BOARD OF FORESTRY AND FIRE PROTECTION MEETING MINUTES

MCCLELLAN, CA

September 26, 2024

**BOARD OF FORESTRY AND FIRE PROTECTION MEMBERS**

**Present:**

* Terrence O’Brien, Chair
* Mike Jani
* J. Lopez
* Rich Wade
* Katie Delbar
* Dawn Blake

**Absent:**

* Elizabeth Forsburg-Pardi, Vice Chair
* Chris Chase
* Ali Jahangiri

**BOARD STAFF PRESENT:**

* Edith Hannigan, Executive Officer
* Dan Stapleton, Asst. Executive Officer, Foresters Registration
* Jeff Slaton, Senior Board Counsel
* Robert Roth, Board Counsel
* Dan Craig, Regulations Program Manager
* Jane Van Susteren, Regulations Coordinator
* Kristina Wolf, Senior Environmental Scientist
* Alexandra La Plante, Administrative Unit Manager
* Katie Harrell, Joint Institute for Wood Products Innovation
* Marcie Yates, Land Use Planning Manager
* Alex Vest, Wildfire Planning Specialist
* Mazonika Kemp, Records Administrator
* Anna Castro, Executive Assistant

**DEPARTMENTAL STAFF PRESENT:**

* Anale Burlew, Chief Deputy Director, Forestry & Fire Protection, CAL FIRE
* Matthew Reischman, Deputy Director Resource Management, CAL FIRE
* Eric Huff, Assistant Deputy Director, Forest Practice, CAL FIRE

**Board Members Roll Call:**

Member Lopez Present

Member Wade Present

Member Jani Present

Member Chase Absent

Member Blake Present

Member Delbar Present

Member Forsburg-Pardi Absent

Member Jahangiri Absent

Chairman O’Brien Present

*Quorum established*

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

Jeff Slaton, Senior Counsel for the Board reported that during executive closed session the Board considered the two litigation matters on the agenda. With respect to the two litigation matters the Board discussed and took no reportable actions.

**Consent Calendar Items:**

**09-26-01 Chairman O’Brien moves to accept items on the Consent Calendar as presented. Member Lopez seconds the motion.**

**Roll Call:**

**Blake : Aye**

**Delbar: Aye**

**Forsburg-Pardi: Absent**

**Jahangiri: Absent**

**Lopez: Aye**

**Wade: Aye**

**Jani: Aye**

**Chase: Absent**

**O’Brien: Aye**

**Motion passed.**

**Report of the Chairman, Terrence O’Brien:**

Chairman O’Brien stated he has no comments at this time. Chairman acknowledged that September has been a busy and difficult month for CAL FIRE.

**Report of the Director, Matthew Reischman, Deputy Director, Resource Management, CAL FIRE:**

Deputy Director Reischman informed the Board that currently for 2024 all-risk incidents are up to 442,094. In the wildland fire for State and Federal lands as of September 23 there have been 6,332 wildland incidents compared to last year there were 5,317. The 5-year average is about 6,100. There was a total of 995,000 acres burned this year. The 5-year average is 998,000. As of September 23, there are actively burning the Bridge Fire in Los Angeles and San Bernardino County. This fire is just over 54,000 acres and 71% contained. The Line Fire that started in San Bernardino County on September 5th is just over 39,000 acres and 69% contained. CAL FIRE has received support from Washington, Utah, and North Dakota. They have sent 36 engines to assist and thankful for their help. We also received two National Guard Crews. This consists of 4 hand crews each, so we had a total of 8 hand crews. Each hand crew consists of 20 members. So, we had a total of over 160 National Guard Members.

Resource Management

Forest Practice Program

Watershed Protection Program

* Staff is currently monitoring the Line Fire (BDU) and the Airport Fire (Orange County) for potential Watershed Emergency Response Team (WERT) deployments.
* Staff is developing an automated Geographic Information Systems (GIS) procedure for sampling on Timber Harvesting Plans (THPs) and Nonindustrial Timber Management Plans (NTMPs) for a second round of Forest Practice Rule Implementation and Effectiveness Monitoring (“FORPRIEM 2.0”). The original FORPRIEM effort occurred between 2008 and 2013, with a detailed report completed at the end of 2014. Several recommendations were made in that report including but not limited to using a stratified random sampling approach and modifying the sampling methodology to accommodate significant Forest Practice Rule changes since the initial FORPRIEM effort, such as the “Anadromous Salmonid Protection” and “Road Rules.”

Forest Practice Administration

* Program staff continue to work with the California Natural Resources Agency for receipt of funding to support migration of the California Timber Regulation Environmental Evaluation System (CalTREES) from the current on-premises server into a cloud-based server. During Accela cloud migration, CalTREES updates will be on hold until that process is complete.
* Staff are currently testing online NTMP submittals with the intent to deploy functionality in the next few months before cloud migration ends.

Resource Protection and Improvement Program

Resource Improvement

Forest Entomology and Pathology Program

* A site with Gold Spotted Oak Borer infestation has been found in Ventura County. This is the first known infestation in the County and will require extending the Zone of Infestation to include Ventura.
* There is an infestation of spongy moth (formerly known as gypsy moth) in the community of Monte Nido, Los Angeles County. The Department of Food and Agriculture is delimiting the infestation and will attempt to eradicate it with the help of CAL FIRE and others.

Demonstration State Forests

Jackson

* A contract kick-off meeting with Clifton Environmental was held on August 30, 2024, to begin the Forest Management Plan Review. The initial round of public meetings is being developed and are expected to begin in October 2024.
* The Jackson Advisory Group (JAG) will hold a meeting on October 4, 2024, to review fish habitat restoration, the proposed Camp 1 timber harvesting plan, and treatments under the fire and fuels mitigation research project, a Forest Health Research Grant.

Soquel

* Cal Poly San Luis Obispo researchers returned to re-inventory the Forest Health plots in their post treatment status within the Sulphur THP.
* The Forestry Aides and the Unit Environmental Scientist assisted UC Santa Cruz researchers in sampling and mapping habitat in Soquel Creek for research looking at fish genetics and barriers to anadromy.

Urban and Community Forestry (Passmore)

* The Director approved Urban and Community Forestry grant award recommendations on August 22, 2024. These grants will be funded from the United States Forest Service grant received by CAL FIRE and funded by the Inflation Reduction Act. 125 grant applications were submitted requesting over $146 million. 22 applications are selected to be funded for a total of $30.9 Million. Intent to award letters will be sent to applicants in mid-September. Unsuccessful applicants will be notified at the same time.
* The National Association of State Foresters (NASF) selected Walter Passmore, CAL FIRE’s State Urban Forester, for the Steve Sinclair Current Achievement Award for Urban and Community Forestry referencing the California Green Schoolyards initiative that the program has implemented. Walter will accept the award in person at NASF’s 2024 Annual Meeting in Providence, Rhode Island, on September 25, 2024.

Prescribed Fire and Environmental Protection Program

Wildfire Resilience Program

* Approximately 1,900 cone surveys were submitted for the year throughout the state via the new 2024 Cone Crop Survey application. Assisted by increased interest in the Reforestation Because of You (RBY) campaign and workforce development, 30 unique cone collections have taken place resulting in over 2,000 bushels delivered to the State Seed Bank to date. With remaining collections planned and a healthy yield from a seed orchard investment, total bushel collection should exceed 3,000 for the season.

California Forest Improvement Program (CFIP)

* Public messaging was released via the CFIP website that the program will be accepting project applications on a quarterly basis beginning October 1, 2024. It is anticipated that $7,000,000 in funding will roll over from last year’s unspent funding into the CFIP budget.

Forest Stewardship

* Forestry Assistance staff is preparing a grant proposal to the United States Forest Service for funding under the Inflation Reduction Act. The proposal is for $5,000,000 in Forest Stewardship funding to be awarded to CAL FIRE and would be delivered to non-industrial timberland owners via the existing CFIP program if the funding is awarded.

Forrest Legacy Program (FLP)

* Full applications were due September 6, 2024, for Forest Legacy applications that were selected for second stage review under the 2024 State-Funded Forest Legacy solicitation. Funding recommendations are in progress and will be brought forward to the Director next month.

Climate and Energy Program

Wood Products & Bioenergy

* Staff presented at the launch of the California Forestry Sector Jobs Initiative in Sacramento on August 21, 2024. Funded through a CAL FIRE Workforce Development grant, the California Forestry Association officially kicked off a new effort to recruit future forestry workforce through innovative strategies.

Tribal Wildfire Resilience

* We continue to sign grant agreements and hold kickoff meetings with grantees from the 2023 solicitation.
* New grantees from the Tribal Wildfire Resilience – Tribal Nature-Based Solutions projects are now updating their budgets and other materials to CAL FIRE formats. We expect the first grant agreements to be signed in the fall.
* The next solicitation is tentatively planned for fall 2024.

Wildfire and Forest Resilience Task Force

* The Task Force’s Sierra Regional Meeting will be hosted by the California Tahoe Conservancy and Tahoe Fund on October 10, 2024, at the Tahoe Blue Event Center in Stateline, NV. At the meeting the Task Force and CAL FIRE will unveil several new tools that will revolutionize how California tracks and communicates progress toward improving wildfire and landscape resilience:
	+ Interagency Treatment Dashboard: One year after its beta release with 2022 data, CAL FIRE will present updated treatment data through its expanded and improved Interagency Treatment Dashboard.
	+ Draft Metrics: Task Force Science Advisory Panel staff will present a subset of initial proposed metrics to document the outcomes of recent projects on wildfire hazard, watershed health, and wildlife habitat.
	+ Fuel Treatment Effectiveness Dashboard: CAL FIRE will demonstrate it reducing the impacts of recent fires, including the Park Fire in Butte and Tehama County.

Fire and Resource Assessment Program (FRAP)

Forest Health Research Grants

* FRAP is in the process of updating grant guidelines for the next Forest Health Research Grant solicitation. We expect to release the next research grant solicitation October 9, 2024. Awards are expected to total $4.5 million. Typically, 80 -100 research proposals are received and make 15 – 20 awards.

Forest and Rangeland Assessment

* FRAP continues to make progress on the update to the Forest and Rangeland Assessment report. Of the 13 chapters in the report, 5 are now complete and through external review. Most other chapters have an internal draft completed. Anticipated completing report by the end of December 2024.

Forest Inventory Analysis (FIA)

* FRAP has been working with American Forests to conduct forest carbon study that estimates the amount of forest land that needs to be treated to improve wildfire resilience and evaluates a number of management scenarios to determine which types of treatments are most likely to work better in future decades under a warmer climate. Following a BOF presentation, FRAP briefed CNRA Executives on August 29, 2024, and USFS Executive Team on September 9, 2024. We anticipate a final report on the project to be publicly released in the middle of October 2024.

Fire Protection

Fire Protection Program

Law Enforcement/Civil Cost Recovery

* Through August 2024, CAL FIRE Law Enforcement Officers have made 197 arrests and issued 531 citations. 91 of those arrests are for Arson.

Fire Protection Operations

* Since mid-June 2024, CAL FIRE Incident Management Teams have been activated 16 times on 13 different incidents.
* CAL FIRE will be sending four students to the Complex Incident Management Class (CIMC) in Arizona scheduled for October 26 – November 1, 2024.

Aviation Management Unit (AMU)/Tactical Air Operations (TAO)

* Tanker 122, the first of seven CAL FIRE owned C-130 airtankers, was placed in service on August 26, 2024.
* CAL FIRE Aviation hosted Costa Rica Fire Service on August 27, 2024, and Germany Fire Service on September 3, 2024.
* Due to predicted fire conditions this fall, to ensure availability of firefighting aircraft, Aviation Program staff are working with contractors to extend exclusive use aircraft agreements.

Hand Crew Program

* As of September 4, 2024, 143 of 236 budgeted Type I Hand Crews are staffed and available for statewide response.
	+ 62 of 152 California Department of Corrections (CDCR) Crews are Type I and are available for statewide response.
		- 9 CDCR Crews are staffed at less than 12.
		- 81 CDCR Crews are down staffed.
	+ 29 of 32 California Conservation Corps (CCC) Crews are Type I and available for statewide response.
		- 3 CCC Crews are staffed at less than 12.
	+ 38 of 38 Firefighter I (FFI) Crews are Type I and available for statewide response.
	+ 14 of 14 California Military Department (CMD) Crews are Type I and available for Statewide response.
* Two additional California National Guard Force Packages, each consisting of 4-20 person crews have been activated to provide additional Type 2 Hand Crews in response to continued fire activity. Both force packs have deployed to the Line Incident in San Bernardino County.

Office of the State Fire Marshal

Wildfire Risk Reduction

* Wildfire Mitigation Advisory Committee:
	+ Wildfire Mitigation Advisory Committee meeting was held on September 17, 2024, where the Committee received a presentation regarding vegetation and fuels treatment in watercourse and lake protection zones from Board of Forestry & Fire Protection, as well as the California Wildfire Mitigation Program Update.
	+ The next Wildfire Mitigation Advisory Committee meeting will be held on October 15, 2024.

Wildfire Preparedness

* Defensible Space
	+ Qualified Entities training continues to draw interest from across the state, recent classes were delivered in L.A. County (31) and CAL FIRE’s Lassen-Modoc Unit (10) where 41 students were taught how to conduct defensible space and home cardening assessments.
	+ Number of Defensible Space Inspections: FY24/25; 47,841 – YTD 132,493.
	+ 23/24 FY Total Defensible Space inspections for the SRA: 299, 289.
		- 120% of our internal goal.

Wildfire Planning and Statistics

* Pre-Fire Planning:
	+ Annual Fire Plan Workshop for CAL FIRE Unit Pre-Fire Engineers is scheduled for November 12-15, 2024, at the CAL FIRE Natomas Training Center.
* Wildfire Prevention Grants
	+ FY 2023-24 Wildfire Prevention Grants Award Notification on August 20, 2024
		- 94 Awards totaling just over $90 million
		- Information is posted on the Wildfire Prevention Grants Website, and the CA State Library Grants Portal.

Education and Safety Messaging

* September is National Preparedness Month, and the week of October 6 is Fire Prevention Week. The Communications program has prepared ongoing messaging around each topic with a specific focus on smoke and carbon monoxide detectors as the theme for Fire Prevention Week.

**Board Comments:**

* Member Wade commented on who is included in the Defensible Space Inspections.
	+ Deputy Director stated that they are CAL FIRE inspections.
* Member Lopez commented that the Defensible Space Training has been well received and has been very helpful to local agencies.

**Public Comments:**

* Richard Gienger expressed his concerns on meetings that are confidential. Feels the public should be aware of discussions. He commented on his thoughts on Jackson State Forest and on AB1492 the disciplinary enforcement and restoration of forest land and watersheds.
	+ Deputy Director stated the meeting that was confidential was a tribal advisory group meeting that is kept confidential at the request of tribes and out of respect for the tribes.
* Kenneth Scherer commented on the grants for fire risks and vegetated management. Also, are there opportunities for Biochar projects.
	+ Deputy Director stated that there are opportunities for Biochar projects. They fall under CAL FIRE’s Work Force and Business Development grants and Forest Health Grants.

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

Executive Officer Hannigan thanked Linnea Edmeier and her partners for putting together a fantastic tour yesterday. Received very positive feedback from attendees.

* Legislative Report
	+ Several Bills have been passed by the Legislator but have not been signed by the Governor. Governor Newsom has till September 30, to sign or veto bills. Updates to the Legislative Reports have been included in Board members binders.
	+ SB 571 and AB 2330 have both been vetoed. AB 2276 has been signed that will require emergency regulations by the Board. This bill takes effect January 1, 2025. The Board will begin work on this as soon as possible
	+ Still waiting on Governor’s decision regarding SB 504 and SB 675.
* FY24-25 Budget Reductions
	+ Currently evaluating impacts of proposed 7.95% budget cut to the Board.
* Call for Regulatory Review
	+ The Joint Forest Practice Management Committee and the Resource Protection Committee discussed the letters that were received that were relevant to their particular mission.

**Public Comment:**

* C Tabor Teachout shared his views on modifying regulations to reduce ash production in existing projects. Also, shared his personal views on fires near his home and how to protect it.

**Report of the Regulations Coordinator, Jane Van Susteren:**

Regulations Coordinator presented to the Board for consideration of final rule text and Final Statement of Reasons for the Rulemaking Titled “Less than 3-acre Conversion Exemption Amendments”.

**09-26-02 Chairman O’Brien moved to approve the Final Statement of Reasons for the rulemaking entitled “Less than 3-acre Conversion Exemption Amendments, 2024”. Member Blake seconds the motion.**

**Roll Call:**

**Blake: Aye**

**Delbar: Aye**

**Forsburg-Pardi: Absent**

**Jahangiri: Absent**

**Lopez: Aye**

**Wade: Aye**

**Jani: Aye**

**Chase: Absent**

**O’Brien: Aye**

**Motion passed.**

**09-26-03 Chairman O’Brien moved to adopt the draft regulatory text for the rulemaking entitled “Less than 3-acre Conversion Exemption Amendments, 2024” and authorize staff to take all actions reasonably necessary to have the adopted regulations go into effect, including making appropriate non-substantive changes and any changes to facilitate OAL review and approval. Member Blake seconded the motion.**

**Roll Call:**

**Blake: Aye**

**Delbar: Aye**

**Forsburg-Pardi: Absent**

**Jahangiri: Absent**

**Lopez: Aye**

**Wade: Aye**

**Jani: Aye**

**Chase: Absent**

**O’Brien: Aye**

**Motion passed.**

**Report of the Standing Committees:**

**Joint Forest Practice and Management Committee, Rich Wade, Chair and Dawn Blake**

Joint Forest Practice/Management Committee met yesterday and only discussed matters that pertained to the Forest Practice Committee; the Management Committee agenda item was removed.

* Forest Practice continued discussions on the Vegetation and Fuels Treatment in the WLPZ.
* Discussed the Exemption Use on Active Plans.
* Discussion of 2025 Rulemaking Priorities**.**

**Public Comment:**

* Kenneth Sherer corrected that the letter submitted that Member Wade commented on was from the Biochar Coalition.
* Richard Gienger noted that there seems to be more topics for Board consideration for regulatory review and some of those topics are not new.

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

The Resource Protection Committee met yesterday. The following items were discussed:

* Update on the Subdivision Review Program in Amador County, Alpine County and Shasta County. 2,244 subdivisions have been identified throughout the State and division surveys have been 2,110.
* The Wildfire Land Use Planning has announced that they have secured 4 more trainings in February, in San Bernadino County, Ventura County, Santa Rosa and Chico.
* Land Use Planning Program Manager provided proposed amendments and Fire Risk Reduction Community List Survey to potential applicants.
* Discussed 2025 Rulemaking Priorities.

Public Comments:

* Kenneth Scherer with Biochar Coalition commented on the Fire Wise Communities. Stating that they have been assisting them in creating community carbon projects. They would like to see more programs geared towards sequestering carbon into the forest to increase the net totals that are required by 2030.

**Report of the Board’s Advisory Committees:**

**California Forest Pest Council, Tom Smith, CAL FIRE**

**CONCLUSION**

**Public Forum**

**Public Comments:**

* C. Tabor Teachout, Livestock owner, Nevada County. He shared with the Board the benefits of biochar.
* Richard Gienger appreciated comments made regarding biochar. He also shared his views that he would like to see more transparency regarding Jackson.
* Peter Roediger, Mendocino County, mentioned to the Board a new method involving char that is natural and artificial.
* Kenneth Scherer shared that it is important to work together will all our resources to revitalize our forests. He states too many homes and forests have been destroyed.

**Adjournment**

Respectfully submitted,

ATTEST:



Edith Hannigan Terrence O’Brien

Executive Officer Chairman