BOARD OF FORESTRY AND FIRE PROTECTION MEETING MINUTES

Sacramento, CA

April 10, 2024

**BOARD OF FORESTRY AND FIRE PROTECTION MEMBERS**

**Present:**

* Terrance O’Brien, Chair
* Elizabeth Forsburg-Pardi, Vice-Chair
* Chris Chase
* Mike Jani
* J. Lopez
* Rich Wade
* Katie Delbar

**Absent:**

* Dawn Blake

**BOARD STAFF PRESENT:**

* Edith Hannigan, Executive Officer
* Dan Stapleton, Asst. Executive Officer, Foresters Registration
* Jeff Slaton, Senior Board Counsel
* Robert Roth, Board Counsel
* Jane Van Susteren, Senior Environmental Scientist
* Anna Castro, Executive Assistant
* Andrew Lawhorn, Forestry Assistant II
* Alexandra La Plante, Administrative Unit Manager
* Mazonika Kemp, Office Technician
* Marcie Yates, Staff Service Manager, Land Use Planning
* Alexandra Vest, AGPA
* Kristina Wolf, Senior Environmental Scientist

**DEPARTMENTAL STAFF PRESENT:**

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

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

Jeff Slaton, Senior Counsel for the Board reported that during executive closed session the Board discussed the following items on the agenda, and no reportable actions were taken on items (a)-(c). On item (d) of the agenda, the Board considered the PFEC’s disciplinary recommendation in case 347 in closed session and resolved the matter by approving a stipulated settlement with the licensee.

1. California Chaparral Institute, et al., vs California State Board of Forestry and Fire Protection (Case No. 37-2020-00005203)
2. Valdovinos and Madrigal v. Board of Forestry and Fire Protection, et al. (Case No. 23CHCV0166)
3. Bareilles v. Board of Forestry and Fire Protection (Case No. 24CV00809)
4. Professional Foresters Examining Committee Case 347 proposed Stipulated Settlement.

**Consent Calendar Items:**

1. Review of Rulemaking Matrix
2. Approval of January and March 2024 minutes
3. Range Management Advisory Committee
   1. Reappointment of Andree Soares to four-year term in seats nominated by organizations representing rangeland owners.
   2. Approval of the 2023 Annual Report and Workplan, and embedded Annual Priorities.
4. Joint Institute for Wood Products Innovation
   1. Approval of Final Institute Report: “Recommendations to Advance Forest-Derived Renewable Natural Gas in California,” UC Berkeley.

**04-10-01 Member Lopez moves to accept items on the Consent Calendar as noticed above. Member Chase seconds the motion.**

**Roll Call:**

**Lopez: Aye**

**Wade: Aye**

**Jani : Aye**

**Chase: Aye**

**Delbar: Aye**

**Forsburg-Pardi: Aye**

**Blake : Absent**

**O’Brien: Aye**

**Motion passed.**

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

Chairman shared he is very happy to be part of the Board. He shared he is impressed with staff and board members.

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

Resource Management

Resource Protection and Improvement Program

Watershed Protection Program

* Staff selected sites at Jackson Demonstration State Forest for the new “Redwood Resiliency” study. The study will evaluate the linkages between forest harvest, fuel moisture, and drought resiliency in the Caspar Creek watersheds.

Forest Practice Administration

* Staff are working with the Redding Review Team, CAL FIRE Butte Unit Forest Practice Staff and Butte County representatives on another round of hazard tree removal and fuel reduction in the town of Paradise. The tree removal and fuel reduction are primarily focused on ingress/egress issues to clear fuels that may hamper access in the future incidents. Butte County is also planning something similar, hazard tree removal and fuel reduction, for certain designated county roads.

Resource Protection and Improvement Program

Urban and Community Forestry

* Urban and Community Forestry grant guidelines funded by the Inflation Reduction Act (IRA) are posted on CAL FIRE’s website. A solicitation for proposals will have opened by mid-April 2024. Approximately 30.8 million will be available to award.
* Webinars and office hours for IRA grants are scheduled during the month of April 2024 to provide technical assistance to applicants.

Demonstration State Forests (DSF) Program

Jackson

* Amy Wynn has been appointed by the Director as Chairperson of the Jackson Advisory Group (JAG). Amy has been a valued member of the JAG since 2012 and is replacing long-time Chairperson George Hollister.
* JAG members will be receiving Baglee-Keene training before the next meeting in collaboration with the Board.
* Next JAG meeting has been changed from May 9 to May 8, 2024.

Soquel

* The State Forest down in Santa Cruz continue to repair road damage that was suffered a couple years ago. The contract was extended by one year to all the contractor to complete all the work items in the original contract.

Prescribed Fire and Environmental Protection Program

Prescribed Fire Program

* Currently there are 80 approved projects under the Prescribed Fire Liability Claims Fund covering 12,934 acres.

Environmental Protection Program

Tribal Affairs Program

* CAL FIRE’s newly appointed Deputy Director of Tribal Affairs, Helen Lopez, started on March 28, 2024.

Cultural Resources Program

* The next Initial Certified Archaeological Surveyor class has been rescheduled from April 15-19, 2024, to April 29-May 3, 2024, in Redding.
* Archaeological Recertification classes are scheduled for April 23-24 and November 6-7, 2024.

Wildfire Resilience Program

Reforestation Services Program

* The second round of seed sowing is slated to occur April 15-24, 2024, bringing the total 2024 production year output to just shy of 300,000 seedlings.

Forest Stewardship

* A solicitation for Wildfire Resilience Block Grants closed on February 26, 2024, 18 applications were received, with over $33 million in requests for funding $9.8 million in grants will be awarded to the top four grant requests. These results will be announced soon.

Forest Legacy Program (FLP)

* The program is currently accepting applications for Forest Legacy grants. The pre-application period is open from March 18 to April 16, 2024. Successful pre-applications will be invited to submit full applications between May 7 and June 7, 2024. Approximately $10 million in funding will be made available.

Climate and Energy Program

Wood Products & Bioenergy

* The Business and workforce development grant solicitation closed on March 8, 2024. We received a total of 53 applications for Business Development and 17 applications for Workforce Development for a total of 17 applications. For a total ask of over $70 million. There is 20 million available to support those grants.

Fire and Resource Assessment Program (FRAP)

Forest Health Research Grants

* The Forest Health Research grant program was open in January 2024, and received 85 concept proposals requesting a total of $42 million. Review of the concept proposals by an interagency technical review panel is now complete and successful applicants have been invited back to submit a full proposal.

Wildfire Science

* FRAP is amending agreements with San Jose State and Chico State Universities to expand research and monitoring related to prescribed fire effects. FRAP expects to have amendments executed before the fiscal year closes.

Fire Protection

Fire Protection Program

Law Enforcement/Civil Cost Recovery

* Through February 2024, CAL FIRE Law Enforcement Officers have made 16 arrests and issued 34 citations.

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

* Completed initial Helicopter Night Fire Suppression training and flight exercises for Boggs Mountain, Columbia, and Howard Forest Helitack Bases.

Cooperative Fire Protection

Hand Crew Program

* The CAL FIRE Hand Crew Program continues to review, develop, and expand policy and procedure related to the different crew types within the CAL FIRE partnerships. This includes the CAL FIRE Firefighter 1 Hand Crews and partnerships with California Department of Corrections (CDCR), Conservation Corps (CCC), and California Military Department (CMD).

Office of the State Fire Marshal

Wildfire Risk Reduction

Wildfire Mitigation Advisory Committee:

* Wildfire Mitigation Advisory Committee is meeting again on April 16, 2024 where the Committee will receive presentations from the California Association of Resource Conservation Districts (CARCD) on the CARCD Post Fire Handbook, Insurance Institute for Business & Home Safety (IBHS) presenting on the conflagration data as well as the Lahaina Report on surviving homes, and the Wildfire and Forest Resilience Task Force Group 2 on the Fire Adapted Communities Roadmap and Dashboard Baseline Assessment document.

Community Wildfire Mitigation Assistance

National Fire Protection Association (NFPA) Firewise USA:

* Currently at 799 communities in good standing.

**Board Comments:**

* Member Jani commented on the THP Data.
* Member Chase commented on the upstaffing of 38 Firefighter 1 Hand Crews. Do you have a projection on where you hope to be at the onset of fire season and how does it compare to last year?
  + Deputy Director Reischman stated he will follow up with the Board by next meeting.

**Public Comments:**

* Larry Aguilera, concerned citizen, commented that the written section of the Director’s Report regarding tribal affairs was not orally reported as well and wondered why. Larry also stated he wanted to know how the public goes about giving their input on Jackson Demonstration State Forest.
  + Deputy Director Reischman shared that the public could attend the Jackson Demonstration State Forest Advisory Meetings.
* Richard Gienger, Forest Forever, stated he appreciated Director Tyler’s discussion on his report in March. Richard also shared his opposition on the harvesting plans that is backed by the JAG.
  + Chairman O’Brien acknowledge Mr. Gienger comments he has made today and in past meetings.
* Edwina Lincoln, Round Valley Reservation, stated she has been involved with Jackson and all native lands in California. She feels there is a violation in that there is no management plan.
  + Chaiman O’Brien stated the Board and CAL FIRE that we try to get input and work with Tribal members and organizations.
* Larry Aguilera asked if the Board will be attending the next JAG meeting.
* Karen Mackey commented on the Director’s report that there is nearly a half a million acres of exemptions. But all of 6,000 of that is 1038(b), 10% dead or dying. She is wondering if it is salvage logging.
  + Deputy Director Huff stated that the issue with the temporary Exemption is that landowners commonly will file those exemptions for their entire ownership. Those exemptions are to help those to do small scale cleanup of dead and dying trees.
* Karen Pickett commented on the lack of action on the Jackson Forest. Why is the Board not advising CAL FIRE on the inappropriateness of hiring a consultant to draft a Management Plan before the Co-Management with the tribes is in place?
* Kimberly Berg thanked the Board for the Defensible Space graphic. How much money is the Board and CAL FIRE budgeting to help homeowners create that space? It’s costly to create such space and not everyone can afford to do this. Also stated she does not agree with all the tree cutting that is occurring. Believes it’s beneficial to train people on how to protect their homes and our forest.
* Larry Hansen stated his concerns over the numbers of acres of the 10% dying and who is monitoring the issue.
  + Eric Huff stated that Forest Practice Inspectors do conduct inspections on 1038(b) dead, disease, and dying exemptions.

**Regional US Forest Service Annual Presentation, Kara Chadwick, Deputy Regional Forester, Pacific Southwest Region**

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

Edith welcome Chairman O’Brien to the Board and notified everyone that new Member Ali Jahangiri did not attend meeting due to being out of the country.

**Board Comments:**

* Member Chase requested the Annual Report not be approved this month until content is finalized.

**Public Comment:**

George Gentry, Registered Professional Forester 2262, he shared that at the last meeting he spoke on the Board’s history and its authorities. This Board has very broad authority for fire protection systems in California and the management of vegetation. Assembly Bill 3150, while there may be some merit in considering how the very high fire hazards severity zones is considered and processed within the State Fire Marshal’s Office, taking the Board’s authority from 4290 and 4291 and placing it in the State Fire Marshal Office is, in his opinion, bad public policy. In 2005 as your Executive Officer, I sat through the agonizing few months while this Board was stripped of all its authorities and placed in other administrative agencies. I think it’s bad public policy to take away the rulemaking authority from a body that is appointed by the Governor and confirmed by the Senate and holds a specific public process. Moreover, you are the ones that will be considering later today State Responsibilities Areas which you are responsible for. 4290 and 4291 are part of management State responsibility area and its vegetation management. This is a unique ability that this Board must oversee. I urge you to consider 3150 and its implications for this Board to have those significant authorities taken away. 4290 has been with this Board since the early 60’s.

**Report of the Standing Committees**

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

Forest Practice Committee met yesterday and we have no actionable items coming out of the proceedings yesterday. The committee discussed the 5 agenda items.

**Management Committee, Chris Chase, Chair**

The Management Committee met yesterday and discussed the 3 items on the agenda.

**Public Comment:**

* Richard Gienger commented on the tanoak recruitment issue.
* Kimberly Berg stated she has been following FPC on the WLPZ issues. She stated she opposes going into wet areas.

**Resources Protection Committee, J. Lopez, Chair**

The Resource Protection Committee met yesterday and discussed 2 items on the agenda.

**Public Comment:**

* Edwina Lincoln commented on the many tanoaks that have been taken out and the effects this has on the environment.

**Report of the Board’s Advisory Committee**

**Effectiveness Monitoring Committee, Liz Forsburg-Pardi, Co-Chair**

* The Effectiveness Monitoring Committee still has two open seats on the EMC.
* The initial concept proposal is due to EMC in May. The request proposal is online on our Board Website.

**Range Management Advisory Committee, Kristina Wolf, Senior Environmental Scientist**

* RMAC has reappointed two members representing range landowners. Rich Ross from the California Cattlemen’s Association and Andree Soares from the California Wool Growers Association with the Board’s approval.
* There are two seat currently open on the RMAC.
* The RMAC in March approved the 2024 Annual Priorities and is working on meeting those this year.
* The RMAC approved the Annual Report and Work Plan that was approved by the Board this morning.
* The RMAC annual objectives are likely to contract this year in terms of what they were going to accomplish. In 2023, the RMAC conducted 5 fuel tours and 4 webinars.
* RMAC goal is to have one webinar and 2 field tours. One in the northern region and one in the southern region on the topic of Livestock grazing impacts on native habitat.
* RMAC is revising the 2015 Prescribed Herbivory white paper update to match the current state of the science and identify data gaps.
* The RMAC is in the homestretch of finalizing proposed templates for grazing agreements and management plans on State lands for use by grazers and State agencies.

**Professional Foresters Examining Committee, proposed rulemaking and ISOR “Apprentice Professional Forester Educational Program”, Dan Stapleton, Assistant Executive Officer**

* The Program to become a Registered Professional Forester is 7 years of work experience in forestry that is increasing in complexity and responsibility. Some of those years of work experience can be substituted with education.
* The Committee is proposing to the Board “Apprentice Professional Forester Educational Program” to try to increase the number of Professional Foresters.

**Board Comment:**

* Member Wade commented on the structure of the Apprentice Professional Forester Educational Program.
* Member Chase commented on what is the vision of the program.
* Chairman O’Brien commented on the length and process of program.

**Public Comment:**

* George Gentry commented that he feels this program would encourage people become Professional Foresters and it makes candidates more attractive to employers because you know they have met a certain basic core competency standard.
* John Anderson stated that he feels this is a great idea. He also was wondering if this was only for accredited colleges.
  + Dan Stapleton, Assistant Executive Officer, stated that he looked at both accredited and non-accredited schools.
* Member Wade asked who will be creating the exams?
  + Dan Stapleton, Assistant Executive Officer stated that the abbreviated and comprehensive exam will be coming from the PFEC and their contractors that write the exam. The core competency will be provided and developed by the professional society or public agency but it must be sent to the PFEC for review.
* Member Chase asked what is the vision for this program? Do you have an idea of what the cost would be?
  + George Gentry stated that the current vision is a years’ worth of courses spread out. Also currently working with experts in web-based education so there will be a large component of self-directed before you meet with the instructor. At this point I cannot give you a good answer as to what the cost would be.
* Member Wade voiced his concerns about the program and would like to table this for a month to review a bit more.
* Member Lopez shared his support on this program and agrees to take some time to ponder on program a bit more.
* Chairman O’Brien stated that at this time the Board will not take a vote but have committee bring this item back to the Board in May.

**PRESENTATIONS:**

**“2023 California Forest Pest Conditions Report.,” Tom Smith, CAL FIRE and California Forest Pest Control**

**SRA 5-Year Review Kick Off, Scott Witt, Deputy Chief, CAL FIRE**

**HEARINGS:**

Public Hearing “Wet Areas, Meadows, and Restoration Activities:” The proposed action aligns definitions with appropriate ecological systems, allows for accurate protections of environmental resources in an uncertain climate, and expands the potential ecosystems eligible for restoration work.

* Public hearing is now open.
  + David Fowler with the North Coast Regional Water Quality Control Board, noted this item was an issue that the Waterboard brought up in 2022 Call for Regulatory Review and appreciate that the Board did take it up. Thank you to the Board and staff for all their hard work. He stated the Waterboard full supports this rule making.
  + Tim Ryan, California Fish and Wildlife, stated he is also in support of this rule making.

**CONCLUSION**

**Public Forum**

**Public Comments:**

* Edwina Lincoln stated she has learned a lot today and will take her information she has obtained back to all the tribal governments surrounding the Jackson Forest.
* Phyllis Aguilera commented on the conversations between Save Jackson Coalition and the Board’s response time of the letters that were sent.
* Larry Aguilera commented that cutting trees is not good for our environment.

**Adjournment**

Respectfully submitted,

ATTEST:





Edith Hannigan Terrence O’Brien

Executive Officer Chairman