

**BOARD OF FORESTRY AND FIRE PROTECTION**

THE NATURAL RESOURCES AGENCY

STATE OF CALIFORNIA

**KEITH GILLES, CHAIR**

Wade Crowfoot, *Secretary*

Gavin Newsom, *Governor*

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**Meeting Announcement and Agenda**  
**California Board of Forestry and Fire Protection**  
**Posting Date: July 2, 2021**

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The noticed Board of Forestry and Fire Protection Board Meeting, as well as the Committee Meetings, will be hosted via teleconference. Registration links for these meetings are available on the Board of Forestry and Fire Protection website (<https://bof.fire.ca.gov/>).

**FULL BOARD MEETING:**

**EXECUTIVE SESSION:**

Date: July 14, 2021 8:30 am

**REGULAR SESSION:**

Date: July 14, 2021 9:30 am – Teleconference only

**COMMITTEES:**

**FOREST PRACTICE COMMITTEE - Teleconference only**

Time: 1:00 p.m. – 4:00 p.m.

July 13, 2021

**MANAGEMENT COMMITTEE - Teleconference only**

Time: 9:00 a.m. – 12:00 p.m.

July 13, 2021

**RESOURCE PROTECTON COMMITTEE - Teleconference only**

Time: 9:00 a.m. – 12:00pm

July 13, 2021

*The Board's Mission:*

*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.*

## **BOARD MEETING AGENDA**

**(Please refer to page 1 of this notice and agenda for information on how to register for the teleconference being hosted remotely)**

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### **EXECUTIVE SESSION**

1. **Call to Order.**
  2. **Adjourn to Executive Session.**
  3. **Executive Session (Closed to the Public)** - Discussion of matters pursuant to Government Code section 11126, including pending litigation (subd. (e)), potential disciplinary actions (subd. (f)(2)), licensing matters and examinations (subd. (c)(1)-(2)), administrative adjudication proceedings (subd. (c)(3)), and public employee hiring and evaluation (subd. (a)(1)). (The Executive Session may be reconvened if determined necessary.) **Possible Action Items.** The Board will discuss:
    - a) California Chaparral Institute, *et al.*, vs. California State Board of Forestry and Fire Protection (Case No. 37-2020-00005203)
    - b) Board discussion regarding Executive Officer position.
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### **REGULAR SESSION**

4. **Reconvene.**
5. **Announcement of Action(s) Taken in Executive Session.**
6. **Brief Instructions on Webinar meeting format, Board Staff**
  - a) Remote meeting format and guidance on stakeholder participation via teleconference
7. **Consent Calendar Items:** Consent items are expected to be routine and non-controversial. It is recommended that the Board adopt these items without discussion. If any interested party, member of the Board, or staff member requests that an item be removed from the Consent Calendar, it will be considered separately. **Possible Action Items.**
  - a) Approval of the June 2021 Board Meeting Minutes and June 22, 2021 public hearing minutes (with minor edits if requested by members of the Board);
  - b) Review of Rulemaking Matrix
  - c) Approval of Charter Update for the Joint Institute for Wood Products Innovation
  - d) Appointment of Nuin-Tara Key with the Governor's Office of Planning and Research to the Joint Institute for Wood Products Innovation Advisory Council for a term of 3 years

### **MONTHLY BOARD REPORTS**

8. **Report of the Chairman, Dr. Keith Gilliss**
9. **Report of the Director, Thom Porter, Director CAL FIRE**
10. **Staff Report- Possible Action Items.**
  - a) Legislative Update

- b) Budget Update – SB 85 Early Action Funding
  - c) Discussion of the Board/ CAL FIRE DRAFT Exemption and Emergency Monitoring Report Pursuant to PRC § 4589
  - d) Discussion of proposed changes to “Fire Risk Reduction Communities List” rule plead and possible 15-day Notice
11. **Report of the Standing Committees.** Committee Chairpersons will report on the items discussed from Committee meetings. Possible Action Items: The Board may act in response to Committee recommendations. (See Committee Agendas which are incorporated as though fully set forth herein.)
- a) Forest Practice Committee, Rich Wade, Chair
  - b) Management Committee, Chris Chase, Chair
  - c) Resource Protection, Darcy Wheelles, Chair
12. **Report of Board’s Advisory Committees.**
- a) Professional Foresters Examining Committee – Licensing Officer, Dan Stapleton  
The Executive Officer for Professional Foresters Registration will report on ongoing PFEC matters. **Possible Action Items:** Issuance of RPF Licenses/CRM Certifications, Withdrawals, Reinstatements, Voluntary Relinquishments, Suspensions, Revocations, or other Actions.
    - 1) Announcement of successful April 2021 RPF and CRM exam applicants
    - 2) PFEC Policy Updates
    - 3) Board review of RPF Vital Statics and acceptance of withdrawn RPF licenses
    - 4) Introduction to the revised Cal-Pac SRM “Program for Certification”.
  - b) Effectiveness Monitoring Committee – Sue Husari, Co-Chair or Kristina Wolf Staff Environmental Scientist
    - 1) Update on final project completion of EMC-2015-001
    - 2) Update on the development of grant programs for the EMC
    - 3) Update on the release of the 2021/2022 EMC Request for Proposals

## **SPECIAL BOARD HEARINGS/REPORTS**

13. **Public Hearing: “Southern Subdistrict and Broadcast Burning Amendments”** The proposed action is amendments to existing regulations in 14 CCR §§ 895.1, 916.9, 917.2, 917.3, 917.4, 936.9, 937.2, 956.9, and 957.2 which are intended to eliminate prohibitions on broadcast burning in the Southern Subdistrict of the Coast Forest District, as well as to improve the regulatory scheme related to the reduction of hazardous forest fuels generated by Timber Operations which is clear and effective.
14. **Presentation: Small Scale Lumber Grading.** Lon Sibert, Renewable Resource Associates, Inc.

## **CONCLUSION**

15. **Public Forum.**  
Members of the public observing the meeting may address the Board on any topic within its jurisdiction not otherwise on the agenda. Submittal of written comments is encouraged to ensure that all comments will be included in the record before the Board. Please be prepared to summarize comments to three minutes in length, or otherwise at the discretion of the

Chairman. Please follow instructions under “Submitting a Comment” on page 6 of this Notice and Agenda for submission of public comments. Note that the Board may not discuss or take action on any matter raised during the public forum period, except to decide whether to place the matter on the agenda of a future meeting. [Government Code §§ 11125, 11125.7(a).]

**16. Adjournment**

**(Please refer to page 1 of this notice and agenda for committee meeting time and location)**

### **MANAGEMENT COMMITTEE MEETING**

1. Staff update covering remote meeting format and guidance on stakeholder participation via teleconference
  2. Discussion of defining “Crop of Trees” as it relates to Timberland Conversion - Eric Hedge, Regulations Program Manager
  3. Department establishment of seedling prices from CAL FIRE nurseries (PRC § 4682) – Stewart McMorrow, Staff Chief, Wildfire Resilience, CAL FIRE
  4. Discussion of the terms “Cutover Land”, “Meadows and Wet Areas”, and “Wet Meadows and Other Wet Areas” and their consistency in the Forest Practice Rules – 14 CCR §§ 895.1, 906, 913.4, 933.4, 953.4, 953.12, and 1027.1.- Jane Van Susteren, Regulations Coordinator
  5. Update on Basal Area Stocking Standards and Uneven-Aged Working Group – George Gentry, California Forestry Association
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### **FOREST PRACTICE COMMITTEE MEETING**

1. Staff update covering remote meeting format and guidance on stakeholder participation via teleconference
  2. Discussion of botanical issues within the Timber Harvest Process – Eric Hedge, Regulations Program Manager
    - a. Update on development of a DRAFT Board Guidance Memorandum outlining process on scoping, assessment, and protection of botanical resources to be addressed in the Plan process
  3. Discussion of Emergency Rulemaking for Registered Professional Forester Responsibility and slash treatment in association with Emergency Notices – 14 CCR §§ 1052 *et seq.* - Jane Van Susteren, Regulations Coordinator
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### **RESOURCE PROTECTION COMMITTEE MEETING**

1. Staff update covering remote meeting format and guidance on stakeholder participation via teleconference
2. Safety Element Review
  - a. City of Wildomar – Chief Ray Martinez
  - b. City of Rolling Hills Estates – Captain Shelley Redden
  - c. City of Westlake Village – Captain Shelley Redden
  - d. City of El Cajon – Captain Brian Barkley
3. Land Use Planning Program Update – Matt Damon Deputy Chief, Land Use Planning
  - a. Public Resources Code 4290.5 Fire Safety Survey/Subdivision Review Unit Program Update – Chief Carmel Barnhart, CAL FIRE Land Use Planning
4. Update on “State Minimum Fire Safe Regulations, 2021” rulemaking
5. Update on amendments to regulations related to PRC 4292 and 4293

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**Note:** The Board's Committees may continue discussion of items included in the Committees agenda, or the Full Board agenda, if the Board recesses or adjourns. To facilitate the Board's business, items in the Committee agendas may be moved to the Full Board agenda for discussion and consideration. In addition, at the Committee Chair's discretion, relevant items in the Full Board agenda are eligible for supplemental discussion at the respective Committee meeting, and the Full Board agenda is incorporated by reference for this purpose. Items in the Full Board agenda discussed at a Committee meeting will nonetheless remain on the Full Board agenda.

## **IMPORTANT BOARD MEETING INFORMATION**

**PLEASE NOTE: IN LIGHT OF THE UNPRECEDENTED COVID-19 VIRUS AND THE GOVERNOR'S EXECUTIVE ORDERS N-25-20, N-29-20, AND N-33-20, FOR THE DURATION OF THIS EMERGENCY THE BOARD WILL BE MODIFYING ITS NORMAL BOARD, COMMITTEE AND WORKSHOP PROCEDURES. PLEASE SEE BELOW FOR DETAILS.**

### **CONTACT INFORMATION**

Those requiring further information regarding this meeting notice may contact Board Staff, State Board of Forestry and Fire Protection, P.O. Box 944246, Sacramento, CA, 94244-2460, (916) 653-8007. This meeting notice is also available in electronic format at: [Board Meeting Agendas and Schedules](http://bof.fire.ca.gov/business/meeting-agendas-and-annual-schedules/) (<http://bof.fire.ca.gov/business/meeting-agendas-and-annual-schedules/>). For meeting materials and register for webinars, go to: [the Board's Website](http://bof.fire.ca.gov) (<http://bof.fire.ca.gov>).

### **GoToWebinar**

For the July 2021 Full Board, Committee and/or Workshop meetings, GoToWebinar.com will be used to conduct the meetings over the Internet. Pursuant to Executive Order N-29-20, Board Members and Committee Members will be participating remotely. The public may observe, provide public comment during the public comment periods, and otherwise observe remotely in accordance with Bagley-Keene Open Meetings Act as described below. If the GoToWebinar teleconference is interrupted or terminated for any reason and cannot be restored quickly and without the loss of attendees and participating members, the meeting will be terminated and rescheduled. As stated on the Meeting Agenda, Board staff will address teleconference participants prior to normal Board or Committee business to provide guidance on meeting format and stakeholder participation via teleconference. **It is highly recommended that all GoToWebinar participants utilize either a landline or mobile phone for audio connection to assure the best connection and experience during GoToWebinar broadcasts.**

**Submitting A Comment:** During the meeting, all participants will be muted by the meeting organizer. Participants will have an option to submit a comment, either by writing your comment or by directly addressing the members verbally. To submit a written comment, type the text of the comment in the "Questions" pane of the GoToWebinar interface. To submit a comment by verbally addressing the members, select the "Raise Hand" icon on the left-hand side of the GoToWebinar interface. The meeting organizer will call you by name and unmute you so you can address the Board or Committee members. If you are commenting verbally, please be sure to unmute your phone or device. An example image of the GoToWebinar interface, with the "Raise Hand" icon and "Questions" pane in bold, is in Figure 1 at the end of this agenda. If your comment relates to a particular agenda item, please indicate your request to comment at the beginning of or during the consideration of that agenda item in order to ensure comments relate to the particular agenda item being discussed. If your comment relates to a topic within the Board's jurisdiction and is not otherwise on the agenda, please indicate your request to comment during the Public Forum period, which will occur at the end of the meeting. The meeting organizer will manage the queue of comments. In addition, please see the section on Submission of Written Materials for information on submitting other written materials.

Audio recordings of the full Board meeting may be preserved and available on the Board's website. Due to space limitations on its servers, the Board does not preserve video recordings of its Board meetings and/or audio recordings of its committee meetings or workshops.

## **PERSONS WITH DISABILITIES**

Pursuant to the Americans with Disabilities Act, individuals who, because of a disability, need special assistance to observe and participate in a State Board of Forestry and Fire Protection or a committee meeting may request assistance by sending an email to Board Staff, at [PublicComments@bof.ca.gov](mailto:PublicComments@bof.ca.gov) or by calling (916) 653-8007. Requests should be made one week in advance whenever possible. Upon receipt of a request for reasonable modification or accommodation from individuals with disabilities, the Board will swiftly resolve the request consistent with the Americans with Disabilities Act.

## **SUBMISSION OF WRITTEN MATERIALS**

The public is encouraged to comment on any item on the agenda. The Board may accept written materials as public comment on agenda items if feasible and if received prior to the deadline below. However, to ensure a public comment is considered by the Board during the discussion of the agenda item, please attend the meeting and provide the comment directly to the Board, or if the meeting is only being held telephonically or otherwise electronically, please register for the meeting and provide your comment in accordance with the instructions included herein. You may submit your comments by one of the following methods (only one is necessary):

**E-mail:** [publiccomments@bof.ca.gov](mailto:publiccomments@bof.ca.gov)

**Fax:** (916) 653-0989

**U.S. mail:** Board of Forestry and Fire Protection  
PO Box 944246  
Sacramento, CA 94244-2460

**All written materials shall be due no later than 12:00 p.m. on July 8, 2021, unless there is a date specified on a specific hearing notice pursuant to the Administrative Procedures Act (Chapter 3.5 (commencing with § 11340), Part 1, Division 3, Title 2, of the Government Code). Timely submittal of written materials provides Board staff and Board members the opportunity to familiarize themselves with content of written documents. Note that depending on the volume of written materials received, Board staff and Board members may not be able to review all materials received prior to the public meeting. Written materials received after the deadline above will not be considered. Written materials submitted may be posted online by Board staff to allow for public inspection. All written materials submitted will be considered part of the public record. To ensure comments and other materials submitted comply with the Board's website posting requirements, please provide all comments and materials in a format that satisfies the Americans with Disabilities Act (ADA) and applicable Web Content Accessibility Guidelines (WCAG). Comments and materials that do not satisfy these requirements will be accepted, but will not be posted to the Board's website.**

## **SPEAKING AT THE FULL BOARD MEETING**

If you wish to speak on an agenda item, please see the section above titled "Submitting A Comment." If you wish to speak on a non-agenda item within the Board's jurisdiction during the Public Forum period of the Board meeting, please see the Public Forum section and Submitting A Comment section of this agenda.

- Individuals with a shared position are encouraged to select a spokesperson for their group.
- Individuals who sign up by the deadline will have a maximum of three minutes to speak.



- The three-minute speaking time may be amended by the Chair, depending on the number of speakers. A speaker may not cede time to another speaker. The total amount of time to be allotted to a comment period is based upon the number of those wishing to comment, and will be announced by the Chair prior to the beginning of the comment period.
- The order of speakers will generally be based on random selection, but public officials may be taken out of order.
- The Chair retains the right to stop any speaker who raises an issue that is not under the Board's jurisdiction.
- Speakers may provide written copies of their own comments to the Board meeting for distribution to the Members of the Board. Please see the Submission of Written Materials section above.
- The Board retains the right to remove disruptive attendees from the Board meeting.
- The Board reserves the right to override the above rules in case of emergency or other unforeseen circumstances.

#### **WHEN WILL MY AGENDA ITEM BE HEARD?**

The Board begins each session at the time listed on the Meeting Notice and generally considers each agenda item in the sequence listed; however, the Board may take any non-hearing agenda item out of order as time permits. The Board may also act on recommendations by its committees on items listed in their respective agendas, including recommendations for notice of rulemaking.

#### **VISUAL PRESENTATIONS**

PowerPoint presentations must be provided via electronic mail to [publiccomments@bof.ca.gov](mailto:publiccomments@bof.ca.gov) no later 12:00 pm the Thursday prior to the Board Meeting. **All presentations are considered part of the public record.** All electronic formats must be Windows PC compatible. Please provide all materials in a format that satisfies the Americans with Disabilities Act (ADA) and applicable Web Content Accessibility Guidelines (WCAG) in accordance with the Board's policies to allow posting to the Board's website. Materials that do not satisfy these requirements will be accepted, but will not be posted to the Board's website.

**Figure 1. Participant View of GoToWebinar interface.** To submit a verbal comment, select the “Raise Hand” icon - it is circled below. To submit a written comment, type your comment in the “Questions” pane – it is in a bold box in the graphic below.

