

**BOARD OF FORESTRY AND FIRE PROTECTION  
PROFESSIONAL FORESTERS REGISTRATION**

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**Professional Foresters Examining Committee Meeting Minutes**

Held: June 22, 2020

**OPEN SESSION MINUTES****Members Present:**

- Otto Van Emmerik, Chair
- Frank Mulhair, Vice Chair
- Larry Forero, CRM representative
- Dan Sendek
- Jerry Jensen
- James Hawkins
- Jason Poburko
- Bill Snyder
- Christian Eggleton

**Staff Participating:**

- Dan Stapleton, Executive Officer, Licensing
- Deniele Cade, Assistant to the Executive Officer, Licensing Analyst

**Reconvene from Closed Session****Approval of Open Session Minutes for February 6, 2020 and January 21, 2020**

Committee Members reviewed February 6, 2020 and January 21, 2020 Open Session Meeting Minutes. E.O. Stapleton mentions that the January minutes should be changed from “close closed session” to “open to closed session.”

**Member Mulhair moved to approve the Meeting Minutes. Member Poburko seconded.**

**Roll Call: Mulhair (Aye), Forero (Aye), Sendek (Aye), Jensen (Aye), Hawkins (Aye), Poburko (Aye), Snyder (Aye), Eggleton (Aye), Van Emmerik (Aye). The motion passes unanimously.**

**Report of the Executive Officer**

E.O. Stapleton reported on the renewals for 2020. While the renewals are being affected by issues with the mailing service due to COVID-19, he is confident that renewals will be successfully completed in the upcoming weeks. Of the 560 renewals, there are 47% of RPF's that are receiving the 30-year discounted rate. There are not many withdrawals or voluntary relinquishments that came from the pool of renewals. Since January 1st, there have been 12 withdrawals, 26 voluntary relinquishments and 7 passings. This means that with two-thirds of the renewals already complete, fiscally the licensing program is in good standing.

*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.*

E.O. Stapleton reported on the status of the exams. Due to COVID-19 restrictions, the exam in April was cancelled. The next exam is scheduled for October 2nd, and will take place in Redding, Eureka and Shingle Springs. He is evaluating whether to add more locations with potential help from CLFA volunteers. He plans on working with the CLFA liaison Bob Little in the upcoming weeks.

Due to COVID mitigations, department priorities for contracts have changed. He is awaiting approval for the grading contract for Doug Cuerto. Additionally, he expects the alternate grader contract that he submitted regarding hiring more graders or proctors for exams with high participation may not be approved, as he has not had any communication on it. He will be developing two more one-time grader contracts for the upcoming October exam due to the higher number of applicants taking the exam. Len Lindstrand and Jim Ostrowski will be assisting him on developing the new contracts.

Administratively, Staff Services Analyst Deniele Cade was hired on as E.O. Stapleton's new assistant. Deniele came from Covered California, and soon after starting with the Board of Forestry, she immediately had to start working from home due to the stay-at-home orders. While this could have presented many confusions, she has done well to learn on her own, and is excellent at dealing with the public.

### **Review Draft Copy of "Role of the Registered Professional Forester, 2020"**

E.O. Stapleton presented changes to the draft. He accepted the changes that member Poburko put together. Some of the changes included increasing the size for Figure 22 and Table 1.1. Most of the changes were down in the federal law, where he accepted the state legislation and federal laws with the editorial changes that the committee proposed. He specifically changed State Environmental Legislation to make discussions of the acts brief by referencing the act and providing a link.

There were no further discussions to make more changes.

**Member Snyder moved to accept the draft of the Role of Role of the Registered Professional Forester, 2020. Member Jensen seconded the motion.**

**Roll Call: Mulhair (Aye), Forero (Aye), Sendek (Aye), Jensen (Aye), Hawkins (Aye), Poburko (Aye), Snyder (Aye), Eggleton (Aye), Van Emmerik (Aye). The motion passes unanimously.**

### **Review and Update PFEC Policy Items**

#### **Policy Number 1: Review of Applications for Registration as a Professional Forester**

E.O. Stapleton mentioned that PFEC policies have not been updated since 2007. He stated that reviews and updates need to be made to ensure that they accurately reflect the current policies and procedures. It was decided to go through each policy one by one in depth to make recommendations for change. Discussions for changes began with policy number 1.

E.O. Stapleton confirmed that item A is true. Although he doesn't normally return incomplete applications to the applicants for completion, he stated that it is a possibility. However, normally he reaches out to the applicants to inform them of necessary actions needed for approval. He questions whether it needs to be stated that the burden of proof rests with the applicant, but all updates for policy items will go through legal review.

There were discussions to add language regarding possible deadlines to item B, or even add an item D to include deadline policies.

**Member Snyder moved to leave policy 1 as presented, but to push through legal review for recommendations. Eggleton seconded the motion.**

**Roll Call: Mulhair (Aye), Forero (Aye), Sendek (Aye), Jensen (Aye), Hawkins (Aye), Poburko (Aye), Snyder (Aye), Eggleton (Aye), Van Emmerik (Aye). The motion passes unanimously.**

## **Policy Number 2: RPF Examination Scoring**

E.O. Stapleton went through policy number 2, and determined it was all true.

Y.G. had nothing to add.

Member Snyder suggested adding to the 1<sup>st</sup> sentence, “examinations are scored by a minimum of two registered professional foresters.”

Poburko questioned the necessity to include this language, given that adding a 3<sup>rd</sup> grader will still have to go through the appeal process.

There was a recommendation to change the heading to RPF Initial Examination.

E.O. clarified that even if you had four graders, all exams would be scored by two graders, which would be consistent with the policy language.

**Member Poburko moved to maintain the policy written as is. Member Forero seconded the motion.**

**Roll Call: Mulhair (Aye), Forero (Aye), Sendek (Aye), Jensen (Aye), Hawkins (Aye), Poburko (Aye), Snyder (Aye), Eggleton (Aye), Van Emmerik (Aye). The motion passes unanimously.**

## **Policy Number 3: Maintenance and Accessibility of Applicant/Registrant Records**

E.O. Stapleton mentioned that what has changed the most is that everything is now electronic, and the policies should be reviewed based on these changes.

Poburko recommended that the language be changed from “will” to “shall” to make policies enforceable.

There was a brief discussion to change the length of time exams are retained, but E.O. stated that electronic copies are stored indefinitely.

In regards to item E, there was discussion to clarify the differences between the confidential, public, statewide consumer, and the consulting list. E.O. commented that the public list shows everyone that is valid, whereas the consulting list shows the phone numbers and addresses. There is also a CFIP list that is not mentioned.

Participant Bob recommended that the last sentence should read, “A statewide list showing only the license number, name and license status is available to the public.”

After discussions on what information should be available to the public, E.O. concluded that there should be a statewide consumer list, a consultant list, and a CFIP list.

In regards to item F, E.O. explained the process of how licensing handles RPF’s that are deceased. Member Sendek questioned whether the records held for two years from the year of occurrence is consistent with record retention policies. E.O. will check with the requirements.

**Member Poburko moved to accept amendments for policy number 3. Member Snyder seconded the motion.**

**Roll Call: Mulhair (Aye), Forero (Aye), Sendek (Aye), Jensen (Aye), Hawkins (Aye), Poburko (Aye), Snyder (Aye), Eggleton (Aye), Van Emmerik (Aye). The motion passes unanimously.**

### **Policy Number 5: Compilation and Distribution of Registration Lists**

E.O. Stapleton introduced policy number 5.

It was recommended that the second sentence in the introduction be changed to read, "All lists are available through the Board's website."

It was also recommended to strike the second sentence under Statewide Consumer List to omit the 2007 reference.

Member Poburko recommended to add that the website has 3 distinctive lists.

E.O. states that the public list is not currently used

Participant Robert suggests to reference policy 3 item E under Statewide Consumer List.

Member Poburko recommends maintaining a consistency of what the website states versus what the policy states.

E.O. suggests the possibility to add the public list that hasn't been used, in addition to the statewide consumer List, the consultant List and the CFIP list.

In regards to the consultant list, E.O. mentions that many RPF's and CRM's work in multiple counties.

There was a discussion to have a broader reference of the areas that consultants work in.

There was a recommendation to combine the consultant list and the CFIP list by using a check box.

There was also a discussion to remove county locations altogether, however, E.O. was concerned about staying helpful to the public.

E.O. suggested to move on, and start with Policy 5 at the next PFEC meeting.

### **Presentation by George Smith on ExamMonitor Software**

E.O. invited George Smith to present information on the exam monitoring software.

George Smith provided the presentation for ExamMonitor which offers the ability for examinees to take the exam on a computer that requires a camera. The software controls Wi-Fi and other computer functions, and has critical artificial intelligence that monitors examinee activity to help ensure honesty and integrity.

Member Poburko wanted to know if there will be additional costs for exam graders.

George Smith clarified that there would be an extra proctoring charge.

There was discussion on how effective the software will be to combat cheating and how to mitigate it.

George Smith clarified that Wi-Fi is required to download the exam and send it, but not to take it.

E.O. Stapleton encourages consideration to move forward with the exam software as an alternative for exam locations given potential flare ups with COVID-19.

### **Public Forum**

No offsite questions came forward.

### **Meeting Adjourned**