

THE BOARD OF FORESTRY AND FIRE PROTECTION



ANNUAL REPORT *2017*



**MEMBERS OF THE CALIFORNIA
STATE BOARD OF FORESTRY AND FIRE PROTECTION**

J. KEITH GILLESS, CHAIR

MARK ANDRE, VICE CHAIR

SUSAN HUSARI

MIKE MILES

RICH WADE

MARC LOS HUERTOS

DARCY WHEELLES

KATIE DELBAR

CHRIS CHASE

STAFF

MATT DIAS, EXECUTIVE OFFICER

DAN STAPLETON, ASSISTANT EXECUTIVE OFFICER

EDITH HANNIGAN, PLANNING POLICY MANAGER

CONNOR POMPA, FORESTRY ASSISTANT II

THEMBI BORRAS, REGULATION PROGRAM MANAGER

ERIC HEDGE, REGULATIONS COORDINATOR

ELIANA CAMARGO, ENVIRONMENTAL SCIENTIST

TABLE OF CONTENTS

BOARD BACKGROUND AND ORGANIZATION----- 4

CURRENT STATUS AND TRENDS ----- 5

ACCOMPLISHMENTS 2017- REGULATORY ----- 14

ACCOMPLISHMENTS 2017- POLICY ----- 17

**PROFESSIONAL LICENSING AND
FOREST PRACTICE ENFORCEMENT ----- 25**

SRA FEE AND PREVENTION PROGRAM ----- 26

APPENDIX A (2017 Standing Committee Priorities) ----- 28

Board of Forestry and Fire Protection (Board) Mission

The mission of the Board 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.

The California State Board of Forestry and Fire Protection (Board) is a Governor-appointed body within the Department of Forestry and Fire Protection (Department). Members are appointed on the basis of their professional and educational qualification and their general knowledge or interest in problems that relate to watershed management, forest management, wildland fire management, fish and wildlife, range improvement, forest economics, or land use policy. Of its nine members, five are chosen from the general public, three are chosen from the forest products industry, and one member is from the range-livestock industry.

The Board is responsible for developing the general forest policy of the State, determining the guidance policies of the CAL FIRE (Department) and for representing the State's interest in federal land located within California. Together, the Board and the Department work to carry out the California Legislature's mandate to protect and enhance the State's unique forest and wildland resources.

Committees of the Board**COMMITTEES REQUIRED BY STATUTE**

1. Range Management Advisory Committee
2. Professional Foresters Examining Committee
3. Soquel Advisory Committee

INTERNAL STANDING COMMITTEES

1. Forest Practice: The mission of the Forest Practice Committee is to evaluate and promote an effective regulatory system to assure the continuous growing and harvesting of commercial forests and to protect soil, air, fish, and wildland and water resources.
2. Resource Protection: The mission of the Resource Protection Committee is to evaluate and promote an effective fire protection system implemented by the Department of Forestry and Fire Protection and improve forest and rangeland health in California.
3. Management: The mission of the Management Committee is to evaluate and promote long-term, landscape level planning approaches to support natural resource management on California's non-federal forest and rangelands, and to evaluate State Forest management plans.

EXTERNAL ADVISORY COMMITTEES

1. Effectiveness Monitoring Committee
2. Monitoring Study Group
3. Forest Pest Council and the California Oak Mortality Task Force
4. Forestry Climate Action Team
5. Jackson Advisory Group

Current Status and Trends

Forests and Woodlands

Monitoring of Best Management Practices (Forest Practice Rules) on private and public forestlands shows generally high compliance with implementation and effectiveness when implemented properly.

Both private and public forestlands appear to continue to build inventory volume, although the significant levels of recent drought mortality will affect the levels of inventory within the State's forests.

A recent [Forest Inventory Analysis](#) indicates that while lands are sequestering carbon at a positive rate, long-term carbon storage will be a function of management inputs over the next 100 years. See discussion pertaining to AB 1504 on page 21.

Forest Products Sector

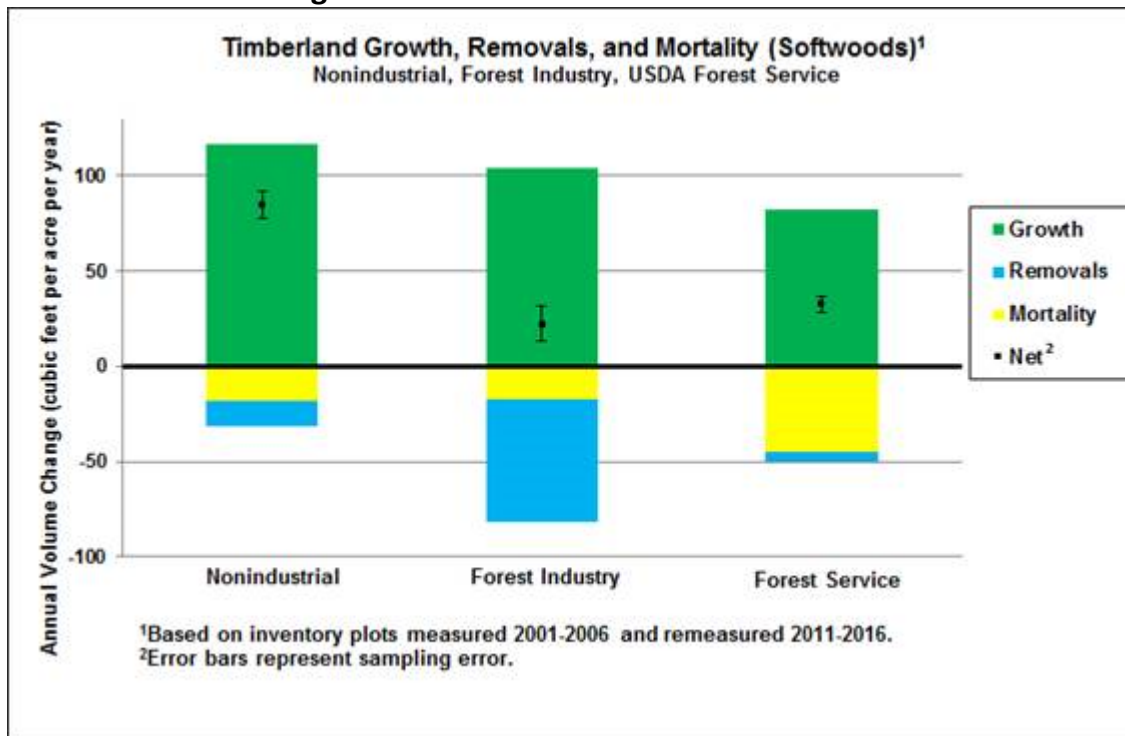
The softwood sawmill capacity in California has somewhat stabilized over the last several years after decades of constriction. This stabilization in the forest products sector represents a stabilization in jobs and economic activity. Although somewhat stabilized, the forest products sector is diminutive when compared to decades past. California has been experiencing a fluctuating export market over the past few years, with logs being shipped via container to Asia. This is a very volatile market with demand ebbing and flowing dramatically from one year to another and even month to month. As of 2012 there were 52,000 workers in the forest products sector with total earnings of over \$3.3 billion annually¹.

For managed timberlands, net growth of softwoods (commercial conifer species) provides a measure of whether harvest levels can be sustained. In California, forest industry management is mandated under the Forest Practice Act and Board Regulations which requires maximum sustained production of high quality timber product. A recent USFS statewide inventory of the re-measurement period between 2001-2006 and 2011-2016 produced key findings as it pertains to net growth of softwoods. On forest industry timberlands, the most actively managed lands within California, growth exceeded harvest and mortality by an average of 22 ft³/acre/year over the re-measurement period. On nonindustrial timberlands, a portion of which are actively managed, growth exceeded

¹ McIver, M.P., Meek, J. P., Scudder, M. G., Sorenson, C. B., Morgan, T. A., Christensen, T. A., Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. California State Board of Forestry and Fire Protection, P.O. Box 944246, Sacramento, CA 94244-2460.

harvest and mortality by an average of over 85 ft³/acre/year. On Forest Service timberlands, which are managed for multiple objectives including ecosystem services, growth exceeded harvest and mortality by an average of over 33 ft³/acre/year. These figures can be shown on the graph below, Figure 1.

Figure 1. Net Softwood Timberland Growth



Ownership patterns have changed for large industrial forest landowners within California. All industrial ownerships are now privately held firms. There has been an increase in investor based Timber Management Organizations in the last several years. Individual Timber Harvesting Plans (THPs) have increased in acreage (before 2009 their size was fairly steady). The number of Non-Industrial Timber Management Plans (NTMPs) and acres under NTMPs continue to rise, but the average acreage under each individual plan dropped precipitously from fiscal year 2015/2016 to fiscal year 2016/2017. There are 864 NTMPs covering 365,420 acres. It is anticipated that many ranchers and owners of mid-sized parcels will implement the newly adopted Working Forest Management Plan regulations in 2018.

The utilization of exemptions, as allowed for under PRC § 4584 and 14 CCR § 1038, have increased over the last several years both in acreage and number submitted to the Department. Emergency Notices provided for under 14 CCR § 1052.1 have dramatically decreased from the last year. This is likely the result of the 2016 wildfires being primarily located on federal land or in non-timbered acres. The Board and the Department are working cooperatively on a report to be submitted to the Legislature by December 31, 2018 that analyzes the use and effectiveness of Exemptions and Emergency Notices.

Figure 2. Exemption Statistics for Fiscal Years 14/15 – 16/17

Fiscal Year	Harvest Document Type	Number of Notifications	Acres	Total Acres
Exemptions				
2014/15	1038(b) Exemptions ¹	781	2,884,982	
	All other Exemptions ²	1,009	41,563	
	Total Exemptions	1,790		2,926,545
2015/16	1038(b) Exemptions ¹	697	2,589,358	
	1038(k) Exemptions ³	776	110,224	
	All other Exemptions ²	1,003	27,433	
	Total Exemptions	2,476		2,721,015
2016/17	1038(b) Exemptions ¹	522	2,592,252	
	1038(k) Exemptions ³	956	10,358	
	All other Exemptions ²	1,032	208,111	
	Total Exemptions	2,510		2,910,721

¹1038(b) is the 10% or less dead and dying Exemption. Due to the lack of the requirement for mapping specific project areas the numbers reported are elevated beyond what areas are actually managed.

²The category includes 1038(a) Christmas Trees, 1038(c) Up to 300 Foot Habitable Structure, 1038(d) Biomass, 1038(g) Slash Pile Removal, 1038(i) the original Forest Fire Prevention Exemption (FFPE) and 1038(j) Pilot Project FFPE.

³1038(k) Drought Mortality Exemption became was adopted by the Board in July of 2015.

Note: 14 CCR §§ 1038 (e)(f) and (h) are not exemptions for the commercial harvesting of trees, but rather are regulatory provisions that apply to exemptions that address special conditions, such as geographic location or the presence of large trees that may be harvested under an exemption.

Figure 3. Emergency Notices Statistics for Fiscal Years 14/15 – 16/17

Fiscal Year	Harvest Document Type	Number of Notifications	Total Acres
2014/15	Emergency Notice	270	66,876
2015/16	Emergency Notice	231	30,348
2016/17	Emergency Notice	83	15,176

Figure 4. THP Statistics for Fiscal Years 11/12 – 16/17

Fiscal Year	Harvest Document Type	Number of Plans	Acres
2011-12	THP	270	139,553
2012-13	THP	243	107,051
2013-14	THP	278	146,384
2014-15	THP	260	128,644
2015-16	THP	249	99,271
2016-17	THP	354	117,209

Figure 5. NTMP Statistics for Fiscal Years 11/12 – 16/17

Fiscal Year	Harvest Document Type	Number of Plans	Acres
2011-12	NTMP	14	10,932
2012-13	NTMP	12	7,365
2013-14	NTMP	10	4,126
2014-15	NTMP	12	3,367
2015-16	NTMP	17	8,100
2016-17	NTMP	27	8,174

Biomass

The forest products biomass market remains narrow. Challenges to expansion include short term contracts between energy producers and purchasers, fluctuating energy values, lack of energy sector subsidies, and the economics involved in the treatment, handling, and transportation of forest material.

Biomass facilities across the state have been closing for many years and the retention of the remaining biomass facilities is a priority for the legislature. Thus, SB 859 was passed by the legislature and ultimately chaptered by the Administration. The bill, in part, calls on electricity retailers to enter into five-year contracts for 125 megawatts of biomass power from facilities that have the ability to generate energy from wood harvested from high fire hazard zones, as identified by the Tree Mortality Task Force.

Biomass utilization is recognized by many stakeholders as a carbon-neutral opportunity to facilitate management of California's forested ecosystems. The expenses of forest restoration and sustainable management on both public and private lands can be supported through the sale of biomass and wood products. However, there is a need for biomass processing capacity to handle dead trees and other unmerchantable vegetative material removed for hazard control in the short term, and an ongoing need for this capacity to process felled trees in the Sierra and throughout the state as part of continuing activities. For these reasons, the Board is interested in the development of biomass utilization policy as an important component of the forest product sector within California.

The draft Forest Carbon Plan² recommends building out the 50MW small scale wood-fired bioenergy facilities that were mandated through SB 1122 (Rubio). The California Energy Commission's Electric Program Investment Charge will continue public investment in this build out. Additionally, there will be an effort to expedite the contracting and interconnection for facilities fueled by feedstock from tree mortality High Hazard Zones.

Rangelands and Range Industry

Beef cattle production climbed from California's 7th most valuable agricultural commodity in 2009 to its 4th most valuable agricultural commodity in 2011, a position it has held through January 2017 at \$2.5 billion according to the California Agricultural Statistics Service. California is also the 4th largest national producer of beef cattle, with 5.15 million cattle and calves produced in 2017, according to Livestock Marketing Information Center. The majority of this production comes from grazed forages, most of which is produced on rangelands.

The value of rangelands to the state of California extends well beyond their value for feeding domestic livestock, but also to their contributions to environmental quality and ecosystem services (water quantity and quality, air quality, atmospheric carbon capture), wildlife habitat, including many for special-status species, plus opportunities for public recreation and production of wind and solar renewable power.

Many of these values are being impacted by the conversion of rangelands, and if it continues at the pace it has for the last quarter century or accelerates (nearly 20,000 acres per year lost to intensive agriculture and urbanization since 1984), the productivity and ecosystem health of the state will likely be adversely affected. Restoration of some of these functions will be difficult and expensive to accomplish. Therefore, RMAC has been engaging with users and managers of the state's rangelands to improve their beneficial and sustainable uses, protect their resources and productive capacities, and ensure that sound management and monitoring continues their contributions to the state's environmental and economic objectives into the future.

Wildfire Activity

2017 was another active fire season throughout the state. Although it was declared by Governor Edmund G. Brown, Jr. on April 07, 2017 through Executive Order B-40-17 that several years of drought conditions were over in California, it was predicted that that fire conditions were not expected to decrease. Extreme weather events, increased fuel loading from extraordinarily wet winter and spring seasons, and climate change have pushed conflagrations to unprecedented size, intensity and rates of spread. The direct and indirect costs of suppression have also increased.

On October 9th, when fire season historically winds down in the north state, a fire was reported in the hills above Santa Rosa. The small fire grew quickly and within hours had jumped State Highway 101 and turned into one of the main conflagrations of what would

² California Natural Resources Agency. (2017) DRAFT California Forest Carbon Plan: Managing our Forest Landscapes in a Changing Climate. California Natural Resources Agency, 1416 Ninth Street, Suite 1311, Sacramento, California, 95814.

become known as the October 2017 Fire Siege, which burned an estimated 237,405 acres. This complex was contained on October 31st. The wildfires, collectively known as the October 2017 Fire Siege, resulted in over 40 fatalities and the destruction of well over 8,000 structures. Refer to Figure 6 below for precise information on lost structures and lives resulting from the October 2017 Fire Siege.

Although fires historically become less frequent in the north state during fall, it is well known by the Department that fire threat continues in the southern part of the state well into the early winter. As the North Bay Fires reached containment, resources were moved to southern California to prepare for possible fire events in the south. These movements were extremely prudent, as the Thomas Fire and other incidents were reported on the morning of December 4th in Los Angeles and Ventura counties. High Foehn Wind events, colloquially known as Santa Ana and Sundowner Winds, fanned the flames that erupted into another wildfire siege. The December 2017 Southern California Wildfires spread well into Los Angeles, Ventura and Santa Barbara counties, with full containment of this fire was not achieved during 2017, with full containment occurring in January of 2018. The Thomas Fire has become the largest fires in the state's history, with over 280,000 acres burned.

As of December 17th, the Department has officially tallied that California wildfires have burned in excess of 1.3 million acres. Below is a table highlighting data from the October 2017 North Bay Wildfires and the December 2017 Southern California Wildfires. These fires burned, in combination, approximately 530,000 acres. This data is preliminary, as the Department continues to refine metrics for both of these fire complexes. Refer to Figure 7 below for precise information on lost structures and lives associated with the December Southern California Wildfires.

CAL FIRE DIRECT PROTECTION INCIDENTS

Notable Wildfires for the Period of January 1st, 2017 – December 31st, 2017

Figure 6. October 2017 North Bay Fires

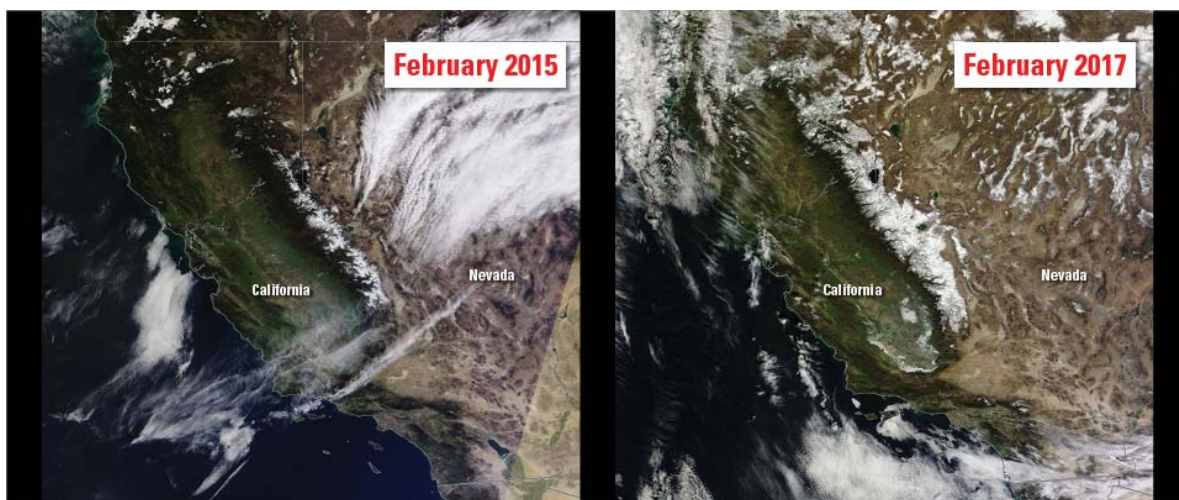
Name	Acreage	Structures Destroyed	Fatalities
Cascade Fire	9,989	264	4
LaPorte Fire	6,151	74	0
McCourtney Fire	76	13	0
Lobo Fire	821	47	0
Canyon 2 Fire	9,217	25	0
Cherokee Fire	8,417	6	0
Thirty-Seven Fire	1,660	3	0
Redwood Valley Fire	36,523	546	9
Sulpher Fire	2,207	162	0
Tubbs Fire	36,807	5,636	22
Nuns Fire	56,556	1,355	3
Pocket Fire	17,357	6	0
Atlas Fire	51,624	783	6
TOTAL	237,405	8920	44

Figure 7. December 2017 Southern California Wildfires

<u>Name</u>	<u>Acreage</u>	<u>Structures Destroyed</u>	<u>Fatalities</u>
Thomas Fire	281,893	1,063	2
Skirball Fire	422	6	0
Rye Fire	6,049	6	0
Meyers Fire	34	0	0
Little Mountain Fire	260	0	0
Riverdale Fire	40	0	0
Longhorn Fire	20	0	0
Liberty Fire	300	1	0
Lilac Fire	4,100	157	0
TOTAL	293,118	1233	2

Drought

On April 7, 2017 California State Governor Jerry Brown issued an executive order stating that California was finally out of the drought, except for Fresno, Kings, Tulare, and Tuolumne counties. According to the USGS, the highest snowpack for the year was measured on May 31, 2017 at 190% of normal. Snowpack generally predicts how much water will reach California’s streams and reservoirs. Snowpack, through runoff, provides about one-third of the water used by California’s cities and farms.



190% of normal in 2017

Despite the drought being declared over, the effects detrimentally impact much of the state’s forested landscapes, particularly the western slopes of the southern and central Sierra Nevada. Aerial surveys conducted by the United States Forest Service (USFS) have recorded over 129 million dead trees from drought mortality. At least half of those trees died from a multi-year bark beetle epidemic and warmer temperatures. According to the

journal *Science* it takes trees an average of 2 to 4 years to resume normal growth after drought has ended.

Although the western slopes of the Sierra Nevada are the hardest hit at this time, significant levels of mortality have been observed and are increasing within the northern Sierra Nevada, Cascade Mountains, and Coast Ranges. The primary concern with this extreme mortality event is public health and safety, and serious concerns include increased risk of catastrophic wildfire, loss of habitat, vegetation type conversion, and the arduous and costly task of reforestation.

The 2018 water year started with an average amount of precipitation but slowed as the year progressed. The precipitation that has fallen in the Sierra Nevada has mostly been rain, causing the snow pack by the end of 2017 to be less than 10% of normal.

Pest Conditions

The following is a 2016 summary regarding specific invasive species that continue to threaten and alter urban and wildland forests in California. The below mentioned forest disease and pests were the most notable during 2016. Forest pest conditions change dramatically from year to year and are varied and endemic through the state's forests. The [2016 California Forest Pest Conditions Report](#) can be reviewed for additional detailed information on pest conditions throughout the state. The 2017 California Forest Pest Conditions Report is currently being prepared and will be available on the Board's website in the near future.

Phytophthora ramorum/Sudden Oak Death (SOD; invasive plant pathogen) increased in California's wildlands because of increased rainfall in the coastal areas that have been sensitive to the pathogen. *P. ramorum* was detected for the first time in San Luis Obispo County on 30 California bay laurel trees (*Umbellularia californica*). An infestation was found in Monterey county but Regulatory samples and testing needs to be completed before officially declaring the county infested.

SOD is spreading in San Francisco's Golden Gate Park, and was found for the first time in the San Francisco Botanical Garden. Infected trees at the botanical garden included two possible new host species. There were several new small outbreaks in the San Francisco Peninsula as well.

Outbreaks were identified on Mount Diablo in Contra Costa County, as well as near Ukiah in southern coastal Mendocino County, and in the city of Piedmont in Alameda County. Pathogen activity increased in coastal Sonoma County where sporadic tanoak (*Notholithocarpus densiflorus*) mortality was visible in August on both slopes bordering the road. In Mendocino and Humboldt Counties, aerial surveys detected relatively little SOD-related mortality.

In Jackson Demonstration State Forest, pathogen recovery was low in the fall and only within the known infested area. Infested tanoak and bay were detected in numerous areas within Redwood National Park in Humboldt County. According to 2016 SOD Blitz findings, the pathogen reemerged in areas across the state where SOD outbreaks had decreased in 2015, such as in Big Sur (Monterey County) and in Marin County. In some areas that used

to be marginally affected, there have been sharp increases in infection, such as in western San Mateo and western Santa Cruz Counties.

The **goldspotted oak borer (GSOB; *Agrilus auroguttatus*)** continued to cause oak mortality on public and private land in Los Angeles, Orange, Riverside, and San Diego Counties, killing an estimated 10,000 oak trees across 7,000 acres. In Los Angeles County, GSOB continued to attack coast live oaks (*Quercus agrifolia*) in the rural canyon community of Green Valley as well as on the neighboring Angeles National Forest. This infestation is the result of beetles emerging from infested firewood brought into the community, consequentially attacking nearby trees and then spreading to remote trees. Angeles National Forest staff predict losing 1,850 - 3,770 coast live oak trees on national forest land. In Orange County, GSOB stayed localized in Weir Canyon, likely due to removal of highly infested trees and contact sprays. Detections of GSOB in California black oak (*Quercus kelloggii*) and coast live oak on San Bernardino National Forest land and private land in neighboring Idyllwild and Pine Cove continued to increase. A new GSOB infestation within Cleveland National Forest in San Diego County was detected after coast live oak trees were removed by fire station staff. Oak mortality was moderate in this area. A past GSOB infestation located on the east grade of Mount Palomar in Cleveland National Forest, San Diego County is now widespread and has reached the Mount Palomar State Park boundary. GSOB has also been detected in oaks on slopes west and south of Lake Henshaw in San Diego County. Efforts to remove infested trees, conduct public outreach campaigns, and hold community meetings are ongoing as the risk of long-distance spread of GSOB through firewood remains high.

The **Polyphagous and Kuroshio Shot Hole Borers (PSHB and KSHB; *Euwallacea spp.*) and Associated Fusarium Dieback (*Fusarium spp.*)** complex of linked insects and fungal pathogens has been spreading in Southern California. Previously KSHB had only been observed in San Diego and Orange Counties, but is now in Santa Barbara County. Despite one beetle being recovered from a county trap in San Luis Obispo County in early 2016, there have been no further sightings. There is concern that infestations can spread to neighboring riparian and natural woodland areas on the Los Padres National Forest. Female beetles can travel short distances via flight. Long-distance spread is likely through the movement of infested wood and greenwaste material.

The distribution of the polyphagous shot hole borer (PSHB) now spans five counties in Southern California: Riverside, San Bernardino, Orange, Los Angeles, and Ventura. A UCCE 2016 survey of Orange County Parks found rates of infestation are >50% in several hardwood species (e.g., California sycamore/*Plantanus racemosa*, willow/*Salix sp.*, cottonwood/*Populus sp.*, and London plane/a hybrid species in the *Plantanus* genus). In northern Los Angeles County, mortality due to PSHB has increased in parks and woodlands bordering National Forest land.

These beetles have gained twelve new reproductive hosts. There is extreme concern by wildlife officials about riparian area destruction and the impacts of the associated tree mortality on endangered migratory songbirds and other wildlife species.

Accomplishments 2017- Regulatory

Working Forest Management Plan

Pursuant to the authority given to the Board in the Forest Practice Act (FPA), the Board developed the Working Forest Management Plan (WFMP), which was mandated by the legislature and administration through the passing and chaptering of AB 904, AB 2239, and SB 1345, which amended PRC §§ 4593.10 and 4597 et seq. It was the intent of the legislature, under AB 904, to structure the Working Forest Management Plan (WFMP) based on the existing Non-Industrial Timber Management Plan (NTMP).

The primary purpose of the WFMP is to provide nonindustrial landowners (those with less than 15,000 acres of timberland) greater opportunities for cost-effective timber management than currently exist. The effect of the WFMP regulations is a WFMP permitting option, based on the model of the NTMP permitting option, which would require preparation of a Plan that would allow for long-term approval of a forest management plan with certain conditions, such as the use of uneven aged forest management and proof that operations provide for sustained yield and stricter environmental standards relative to the NTMP.

Raising the acreage to less than 15,000 acres through the WFMP (the NTMP limit is 2,500 acres) will make hundreds of thousands of acres of additional timberland eligible for long-term, sustainable management, the benefits of which include:

- Making non-industrial forest properties more economically viable by relieving eligible landowners of some of the costs and burdens of meeting the regulatory requirements designed for industrial timber companies, consequently curtailing conversion and habitat fragmentation, increasing the opportunity for management to improve forest health, and reducing the rate of loss of timber industry infrastructure.
- Incentivizing unevenaged management, which may afford increased carbon sequestration, conservation of scenic values, and protection of water quality and fish and wildlife habitat.
- Incentivizing the purchase of additional timberlands. NTMP landowners who are close to the NTMP's 2,500 acreage limit may purchase additional timberlands once they have the option to transfer their NTMP to a WFMP. Some NTMP landowners near the 2,500 acre limit have already indicated that they plan to acquire more timberlands if the WFMP program is enacted.
- The timber inventory standards that are subject to periodic review and verification by the Department will ensure achievement of other long-term benefits upon the environment including fire resiliency, improved fish and wildlife habitat, aesthetics, and added carbon sequestration (PRC §4597(a)(5)).

The regulation also revised other portions of the Forest Practice Rules to recognize the WFMP as a permitting option under the Forest Practice Act and updated the regulations as required under AB 904 and AB 2239 as they pertain to the Non-Industrial Timber Management Plan. This regulatory provision became effective on January 1, 2018.

WFMP Section 1094.16

In this action, the Board adopted and resubmitted subdivision (d)(6) of §1094.16 of Title 14 of the California Code of Regulations within 120 days of its receipt of the Office of Administrative Law's (OAL) Decision of Disapproval of this provision. The Board also published and submitted a Supplemental Statement of Reasons to provide additional information regarding the clarity and necessity of 1094.16(d)(6) and to make all substantial regulatory text changes, which were sufficiently related to the originally proposed text. This regulatory provision became effective on January 1, 2018.

Safety Element Review, 2017

California Government Code (GOV) §65302.5(b)(1) requires a draft element of or draft amendment to the safety element of a county or a city's general plan to be submitted to the Board of Forestry and Fire Protection (Board) if that county or city contains State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone (VHFHSZ), and §65302.5(b)(3) requires the Board to review the submitted safety elements for how well they address wildland fire risk reduction and mitigation in the planning area. No review program existed in regulation to complete the review required under GOV § 65302.5(b)(3).

The purpose of this action was to create a procedure to standardize the review of safety elements submitted to the Board. On September 29, 2016, the Board took action to authorize a 45-Day Notice, as part of regular rulemaking, for the regulation entitled "Safety Element Review, 2017."

The effect of the approved action was the establishment of a review process to analyze and assess general plan safety elements for their wildland fire risk reduction and mitigation efforts that is clearly communicated and readily available to Board members, the public, and members of the review team. The primary benefit of the approved action is a clear, direct, and standardized review process that maximizes efficiency, provides transparency to the regulated public, and is utilized effectively to prevent property and life losses in the wildland-urban interface. This regulatory provision became effective on July 1, 2017.

Forest Fire Prevention Pilot Program Exemption, 2017

The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations unless a timber harvesting plan prepared by a registered professional forester has been submitted to the Department. The legislature established the Forest Fire Prevention Pilot Project Exemption (FFPPPE) that may be authorized if certain conditions are met. Assembly Bill 2029, made changes to the FFPPPE, including increasing the size of the tree that can be removed from 24" stump diameter to 26" stump diameter. The amendment also revised the geographic scope in which the FFPPPE is eligible for use and extended the sunset date of the pilot program from January 1, 2018 to January 1, 2021.

Professional Foresters Examining Committee Appointments Amendments, 2017

Pursuant to the Professional Foresters Law of 1972 (PFL, PRC§ 750 et seq.), the Board is authorized to adopt regulations regarding professional forestry and the development of a

governance structure to support a professional forester's licensing program. The effect of this action is to amend existing regulations within 14 CCR § 1122 to allow for a committee of greater than seven members to ensure that the PFEC is able to carry out its statutory duties. This action will also prevent future membership and attendance issues and provide information to the regulated community as to the makeup of their examining body. The primary benefit of the action is to ensure that the PFEC is comprised of a diverse array of professionals within the fields of forestry and resource management with many different areas of expertise. In ensuring this diverse composition, the PFEC will be better suited for overseeing, licensing, and regulating persons who practice professional forestry, and whose activities have an impact upon the ecology of forested landscapes and environment per PRC § 751, which will result in enhancing professional standards and ultimately improving environmental quality Statewide. This regulatory provision became effective on October 1, 2017.

Oak Woodland Management Exemption, 2017

The purpose of this action is to make permanent amendments to 14 CCR § 1038(e), and to add subsection (l), creating the oak woodland management exemption. This will make the FPRs congruent with the mandate of an oak woodland management exemption (PRC § 4584(k)) that is required by statute. The effect of this action is to provide managers of California black oak (*Quercus kelloggii*) and Oregon white oak (*Quercus garryana*), an exemption from the plan preparation and submission requirements (PRC § 4581) and from the completion report and stocking report requirements (PRC §§ 4585 and 4587) of the FPA when specific requirements are met. The benefit of the action is to address the concerns regarding the reduction and vitality of the California black and Oregon white oak woodlands within the Northern and Coast Forest Districts (14 CCR §§ 906-909.1) of the State of California. Research indicates that in the past few decades, the distribution and health of these woodlands has rapidly declined. Conifer encroachment, fire suppression, and land conversion from anthropogenic causes have been the main culprits. This proposed action will allow landowners to manage their lands specifically for white and black oak woodlands, thereby enhancing biological health and diversity through the promotion of beneficial oak woodlands and resulting in an overall improvement in and benefit to environmental quality statewide. This regulatory provision became effective on January 1, 2018.

RPF and LTO Responsibilities Amendments, 2017

The purpose of this action is to minimize the perceived inequity in the assignment of Notices of Violations of the Forest Practice Rules (FPRs), specific to Timber Operations, that may result from inaccurate or inadequate preparatory work that is required to be performed by an RPF. Additionally, the purpose is to strengthen the interaction between the RPF and Licensed Timber Operated (LTO), which is essential to both entities to fulfill their respective responsibilities and work interdependently. Specifically, the responsibilities of the RPF were made more specific and interpreted, the interaction between the RPF and the LTO was made more specific and interpreted, and direction was provided to the Department that an LTO will not be held responsible for FPR violations that result from work required of an RPF that is determined to be inaccurate or inadequate. The effect of the action is to require additional RPF responsibility to facilitate LTO compliance with the Board rules. Specifically, an RPF retained by the plan submitted to provide professional advice throughout Timber Operations, or the RPF's Supervised Designee, must inspect the

Logging Area prior to the commencement of operations each year to verify that operational flagging and timber marking required of an RPF, under Board rules, is adequate and in conformance with Board rules and the approved Plan. Additionally, the increase in the number of conditions that trigger an onsite meeting between the RPF and LTO will facilitate communication and understanding, which is essential to the quality and efficiency of Timber Operations. This regulatory provision became effective on January 1, 2018.

Rule Alignment #1-5, 2017 (Rule Revisions Without Regulatory Effect)

These actions amended sections in title 14 of the California Code of Regulations to make editorial corrections and other non-substantive changes. Those changes included capitalizing defined terms, updating references to the California Department of Fish and Wildlife's name by replacing "Game" with "Wildlife," correcting citations, and various other changes. These regulatory provisions became effective immediately upon approval by the Office of Administrative Law.

Accomplishments 2017- Policy

Vegetation Treatment Program

The State Board of Forestry and Fire Protection is completing a Statewide Program Environmental Impact Report titled "California Statewide Vegetation Treatment Program," known as the VTP PEIR. The document will provide California Environmental Quality Act (CEQA) compliance for CAL FIRE and other state and local public agencies' vegetation management projects. This VTP PEIR is intended for vegetation management activities that lower the risk of catastrophic wildfires on nonfederal lands by managing vegetation to modify/reduce hazardous fuels.

Numerous comments were received on a previous draft of the VTP PEIR that was authorized for public comment. The scale and complexity of the public response prompted the Board to commission an independent group of scientists to review the draft. Their report, received in 2014, was used by a new agency team to begin an update of the plan. The new draft was presented to the Board at their August 2015 meeting, and the Board hosted a series of workshops thereafter to receive public comment and discuss the preliminary draft document. A Revised Notice of Preparation was also distributed in 2015. A draft incorporating revisions from these workshops was presented to the Board in March 2016 and released for public comment under CEQA from April 1 to May 31, 2016. The Board reviewed the comments at various workshops in 2016 and 2017. Since then the PEIR has been revised to include additional data and significant new information. It was being recirculated under CEQA for public comments on the adequacy and completeness of the environmental analysis in the document from November 13, 2017 through January 12, 2018.

Local Government

General Plan Safety Elements

Under Government Code § 65302.5, the Board is required to review the General Plan Safety Elements for jurisdictions with SRA or VHFHSZ. Utilizing staff from the Department's Land

Use Planning team, the Board has established a standardized method to review the safety element of general plans. The methodology includes

- 1) Reviewing the safety element for the requirements in Government Code §65302, subdivision (g)(3)(A),
- 2) Examining the safety element for goals, policies, objectives, and implementation measures that mitigate the wildfire risk in the planning area (Gov. Code, § 65302, subd. (g)(3)(B) & (C)), and
- 3) Making recommendations for methods and strategies that would reduce the risk of wildfires (Gov. Code, § 65302.5, subd. (b)(3)(B)).

Once completed, the Safety Element Assessment should provide clear guidance to a city or county regarding any areas of deficiency in the safety element as well as specific goals, policies, objectives, and implementation measures the Board recommends adopting in order to mitigate or reduce the wildfire threat in the planning area. The Board does not have the authority to approve safety elements, but rather offers recommendations to improve fire hazard planning in the planning area. If jurisdictions chose not to implement the Board's recommendations, they must respond in writing to the Board discussing the reasons why not.

Figure 8. General Plan Safety Elements reviewed by the Board since major updates to Government Code §§ 65302 and 65302.5 were made effective in 2012

Region	Type	Jurisdiction	Received	Reviewer	Board Review	Response Rec'v
CNR	City	Calistoga	4/2/2013	Edith Hannigan	6/3/2013	10/25/2013
CSR	County	Tuolumne	5/2/2013	Edith Hannigan	7/10/2013	1/27/2014
CNR	City	Menlo Park	5/10/2013	No VHFHSZ		
CSR	County	Inyo	6/19/2013	Edith Hannigan	8/8/2013	
CSR	County	Los Angeles	7/16/2013	Edith Hannigan	9/10/2013	
CSR	City	Thousand Oaks	10/15/2013	Edith Hannigan	12/3/2013	
CSR	City	Laguna Woods	12/20/2013	Edith Hannigan	1/29/2014	
CNR	County	Sonoma	2/10/2014	Edith Hannigan	Updated Maps Only	
CSR	City	Carlsbad	4/4/2014	Edith Hannigan	8/4/2014	
CNR	County	Nevada	4/10/2014	Edith Hannigan	6/18/2014	
CNR	City	Santa Rosa	5/23/2014	Edith Hannigan	6/18/2014	7/7/2014
CNR	City	Grass Valley	7/21/2014	Edith Hannigan	8/27/2014	9/24/2014
CNR	County	Trinity	8/6/2014	Edith Hannigan	8/27/2014	11/24/2014
CSR	County	Santa Barbara	9/11/2014	Edith Hannigan	11/5/2014	2/9/2015
CSR	City	Atascadero	9/23/2014	Edith Hannigan	11/5/2014	
CNR	County	Solano	9/30/2014	Edith Hannigan	12/10/2014	
CNR	County	Santa Cruz	10/27/2014	Edith Hannigan	12/10/2014	
CSR	City	Orange	5/11/2015	Jason Neuman	6/15/2017	
CSR	County	Calaveras	5/12/2015	Kevin Lindo	6/15/2017	
CSR	County	Mono	8/12/2015	Raymond Martinez	9/29/2015	
CSR	County	Stanislaus	8/18/2015	Kevin Lindo	9/29/2015	10/19/2015
CSR	City	Yucaipa	9/28/2015	Raymond Martinez	10/28/2015	

Region	Type	Jurisdiction	Received	Reviewer	Board Review	Response Rec'v
CSR	County	Mariposa	1/19/2016	Kevin Lindo	3/2/2016	7/12/2017
CNR	City	Susanville	1/19/2016	Nick Wallingford	3/2/2016	4/4/2016
CSR	City	Mission Viejo	1/28/2016	Edith Hannigan	3/2/2016	
CSR	City	Carmel-by-the-Sea	5/10/2016	Gene Potkey	6/14/2016	
CSR	City	Pacific Grove	5/10/2016	Gene Potkey	6/14/2016	
CNR	County	Butte	5/11/2016			
CNR	City	Oakland	5/23/2016	Carmel Mitchell	7/20/2016	
CNR	City	San Leandro	6/7/2016	Jonathan Cox	7/20/2016	
CNR	County	Amador	6/22/2016	Carmel Mitchell	8/24/2016	11/8/2016
CSR	County	Kings	6/22/2016	Kevin Lindo	8/24/2016	
CSR	County	Merced	7/6/2016	Kevin Lindo	9/27/2016	
CSR	City	Monterey	7/7/2016	Gene Potkey	8/24/2016	
CNR	County	Sacramento	8/22/2016	Carmel Mitchell	9/28/2016	
CSR	County	San Diego	9/30/2016	Brian Barkley	11/2/2016	
CNR	City	Woodland	10/6/2016	No VHFHSZ		
CSR	County	Tulare	10/14/2016	Kevin Lindo	11/2/2016	
CNR	County	Alpine	12/5/2016	Carmel Mitchell	Requesting delayed implementation	
CNR	County	Alameda	1/3/2017	Carmel Mitchell	1/25/2017	
CNR	City	Novato	4/24/2017	Rudy Baltazar	6/14/2017	7/18/2017
CNR	County	Sacramento	7/13/2017	Carmel Mitchell	8/23/2017	
CNR	City	Palo Alto	8/4/2017	No VHFHSZ		
CNR	County	Modoc	10/30/2017	Carmel Mitchell	12/5/2017	
CSR	City	San Diego	11/16/2017	Brian Barkley	12/5/2017	

Figure 9. Local Ordinances Certified and Meeting or Exceeding SRA Fire Safe Regulations (14 CCR § 1270 et seq)

SRA Counties	Certification Date	Ordinance Number
Del Norte	9/29/2016	Title 19
Humboldt	12/9/2015	Ordinance 2540
Napa	11/2/2016	Road and Street Standards
San Bernardino	11/2/2016	See files ¹
San Bernardino	7/20/2017	See files ¹
Shasta	4/6/2016	Ordinance 712
Shasta	8/23/2017	Ordinance 717
Sonoma	3/8/2017	Chapter 13
Tuolumne	7/21/2016	Title 11 and Chapter 15.20

¹San Bernardino's fire safe development requirements are found in a variety of their local codes. For a complete list, please contact the Board office.

Appointment of Authorized Designees for Less Than Three Acre Conversions

The Board of Forestry and Fire Protection has been working on the issue of conversion of timberland to cannabis cultivation for the past several years. The conversion of timberland to a use other than growing timber requires, prior to conversion, a Timberland Conversion Permit (or its equivalent) to be approved by the Department or, if eligible, a Less Than 3 Acre Conversion Exemption (Exemption) to be accepted by the Department. In the context of cooperation with local entities the Board, pursuant to §1104.1(a)(1)(D) of Title 14 of the California Code of Regulations (14 CCR), gives the county the opportunity to determine that proposed timberland conversions are in conformance with all county regulatory requirements through the incorporation of a signed and dated statement from an authorized designee of the County Board of Supervisors. When a county does not have an authorized designee, the county relinquishes this opportunity and it falls to the RPF preparing the Exemption to certify that the county has been contacted and the conversion is in conformance with county regulatory requirements. RPFs have communicated that this determination has been challenging because they may work in multiple counties, each of which may have different regulatory requirements. Consequently, the Board communicated with County Boards of Supervisors to encourage them, if they have not already done so, to appoint an authorized designee to ensure land uses conform to county regulatory requirements. Tale 9 below indicates the response to the Board's request for counties to appoint an Authorized Designee to determine if "less than 3 acre conversion exemptions" are in compliance with county regulatory requirements.

Figure 10. Response to Board's Request to Appoint an Authorized Designee

County Office	County Provided Response	Appointed Prior to Request	Appointed After Request	County Office	County Provided Response	Appointed Prior to Request	Appointed After Request
Alameda				Nevada	10/26/2017		X
Alpine	10/23/2017		X	Orange		NO TIMBERLAND	
Amador	10/13/2017	X	X	Placer		X	
Butte	11/28/2017		X	Plumas		X	
Calaveras		X		Riverside			
Colusa	10/4/2017		X	Sacramento	9/18/2017		
Contra Costa		NO TIMBERLAND		San Benito		NO TIMBERLAND	
Del Norte	11/16/2017		X	San Bernardino	9/12/2017		
El Dorado	10/10/2017		X	San Diego			
Fresno				San Joaquin	9/11/2017	NO TIMBERLAND	
Glenn	10/6/2017		X	San Luis Obispo		NO TIMBERLAND	
Humboldt	9/26/2017	X	X	San Mateo			
Imperial		NO TIMBERLAND		Santa Barbara			
Inyo				Santa Clara			
Kern	12/11/2017		X	Santa Cruz		X	

County Office	County Provided Response	Appointed Prior to Request	Appointed After Request	County Office	County Provided Response	Appointed Prior to Request	Appointed After Request
Kings		NO TIMBERLAND		Shasta	9/6/2017		
Lake				Sierra			
Lassen		X		Siskiyou			
Los Angeles				Solano		NO TIMBERLAND	
Madera				Sonoma			
Marin				Stanislaus	9/7/2017	NO TIMBERLAND	
Mariposa	10/25/2017		X	Tehama	9/25/2017		X
Mendocino				Trinity		X	
Merced		NO TIMBERLAND		Tulare			
Modoc				Tuolumne			
Mono				Ventura			
Monterey				Yolo		NO TIMBERLAND	
Napa				Yuba	10/25/2017		

Range Management

The Range Management Advisory Committee stayed engaged with a variety of issues affecting the rangeland environment in California, including water quality, grazing on public lands, rangeland health indicators, and drought impacts. The Committee's chief 2017 concerns have been:

- Ensuring that the State Water Resources Control Board's efforts to develop statewide regulations for rangeland water quality protection are scientifically well-informed, capable of being implemented across the wide variety of ecosystems and management practices that exist in California, and effectively engage with land managers and technical specialists (chiefly UC Cooperative Extension) to shape well-informed policies.
- Aiding state agencies in developing tools for using grazing, where appropriate, to accomplish land management objectives on state lands – including invasive weed control, improvement and maintenance of wildlife habitats, and management of fine fuels in WUI areas.
- Staying current on agency policies and practices that impact the ecological condition and health of state lands, including wildlife management (special status species, predators, and game species in rangeland habitats), fuels management, and water quality.

Climate

Forest Climate Action Team

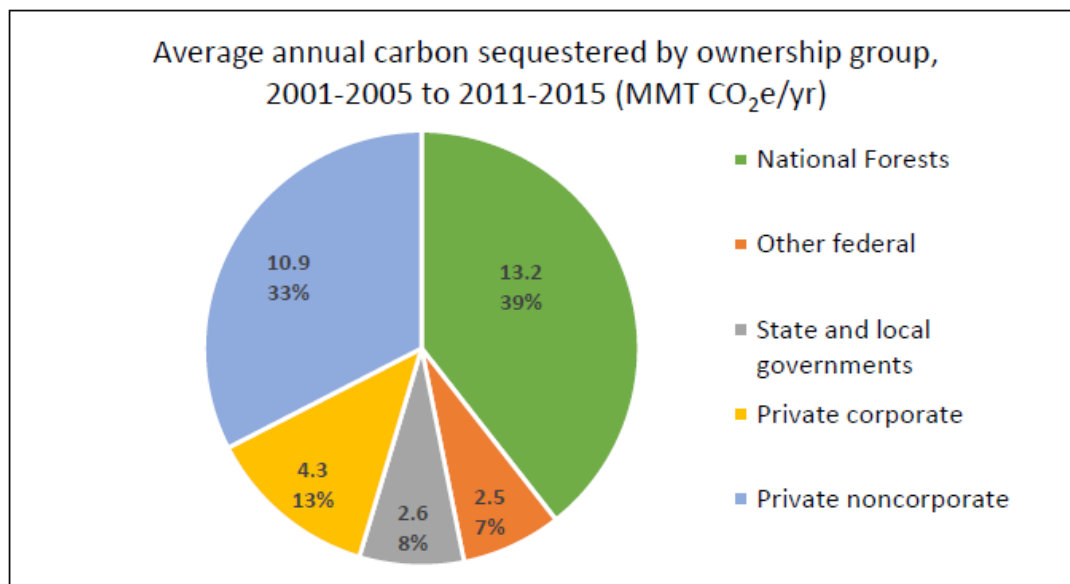
The Board is part of the Forest Climate Action Team (FCAT). FCAT drafted a multi-agency California Forest Carbon Plan to set near-term and long-term planning targets to ensure

increased net forest carbon storage. This team is an intergovernmental working group that focuses on forest inventory (critical to tracking whether forests are a carbon sink or emission source at any point in time), co-benefits from forest management, and state/federal public land issues and policy. The FCAT formation was specifically directed by the California AB 32 Scoping Plan Update. It is anticipated that the final Forest Carbon Plan will be published in early 2018.

AB 1504 California Forest Ecosystem and Harvested Wood Product Carbon Inventory

California has set a net carbon sequestration target for the forest sector of 5 million metric tons (MMT) of carbon dioxide equivalent (CO₂e) annually until 2020. The Board is required to analyze above ground and below ground carbon stocks within all forested landscapes in California (AB 1504, Skinner). In response, the Board published a report in December 2017 entitled the California Forest Ecosystem and Harvested Wood Product Carbon Inventory, which discusses several elements of the state's effort to meet these GHG emissions reduction targets. The figures in the report are derived from the Forest Service Forest Inventory and Analysis, and indicate that California's forests are exceeding the state's target. The 2015 statewide rate of carbon sequestration is 33.6+/- 5.3 MMT CO₂e per year, excluding CO₂e contributions from other sources such as forest soils, harvesting wood products, forest land conversions, and non-CO₂ GHG emissions from wildfire. Organic soil carbon is estimated to sequester 0.8 MMT CO₂e per year. Combined annual net emissions of non-CO₂ GHG (methane and nitrous oxide) from wildfires is estimated to be 0.4 MMT CO₂e per year. Changes in land use between forest and nonforest conditions is estimated to have a net effect of emitting 1.2 MMT CO₂e per year. After accounting for these other CO₂ and greenhouse gas sources, the 2015 statewide rate of carbon sequestration on all forest land is 32.8+/- 5.5 MMT CO₂e per year, excluding contributions from HWP pools. The first AB 1504 report was finalized during the December 2017 Board meeting.

Figure 11. Carbon Sequestration



AB 1492

The Timber Regulation and Forest Restoration Fund (TRFRF) Program is a component of Assembly Bill 1492. The major elements of the TRFRF Program are to provide a funding stream via a one-percent assessment on lumber and engineered wood products sold at the retail level, seek transparency and efficiency improvements to the State's timber harvest regulation programs, provide for development of ecological performance measures, establish a forest restoration grant program, and require program reporting to the Legislature. The following are targets of the four AB 1492 Working Groups that the Forest Practice Committee has been and will continue to track on behalf of the Board:

- Working Group Charters Completed (June 2015)
- Working Group Draft Work Plans Completed (Updated Periodically)
- Background paper on approaches to ecological performance measures completed (First Quarter 2017)
- Initial public engagement on Ecological Performance Measures (First Quarter 2018)
- Initial implementation of CalTREES on-line timber harvest permitting system (Mid-2018)
- Completed Campbell Creek Planning Watershed Pilot Project (End of 2018)
- Completed Ecological Performance Measures (End of 2018)

Effectiveness Monitoring

The Board formed the Effectiveness Monitoring Committee (EMC) in 2014 to develop and implement a monitoring program to address both watershed and wildlife concerns and to provide a better active feedback loop to policymakers, managers, agencies, and the public. Effectiveness monitoring is necessary to assess whether management practices are achieving the various resource goals and objectives set forth in the California Forest Practice Rules (FPRs), and other natural resource protection statutes and laws, codes and regulations, and is a key component of adaptive management. Effectiveness monitoring is also a crucial component for complying with the "ecological performance" reporting requirements outlined in AB 1492. The EMC and the Board developed a suite of critical monitoring questions based on input from a variety of stakeholders and organized them into groups of 10 individual themes. The EMC uses these themes and critical questions as guidance to solicit and evaluate specific monitoring projects with a goal of developing a process-based understanding of the effectiveness of FPRs and associated regulations in maintaining and enhancing water quality, and aquatic and wildlife habitats. 2017 was a busy year as the public became more aware of the funding made available by EMC. There were more projects submitted by academic institutions, in addition to private and public interests, in comparison to previous years. The frequency of EMC meetings increased in order to handle these extra submissions. The following is a summary of the activities and progress made by the EMC in the past year:

- Updated EMC Strategic Plan.
- Regularly met in open, webcast public meetings to conduct its work.
- Reviewed the 2016 list of themes and critical questions in the EMC Strategic Plan and made no additions or alterations to the priorities in 2017.

- Refined and beta tested the EMC project ranking procedure included in the Strategic Plan
- Provided detailed comments on the study plan for the third experiment at the Caspar Creek Experimental Watersheds on the Jackson Demonstration State Forest, which will evaluate forest stand density reduction on watershed processes.
- Received an allocation of \$425,000 each year for the 2016/2017 and 2017/2018 fiscal years from the Timber Regulation and Forest Restoration Fund. The Board is using the funds to fund EMC- supported projects based on priority and availability of resources.
- Developed and posted a Request for Proposal (RFP) soliciting monitoring project proposals to the [EMC website](#).
- Added three new members to fill vacancies on the EMC and renewed the term for one existing member.
- Utilized project ranking procedures as provided in the Strategic Plan to rank four proposed monitoring projects. These projects include EMC 2015-001, EMC 2015-002, EMC 2015-004 and EMC 2016-001. Additional information on each project, request for funding, and ranking can be located on the [EMC website](#).

State Forests

Boggs Mountain Demonstration State Forest (BMDSF)

The Board was responsible for updating the Boggs Mountain Demonstration State Forest Management Plan in 2015. The 2015 fire season took a toll on BMDSF. The Valley Fire, noted as the state's third most destructive fire in at the time of the incident (now fourth after the 2017 October Fire Siege), significantly impacted the state forest and surrounding communities. Over 90% of BMDSF was burned. As such, the Board and Department staff understands that the current Management Plan for BMDSF will require an entire re-drafting due to the changed conditions that resulted from that Valley Fire, harvesting of dead trees, implementation of various post fire trend monitoring projects, artificial regeneration of forested stands, road upgrading and re-designing and/or re-establishment of trail systems that support recreational activities. The Initial Study and Management Plan are being fully redrafted. The draft Initial Study and draft Management Plan will be submitted to the Board for review in 2018. The Board will conduct environmental assessments pursuant to CEQA and approve the Management Plan in March 2018.

Jackson Demonstration State Forest (JDSF)

The JDSF Management Plan was updated in 2016. Several new components of the management plan have been completed by the staff of JDSF. The required Research, Recreation, and Management Plans were reviewed and approved by the Board in January of 2016. The Board previously directed staff to prepare an addendum to the existing [Environmental Impact Report \(SCH#2004022025\)](#) that was certified by the Board in 2008 and provided the environmental documentation necessary for the 2008 JDSF Management Plan. The addendum was certified by the Board, and the Notice of Determination was received for filing at OPR on February 9, 2017. The addendum incorporates the approved Research Plan and the Recreation Plan into the JDSF Management Plan, which elaborate on previously included planning elements in the JDSF Management Plan.

Mountain Home Demonstration State Forest (MHDSF)

The Board, in conjunction with the Mountain Home Demonstration State Forest Manager Jim Kral, and the CAL FIRE Tulare Unit, have completed a draft initial study and are in the process of creating an updated management plan. This draft initial study and draft management plan have been submitted to the Board for committee review, with an estimated Board certification expected by the end of the 2018.

Stewardship Lands

The Stewardship Council Board has recommended fee title transfer of the North Fork Mokelumne River, Pit River, Tunnel Reservoir, Battle Creek, and Cow Creek planning units lands to CAL FIRE. The Stewardship Council Board is expected to make an additional recommendation for transfer of lands to CAL FIRE at Lake Spaulding in the first quarter of 2018; work on this transaction would begin in mid-2018. This would complete the anticipated fee title recommendations for the Department. Additionally, the Stewardship Council is expected to review final Land Conservation and Conveyance Plans (conservation easement and agreements known also as LCCPs) for several additional projects during 2018.

The North Fork Mokelumne River final LCCP was originally approved by the Stewardship Council Board in November 2014. Given the time lapse and changes to key documents, the Stewardship Council Board will reevaluate the LCCP in early 2018. The Department of General Services and PG&E have developed the final form and content of each of the transaction documents, which will be utilized to construct documents for additional transactions going forward. The California Natural Resources Agency has also participated in these discussions and is working to bring along associated transactions with State Parks. It is anticipated that final Departments documents will be brought back to the Management Committee for discussion in early 2018.

Development of the draft conservation easement and documents for the Pit River, Tunnel Reservoir, Battle Creek and Cow Creek projects were put on hold in early 2017 and have recently been re-started. Conservation easement holders for each of the properties have been recommended by the Stewardship Council Board and include: Shasta Land Trust (Pit River, Tunnel Reservoir, Cow Creek), Western Shasta Resource Conservation District (Battle Creek), and Mother Lode Land Trust (North Fork Mokelumne River).

Professional Licensing and Forest Practice Enforcement

Pursuant to California Public Resources Code (PRC) §750 et seq, the State Board of Forestry and Fire Protection is authorized to grant licenses to Registered Professional Foresters (RPFs) and specialty certificates (Certified Rangeland Managers (CRMs)). Earning either license is contingent upon meeting certain moral standards, educational and work experience, and ultimately passing an examination specific to the license or specialty.

The term "Professional Forester" is defined in PRC § 752 and refers to a person who, by reason of his or her knowledge of the natural sciences, mathematics, and the principles of forestry, acquired by forestry education and experience, performs services, including, but

not limited to, consultation, investigation, evaluation, planning, or responsible supervision of forestry activities when those professional services require the application of forestry principles and techniques. The CRM certification is the only “Certified Specialist” (pursuant to 14 CCR § 1600) credential bestowed and recognized by the Board. A CRM is defined in 14 CCR § 1651 as “... a person who provides services pursuant to 14 California Code of Regulations (CCR) 1602, at the request of the landowner or hiring agent, relating to the application of scientific principles to the art and science of managing rangelands and range.”

Figure 12. Board Licensed Professionals

Valid Registered Professional Foresters (RPF) and Certified Rangeland Managers (CRM) as of 12/1/2017	
RPFs	1160
CRMs	84

Professional Discipline

Most professional disciplinary matters are confidential in nature. They are handled administratively and do not culminate in a hearing before an Administrative Law Judge and/or the Board. During 2017, the Board adopted a stipulated surrender of license for an RPF involved in a disciplinary matter in 2016, which is noted as Licensing Case 329. The 2016 action of the Board resulted in a Disciplinary Order, which included a 9 month license suspension with 3 years’ probation, \$5,000 cost recovery, and monitoring of professional forestry work by a licensed RPF in good standing with the Board. Evidence was brought forward in 2017 that the RPF violated the conditions of probation, resulting in the adoption by the Board of a permanent stipulated surrender of the RPF’s license.

Enforcement

California Public Resources Code §4601 et seq authorizes the Board to investigate and discipline, “Any person who willfully violates any provision of this chapter or rule or regulation of the Board....” These civil penalties are identified, investigated and pursued by the Department, with final adjudicative authority on these matters residing with the Board. During the 2017 calendar year, the Board deliberated and took action upon two civil penalties for non-compliance with the Forest Practice Act and/or the Forest Practice Rules.

State Responsibility Area

State Responsibility Area Five Year Review

Every 5 years the Board shall: “... Classify all lands within the state, without regard to any classification of lands made by or for any federal agency or purpose, for the purpose of determining areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the state. The prevention and suppression of fires in all areas that are not so classified is primarily the responsibility of local or federal agencies, as the case may be” (PRC § 4125). The Board last approved changes to the geographic

scope of the State Responsibility Area effective July 1, 2015.

State Responsibility Area Fee

On July 25, 2017, the Governor signed AB 398 into law, adding § 4213.05 to the Public Resources Code to suspend the SRA Fire Prevention Fee commencing with the 2017-18 fiscal year. Fire prevention programs that were previously funded by the SRA Fee are now funded by the monies collected under the California Global Warming Solutions Act of 2006 (Greenhouse Gas Reduction Fund).

Annual Reporting by the Board on the SRA Prevention Fee

PRC § 4214(f) requires the Board to submit to the legislature a written report on the status and uses of the State Responsibility Area Fee Fund (SRA FPF) monies. Pursuant to GOV § 10231.5 & PRC § 4214(g)(1), that requirement for submitting a report became inoperative on January 31, 2017. The Board submitted their last report to the legislature in February 2017 with the Board's 2016 Annual Report. The report contained the following information:

- An evaluation of the benefits received by Counties based on the number of habitable structures in the SRA;
- The effectiveness of the Board's grant programs;
- The number of defensible space inspections in the reporting period;
- The degree of compliance with defensible space requirements;
- Measures to increase compliance; and
- Recommendations to the Legislature.

The Department has posted a closeout report regarding SRA Fire Prevention Fund expenditures on their [webpage](#).

APPENDIX A

2018 Standing Committee Priorities

Forest Practice Committee (FPC)

The mission of the FPC is to evaluate and promote an effective regulatory system to assure the continuous growing and harvesting of commercial forests and to protect soil, air, fish and wildland, and water resources.

January 23, 2018

COMPLETED OR SUBSTANTIALLY COMPLETED IN 2017:

The Forest Practice (FPC) and Management Committees remained a joint committee in throughout 2017. They combined into a joint body in May 2016 due unfilled Board staff positions. 2017 Priorities for each committee were addressed by the joint Forest Practice/Management committee. It is anticipated that the Management and Forest Practice Committees will resume as separate standing committees sometime during early 2018 given that the Board was successful in filling several key staff positions during 2017.

1. Forest Fire Prevention Pilot Project Exemption, 2017

Status: *The Administration chaptered AB 2029 in 2016 that resulted in statutory revisions to Public Resources Code (PRC) §4584. As a result, the Board was granted the authority to amend the Forest Fire Prevention Pilot Project Exemption (FFPPPE) (14 CCR §1038(j)) to allow the removal of trees from 24" stump diameter to 26" stump diameter. Additionally, the geographic scope of in which a FFPPPE applies was eligible for expansion to include the Tahoe Basin and extended the sunset date of the FFPPPE to January 1, 2021. The FPC reviewed the draft regulatory proposal which was ultimately submitted to the Office of Administrative Law under Gov. Code Title 1, §100. The regulatory provision became effective on January 1, 2018.*

2. RPF/LTO Responsibility Amendments, 2017

Status: *This issue of Licensed Timber Operations (LTO) being cited for violations of the Forest Practice Rule when working under the direction of a Registered Professional Forester (RPF) was introduced to the FPC in June of 2014. The issue was remanded to the Professional Foresters Examining Committee (PFEC) for further investigation, with the direction to the PFEC to report back to the FPC with potential findings or options for solutions to the issue. The FPC received a report back, along with recommendation from the PFEC in late 2015. The Board, at the recommendation of the FPC, did provide a letter to the Director in March of 2015 that focused on increasing the level of communication and training opportunities between CAL FIRE, LTOs and RPFs. In 2017, the FPC continued to work on a regulatory proposal to address the identified problem. This regulatory proposal was made available to the public via a 45-Day notice and was eventually adopted by the Board. The regulatory provision became effective on January 1, 2018.*

3. **Regulatory amendments for Cumulative Effects, including 14 CCR § 912.7 and Technical Rule Addendum #2.**

Status: *The Forest Practice Committee was successful in working through 14 CCR § 912.7 and Technical Rule Addendum #2 and the review of proposed regulatory amendments is substantially completed. The goal is to bring these regulations, as they pertain to the assessment of cumulative impacts, up to contemporary standards. Proposed regulatory text was published for a 45-Day public comment period on June 30, 2017. Based upon the public comment received, the proposed regulatory text was revised and in December of 2017 was before the Full Board for consideration for authorization of noticing for public comment once again. It is likely that this regulatory action will be completed in early to mid-2018 and will have an effective date of January 1, 2019.*

4. **Oak Woodland Management Exemption, 2017**

Status: *The Administration chaptered AB 1958 in 2016 that resulted in statutory revisions to Public Resources Code (PRC) §4584. As a result, the Board was granted the authority to develop an exemption to allow forestland owners the ability to manage California Black oak and Oregon White oak dominated stands for woodland restoration and conservation. The MGMT committee reviewed the draft regulatory proposal which brought forth to the Full Board. The Board noticed the regulatory proposal for 45-Day public comment and adopted the regulations. The regulatory provision became effective on January 1, 2018.*

PRIORITY 1 FOR 2018:

1. **Review of Required Post Harvest Stocking Standards (14 § CCR 913; 14 CCR § 1071) pursuant Assembly Bills (AB) 2082 (2014) and 417 (2015) affecting Public Resource Code (PRC) 4561**

Objective/Status: *The request has been made to investigate the current stocking standards as they relate to various regeneration methods and forest health, including fuel hazard reduction, within certain forest types. Recent legislative mandates (AB 2082, 2014 and AB 417, 2015) were chaptered by the Administration which provides the Board the authority to review required minimum stocking standards pursuant to PRC § 4561. The FPC is currently awaiting a report authored by the William Main Seminar Series group that provides recommendations on potential revisions to stocking standards within the Forest Practice Rules.*

2. **Report on Exemptions and Emergencies as required by AB 1958 and AB 2029**

Status: *The FPC received updates at each meeting from the Department on the ongoing effort to produce the required co-authored report by the Board and Department to the Legislature on the use of, compliance with, and effectiveness of, exemptions and emergencies notices. The report shall also analyze if emergencies notices and exemptions are having the intended effect. In addition, information on any barriers for*

small forest owners presented by the exemptions, and measures that might be taken to make exemptions more accessible to small forest owners shall also be provided. The reporting deadline was extended by one year to December 31, 2018. The FPC will continue to receive updates throughout 2018 and the Board will participate in the authoring and review of the report.

3. Review of Specific Provisions with Exemptions 14 CCR § 1038

- Notification to the Department of the commencement of Timber Operations
- Review of 14 CCR §1038(j)(12)
- Potential extension of 14 CCR §1038(k)

Objective (bullet point 1): Other exemption under 14 CCR §1038 require notification to the Department within 15 days of operations commencing. The notification allows CAL FIRE inspectors to target the appropriate timing to conduct inspections of timber operations. CAL FIRE suggests that this required notification be applied to Less Than 3 Acre Conversions as well.

Objective (bullet point 2): 14 CCR § 1038(j)(12) states that fuel treatments under this exemption have to occur on at least 80% of the project area. The maximum diameter limit at stump height allowed under this exemption is currently 26", which is referenced in existing regulation under 14 CCR § 1038(j)(12). The Department contends that this may be an incongruity with statute or unclear to the regulated public. It may not be clear that trees that can be harvested throughout the entire project area cannot exceed the 26" stump height threshold, rather than only across 80% of the project area.

Objective (bullet point 3): The Board adopted permanent regulations within 14 CCR §1038(k) in response to the widespread bark beetle mortality resulting from 5 years of drought conditions. A sunset date of December 31, 2018 was included within the adopted regulations. The FPC will review the regulatory scheme considering any changing environmental conditions and necessity of the Notice of Exemption to determine if the regulation should be repealed or extended.

4. Review of Forest Practice Northern Spotted Owl (NSO) Rules

Objective/Status: FPC recommended publication of a 45 Day Notice of Rulemaking for the "Activity Center Definition" rule proposal in 2013. The Board subsequently authorized the publication of the 45 Day Notice, but postponed publication of the Notice in anticipation of the Fish and Game Commission's pending adoption of findings in regards to a petition filed requesting state listing of NSO. The Commission accepted the petition and has determined that state listing for the NSO is warranted.

The FPC will continue review of the NSO rule consistency issues in 2018.

5. Watercourse and Lake Protection Rule Review (14 CCR § 916), including:

- 14 CCR § 916.9(s) [936.9(s), 956.9(s)] [in part], No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except for... *Should be considered in the context of 14 CCR § 1104.1(a)(2)(F), which allows conversion activities in the WLPZ where specifically approved by local permit. Defer to the county in these situations? Restriction of timber operations in the WLPZ affects timber operations conducted in compliance with defensible space regulations. There appears to be a conflict between this subdivision and PRC § 4291 and 14 CCR § 1299.*
- *Should mechanical feller-bunchers be classified as "heavy equipment" in WLPZs?*
- *Mapping of Class III Watercourse crossings. Language in 14 CCR §§1034(x)(7) and 916.4 [936.4,956.4] need to be considered and potentially reconciled for purposes of consistency.*
- *Review the necessity and utility of assessing and mapping standards of 14 CCR § 916.4 for spawning and rearing habitat for anadromous salmonids.*

Objective/Status: No progress to date.

PRIORITY 2 FOR 2018:

1. 14 CCR § 1054.8 – Order of the Board

Objective/Status: *The Department has requested that the Board consider amending this rule section for purposes of obtaining consistency with PRC § 4582.7(d) and 14 CCR § 1037.6. Additionally, the Department has requested that the Board take into consideration the lack of consistency between PRC § 4582.7(d) and 14 CCR § 1037.6 with current CEQA Guidelines and case law as they pertain to re-circulation of a Plan with substantial new information. No progress to date.*

2. Review the regulatory history, implementation, and future of 14 CCR § 916.11; Monitoring for Adaptive Management in Watersheds with Coho Salmon

Objective/Status: *The rule requires the Board to develop a monitoring and adaptive management program for timber harvesting operations in watersheds with coho salmon. Multiple purposes for this program are stated within the Rule. The Board has since established a new science-based multi-stakeholder and multi-disciplinary Effectiveness Monitoring Committee (EMC) for the purpose of reviewing the efficiency and effectiveness of the Board's Forest Practice Rules relative to forestry and environmental protection, including the protection of watershed resources critical to listed species such as coho salmon. The FPC will review the history and requirements of 14 CCR § 916.11*

to ensure the mission and activities of the EMC adequately address the purposes stated for this Rule and if any additional specific Board action is necessary.

3. 14 CCR § 913.4(d) - Variable Retention silviculture

Objective/Status: Several questions have been raised regarding implementation of this Special Prescription: (1) should the Variable Retention regulation specify a minimum re-entry period for designated retention areas?; (2) Should the current regulation require a minimum stand age necessary for harvest to occur in order to demonstrate maximum sustained production (MSP) as is required for even-age silvicultures under 14 CCR § 913.11(c)?; and (3) is the minimum stocking requirements of CCR § 913.4 (d)(3)(H) relative to aggregate versus dispersed retention clear enough for consistent application and enforcement? No progress to date.

PRIORITY 3 FOR 2018:

1. Cumulative Effects.

Objective/Status:, The FPC continues to track updates from the Resources Agency on the progress of AB1492 Working Groups on the issue of Cumulative Effects. The FPC also continues to track CAL FIRE Forest and Rangeland Assessment Program (FRAP) on the preparation of the 2018 FRAP Assessment. Additionally, the FPC will be reviewing staff recommendations on the development of an environmental document on the effect of forest management on Greenhouse Gas Sequestration based upon the AB 1504 reporting. This process may assist landowners in the preparation of Plans as it relates to analysis of cumulative impacts of GHGs. The following are program targets that the FPC will be tracking:

FRAP Assessment:

- Completed and presented to the Board in early 2018.

AB 1492 Program:

- Background paper on approaches to ecological performance measures completed (First Quarter 2018)
- Public Scoping Workshop on Ecological Performance Measures (First Quarter 2018)
- Public Workshop on First Draft of Ecological Performance Measures (Mid-2018)
- Public Workshop on Second Draft of Ecological Performance measures (Late-2018)
- Completed Ecological Performance Measures (End of 2018)
- Complete Campbell Creek Planning Watershed Pilot Project (End of 2018)

AB 1504; California Forest Ecosystem and Harvested Wood Product Carbon Inventory:

The Board will continue to provide annual reporting on above and below ground carbon stocks associated with the forestlands of California. Future reporting updates will consider the effects of harvest wood products on the states carbon stocks as well. Upon the addition of those data, the FPC will consider staff recommendations on the preparation of an environmental document that will analyze these data to allow for efficiency in preparation of Plans as required by the Forest Practice Act.

2. 14 CCR § 913.2 (b) – Transition silviculture

Objective/Status: *It has been reported that the Department does not allow use of the Transition silviculture method in timber stands which were most previously harvested utilizing the Selection method. This ‘policy’ is not consistent with 14CCR § 913.2(b) or (b)(2). THP was returned on this issue without being evaluated through PHI to support the determination. No progress to date.*

3. 14 CCR § 1034. Contents of Plan

- 14 CCR § 1034(r), How the requirements of 14 CCR § 1032.7(f) are to be met. The reference to 1032.7(f) is obsolete, since it refers to the past requirement that the RPF distribute and publish a copy of the NOI.
- 14 CCR § 1034(x)(7), On a plan map, show the location of all watercourse crossings of classified watercourses except temporary crossings of Class III watercourses without flowing water during timber operations at that crossing. The Board should consider revising 1034 to make Class III watercourse crossing a required mapped feature within a Plan.
- Board should consider amending 14 CCR § 1034 when it adopts or amends any rule that adds elements considered a required portion of a harvesting plan. This ensures a central location where the RPF could be assured of finding what is considered essential information in a harvesting document. Board may want to consider a rule package that consolidates all required plan contents under 14 CCR §§ 1034, 1051, 1090.5, and 1092.09.

Objective/Status: *No progress to date.*

4. 14 CCR § 1032.7(d) and 14 CCR § 1092.04(d) [in part], A Notice of Intent shall include the following information: (4) the acres proposed to be harvested. (5) The regeneration methods and intermediate treatments to be used.

- (4) Board should amend this paragraph to include all acres where timber operations will occur, not just the area where timber will be harvested. In doing so, the Board should consider the current definition of logging area and the lack of a definition of plan area.
- (5) Requires stating the regeneration methods and intermediate treatments to be used. This paragraph may not capture all possible treatments that may

occur, e.g., special prescriptions and other types of associated timber harvesting, such as road right-of-way or timberland conversion.

- Item was initially addressed by Management Committee in 2010 in form of rule proposal to amend NTMP NTO requirements. Item was remanded back to Management Committee following publication of 45-day Notice of Rulemaking in December 2010 and initial hearing in February 2011. No further action was subsequently taken.

Objective/Status: *No progress to date.*

5. Regulatory amendments to 14 CCR § 1032.10 – Request for Domestic Water Supplies.

- *The THP submitter shall provide notice by letter to all other landowners within 1,000 feet downstream of the THP boundary whose ownership adjoins or includes a Class I, II, or IV watercourse(s) which receives surface drainage from the proposed timber operations. The notice shall*
- *The Department has requested the following items be potentially addressed regarding Notice of Timber Operations.*
 - *Overland flow or channel flow?*
 - *Publication may need to be given in a newspaper of general circulation. CAL FIRE assumes this requires notification as defined in Government Code §§ 6000-6027.*
 - *A tie should be made with the requirement to provide protection to domestic water supplies, as required per 14 CCR § 916.10 [936.10, 956.10].*
 - *Require more current notification in which the post-marked date is no more than one year prior to submittal of the plan.*
 - *Does a plan have to be returned where the RPF requests an exemption from one of the noticing requirements and CAL FIRE does not accept the request. The rule requires at least ten days passing after notification before submission of the plan.*

Objective/Status: *No progress to date.*

6. Definitions for Site Survey Area and Logging Area (14 CCR § 895.1)

Objective/Status: *CAL FIRE has archaeological or historical sites that along appurtenant roads that are not specifically associated with the commercial harvesting of forest products, but are associated with operation such as road construction, re-construction or maintenance. Considering these findings, the Department has requested a review of the definitions of Site Survey Area and Logging area, balanced against the definition of timber operations in PRC § 4527 to address the issue of potential impacts to archaeological resources located along appurtenant roads where commercial harvesting is not occurring.*

7. **Archaeological Training (14 CCR § 929.4 [949.4, 969.4]**

Objective/Status: CAL FIRE indicates that existing Board regulations are not clear in terms of when a 5-year refresher training course for identification and protection of archaeological resources must be completed. It is recommended to review the existing rule to determine if regulatory clarity of when the training must be completed could be achieved.

8. **Board Policy Review**

Objective/Status: The Board currently has many policies in place, some dating back decades. The Board aspires to review and contemporize all policies and make them available to the public via the Board's website. Board Policies cover a myriad of topics. Committee assignment of this ongoing Policy review will be based upon the subject matter of the individual policy under review.

Management Committee

The mission of the Management Committee is to evaluate and promote long-term, landscape level planning approaches to support natural resource management on California's non-federal forest and rangelands.

January 23, 2018

COMPLETED OR SUBSTANTIALLY COMPLETED IN 2017:

The Management (MGMT) and Forest Practice Committees remained a joint committee throughout 2017. They combined into a joint body in May 2016 due unfilled Board staff positions. 2017 Priorities for each committee were addressed by the joint Forest Practice/Management committee. It is anticipated that the Management and Forest Practice Committees will resume as separate standing committees sometime during early 2018 given that the Board was successful in filling several key staff positions.

1. Working Forest Management Plan (WFMP)

Status: *In 2013 and 2014, AB 904 and AB 2239, respectively, were chaptered by the Administration authorizing the Board to develop a regulatory scheme for the WFMP. After working on the draft regulatory proposal for the WFMP for several years, the committee finalized work upon draft regulations in 2017, of which were reviewed a noticed for public comment by the Board. In 2018, the Board approved a Final Statement of Reasons and adopted regulations. The regulatory provision became effective on January 1, 2018.*

2. WFMP Section 1094.16

Status: *The MGMT committee developed draft regulatory text for the WFMP 1094.16(d)(6). That draft regulatory text was brought forth to the Full Board, which adopted and resubmitted 14 CCR § (d)(6) within 120 days of its receipt of the Office of Administrative Law's (OAL) Decision of Disapproval of this provision. The Board also published and submitted a Supplemental Statement of Reasons provide additional information regarding the clarity and necessity of 1094.16(d)(6) and to make all substantial regulatory text changes, which were sufficiently related to the originally proposed text. The regulatory provision became effective on January 1, 2018.*

3. Outreach to Counties on Less Than 3 Acre Conversion Exemptions:

Status: *Existing Board Regulations, 14 CCR § 1104.1(a)(1)(D), acknowledges the importance of county participation in land use decision making by giving the county the opportunity to determine that the proposed timberland conversion is in conformance with all county regulatory requirements through the incorporation of a signed and dated statement from an authorized designee of the County Board of Supervisors. When a*

county does not have an authorized designee, the county relinquishes this opportunity and it falls to the RPF preparing the Exemption to certify that the county has been contacted and the conversion is in conformance with county regulatory requirements. The MGMT Committee reviewed a letter to all Counties informing the local jurisdictions of the availability of this for identification of a reviewing authorized designee.

PRIORITY 1 FOR 2018:

1. **Program Timberland Environmental Impact Report (PTEIR) for Carbon Sequestration and Fuel Reduction Program**

Objective: AB 862, chaptered by the Administration in 2014, directs the Board of Forestry and Fire Protection to develop regulations, guidelines or publications to facilitate a grant program that allots funding for the development of PTEIRs that promote carbon sequestration and fuel hazard reduction on state or private lands. The grant program is to be administered by CAL FIRE.

2. **Small Landowner Options for Harvesting**

Objective: Find effective methods to facilitate small landowner harvest. Such approaches include 1) An NTMP approach for landowners of 320 acres or less that cannot utilize a regular NTMP and 2) Woodlots owners of less than 40 acres seeking minimal harvesting.

Status: The Management Committee has intermittently discussed over the course of several years. Additional attention will be provided to this issue in 2018 if time permits.

3. **Mountain Home Demonstration State Forest Management Plan**

Objective: Continue to review the management of Mountain Home Demonstration State Forest pursuant to Board Policy 0351.10.

Status: A revised Management Plan and Initial Study is currently being worked upon by CAL FIRE and Board staff and will be submitted to the Management Committee for review in January of 2018. The Board toured Mountain Home Demonstration State Forest during the summer of 2018 to become familiar with the challenges and environmental conditions of this demonstration forest. As a result of the field tour, the Board offered several thoughts and recommendations on potential revisions to consider in updating the management plan. Board and CAL FIRE staff are currently in the process of incorporating those recommendations into a revised management for consideration of the committee and Board. The committee anticipates an approved management plan and certification of the environmental documentation as required by CEQA during 2018.

4. Boggs Mountain Demonstration State Forest Management Plan

Objective: Continue to review the management of Boggs Mountain Demonstration State Forest pursuant to Board Policy 0351.10.

Status: A revised Management Plan and Initial Study is currently being worked upon by CAL FIRE staff and will be submitted to the Management Committee for review in March of 2018. The Board took action in 2017 to allow for development of a new Draft Initial Study and new Draft Management Plan for the Boggs Mountain Demonstration State Forest for submittal to the Board by March 2018 for review. The Board also acknowledged the need to continue management of Boggs Mountain Demonstration State Forest under the current Management Plan. This action was commensurate with Board Policy 0351.10 and in response to the significant environmental change on the state forest as a result of the Valley Fire. The committee anticipates an approved management plan and certification of the environmental documentation as required by CEQA during 2018.

5. Issues Pertaining to Conversion of Timberland

- Regulatory amendments to 14 CCR § 1100(g)(2) - Definition of Timberland Conversion
- Regulatory amendments to 14 CCR § 895.1 – “Crop of Trees, Available for, and Capable of”
- Increased and widespread use of Less than 3 Acre Conversions Exemptions
- Prevention of acceptance of Less than 3 Acre Conversions Exemptions after illegal conversion activities
- Slash Treatment on Less than 3 Acre Conversions
- Notification to Native Americans and Adjacent Landowners for Less than 3 Acre Conversions
- Notification to the Department of the commencement of Timber Operations

Objective (bullet point 1): Existing Board regulations are currently inconsistent with PRC § 4621 as it applies to conversion of timberland. Current Board regulations address proposed conversions in Timber Production Zone (TPZ) where an immediate re-zone out of TPZ has been approved. State law does not recognize zoning as a controlling factor in the conversion of timberland. The Department has requested that the Board bring the current definition of conversion into conformance with State law to recognize all timberland conversions regardless of zoning status.

Objective (bullet point 2): The Department has made the request to address the definition of “crop of trees” to aid the Department in identification of timberland. The Management Committee has received briefings from Board staff and the Department on potential options to address this issue.

Objective (bullet point 3): CDFW, Environmental Protection Information Center, and Ebbetts Pass Forest Watch submitted comments that expressed concern over the widespread use of the 3 acre or less conversion, particularly as it relates to marijuana cultivation. CDFW contends that impacts ranging from fragmentation, acutely impaired stream habitat, and potential “take” of listed species are a result from over use of these existing Board regulations.

Objective (bullet point 4): CAL FIRE believes that disallowing use of 14 CCR §1104.1 for those who have already converted timberland meets the legislative intent of only on minor conversion on each contiguous ownership. Board current regulations do not disallow submittal of an exemption after illegal conversion activities.

Objective (bullet point 5): Under 14 CCR §1104.1(a)(2)(D), a landowner may assume the responsibility for slash treatment, where they generally do not have the ability or experience to treat the slash. It is recommended that the LTO maintain responsibility for slash treatment, as is the case for all Plans and exemptions to assure that the slash associated with the conversion is appropriately treated in a timely fashion.

Objective (bullet point 6): The required notification to Native American and adjacent landowners of a Less Than 3 Acre Conversion does not require a map of the project area. CAL FIRE suggests considering amending 14 CCR §1104.1(a)(3) to require a map for purposes of clarity of the required notification.

Objective (bullet point 7): Other exemption under 14 CCR §1038 require notification to the Department within 15 days of operations commencing. The notification allows CAL FIRE inspectors to target the appropriate timing to conduct inspections of timber operations. CAL FIRE suggests that this required notification be applied to Less Than 3 Acre Conversions as well.

6. Maximum Sustained Production (MSP) 14 CCR § 913.11(a) [933.11(a), 953.11(a)].

Objective: Review performance of existing MSP rules since Board adoption. The MGMT committee may consider the following action in for MSP review:

- Consider forming a technical working group to consider changes to existing MSP rule to provide more concrete standards for the MSP demonstration per 14 CCR § 913.11(a) [933.11(a), 953.11(a)].
- Consider implications for carbon stocks and fluctuations.
- Review the constraints of the effective period of a Sustained Yield Plan (PRC § 4551.3) against current Board regulations.

Status: Committee reviewed February of 2011 and found no further action necessary. The Department has resubmitted the issue in 2015, while industry expressed concern over the effective period of the SYP in 2017.

PRIORITY 2 FOR 2018:

1. Research Plan (PRC § 4789.6)

Objective: *The Board, assisted by the director, shall biennially determine state needs for forest management research and recommend the conduct of needed projects to the Governor and the Legislature.*

Status: *During review of Demonstration State Forest Management Plans the Committee has requested improvements in the documentation and distribution of forest management, wildlife, fisheries, botanical and watershed research conducted on each forest or by the Department. The Committee intends to continue to work with each state forest and the Department to better document and catalog results of these research efforts and seek improvements in the distribution of research reports through either the Department or Board website(s). The Committee also intends to review a draft Research Plan in the near future.*

2. Non-Industrial Timber Management Plan (NTMP) Review and

Objective: *Ongoing review of issues with the regulatory standards associated with the NTMP, including the Department Draft NTMP Growth and Yield Guidelines document posted on the Department website. This guidance document is currently in use by Department plan review personnel. Additionally, the following issues associated with a Notice of Timber Operations may be addressed:*

- *Consider requiring the inclusion the number of acres proposed for harvest along with the required legal description on a submitted NOP. (Department of Tax and Fee Administration (formerly BOE) request)*
- *Consider requiring the mapped location of each ownership, if multiple ownerships are being harvested, under the same NOP. This applies to all Plans and exemptions as well. (Department of Tax and Fee Administration (formerly BOE) request)*

Status: *No Progress to date.*

PRIORITY 3 FOR 2017:

1. Site Index for major Young-Growth Forest Woodland Species in Northern California: Discussion of update to 14 CCR § 1060 Site Classification.

Objective/Status: *FPC completed initial review of topic in April-June of 2010 and deferred additional review until completion of the Road Rules. MGMT Committee will continue review of the issue when sufficient committee time is available.*

2. Development of pilot programs for SERM/ Option v projects

Objective/Status: *Department has formed a Technical Advisory Committee (VTAC to develop and provide advice on pilot programs to implement option (v) projects under the Anadromous Salmonid Protection Rules (ASP).*

3. Pacific Forest and Watershed Lands Stewardship Council

Objective: Board approved Department effort to acquire lands in the Stewardship Council planning units of “Pit River,” “Battle Creek,” “Cow Creek,” “Burney Gardens,” “Lake Spaulding,” “Bear River,” “North Fork Mokelumne River,” and “Lyons Reservoir” that would be suitable for inclusion in the Department’s Demonstration State Forest Program. Board must approve management plans for these acquisitions when final.

Status: The Stewardship Council Board has recommended lands for CAL FIRE at the North Fork Mokelumne River, Pit River, Battle Creek, and Cow Creek planning units. The Stewardship Council Board is expected to make an additional recommendation for lands to CAL FIRE at Lake Spaulding in the first quarter of 2018. Work on this transaction would begin in late 2018. This would complete the anticipated fee title recommendations for CAL FIRE.

The North Fork Mokelumne River Final Land Conservation and Conveyance Plan (LCCP), containing the conservation easement and agreements, was originally approved by the Stewardship Council Board in November 2014, based on suggested changes to key documents from the Department of General Services, the Stewardship Council Board will review the LCCP again in early 2018. It is anticipated that final documents will be brought back to the Stewardship Committee for discussion in late 2018.

Work on the draft conservation easement and documents for the Pit River project started in December 2017. The Battle Creek, Lake Spaulding, and Cow Creek draft conservation easements and agreements will be developed starting later in 2018 and may be available for review in late 2018 or early 2019.

Conservation easement holders for each of the properties have been recommended by the Stewardship Council Board and includes: Shasta Land Trust (Cow Creek, Pit River), Western Shasta RCD (Battle Creek), and Mother Lode Land Trust (North Fork Mokelumne River).

4. Progeny Sites

Objective/Status: Progeny sites are usually planted over a long period of time, consisting of 3-10 year periods, to establish various age classes and seed sources. Some of the land may sit fallow for a number of years and not meet a 5 year stocking requirement between plantings. The goal is to investigate exempting up to 40 acres from meeting the required stocking standard if the property owner designates that area for a progeny plantation. To date, this has not been worked upon by the MGMT Committee.

5. Board Policy Review

Objective/Status: The Board currently has many policies in place, some dating back decades. The Board aspires to review and contemporize all policies and make them available to the public via the Board’s website. Board Policies cover a myriad of

topics. Committee assignment of this ongoing Policy review will be based upon the subject matter of the individual Policy under review.

Resource Protection Committee (RPC)

The mission of the RPC is to evaluate and promote an effective fire protection system implemented by the Department of Forestry and Fire Protection and improve forest and rangeland health in California.

JANUARY 23, 2018

COMPLETED OR SUBSTANTIALLY COMPLETED 2017

1. Vegetation Treatment Plan EIR (VTP EIR)

Objective: Review public comment received during the April 1-May 31, 2016 CEQA comment period. Direct work team to make updates and develop responses as necessary.

Status: Revisions to document made based on public and Board comment. Substantial new information added and recirculation of Draft Program EIR authorized for November 13, 2017 through January 12, 2018.

2. AB 1504

Objective: In 2010, the Legislature passed AB 1504, requiring the Board to examine the Forest Practice Rules to ensure they meet or exceed the state's greenhouse gas reduction requirements for the forestry sector, consistent with the scoping plan adopted by the State Air Resources Board pursuant to the California Global Warming Solutions Act of 2006 (AB 32).

Status: Reports on the development of this analysis are presented to the full Board.

3. Safety Element Review Assessment

Objective: Develop a regulation codifying the review of General Plan Safety Elements by the Board of Forestry and Fire Protection and, to a certain extent, the pre-review and consultation stages by the CAL FIRE land use planning program.

Status: Rulemaking completed 2017.

ANNUAL ONGOING ITEMS

4. Safety Element Review (all counties with SRA; cities with VHFHSZ)

Objective: Review General Plan Safety Elements of all counties with SRA and cities with Very High Fire Hazard Severity Zones.

Status: Review of safety elements ongoing.

5. Fire Safe Development Regulations Certification

Objective: Review and certify local county ordinances submitted for certification under 14 CCR §1270.03.

Status: Ongoing as counties submit ordinances.

6. Forest Pest Council

Objective: *Ongoing monitoring, management, and education and outreach (for professionals and lay people) regarding invasive pests and pathogens of concern in California's urban and wildland forests.*

Ongoing effort to offer relative, practical information on tree dieoff as well as native and invasive pests and pathogens affecting California's urban and wildland forests.

Ongoing effort to further advance the CA Firewood Task Force 'Buy It Where You Burn It' message as well as the risks associated with spread of invasive species through the long-distance movement of firewood.

Status: Ongoing review in 2017.

2018 PRIORITIES

PRIORITY 1:

7. California Fire Plan

Objective: *Update California Fire Plan for 2018.*

Status: RPC Member Darcy Wheelles serving on Fire Plan Steering Committee. Reports on progress made to full Board.

8. Decision-Making Information Support Systems

Objective: *Review information support systems developed by CAL FIRE FRAP, such as Fire Hazard Severity Zone inputs, WUI discussion, CAL MAPPER, the Forest and Rangeland Assessment, and other systems for discussion and possible updating.*

Status: Presentation by department later in the year.

9. Fire Safe Development Workgroup

Objective: *Develop a workgroup to revise the Title 14 SRA Fire Safe Regulations on a triennial basis to coincide with the California Fire Code updates. Ensure consistent, technically sound, and appropriate regulations and guidelines are established for governing fire safe development in State Responsibility Area and other locations determined to be within the statutory responsibility of CAL FIRE and the Board.*

Status: Workgroup currently revising Article 3 Signing and Building Numbering. Presentation to RPC on suggested changes in late 2018.

10. Policy Updates

Objective: *Review and update, as necessary, all policies related to the Board of Forestry and Fire Protection and associated Committees. Examine all general policies, licensing policies, joint policies with other agencies, and other policies as identified and revise policies to reflect current programs and business operations.*

Status: Examination of policies to occur in each Committee depending on subject matter.

11. SRA Grant Guidelines Regulations

Objective: Review language in AB 398 (Garcia, 2017) to determine necessity of revising the SRA Fire Prevention Fund (14 CCR § 1666).

Status: Staff researching. Potential actions to repeal or revise regulations based on Committee’s judgment.

PRIORITY 2:

12. Role of Grazing in Fire Hazard Reduction

Objective: Following their 2015 white paper on prescribed herbivory, the Range Management Advisory Committee (RMAC) continues exploring barriers to using grazing as fire hazard reduction tool.

Status: RMAC continues to pursue a prescribed herbivory demonstration project and other projects to encourage the use of grazing as a vegetation management tool. Status reports to RPC and full Board as necessary. RPC and Board action dependent on results of RMAC work.

13. Technical Rule Addendum No. 4, Minimum Distances Require by Law, Fire Safe THP Vegetation Treatment

Objective: The Department has request that the Board amend the diagram in technical rule addendum No. 4 to accurately portray the vegetation treatments as required by PRC § 4291(b) and 14 CCR § 1299(a)(2).

Status: Committee requests staff investigate utility of Section 100 regulatory process to accomplish this item and move forward on a regulatory process.

Topic/Item	Type	Substantially Completed 2017	Annual Ongoing	Priority 1	Priority 2
VTP EIR	Programmatic Environmental Impact Report	X			
AB 1504	Research Report	X			
Safety Element Review Assessment	Regulatory	X			
Safety Element Reviews	Board Process		X		
Fire Safe Development Regulations Certification	Board Process		X		
Forest Pest Council	Policy		X		
California Fire Plan	Policy			X	
Decision Making Information Support Systems	Research Report			X	
Fire Safe Development Workgroup	Regulatory			X	

Topic/Item	Type	Substantially Completed 2017	Annual Ongoing	Priority 1	Priority 2
Policy Updates	Policy			X	
Role of Grazing in Fire Hazard Reduction	Policy				X
TRA No 4 Minimum Distances Required by Law	Regulatory				X