BOARD OF FORESTRY AND FIRE PROTECTION MEETING MINUTES

Sacramento, CA

April 5, 2023

**BOARD OF FORESTRY AND FIRE PROTECTION MEMBERS**:

**Present:**

* Chris Chase, Acting Chairman
* Rich Wade
* Mike Jani
* Elizabeth Forsburg Pardi
* J. Lopez
* Dawn Blake
* Katie Delbar
* Jeremiah Hallisey

**BOARD MEMBERS ABSENT:**

* Keith Gilless, Chairman

**BOARD STAFF PRESENT:**

* Edith Hannigan, Executive Officer
* Dan Stapleton, Licensing Officer
* Robert Roth, Board Counsel
* Jane Van Susteren, Senior Environmental Scientist
* Dr. Kristina Wolf, Environmental Scientist
* Claire McCoy, Wildfire Planning Specialist
* Anna Castro, Executive Assistant
* Alexandra LaPlante, Staff Service Manager

**DEPARTMENTAL STAFF PRESENT:**

* Matthew Reischman, Deputy Director Resource Management CAL FIRE
* Eric Huff, Staff Chief, Forest Practice Program, CAL FIRE

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

Jeff Slaton, Senior Counsel for the Board. During the closed session the Board discussed the two litigation matters on the agenda. The Board took no reportable actions with respect to either matter during closed session.

**Consent Calendar Items:**

**04-05-01 Member Lopez moves to adopt the Consent Calendar as noticed. Member Jani seconds the motion.**

**Roll Call:**

**Delbar: Aye**

**Hallisey: Aye**

**Lopez: Aye**

**Forsburg-Pardi: Aye**

**Wade: Aye**

**Jani: Aye**

**Blake: not called**

**Gilless: Absent**

**Chase: Aye**

**Motion passed.**

**Report of the Chairman, Acting Chairman Chase**

Thank you to the department and other agencies for their storm response the past couple of months. The department and other agencies really stepped up in several ways from snow removal, welfare checks, delivering hay to stranded cattle, flood response and damage inspections.

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

**04-05-02 Member Lopez moves to approve the 2022 Annual Report as presented. Member Blake seconds the motion.**

**Roll Call:**

**Delbar: Aye**

**Hallisey: Aye**

**Lopez: Aye**

**Forsburg-Pardi: Aye**

**Wade : Aye**

**Jani: Aye**

**Blake: Aye**

**Gilless: Absent**

**Chase: Aye**

**Motion passed.**

**Report of the Director, Matthew Reischman, Deputy Director, CAL FIRE**

Flooding Update

* On March 8th, CAL FIRE activated an incident management team to provide some flooding assistance. Today we have 620 miles of controlled and uncontrolled waterways that are involving multiple water districts that have been impacted. Thousands of acres of farm and cultural lands have been affected.
* Currently have 662 personnel assigned.
* Today we have identified 70 levee breaks.
* We have a flood advisory for the King’s River through at least Thursday morning.

Forest Practice Program

* AB2889 required that the department put together Timber Harvest Plan checklist. It is going through review with our stakeholders and agency review.
* Our Forest Practice Biology Division have been working with US Fish and Wildlife Service on the California’s Spotted Owl pending status on the two distinct populations. One is in the Sierra Nevada Distinct population where the 4(d) Rule would likely apply. The other is in the Coastal Southern California district where the 4(d) Rule will not apply. The department has put together a draft response letter and we are working with agency and the State Fish and Wildlife Department.

Urban Community Forestry

* Green Schoolyards Grants applications opened on March 3, 2023, and will close on April 28, 2023. We are excited to provide grants to schools and disadvantaged communities to promote shading effects. It will be interesting to see the type of grant applications we get for that.

Prescribed Fire

* The Prescribed Fire Claims Fund continues to meet every two weeks. They are making some great progress and they hope to have the fund available for use in early spring.
* Conditions written into the process included the following:
	+ Must be for public benefit in the State Responsibility Area (SRA).
	+ Must be a Burn Boss or equivalent as described in the legislation.
	+ Must provide a burn plan.

Tribal Affairs/Cultural Resources

* The 2023 California Tribal Water Summit is scheduled for April 11-13 at the CNRA building in Sacramento. Proceedings from the Summit will help inform State water policy and advance issues of equity, access and incorporation of Tribal Ecological Knowledge into the California Water Plan Update for 2023.

Cultural Resources

* In cooperation with CLFA our archaeologists will have trainings to bring people up to speed on being able to conduct archaeological surveys under the Forest Practice Rules.
* Upcoming CLFA/CAL FIRE archaeology trainings are scheduled as follows:
	+ April 25 & 26, 2023, Archaeology Refresher, Courtyard Marriott, San Luis Obispo
	+ October 2-6, 2023, 5-day Initial Archaeology, Gala Hotel & Spa, Anderson
	+ November 8 & 9, 2023, Archaeology Refreshers, Gaia Hotel & Spa, Anderson

Reforestation Services

* We have published our 2023 Assessment of Seed Needs and the 2022 Annual Program Report on the new Reforestation Program website.

Demonstration State Forest

* The Jackson Advisory Group (JAG) met on March 15, 2023. Kim Rodrigues, former UC Cooperative Extension Hopland Field Station manager, helped facilitate the meeting. It was very well attended.

La Tour

* State Forest Managers Jason Poburko (La Tour) and Jim Kral (Mountain Home) presented at the CLFA conference on March 2, to discuss maximum sustained production of the rules pertaining to small landowners.

Soquel

* Continue to have closures due to the storms that we saw back in January. A lot of road issues and debris. Hoping to get it opened soon but it’s a lot more work than what we anticipated.

California Forest Improvement Program (CFIP)

* CFIP is planning on accepting approximately 16 grants every two months for a total of $2-3 million.

Forest Legacy Program (FLP)

* There are $9.25 million that will be available for solicitation on new projects in the next few months.
* There were additional Federal funds that were going to be using to support due diligence funding. This new funding will help a landowner get their application information together to be able to apply for the program.

Forest Health

* Our Forest Health grant solicitation closed on February 28, and we were really pleased with the number of applications. You may recall this was a combination of our Forest Health and Reforestation in our tribal grants.
* For Forest Health we had $100 million dollars available. We had 44 applications requesting $225 million. We had an over subscription of about $125 million.
* In our Reforestation Funds we had $50 million available. We had 18 applications. Requesting $98 million in about $48 million dollar over subscription there.
* In our Tribal Resilience Fund we had $19 million in total, but you may recall we separated those off into a planning grant and a implementation grant.
* In our Planning grant we had a total of 7 applications. We had $4 million available. They requested $6 million. We had about $2.5 over subscription.
* For the implementation we had 13 grant applications and a total of $15 million available. A $23 million dollar request there so about a $8.3 million dollar over subscription.
* Hoping to have Forest Health and Reforestation available in the latter part of April and early May. Then our Tribal Grants hope to have the announcements out sometime in the beginning of June.
* AB 203 some legislation that required that the department put together monitoring protocols for veg management projects post treatment. The draft Forest Health Grant and Prescribed Fire Protocols for Field-Based Monitoring Manual was posted to the CAL FIRE Prescribed Fire Research website. This was a joint effort with FRAP to publish a monitoring protocol per AB203. These protocols are being used since last August.

Wildfire and Forest Resilience Task Force (WFR)

* Upcoming Task Force meeting is scheduled at the Cocoanut Grove in Santa Cruz on May 11th & 12th.

Fire and Resource Assessment Program (FRAP)

* FRAP continues to support the Fire Marshal’s office on Fire Hazard Severity Zones model questions that are coming in from public comment.
* FRAP anticipates public release of the Forest Health Research Grant solicitation by March 24 and intends to award up to $5.5 million in research grant funds.

Fire Protection Program

Law Enforcement/Civil Cost Recovery

* CAL FIRE Civil Cost Recovery has received $37 million in the month of February.
* Hundreds of CAL FIRE personnel and resources, including 2 CAL FIRE Incident management Teams (IMT), were Mission Tasked by Cal OES to assist with flooding and storm related incidents throughout the state for most of March.

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

* Eight out of the ten helitack bases have transitioned to the CAL FIRE HAWK Hollister helitack base will receive Night Vision Goggle (NVG) training the week of April 24, preparing them to join Hemet-Ryan and Vina helitack bases in night suppression capability this coming fire season.
* CAL FIRE was mission tasked for two helicopters and several overhead along with the California National Guard and the United States Coast Guard to work with Humboldt, Mendocino, and Trinity Counties on delivering hay to cattle isolated by the extreme snowfall. Over 385 bales were delivered supporting 3600 head of cattle.

Mobile Equipment Program

* There are over 600 assets of various types are being worked on and in the route to Davis to be worked on. This is a backlog spanning the last 3 years.
	+ 545 trucks
	+ 72 Emergency Crew Transports
	+ 120 Fire Engines
	+ 30 Bulldozers
* During the January storm events, several of our facilities, 27 suffered infrastructure damage and so with the FEMA declaration we are in the process of requesting reimbursement to be able to make those facility improvements.
* The National Fire Capacity Grants these are federal grants that come to us through the forest service. We have an additional 508,000 that are available to local fire districts in our local cooperators.

Camps and Crews Program

* 88 staffed Type I Handcrews of the 226 total funded crews. This includes 57 California Department of Corrections and Rehabilitation (CDCR) crews out of 152 funded, 0 of the 29 funded CAL FIRE Firefighter I Crews and 13 of the funded 13 California National Guard Crews. We are in the process of hiring fire fighters.
* The inmate population we are at 836 out of 2584 which is about 50% of our population.

Wildfire Mitigation Advisory Committee

* Met on March 21, where the Committee received an update from the Division as well as presentations by CalTrans on their fuel reduction efforts, as well as Alert California.
* Next meeting will be held on April 18. These meetings are held on the third Tuesday of each month.

Wildfire Preparedness

* Completed 176,000 Defensible Space Inspections this year. It is about 70% of our stated goal which I believe is 250,000 annually.
* Home Hardening personnel have initiated a stakeholder group to develop WUI Fire Safety Building Compliance training.
* Our newly launched online burn permit we’ve had 12,000 requests and we have issued 11,936 permits.
* Damage inspection personnel have been dispatched to three major flooding incidents during the winter storms in 2023.
	+ Destroyed - 7 homes
	+ Damaged - 594 (432 homes, 85 Commercial, 77 other)
	+ No damage – 474
	+ Total inspections – 1,219

Wildland Fuels Reduction Reporting

* IT and FRAP are finalizing a contract in order to enhance CalMAPPER and support continuation of a Mobil App.
* The Mobil App is currently being tested in two units in the North State. In Humboldt Del Norte Unit, Shasta Trinity Unit and Fresno Kings Unit.

Wildfire Prevention Grants

* The 2022-23 Wildfire Prevention Grant solicitation closed March 15, preliminary figures will be provided once they have been determined and verified.

Equal Employment Opportunity (EEO)/Diversity, Equity and Inclusion Program (DEI)

* EEO/DEI was asked by resource agencies to put together some standard practices that can be used across all the various Natural Resources Agencies. As a result, some of the recommendations they had pertained to training. Specifically, in hiring and the hiring process to prevent bias. Also providing DEI training at various levels of employment.
* Developing recruitment strategies that various department can use.

**Board Questions/Comments**

Acting Chairman Chase, thanked the department for all the work that has been in clearing avalanche debris, snow removal and welfare checks. Board really appreciates all your efforts. With respect to eligibility for the fire claims fund one of the criteria in your report said must be a public benefit in the State, in the SRA. What constitutes a public benefit?

* Chief Reischman stated, anytime we are administrating State funds there has to be a public benefit beyond just benefiting an individual landowner. Usually this is tied to watershed protection and community protection.

Acting Chairman Chase, you mention you have 0 of 25 CAL FIRE fighterfighters I Crew Staff to date but you are currently hiring. Do you expect a fully staff all 25?

* Chief Reischman, the intent is to be fully staffed.

Member Jani, on the Soquel Demonstration Forest, do they still have access to the curtain burner down there?

* Chief Reischman, I will have to follow up with you on that. I don’t believe it was reported but they did mention that two of the three emergency access routes are closed to anything but emergency vehicles.

Member Delbar thanked the department for the airdrops for the livestock. It meant a lot to the livestock producers, and they are still have a huge challenge in trying to get their cattle back in and sorting how many they lost.

**Public Comments**

Richard Geigner spoke about the events coming up on Indigenous gathering in Sacramento. He suggests that people try to listen to the recordings of the Land Back symposium that was held at Cal Poly on the 26th of March. The perspectives and experiences were part of that symposium. Also, the notes for the JAG meeting are not available yet.

Karen Maki would like to know what the upcoming training would consist of for the home hardening program. Also, will there be any incentives to encourage people to participate in it.

* Chief Reischman stated that he does not have the curriculum information on that training. But will follow up with the Edith Hannigan, Executive Officer and provide some details on that.

Karen Maki asked if there is any funds available for Home Hardening?

* Chief Reischman stated that there is but does not have that information with him. If you go to the State Fire Marshal website under Fire Prevention you should be able to locate that information, there.

**Report of the Standing Committees**

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

**Public Comment**

George Gentry with California Forestry Association strongly support the Tractor and Cable Operations rulemaking and appreciate all the effort that was put in to correcting these minor issues.

**04-05-03 Member Wade moves to authorize Board staff to submit the rulemaking intitled “Tractor Operations and Cable Yarding Amendments, 2023” for noticing of the 45-day Comment Period and take all appropriate actions consistent with the Administrative Procedure Act for this purpose, including preparation and submission of the Notice of Proposed Action and Initial Statement of Reasons. Member Jani seconds the motion.**

**Roll Call:**

**Delbar: Aye**

**Hallisey: Aye**

**Lopez: Aye**

**Forsburg-Pardi: Aye**

**Wade: Aye**

**Jani: Aye**

**Blake: Aye**

**Gilless: Absent**

**Chase: Aye**

**Motion passed.**

**Management Committee, Chris Chase, Chair**

The Committee discussed the two items on the agenda.

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

RPC had only one item yesterday that was discussed.

**Report of Board’s Advisory Committees**

**Effectiveness Monitoring Committee, Dr. Elizabeth Forsburg Pardi, Co-Chair**

The Effectiveness Monitoring Committee released an RFP for initial concept proposals for the grant program. They are due on Wednesday, May 24, 2023. All details in the grant guidelines are on our website.

**Professional Foresters Examination Committee, Exam Appeal Results Applicant #7388, Dan Stapleton Asst. Executive Officer**

* On the grading of October 22 exam we had one appeal by Applicant #7388. The appeal was over the question of ecology and a forest policy question. The applicated stated that they had misunderstood the question and did not state their assumptions in the answer. This was discussed with Executive Officer Hannigan and concluded that we would do something different this time. We focused on the questions that the person did not adequately answer and used new questions that were pulled out of archives prior to 2016, and retested applicant on those two topics. The result was a pass on both. Asking the Board to consider acceptance of this appeal which will provide the opportunity for this person to become a License Register Professional Forester.

**Board Comment**

Member Wade, was this done in a test setting and in person?

* Dan Stapleton stated this was done in person in a solitary office/room and test was given on test questions he has not seen before.

Edith Hannigan, Executive Officer stated that this was something new and this is an option to allow for someone to retest only specific questions. Thank you, Dan, for making the arrangement and thank you to Deniele Casarubbia for proctoring the test.

Member Jani thinks its an exceptionally fair way to deal with the situation.

**04-05-04 Member Wade moves to approve the exam appeal for Applicant #7388 and certify Applicant #7388 as a license Registered Professional Forester. Member Delbar seconds the motion.**

**Roll Call:**

**Delbar: Aye**

**Hallisey: Aye**

**Lopez: Aye**

**Forsburg-Pardi: Aye**

**Wade : Aye**

**Jani: Aye**

**Blake: Aye**

**Gilless: Absent**

**Chase: Aye**

**Motion passed.**

**PRESENTATIONS**

New & Updated Position Statements form the California Society of American Foresters (Cal-SAF) on Wildfire and Giant Sequoia

* 1. Introduction to the Position Statements: Rachelle Hedges
	2. Presentation 1: Sustaining Native Giant Sequoia Groves Requires Active, Adaptive Management, a recently approved Cal-SAF Position Statement. Presentation by Rob York.
	3. Presentation 2: Forestry Solutions to California's Wildfire Crisis, a recently approved Cal-SAF Position Statement. Presentation by Jane LaBoa and Bill Keye.

The Science Behind a Noncombustible Zone 0 – Insurance Institute for Business and Home Safety, Roy Wright, President, and CEO

California Forest Pest Council “2022 California Forest Pest Conditions Report,” Tom Smith, CAL FIRE and California Forest Pest Council

**CONCLUSION**

**Public Forum**

Ellie Clausberkner, Fire Protection Engineer representing herself. Recently California passed a law declassifying the E-bikes as a motorized vehicle. The 2023 E-bikes changed where you can ride as to where you can ride in California. The new law now prevents restricting access to E-bike riders like places like bicycle paths, trails or bikeways and bicycle lanes. While I understand the intent of this regulation is to encourage commuters to move away from gasoline run vehicle to more environmentally friendly options, lithium batteries in E-bikes have been known to cause fires. As more E-bikes are found in State parks the probability of a fire will increase. The severity also needs to be evaluated either by using modeling or evaluating key studies. Have any studies been done on evaluating the risk of E-bikes associated with fires in remote areas within State parks or State Forest. If not, should this be a topic for further discussion by the Board in future meetings.

* Edith Hannigan, Executive Officer, the Board cannot directly address any of your questions. We cannot really discuss anything that is not authorized on the agenda. But you are correct as this becomes a greater issue, we will expect to see it on future Board Agendas.

Dan Courtney, just wanted to follow up on a few comments made earlier. What is the point of having violations if there are no consequences for the offender. Secondly, the discussion and updating the utility exemptions for the THP’s. It is time to get them under control. Please look at AB1155, this will allow the utility to be able to on a visual fly over to be able to designate hazard trees or remove them.

**Adjournment**

Respectfully submitted,

ATTEST:





Edith Hannigan J. Keith Gilless

Executive Officer Chairman