided direction to staff to draft a Final Statement of Reasons.

## CONCLUSION

### Public Forum

**Richard Gienger, Forests Forever**, online comment, stated treating symptoms of unhealthy forests with thinning and prescribed fire is all well and good but the standards for healthy forests need to be established with implementation incentives moving forward. These standards must incorporate credible cumulative impacts evaluation and response and promote high quality forests that include significant portions of older larger mature trees that meet the needs of wildlife and carbon sequestration. This would start to meet part of the intent of the 1973 Forest Practice Act for high quality timber products.

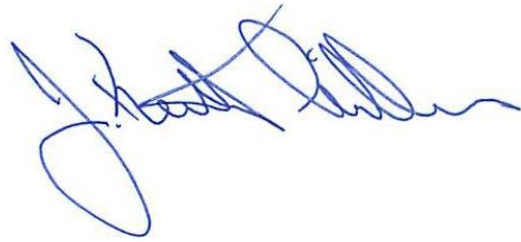
Adjournment

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Matt Dias", with a stylized flourish at the end.

Matthew Dias  
Executive Officer

ATTEST:

A handwritten signature in blue ink, appearing to read "Keith Gilles", with a large, circular flourish at the beginning.

Keith Gilles  
Chair