

SUMMER 2022 VOLUME 34 - ISSUE 1

### CURRENT PROFESSIONAL FORESTERS EXAMINING COMMITTEE COMPOSITION

Professional Foresters Registration shall protect the public interest through the regulation of those individuals who are licensed to practice the profession of forestry, and whose activities have an impact upon the ecology of forested landscapes and the quality of the forest environment, within the State of California.

Mr. Frank Mulhair, Chair – RPF (Industry Member)

Mr. William Snyder, Vice Chair - RPF (Government Member, Retired)

Mr. Christian Eggleton - RPF (Consultant member)

Mr. Larry Forero – CRM (Certified Specialty)

Mr. James Hawkins – RPF (Industry Member)

Ms. Danielle Lindler – RPF (Industry Member)

Mr. Jason Poburko – RPF (Government member)

Mr. Dan Sendek - RPF (Public Member, Retired)

Ms. Yana Valachovic – RPF (Government Member)

VACANT – (Public Member, Board of Forestry)

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### **CURRENT BOARD OF FORESTRY & FIRE PROTECTION COMPOSITION**

The Board's mission is to lead California in developing policies and programs that serve the public interest in environmentally, economically, and socially sustainable management of forest and rangelands, and a fire protection system that protects and serves the people of the state.

Dr. J. Keith Gilless, Chair (Public Representative)

Mr. Christopher Chase (Industry Representative)

Ms. Katie Delbar (Range/Livestock Representative)

Ms. Elizabeth Forsburg Pardi (Public Representative)

Mr. Mike Jani (Industry Representative)

Mr. J Lopez (Public Representative)

Mr. Richard Wade (Industry Representative)

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### Joe Tyler Appointed Director of CAL FIRE



On March 3<sup>rd</sup>, 2022, Joe Tyler was appointed by Governor Newsom to be the next Director and Chief of CAL FIRE. He will replace Thom Porter who retired in December 2021. Chief Tyler began his career with CAL FIRE in 1990 as a Fire Fighter in the Shasta Trinity Unit. Since then, he has worked in the Riverside Unit, Amador El Dorado Unit, and Statewide Training Program in various operational classifications in Schedule A and Schedule B, including fire stations, training bureaus and programs, camps, safety programs, and as an Administrative Officer and Staff Chief. Prior to his appointment to Deputy Director, Chief Tyler served as the Assistant Deputy Director of Fire Protection with oversight of Law Enforcement/Civil Cost Recovery, Fire Protection

Operations, Aviation Management, Tactical Air Operations, and Mobile Equipment. In addition to those programs referenced just prior, he now also oversees Training, Safety, Emergency Medical Services (EMS), Local/State/Federal Programs, and Hand Crew Programs.

Chief Tyler serves as the Department representative on the California Wildland Coordinating Group, National Association of State Forester's Wildland Fire Committee, Western States Fire Managers and has served on several Statewide committees and cadres, most recently leading a work group in the acquisition of a new fleet of helicopters and C-130 air tankers. He is qualified as an Agency Administrator, Incident Commander – Type 1, Safety Officer, and an Operations Section Chief. He was a member of CAL FIRE Incident Management Teams from 2005 through 2014, last holding the position of Deputy Incident Commander on CAL FIRE Incident Management Team 3 until his promotion to Staff Chief.

In a letter to CAL FIRE employees Chief Tyler said "How you enter the Department and your first impressions can certainly set a path forward for success. I knew without a doubt that the Department was my career path for all that it had to offer. Along the way, we build upon our perceptions, whether good or bad. In either case, they are learning lessons that alter your course. Embrace those changes as they occur!"

"I wholeheartedly believe in this Department and its Mission to serve and safeguard the people and protect the property and resources of California. I also believe in our established Vision to be the leader in providing fire prevention and protection, emergency response, and enhancements to our natural resource systems. I embrace our Values as identified in our 2019 Strategic Plan as Service, Cooperation, Protection, and Organizational Excellence."

### The View from the 9<sup>th</sup> Floor by Dan Stapleton, Asst.

Executive Officer



In my last article about forest thinning and prescribed fire, I expressed my concerns about reintroducing fire to a landscape that has been altered by nearly 100 years of fire protection. The article prompted some RPF feedback. This section is dedicated to those responses which I have provided below:

Dear Mr. Stapleton,

I read your article, "The View from the 9th Floor" with great interest. Congratulations on a well written and timely piece; I think you've hit the nail squarely on the head. We'll never be able to restore the kind of fire resilience common to forests of the distant past by prescribed burning alone. The thought that "the broad application of fire has gained almost statewide

acceptance as the key management action to be taken" would be laughable if it weren't so scary. All the learned tell us the current weather patterns are here to stay and will only get warmer and drier. Even if we were to enter cooler and damper times the forest is still horribly over stocked and needs attention. The idea that large scale prescribed fires of thousands to 10's of thousands of acres will now all of a sudden become common, acceptable and safe seems a stretch to me. Has there been a successful prescribed fire of even 1000 acres in California? And how does one prescribe a "natural prescribed" fire let alone manage it? Aren't we really talking here about a let burn policy option for each lightening caused fire? Correct me if I'm wrong but other than getting lucky with the weather, isn't the only way to manage a natural prescribed fire by creating a fire-resistant landscape ahead of time? Don't get me wrong though, I do believe we can use larger prescribed fires, just not without substantial mechanical preparation beforehand to remove part of the fuel loading. Even then, there will be risks using fire but they can be limited.

At least as far as agencies, environmental groups and other influential and politically powerful NGO types are concerned, I fear that your sense that thinning and otherwise managing forestland with "all the tools in the toolbox" may give way to prescribed fire as the key tool if not the only tool in the toolbox. But I don't really believe a majority of the public agrees. Any policy of prescribed fire without adequate fuel preparation will be a path to failure, at least in terms of producing large scale fire resistance. "Using all the tools in the toolbox" is the only way we can recreate the kind of fire-resistant landscape we all desire for our forests and wildlands. What's needed is a Herculean task that will have to be pursued over a very long period over a vast scale. The death, destruction

and smoke from the recent huge fire events has loosened up unprecedented interest and funds but it's a mistake to think the State and Federal governments could or will supply the necessary funding long term to produce the forest and wildland landscapes people want. I'm afraid that once most of the at-risk cities and towns are made relatively fire resistant that the public will forget about it and therefore the politicians will as well. Now is the time to start using all the tools in the tool box and not just around populated areas.

You are absolutely correct in thinking market based solutions have to be created and utilized to have any widespread and long term success achieving what we all want. We do need more commercial thinning but the Forest Service's idea of a commercial thinning sale looks more like a pre-commercial thinning with just enough small timber thrown in to try and make it salable. If the non-merchantable material included could break even as a feed stock while paying for its harvest and transport then the Forest Service could and I think would sell more volume. I would be remiss however if I didn't mention that the Forest Service should be cutting much more timber suitable for lumber and veneer if they want to seriously manage for more larger timber within sustainable landscapes. You mention innovation and research saying you're confident answers will be found. While I hope you're correct I think the biggest part of the immediate solution is already known, namely the use of biomass for energy production, mainly electrical energy. Burning hog fuel directly or pelletizing and burning to fire turbines are well known relatively clean technologies that we have now. Gasification to burn for electrical production doesn't look to be far off. All we need is the political fortitude to reasonably subsidize them. Wind and Solar have no chance of supplying the future needs for electricity already mandated by law to be in place in the near future. They're no better environmentally either, likely worse. With correct policy we can start using all the tools now. And if not now, when? The political climate has never been better.

Bob Crane, RPF 2318

### Hello Dan:

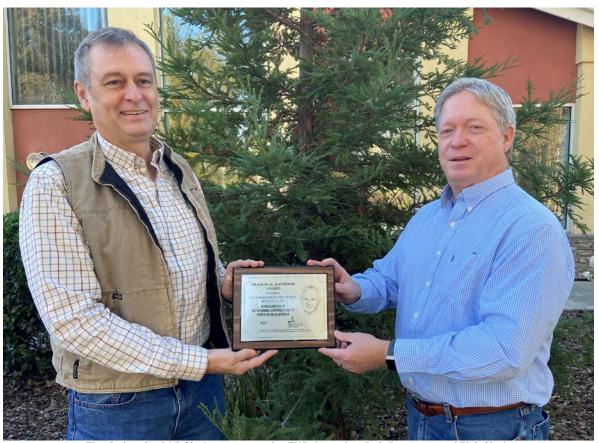
I think the perspective you put forth in your commentary is right on. I have nearly 40 years into fuels and vegetation management in northern CA. I am retired now. But the last few years I have also been witnessing the push for prescribed burning, especially from CAL FIRE and in the media. A couple points I see that are critical: Current forest conditions in much of the state are not conducive to the low intensity under burns that many folks see as the immediate solution to fuels problems. Biomass removal by other methods will be needed before fire can be safely and effectively used. Your article addressed this well. The other thing I learned from the school of hard knocks is that prescribed burning is always a crap shoot. You can have perfect prescriptions and burn conditions and get along fine for a number of seasons. However, the more you burn, the more you need to push into more risky and unpredictable conditions. At some point it boils down to the weather which is innately unpredictable. You will eventually get

burned by mother nature. With the areas most in need of treatment being near homes and infrastructure this is a big problem. These two factors combined seem to be setting things up for a major failure at some point. I am not convinced that the decision makers in this state will take this under due consideration as they forge ahead. Anyway, great article.

Mike Alcorn, RPF 2281

### Gary Rynearson and California Forest Pest Council Awarded the 2021 Francis H. Raymond Award at December 2021 Board Meeting

The California Forest Pest Council (CFPC) and Gary Rynearson are co-recipients of the 2021 "Francis H. Raymond Award for Outstanding Contributions to California Forestry." The California Board of Forestry and Fire Protection (Board) acknowledged the CFPC for



Tim Robards, SAF Chair, presents the FHR Award to Bob Rynearson, CFPC Chair

its 70 years of dedication, education and outreach, and response efforts to forest health issues impacting California as well as for its role as an advisory body to the Board. Gary Rynearson is being recognized for 44 years as a professional forester whose career has

been dedicated to industry, academic, and policy work for the betterment of California's forests.

"The Board is very pleased to be honoring both the California Forest Pest Council and Gary Rynearson for their vast contributions to forest health and forestry issues in California. Each recipient has made a positive impact on the health and resilience of California's forests and the wildlife that relies upon those forests. This is the sort of hard work and dedication that will help us move California into a more resilient state as we work to manage the impacts of climate change," said Board Chair Keith Gilless.

Initially established in 1951 as the California Pest Control Action Committee, today the CFPC works collaboratively across agencies, disciplines, and land ownerships to promote education and outreach on forest health topics while also coordinating comprehensive responses to forest health issues and concerns. The CFPC's work has helped to make millions of dollars available to forest health research, detection, and monitoring efforts, which has made cutting edge science-based research and technology more readily available to field practitioners while also helping to slow the spread of invasive species in California's forests.

The CFPC is comprised of working committees that focus on various areas of scientific interest and forest health (Weed, Insect, Disease, Animal Damage and Southern California). The committees provide continuing education and technology transfer to professionals and detect and report on related forest damage throughout the State. Findings are published annually in the California Forest Pest Conditions Report and presented to the Board, other policy makers, and practitioners. When emerging forest health issues arise that require a heightened response, the CFPC establishes a dedicated task force, bringing together topical experts to implement a rapid, coordinated response and longer term monitoring and management plans. Issues of importance currently addressed through task forces are invasive shot hole borers (est. 2015), the goldspotted oak borer (est. 2013), firewood (for its role of invasive species spread, est. 2011), sudden oak death (through the CA Oak Mortality Task Force, est. 2000), and pitch canker (est. 1994).

In its advisory role to the Board, the CFPC keeps the Board abreast of trending forest health issues that may be of concern. It has adopted resolutions over the years that have resulted in the Board and other agencies acting to cooperatively support communities address forest health issues. Such actions have included the Board formally recognizing each CFPC Task Force; Board-adopted Zones of Infestation (which may impose timber harvest regulations, bring resources to the local region, and provide education and outreach opportunities) for the goldspotted oak borer, sudden oak death, pitch canker, and bark beetles; the State Legislature passing the Sudden Oak Death Management Act of 2002; and numerous other historical resolutions and recommendations.

Gary Rynearson is being recognized by the Board as a second-generation forester who graduated from Humboldt State University with a Bachelor of Science in Forest Production Management. Early in his career he was a Field Logging Engineer and Road Construction/Maintenance Supervisor for Simpson Timber Company. He then left to be a Logging Engineer in British Columbia for a brief time, but soon returned to California to work for the Natural Resources Management Corporation (NRM) in Eureka from 1981 to 2005, during which time he held the title of NRM President for 20 years. Work with NRM ranged from managing small landowner ownerships to working with Tribal organizations to government land management projects, helping him to gain perspective and insight into forestry issues and forest community needs. During his time with NRM, Gary also served as president of the California Licensed Foresters Association (CLFA), where his interest in forest policy took hold. In 1990, the Board appointed Gary to serve as the chairman of the Professional Foresters Examining Committee, a position he held until 2004.

In 2000, Gary accepted an offer to be a part-time forestry instructor at Humboldt State University (HSU, now Cal Poly Humboldt), where he taught an advanced Forest Policy and Ethics course,



Jason Carlson, VP and General Manager of GDRC, presents the FHR Award to Gary Rynearson

using practical experience and real-world examples to give students insight into the world of forestry. Having worked at HSU for 21 years, Gary has directly impacted the ethical development of an entire generation of forestry graduates at the university that produces the most Registered Professional Foresters in California.

Gary was appointed to the Board by Governor Davis in 2000 and reappointed in 2002, as well as appointed for a third term in 2006 by Governor Schwarzenegger. During his tenure with the Board, he served as the Sudden Oak Death Committee representative, chair of the Forest Practice Committee, and chair of the Management Committee. His leadership and expertise contributed to the development the Sudden Oak Death Emergency Rules in 2007, the updating of the road rules, a review of cumulative effects standards, expanded emergency fuel hazard reduction measures, and a review of watercourse and water quality measures.

In 2005, Gary left NRM and accepted a Forest Policy and Sustainability management position at Green Diamond Resource Company where he led the effort to develop and put in place a Forest Stewardship Certification for Green Diamond's California timberlands, followed by certifications for the company's chip export and wood chipping facilities. He also assisted in the company's development and approval of consistency determinations by the Department of Fish and Wildlife for the northern spotted owl and coho salmon, following the state Endangered Species Act listing of each, and a Safe Harbor Agreement for the Humboldt marten.

Most recently Gary worked to help pass AB 1492, which provides a lumber assessment to cover the costs of agency review for timber harvesting. He also worked with Assemblyman Chesbro to expand the fuel hazard reduction thinning exemption to the North Coast region, and he worked with Assemblyman Wood and the Yurok Tribe to pass legislation that harmonized State and federal law to assist with the reintroduction of the California condor to the lower Klamath-Redwood Creek area. Gary continues to make impacts in his local community as well, through fundraisers for local organizations and local land use agreements, improving quality of life and outdoor recreation opportunities for many.

The "Francis H. Raymond Award for Outstanding Contributions to California Forestry" is named for Francis H. Raymond, Director of the California Department of Forestry and Fire Protection from 1953 to 1970. Mr. Raymond was one of the primary advocates for the passage of the Professional Foresters Law in 1973. Since 1987 the award has been given to a group or individual who has achieved excellence in forestry in California.

### Year to Date Wildfire Statistics (CAL FIRE and Federal)

Updated as of August 1, 2022

This table can be found at <a href="https://www.fire.ca.gov/stats-events/">https://www.fire.ca.gov/stats-events/</a>

Interval	Fires	Acres
2022 Combined YTD (CALFIRE & US Forest Service)	4,927	147,034
2021 Combined YTD (CALFIRE & US Forest Service)	5,945	517,530
5-Year Average (same interval)	4,600	570,095

<sup>\*</sup> A reduction of acreage from the previous reporting period due to data entry correction.

(These statistics are a combination of wildfires responded to by CAL FIRE in both the State Responsibility Area and the Local Responsibility Area under contract with the department, as well as federal fire agencies reported in the National Situation Report. Final numbers will be provided in the annual Wildfire Activity Statistics Report (Redbook) once it's published.)

### **Meetings of Interest and Special Announcements**

### **Board of Forestry and Fire Protection Meeting Dates.**

The Board's next meeting is scheduled for August 17, 2022. Board meeting schedule dates can be found at this <u>link</u>. The public may sign up for webinars at the Board of Forestry website <u>homepage</u> at <a href="https://bof.fire.ca.gov">https://bof.fire.ca.gov</a>. You can use this link to also view agendas and other information for the Board and for the advisory committees listed below. Agendas can be found 10 days prior to the meeting date at the homepage link under <u>Business</u>.

### **Professional Foresters Examining Committee (PFEC)**

The next PFEC meeting is tentatively planned for the third week of August 2022. Current PFEC priorities include:

1) <u>Apprentice Registered Forester</u> – The PFEC will continue discussions about an alternate pathway towards qualify for licensing utilizing core competency training modules and certification as an Apprentice Registered Forester (APF). The proposal would allow for a "tiered" RPF examination allowing the APF applicant to take a core competency examination equivalent to Part 1 of the current RPF exam

by registering in the program once having completed a minimum of four years of qualifying forestry work experience and/or education. The APF registrant would then achieve full licensing as an RPF by passing Part II of the RPF examination after having completed of all the requirements in PRC 769 within five years.

2) <u>RPF/CRM examinations on computers</u> – The PFEC will continue looking at providing RPF/CRM examinations on computers to allow keyboarding of answers reducing fatigue and providing improved readability for graders.

Other potential items for discussion include:

SAF Certification Exams for attainment of qualified exempt status for USFS employees - California Assembly Bill 1903 went into effect on January 1, 1992 and modified the PFL by providing a mechanism wherein any federal agency may submit, for Board recognition, its independent certification program as "qualified but exempt" from registration by the Board. Under Item 4 of the current MOU between the Board and Region 5 of the USFS, a qualified but exempt USFS supervisor is required to have at least three years of forestry work experience with increasing levels of responsibility as demonstrated by having achieved the GS-11 grade level. They would also be required to have a forestry or related degree to include at least 30 semester hours in any combination of biological, physical, mathematical sciences or engineering of which at least 24 semester hours must consist of a "sufficiently diversified" curriculum of forestry. Item 5 of the MOU provides an alternative to meeting these specific requirements if the USFS submits an independent certification program for formal recognition by the Board of Forestry to establish a "qualified but exempt" status, "wherein federal employees certified under such independent program would be statutorily exempt from registration as a professional forester by the Board". Using the requirements listed in the MOU or though SAF certification or both, should an independent certification program be established to statutorily exempt from registration, qualified but exempt foresters who work on federal lands in the state of California.

More information about this advisory committee to the Board can be found <u>HERE</u>.

### **Effectiveness Monitoring Committee (EMC)**

The Effectiveness Monitoring Committee (EMC) was formed in 2014 by the Board of Forestry and Fire Protection to create an independent committee to assess the efficacy of the California Forest Practice Rules and other related laws and regulations. As a permanent advisory body to the Board, the EMC helps implement an effectiveness monitoring program that provides an active feedback loop to policymakers, managers, agencies, and the public by soliciting robust scientific research that addresses the effectiveness of applicable laws and regulations at meeting resource objectives and ecological performance measures related to AB 1492. The EMC is comprised of agency representatives and members of the research

community, both public and private sector, with expertise in forest ecology, silviculture, and related fields.

The EMC's <u>Call for Research Proposals</u> was released July 25<sup>th</sup>, with Initial Concept Proposals due on Wednesday, September 14<sup>th</sup>, 2022. Please visit the EMC website linked below for more information on how to submit your application, and plan early to meet the deadlines. Up to \$130,091 is available to fund research testing the effectiveness of the CA FPRs and associated rules and regulations. The <u>EMC Grant Guidelines</u> are available online at: <a href="https://bof.fire.ca.gov/media/0cen1wmz/request-for-emc-applicants-2022">https://bof.fire.ca.gov/media/0cen1wmz/request-for-emc-applicants-2022</a> ada.pdf.

The EMC will receive public comment on the <u>Research Themes and Critical Monitoring Questions</u> at their August 2<sup>nd</sup> meeting. The meeting will be held in person at 715 P Street, Sacramento, CA 95814, in the 1<sup>st</sup> floor auditorium, and a virtual option is also available. The meeting will run from 9:30 AM – 3:30 PM, and online registration for the meeting is available <u>HERE</u>:

More information on how to participate in the public meeting can be found online at: <a href="https://bof.fire.ca.gov/media/vcejtrdu/02-aug-02-2022-emc-agenda-rev-final\_ada.pdf">https://bof.fire.ca.gov/media/vcejtrdu/02-aug-02-2022-emc-agenda-rev-final\_ada.pdf</a>.

The EMC is seeking to fill up to four seats on the committee, comprised of: 1) Two members broadly representing the monitoring and research community with a research background in forest ecology and silviculture; 2) One agency representative from the U.S. Fish & Wildlife Service (USFWS); and 3) one agency representative from the California Department of Forestry and Fire Protection (CAL FIRE) with a background in research of fire ecology, forestry, and silviculture. The Request for Applicants will remain open until all seats are filled. More information on the background requirements and of members is online at: https://bof.fire.ca.gov/media/0cen1wmz/request-for-emc-applicants-2022\_ada.pdf.

Further formation about the EMC can be found at the Board's website HERE.

### Joint Institute for Wood Products Innovation

The Joint Institute for Wood Products Innovation (Institute) published its "Advancing Collaborative Action on Forest Biofuels in California" report in February 2022. Also newly published this April are three education and outreach documents: The Benefits of Different Biofuels, Forest Biofuels Fact Sheet, and Why Biofuels.

Two Institute research projects are underway. One of the projects is 'Cellulose Nanocrystals (CNCs) as a Value-Based Additive for Low Carbon Footprint Concrete with Limestone,' which is focusing on utilizing CNCs from sustainably sourced wood fiber as an additive to help reduce concrete's carbon footprint. The second project is 'Forest Biomass Pile Data Collection,' which is quantifying the number of forest biomass piles in

the state that accumulated from 2018 – 2021. Report findings will include the area treated to create a given pile; composition, volume, and locations of the piles; and the planned vs actual fate of each pile. It will also provide an inventory of forest biomass pile material potentially available for wood and biomass utilization.

The Institute continues to be the Wildfire and Forest Resilience Task Force Sustainable Wood Products Work Group lead. This month the Task Force launched their new website. It features the Action Plan, Action Plan goals and work accomplished to date as well as provides information on the Task Force. Wood utilization efforts, including the accomplishments of the Institute, CA Infrastructure and Economic Development Bank (IBank), and the Governor's Office of Planning and Research (OPR), can be found under "Align State Goals" "Sustainable Wood Products." More information about this advisory committee to the Board can be found HERE.

### Range Management Advisory Committee (RMAC)

The Range Management Advisory Committee (RMAC) was statutorily created by Section 741 of the Public Resources Code of the State of California to advise the Board of Forestry and Fire Protection, the California Natural Resources Agency, the California Environmental Protection Agency, and the California Department of Food and Agriculture on rangeland resource issues.

The RMAC is accepting public comment on three separate efforts; a presentation was given on each of these efforts at the July 21, 2022 RMAC meeting, and the documents can be found on the RMAC webpage under July Meeting Materials (<a href="https://bof.fire.ca.gov/board-committees/range-management-advisory-committee/">https://bof.fire.ca.gov/board-committees/range-management-advisory-committee/</a>). Comments should be sent to <a href="mailto:Kristina.wolf@bof.ca.gov">Kristina.wolf@bof.ca.gov</a> by the deadlines indicated below:

- 1) Comment will be accepted on the <u>annual RMAC 2022/23 educational</u> <u>workshop</u>, which is currently being developed, until 5 PM on Friday, August 5<sup>th</sup>, 2022. Review the two drafts posted under the July Meeting Materials: "8-a. RMAC Workshop Topics July 2022", and "8-b. RMAC Workshop Topics July 2022 REV from Chair" for more information.
- 2) Comment will be accepted on the <u>RMAC draft annual priorities</u> until 5 PM on Friday, August 5<sup>th</sup>, 2022. Review the two drafts posted under the July Meeting Materials: "9-a. RMAC Annual Priorities July 2022", and "9-b. RMAC Annual Priorities July 2022 REV from Chair" for more information. The RMAC will vote on accepting the revised priorities at their September meeting.
- 3) The RMAC formed the <u>State Lands' Grazing License and Land Management</u> (<u>SLGLLM</u>) sub-committee to develop templates for state agencies and livestock practitioners to better facilitate the development, implementation, and assessment of grazing license agreements on state lands. The RMAC is seeking public comment on the draft documents, which can be found under

the July 2022 Meeting Materials on the RMAC webpage (<a href="https://bof.fire.ca.gov/board-committees/range-management-advisory-committees">https://bof.fire.ca.gov/board-committees/range-management-advisory-committees</a>). Comments will be accepted on the three documents—the draft License, Land Management Plan, and Guidance Booklet—until 5 PM on Friday, August 26th, 2022.

More information about this advisory committee to the Board can be found **HERE**.

### **Recently Approved Regulations**

Thus far in 2022, the Board approved the following:

- Santa Cruz and San Mateo Weekend Emergency This emergency action by the Board of Forestry and Fire Protection will expire August 20, 2022. It allows weekend operations in the footprint of the CZU Complex.
- Emergency Notice RPF Responsibilities This permanent rulemaking by the Board of Forestry and Fire Protection requires an RPF to be retained to provide professional advice throughout Emergency Notice Timber Operations and specifies the timeline for fuel treatment pursuant to an Emergency Notice for Fuel Hazard Reduction. The existing emergency action with the same rule text will be in effect until the permanent rulemaking takes effect on January 1, 2023.
- Substantially Damaged Timberland Consistency Amendments: This
  permanent rulemaking clarifies that standards for Substantially Damaged
  Timberlands are applicable within the Southern Subdistrict. This rulemaking
  takes effect January 1, 2023.
- Meadows and Wet Areas and Cutover Land Amendments: This permanent rulemaking by the Board of Forestry and Fire Protection standardizes definitions for "Meadows and Wet Areas" throughout the state and removes references to the term "Cutover Lands". This rulemaking takes effect January 1, 2023.
- Class II-Large: This permanent rulemaking updates the definition of "Class II-Large watercourses: to be based only on the size of the drainage basin (greater than 100 acres), instead of a combination of the drainage basin size and stream width. This change is based on research funded by the Effectiveness Monitoring Committee and preformed CAL FIRE's Watershed Protection Program. This rulemaking takes effect January 1, 2023.

The Board has approved the following regulations for Noticing:

- Spotted Owl Resource Plan Amendment: This permanent rulemaking clarifies that NTMPs and WFMPs qualify for take avoidance of Northern Spotted Owl as provided by a SORP. This rulemaking will take effect January 1, 2023
- Notice of Intent Amendments: This permanent rulemaking will require the disclosure of all proposed silvicultural methods within the footprint of a THP or PTHP. This rulemaking will take effect January 1, 2023

Most current and approved regulation files are now available at the Board website <u>HERE</u>. If you require archived material, please email <u>Eric Hedge</u>, Regulations Program Manager.

### **CalVTP Update**

The California Vegetation Treatment Program (CalVTP), developed by the Board of Forestry and Fire Protection, is a critical component of the state's multi-faceted strategy to address California's wildfire crisis. The CalVTP includes the use of prescribed burning, mechanical treatments, manual treatments, herbicides, and prescribed herbivory as tools to reduce hazardous vegetation around communities in the Wildland-Urban Interface (WUI), to construct fuel breaks, and to restore healthy ecological fire regimes. The CalVTP Programmatic Environmental Impact Report (Programmatic EIR) provides a powerful tool to expedite the implementation of vegetation treatments to reduce wildfire risk while conserving natural resources. For more information about the CalVTP, please visit the websites linked below:

- Visit the Programmatic EIR webpage (<a href="https://bof.fire.ca.gov/projects-and-programs/calvtp/calvtp-programmatic-eir/">https://bof.fire.ca.gov/projects-and-programs/calvtp/calvtp-programmatic-eir/</a>) to view the Final CalVTP Programmatic EIR.
- Visit the CalVTP Database webpage (<a href="https://bof.fire.ca.gov/projects-and-programs/calvtp/calvtp-database/">https://bof.fire.ca.gov/projects-and-programs/calvtp/calvtp-database/</a>) for data related to proposed, approved, and completed projects under the CalVTP.
- Visit the Approved Projects Environmental Documentation webpage (<a href="https://bof.fire.ca.gov/projects-and-programs/calvtp/environmental-documentation-for-approved-projects/">https://bof.fire.ca.gov/projects-and-programs/calvtp/environmental-documentation-for-approved-projects/</a>)
   to view the environmental documentation (e.g., Project Specific Analysis, Mitigation Monitoring and Reporting Program) for individual CalVTP projects.

In the 2021/2022 budget year, the Legislature authorized two million dollars for the Board to spend on supporting the development of Project Specific Analyses for CalVTP projects across the state. There is still money left! If you have a project that might fit

within the CalVTP but are lacking funding to develop the program documentation, please contact Edith Hannigan at <a href="mailto:edith.hannigan@bof.ca.gov">edith.hannigan@bof.ca.gov</a> with details about your project.

As of July, a total of 60 CalVTP projects had been proposed, and 28 approved encompassing over 1.2 million acres on which covered activities for vegetation treatments may occur. Please email <a href="mailto:calvtp@bof.ca.gov">calvtp@bof.ca.gov</a> with questions about the CalVTP or visit the Board's website <a href="mailto:HERE">HERE</a> for more information about the CalVTP.

### **REGISTERED PROFESSIONAL FORESTERS & CERTIFIED**

**RANGELAND MANAGERS** The table below indicates the known status of all current and former registrants by license type as of July 26, 2022. Expired licensees subsequently revoked by the Board for non-payment have one year to pay all fees to reinstate.

	<u> </u>	
STATUS	RPF's	CRM's
Valid	1,056	72
Withdrawn	116	6
About to Expire	48	11
Revoked (non-payment or disciplinary action)	818	19
Voluntarily Relinquished	767	13
Suspended	0	0
Deceased	349	6
TOTAL	3,175	127

### **RPF and CRM Examination Announcements**

The October RPF/CRM Exam Notice has been posted online and has been scheduled for October 7, 2022. The <u>deadline</u> for NEW applications for that exam is <u>August 5, 2022</u>. The Exam Notices and information on RPF and CRM exams can be found <u>HERE</u>. Please be advised on the exam notices, the Professional Foresters Examining Committee has determined that applicant review must follow regulations. <u>All new applicants must qualify by the exam application deadline</u> to be considered eligible to sit for the exam. No exceptions will be allowed for those who do not qualify by the application deadline even if they qualify by the examination date.

For <u>those who are retaking the exam</u>, you will need to submit an updated application consisting of your personal information including updated contact information through the preferred examination location on page one. Include any updates if you have changed jobs since the last exam application. Then sign and date the last page of the application. Retake exam applications are due <u>September 1, 2022</u>.

You can scan and email these documents to my assistant Deniele Cade at <a href="mailto:daniele.cade@bof.ca.gov">daniele.cade@bof.ca.gov</a>. Those interested in taking the RPF or CRM examinations are encouraged to contact Dan Stapleton with any questions about qualifications prior to

applying and mailing the exam fee. Dan may be reached at 916-653-8031 or by email at <a href="mailto:dan.stapleton@bof.ca.gov">dan.stapleton@bof.ca.gov</a>.

### **Newly Licensed RPFs and CRM**

The following new RPFs/CRMs successfully passed their licensing exam. Congratulations to all 32 new RPFs and one new CRM!!

### October 2021 Exam

RPF 3152 – Skyler Twohig	RPF 3153 – Brian Morris
RPF 3154 – Cale Lopez	RPF 3155 – Alexander Winter
RPF 3156 – Eric Holst	RPF 3157 – Tristan Cole
RPF 3158 – Aidan Stephens	RPF 3159 – Evan Mahony-Moyer
RPF 3160 – Joseph Wright	RPF 3161 – Christopher Daunt
CRM 126 - Tracy Schohr	CRM 127 – Rebecca Ozeran

### April 2022 Exam

RPF 3162 – Lee Reno	RPF 3174 – Givonne Law
RPF 3163 – Benjamin Stone	RPF 3175 – Dillon Sheedy
RPF 3164 – Mitchel Bosma	RPF 3176 – Dana Dysthe
RPF 3165 – John Breazeal	RPF 3177 – Domingo Escamilla III
RPF 3166 – Nicholas Coleman	RPF 3178 – Carson Engelskirger
RPF 3167 – Brett Agler	RPF 3179 – Azalie Welsh
RPF 3168 – Roberta Lim	RPF 3180 – Victor Hollister
RPF 3169 – Yu-Tung "Jessica" Huang	RPF 3181 – Mallory Scaccianoce
RPF 3170 – Ian McBride	RPF 3182 – Mark Ogren
RPF 3171 – Travis Munoz	RPF 3172 – Connor Kennedy
RPF 3173 – Clayton Wanzer	

### Outreach for Future RPFs by Dan Stapleton

The Board of Forestry and Fire Protection's Contracted Licensing Outreach Specialist traveled both out of state and in-state conducting presentations to students attending SAF accredited universities and community colleges. This Fiscal Year, from February 22, 2021, to June 30, 2022, Forestry Educators Incorporated (FEI) gave virtual presentations to students at the University of Montana, Cal Poly Humboldt, and the University of British Columbia. In-person presentations were also given to students at University of California Berkeley, University of Nevada Reno, Central Oregon Community College, and Oregon State University. FEI staff also made flight, hotel, and registration arrangements to attend the Society of American Foresters Annual Meeting in Baltimore in September.

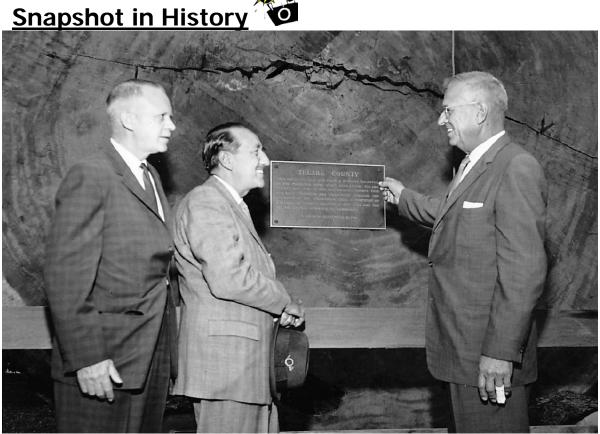
Within California, please help me pass the word about careers in forestry and

send me any suggestions you may have about groups who may be interested in hearing about career development and opportunities in the forestry field. Call the Office of Professional Foresters Registration 916-653-8031 or email me at <a href="mailto:dan.stapleton@fire.ca.gov">dan.stapleton@fire.ca.gov</a>.

### **Forestry Career Information**

California Licensed Forester Association Employment Announcements <a href="https://www.clfa.org/employment-announcements">https://www.clfa.org/employment-announcements</a>

Society of American Foresters Career Page <a href="http://careercenter.eforester.org/home/index.cfm?site\_id=8482">http://careercenter.eforester.org/home/index.cfm?site\_id=8482</a>



17 ½ foot cross section of Giant Sequoia donated by the Mountain Home State Demonstration Forest for the "Court of the Redwoods" dedication, LA County Fair, Pomona, CA 1961. Left to Right: Francis Raymond, LA County Supervisor Frank Bonnelli, Tulare County Supervisor Charles Cummings.

### **Disciplinary Actions Report**

Since the last issue of the Licensing News, three new complaints were received by the Executive Officer, Foresters Licensing. After review of evidence by the Professional

Foresters Examining Committee (PFEC), the allegations of failure of professional responsibility were not sustained in case 343, 344 and 345 and the cases were closed.

### IN MEMORIUM

This section is devoted to the memory of those fine foresters who have passed from our ranks. Regrettably, I am sometimes late in getting this information posted. So that I may provide timely remembrances, if you have knowledge of an RPF or CRM passing, please forward this information to my Board email address at <a href="mailto:dan.stapleton@bof.ca.gov">dan.stapleton@bof.ca.gov</a> so that we can pay tribute to these individuals.



Patrick Emmert, RPF No. 1839 - Patrick Emmert was born December 28, 1948 in Madera, CA. Patrick was the Chief Forester for Southern Cal Edison's 20,000 acres of forestlands in the South Sierra beginning in 2008. Before that he was as a forester in Canada. He enjoyed fishing trips to Mexico and gardening. He passed away on April 2, 2022 at the age of 73 years. He is survived by his wife, Susan Waters and his son Adam Emmert.

Ken Nehoda, RPF No. 1763 - Kenneth Charles Nehoda passed on January 6, 2022



in Franklin, Tennessee. He was born in Doylestown, PA on June 6, 1946. Ken had been living with his son Patrick and Patrick's Fiancé Masha in Franklin since 2017. Ken had been spending most of his time working in his woodshop and enjoyed his time with family. Ken spent almost all his life in California. All but the first 4 years of his life and the last 4 years of his life. California was his home, and he spent a good chunk of those years protecting it in one way or the other. After serving in the National guard in the late 60's he began working for the United States Forest Service. He spent his summers in

Southern California fighting fire and then after a few years began spending his winters going to school at Humboldt State University. While at Humboldt State he focused on Forestry and Forest management. Upon completion of school, he was offered a job that he could not say no to. This job was with the California Department of Forestry and Fire Protection in the Region 1 Headquarters in Santa Rosa. This is also where he met the love of his life Diane Nehoda. Santa Rosa is also where he/they met some of their best lifelong friends and because of this, it always held a very dear place in their heart. While he officially retired from Cal Fire in 2001, he continued to work as a retired annuitant, given that he created the position of Vegetation Management through his career...he was hard to replace. While in

Sacramento he developed many close friends and could frequently be found on the golf course, most often with his sons or the CAL FIRE golf group. Ken and Diane moved to Franklin, TN in 2017 so that they could be closer to their immediate family. Ken was a kind, funny, quiet, caring, big hearted man, and loving father. This world was better with him in it.

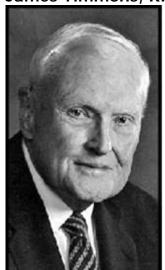
Joe Thornton, RPF No. 1735 - Joseph Francis Thornton was born in Lone Pine,



CA on January 28, 1947 and died in Sacramento, CA on January 2, 2022. Joe was dedicated to his faith, family, friends, and employees. As a loving devoted husband, he supported his wife Sydney, in all her career choices and ambitions. He was always present at family gatherings. Joe had two other families – forestry and military. As a forester he wanted to appropriately manage forests, care for the health of forests, and see that forests were sustained for future generations. He worked diligently for this cause for over 50 years. As a member of the Air Force Reserves, Joe's career took him many places in the world for varied tasks. He retired after 25 years as a Lieutenant Colonel. In both of these careers he was diligent in his duties and

fiercely loyal to co-workers and employees. Hi mission was to train, guide and support them, protect them from harm, promote personal development to insure they reached their full potential, and give them strength. In all things Joe was giving and humble. Donations in memory of Joe can be made to Log A Load for kids (logaload.com).

James Timmons, RPF No. 1181 - James W. (Jim) Timmons passed away, on



January 12, 2019 at home on Essex Ranch where he lived for the entirety of his 92 years. His last days were with family and his wonderful caregivers, with a view of the fields and forests of the Lindsay Creek valley, his life's work. Jim was born on February 27, 1926 to Charlotte and Glen Timmons. He attended Arcata High School, graduating in 1944 and volunteered for service in the Army Air Corps. After discharge from the Army in 1945, he began studies at the University of California, Berkeley. He graduated in 1951 with a degree in Forestry. While at Cal he met Sara (Sally) Blocklinger and they were married in 1951. They returned to the ranch where Jim assumed increasing responsibility for management of the livestock and timberland. Their life

together flourished until 1970, when Sally passed away. In the late 1950's Glen and Jim formed G. F. Timmons and Son. They operated the ranch together

until Jim acquired the ranch in 1976. The ranch prospered under his stewardship. He made the property available for livestock, ranch management, forestry, wildlife studies, as well as social gatherings and a place where his children and grandchildren could build lasting memories. In 1972 Jim married Gail Palmer of Eureka. They were married for 40 years, traveling the US and the world. Gail passed away in 2013. Jim was very active with the livestock and forest products industries. He was president of the Humboldt County and California Cattlemen's Associations. He was active with the California Beef Council and the National Cattlemen's Association.

### Spring 2022 Coast Multi-age Forestry Group Tour

The weather was perfect as was the comradery for the 2022 Multi-age Forestry Group Tour in Orick and Korbel California hosted by UC Cooperative Extension. PFEC member Yana Valachovic, Michael Jones and Nick Kent were the coordinators and did a fantastic job providing interesting tour locations and activities for this two-day event on the North coast. The tour included stops to Redwood National and State Parks near Orick, Green Diamond timberlands in Korbel, and the Bussman Tree Farm in Blue Lake. In attendance were a healthy gathering of foresters both from consulting and industrial backgrounds, as well as several foresters from the National Parks, State Parks and conservation groups such as the Save the Redwoods League.



Green Diamond timberlands: the stand to the right was CTL thinned last year, the stand to the left was CTL thinned six years ago.

Day one started with a tour of Redwood National Park's Greater Prairie Creek Restoration Project to look at the variable-density thinning project. This project is quite unique in that the national park was cutting timber to restore ecological conditions. Trees harvested in excess of those used for mitigation of past logging and road building could be shipped and merchandised to generate funds to help offset project costs. The commercialization of trees from a National Park is quite likely a first in Park Service history but these harvests came with the blessings of staunch environmental groups such as EPIC. The thinnings are being conducted to enhance the growth and

dominance of redwoods in areas reseeded after extensive clear-cut harvesting prior to the Park's establishment. Compartments of trees are marked at varying densities to create openings and allow sunlight to it the forest floor. Harvested wood and slash are used to close off roads and provide protection of exposed surfaces to reduce erosion. The end result was a matrix of varying stand densities of 50 to 60 year-old second growth trees with increased stand composition of redwood.

The next stop was to a site in the Bald Hills where the park service applied prescribed fire to the understory of second growth stands on Park lands. One thing that many visitors are not aware of when they visit Redwood National and State parks is that the great proportion of the park's land base was formerly industrial timber company lands which were extensively logged and seeded with a variety of conifer species. The results of the seeding were mixed as was the recent prescribed fire, with some areas burning more intensely than others and leaving a mosaic of live and dead trees.

At the completion of day one, an enjoyable feast of tri-tip sandwiches was provided by day two host, Peter Bussman at Green Diamond's Camp Bauer in Blue Lake. One taste of that smokey tri-tip made this worth the 6-hour trip for me.



The next day we started out on Green Diamond lands and toured the second growth cut to length thinning of two stands, one thinned in 2021 and the other adjacent stand thinned five to six years earlier in 2015 (see photo above). It was quite remarkable the productivity of redwood stands in the area of the north coast, the older stand noticeably filled in with a lush forest floor and canopy which made it difficult to ascertain that any commercial logging had taken place

without the evidence of cut stumps. These mid to late thirty-year-old, primarily redwood stands contained between 20 to 40 thousand board feet per acre. Quite impressive for any forested site at that age.

Moving on we visited the Bussman tree farm in Blue Lake. This beautiful tree farm has been carefully managed by Peter Bussman since the early 1970s under guidance of Jim Able, consulting forester. Jim, presented his rule of thumb for properly selecting and harvesting forests under selection and group selection silviculture, picking the best eight trees and leaving three to five of the healthiest and most vigorous growers, regardless of size, and utilizing natural openings as a place to fall your trees and as a place to encourage future natural regeneration. Jim calls this functional thinning. Peter Bussman

expressed his concern that the Forest Practice Rules continually become more restrictive driving dedicated timberlands owners to look at alternatives for their land. Someone in the tour group quipped condo tree houses.



Following Jim Able's advice, Cal Poly Humboldt professor Pascal Berrill revealed some intriguing details about using Stand Density Index (SDI) as a guide for timely cutting of trees to maintain forest growth and health. Professor Berrell offered some tips for maintaining growth in both even-aged and uneven-aged stands utilizing SDI and focusing on providing more space in the canopy to Douglas fir rather than for redwood and retaining redwoods in pairs or triples since they tolerate

higher SDI better than Douglas-fir (see the two graphs below). The second day ended with some fond farewells and a promise of another Multi-aged Forestry Tour next year. We will be looking forward to it!





# Using Stand Density Index (SDI) as a Guide for Timely Cutting

Pascal Berrill, Cal Poly Humboldt – April 2022

inputs of TPA and avg DBH (i.e., QMD), easily obtained from inventory: The equation for basal area (BA) is very similar to the SDI equation: you only need

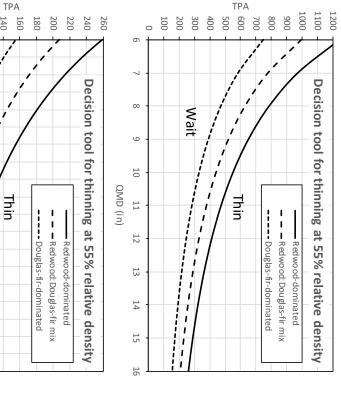
 $BA = TPA \times DBH^2 \times 0.005454$ 

SDI = TPA x (DBH/10) $^{1.6}$  can be rearranged to: TPA = SDI /(DBH/10) $^{1.6}$ 

Redwood stands max out at 1000 SDI; Douglas-fir stands max out at 600 SDI.

timing thinning to keep stands below 55% 'relative density' is usually advisable. Expect competition-induced mortality when stands go above 55% max SDI, so

## Q. How big do I let trees get before thinning, when I have this many TPA?



100

Wait

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1

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60 80

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26

27

28 29

30

31

32 33

34

QMD (in)

140

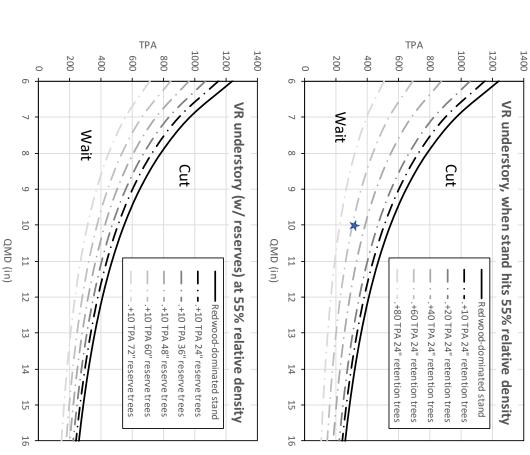
120

### Now apply this concept to multiaged management:

than redwood, and/or retaining redwoods as pairs/triple since they tolerate higher SDI

\*Thinning in mixed stands should focus on giving more space to crowns of Douglas-fir

understory trees, and vice versa, e.g., 80 o/s @24" DBH + 118 u/s TPA @ 15" DBH if you carry fewer overstory retention trees, you have growing space for more/larger TPA needs treatment (thinning or partial harvest) when it reaches 10 in. avg DBH. Thus, Ex. With redwood VR overstory of 60 TPA & avg DBH 24 inches, the understory of 300



### Simulation studies in pure redwood - best available information until field experiments eventually yield long-term data1...

In multiaged stands, board foot volume growth (average annual; AAY) hits 'plateau' at high stockings, due to smaller tree sizes resulting from more competition. In addition to density management decisions (DMZ upper limit), other decisions like number of cohorts and cutting cycle length (harvest return interval) affect this classic tradeoff between tree growth and stand volume growth:

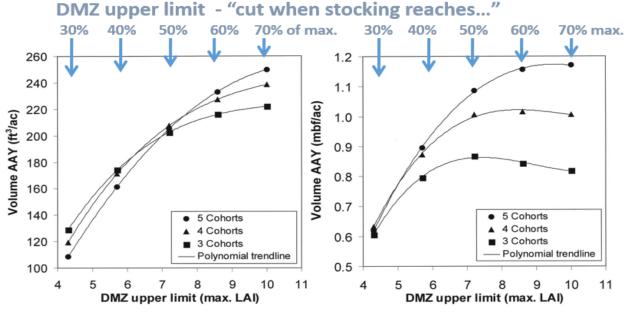


Figure above: FORSEE & MASAM models simulated effect of density management zone (DMZ) upper limits on stand volume production in multiaged stands with 3-5 cohorts managed on a 20-year cutting cycle. Berrill & O'Hara 2009 WJAF 24(1).

Q. How many TPA do I retain in each cohort/size class of multiaged stands with 2-, 3-, 4-, or 5 cohorts? Do not exceed these TPA numbers which are for retention (i.e., beginning of cutting cycle; BCC) and will grow until the end of cutting cycle (ECC; the next harevst) when they reach the cohort DBH's shown in Table 4 as the stand attains the DMZ upper limit of 60% relative density!

Table 4. Fixed harvested tree size: summary data for two-, three-, four-, and five-cohort redwood stands immediately following partial harvest at beginning of cutting cycle (BCC) and when stand leaf area index returned to 8.6 at end of cutting cycle (ECC) with 24-in. dbh trees in oldest cohort ECC.

Stand characteristics		Summary data (number of cohorts)			
	Stand component	2	3	4	5
Density at BCC (tpa)	Overstory	93	69	51	38
	2nd cohort	120.9	89.7	66.3	49
	3rd cohort		117	86	64
	4th cohort			112	83
	5th cohort				109
	Stand	209	275	316	344
Average dbh at ECC (in.)	Overstory	24.0	24.0	24.0	24.0
	2nd cohort	15.3	16.6	18.2	19.2
	3rd cohort		10.5	12.9	14.8
	4th cohort			7.8	10.5
	5th cohort				6.3
BA at BCC (ft <sup>2</sup> /ac)	Stand	118	158	181	193
BA at ECC (ft²/ac)	Stand	432	399	374	351
BA cut at ECC (%)	Stand	72.7	60.5	51.7	45.1
Volume cut (mbf/ac)	Stand	68.6	57.5	44.9	35.8
, , , , , , , , , , , , , , , , , , , ,	Overstory	52.1	36.5	23.0	14.9

Cohort diminution quotient q = 1.3. AAY = average annual yield; mbf, thousand board feet; tpa, number of trees per acre.

Assuming you want to manage at lower densities (enhanced tree vigor, resistance to drought and fire<sup>2</sup>), scale back your DMZ upper limit to 50%, or 40%, or even 30% relative density (i.e., halve the TPAs give in Table 4 to drop from 60% to 30% DMZ upper limit).

Q. How much lower TPA do I retain in mixed RW:DF stands? Roughly 20% lower TPA in a 50:50 mix, and 40% lower TPA in Douglas-fir.

<sup>&</sup>lt;sup>1</sup>Muma, R.; Webb, L.W.; Zald, H.S.J.; Boston, K.; Dagley, C.M.; Berrill, J-P. 2022. Dynamics of stump sprout regeneration after transformation to multiaged management in coast redwood forests. Forest Ecology and Management 120236.

<sup>&</sup>lt;sup>2</sup>Woodall, C.W., and Weiskittel, A.R. 2021. Relative density of United States forests has shifted to higher levels over last two decades with important implications for future dynamics. Sci. Rep. 11, 18848. doi:10.1038/s41598-021-98244-w

### Land management explains major trends in forest structure and composition over the last millennium in California's Klamath Mountains

Clarke A. Knight, Lysanna Anderson, M. Jane Bunting, Marie Champagne, Rosie M. Clayburn, Jeffrey N. Crawford, Anna Klimaszewski-Patterson, Eric E. Knapp, Frank K. Lake, Scott A. Mensing, David Wahla, James Wanket, Alex Watts-Tobin, Matthew D. Potts, and John J. Battles

For millennia, forest ecosystems in California have been shaped by fire from both natural processes and Indigenous land management, but the notion of climatic variation as a primary controller of the pre-colonial landscape remains pervasive. Understanding the relative influence of climate and Indigenous burning on the fire regime is key because contemporary forest policy and management are informed by historical baselines. This need is particularly acute in California, where 20th-century fire suppression, coupled with a warming climate, has caused forest densification and increasingly large wildfires that threaten forest ecosystem integrity and management of the forests as part of climate mitigation efforts. We examine climatic versus anthropogenic influence on forest conditions over 3 millennia in the western Klamath Mountains—the ancestral territories of the Karuk and Yurok Tribes—by combining paleoenvironmental data with Western and Indigenous knowledge. A fire regime consisting of tribal burning practices and lightning were associated with long-term stability of forest biomass. Before Euro-American colonization, the long-term median forest biomass was between 104 and 128 Mg/ha, compared to values over 250 Mg/ha today. Indigenous depopulation after AD 1800, coupled with 20th-century fire suppression, likely allowed biomass to increase, culminating in the current landscape: a closed Douglas fir-dominant forest unlike any seen in the preceding 3,000 y. These findings are consistent with precontact forest conditions being influenced by Indigenous land management and suggest large-scale interventions could be needed to return to historic forest biomass levels.

For the full research report click **HERE**.

### **Tribal Cultural Resources (AB 52)**

This article is intended as a primer on the topic of Tribal Cultural Resources (TCR). AB 52 created the definition of TCR, but these resources are the same category of cultural resource as Traditional Cultural Properties (TCP) defined in the 1991 Forest Practice Rules and contained in the Reference Manual and Study Guide for the California Department of Forestry and Fire Protection's Archaeological Training Program. AB 52 applies to both tribes that are federally recognized, and to tribes that do not have such recognition and requires lead agencies to take into consideration the cultural value of a place or thing to interested tribes, even if it would not otherwise qualify as a "historic" or "archeological" resource.

PRC Section 21074(a)(1) defines "Tribal Cultural Resources as either of the following: Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

- (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
- (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

PRC Section 21074(a)(2) continues the definition

"A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

- (b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- (c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

On July 30, 2016, the California Natural Resources Agency adopted the final text for Tribal Cultural Resources update to Appendix G of the CEQA Guidelines, which was approved by the Office of Administrative Law on September 27, 2016.



Examples of "Tribal Cultural Resource" include but are not limited to, unique features, some associated with rock formations, rain-holes (pan-holes) depressions etc., or areas with unique settings such as prominent bluffs, over-looks, and other sites like gathering areas.

Denise Ruzicka, Associate State Archaeologist offered "Part of the purpose of our Native American letters is to give them the opportunity to inform us of tribal cultural resources on our projects so that we (hopefully) do not significantly impact them. The letters were designed prior to the term being put into law, but that is essentially what the first notification letters are asking for. So, while tribal cultural resources are defined by AB 52, they are not necessarily limited to AB 52. We actually have specific letter templates and procedures for when we have to engage in AB 52 consultation that differ from our typical letters, and there are times when we have done AB 52 consultation in particular for property that we own. The types of projects that are required to have AB 52 consultation, including on private property, are those that require an ND, MND, or EIR as their CEQA document. However, just because a project does not require AB 52 consultation does not mean that tribal cultural resources should not be taken into consideration and protected."

Dan Foster (retired) believes "the existing Forest Practice Rules and Department procedures covering other types of Cal Fire projects already have programs in place to identify, evaluate, and protect these unique types of cultural resources. These include specific procedures for tribal notification and consultation which have resulted in an outstanding level of identification and protection (with additional consultation) for these types of cultural resources."

Mitigation measures for TCRs require public agencies, when feasible, to avoid damaging effects including consultation at Tribal request so that mitigation measures agreed upon during consultation can be recommended for inclusion in the environmental document. Examples of mitigation measures include avoidance and preservation of the resources in place, treating resources with culturally appropriate dignity, and permanent conservation easements to protect the resource.

For more reading visit the Governor's Office of Planning and Research webpage <u>HERE</u>.

### **LOST IN THE WOODS**

The following RPF and CRM license holders have not renewed or re-instated their license following withdrawal and will have their license revoked for non-payment at an upcoming Board meeting.

You can now renew your license online using a web link at the Board's website. You will be charged a nonrefundable 2.4% service fee to Elavon, the pay site host. This is in addition to your renewal fee to the Board.

The link to the website is located HERE.

### **LOST IN THE WOODS**

ALEX STRAESSLE	JARED TAPPERO	NIKOLAI HALL
BRYCE RECORD	JEROMY COUCH	PABIN RANA
CARRIE MORGAN	KELLY KEENAN	PAUL DOWNING
CHRISTOPHER BROWDER	KENNETH HARRIS	PETER LEUZINGER
DAVID EARLY	KENNETH VROMAN	RAYMOND BRAINARD
DAVID THOMPSON	KEVIN LOCKE	RICHARD CLABAUGH
DAWN LAWSON	LISA BUSH	RICKY SHURTZ
DEE SANDERS	LORINDA BUTLER	ROBERT HRUBES
DOUGLAS NIX	LYNN HUNTSINGER	ROBERT SUTER
EDITH JACOBSEN	MARC LACASSE	STEVE TARNAY
EDWARD MATTHEWS	MARK PAWLICKI	SUSAN MARSHALL
EDWARD WALKER	MARK STEWART	THOMAS SMITH
FADZAYI MASHIRI	MARTIN GUBRUD	TIMOTHY PAYSEN
GERALD AHLSTROM	MATTHEW LUTES	WILLIAM APGER
JACK MARSHALL	MICHAEL BATES	WILLIAM STEWART
JAMES ASHER	MICHAEL KREMKE	JAMES SULLINS
MICHAEL PAPA		

### **XX END XX**