CALIFORNIA LICENSED FORESTERS ASSOCIATION

BOARD OF DIRECTORS MEETING

Saturday, January 15, 2022 – 9:00 am

GoToMeeting

Board Minutes

Jason Wells called the meeting to order at 9:07 am.

Members present: George Gentry, Mark Pugsley, Matt Bissell, Bob Broderick, Jeremy Wright, Charll Stoneman, Matt Bissell, Joe Starr, and Ariel Roughton

Board members absent: Ricky Shurtz

Others present: Kathleen Burr & Andrea Eggleton

No members attended this board meeting.

Charll Stoneman moved with a second by Jeremy Wright to approve the agenda. Motion passed unanimously.

Charll Stoneman moved with a second by Joe Starr to approve the minutes as amended. Motion passed unanimously.

Treasurer’s Report – Kathleen Burr &, Mark Pugsley reported:

* Profit & Loss – Net Income $33,424.11
* Balance Sheet – Total Assets $309,780.35
* Managed Accounts:
  + Archaeology - $22,014.37
  + CLFA Scholarship - $30,805.26
  + Roy Richards - $10,806.98
  + Hazel Jackson - $7,573.69
* 2021 Year-end accounts
  + Kathleen reviewed the year-ending P&L and Balance Sheet.
  + CLFA ended with a $9,092.23 profit
  + Mark Pugsley receives a copy of the bank statements monthly
  + Charll reviewed the number of members
* George Gentry moved with a second by Charll Stoneman to approve the financials as presented. Motion passed unanimously.

Correspondence – Joe Starr

* Notes to the Board from members:
  + Jeff Webster – reforestation/salvage - Joe Starr will contact Jeff
  + Brian Rueger – botanical survey requirements – Andrea Eggleton
  + Dennis Webb – YG Will contact Dennis – regarding raising licensing fees
  + Bill Kleiner – stump diameter - YG will contact Bill

New Members:

* Kathryn Low – Student

Joe Starr moved with a second by Charll Stoneman to approve the new student member. Motion passed unanimously.

Correspondence –

* Joe Starr’s colleague reached out to Joe asking if CLFA would want to have a student chapter at the universities similar to the SAF groups. Charll recommend that each forestry club elect a CLFA liaison. Bob recommended the students attend one of the breakfast groups. Charll recommended this would be a project for the Outreach Committee.
* Elicia Goldsworthy sent an email to Kathleen requesting that the Board nominations be accepted on time in March. She also recommended that CLFA consider requiring proof of vaccination and boosters 4’at any “in-person” events.

Board of Forestry: Andrea Eggleton reported:

* January BOF meeting is taking place next week.

Management Committee

Timberland Conversion

* Board has a policy on [Timberland Availability and Conversion](https://bof.fire.ca.gov/media/brociije/mgmt-2-a-timberland-availability-and-conversion-policy-considerations-v1_ada.pdf), of which the main position is to oppose timberland conversion unless the public values of the conversion outweigh the conversion.
* [Definitions](https://bof.fire.ca.gov/media/sciixqr0/mgmt-2-b-land-availability-policy_ada.pdf)
* [Relevant Statutes](https://bof.fire.ca.gov/media/c3updok4/mgmt-2-c-fpa-conversion-article_ada.pdf) – it is important to note that the BOF cannot change statutory language; only the State Legislature can approve changes to the state law.
* [Relevant FPRs](https://bof.fire.ca.gov/media/ceeapz52/mgmt-2-d-conversion-forest-practice-rules_ada.pdf) – the BOF can make changes to the Forest Practice Rules, so long as they maintain compliance with the statutes.
* The committee will first look to review the policy
  + The main inconsistency is that the Act says there needs to be a *bona fide* intent, while the policy states that the Board is opposed to conversion unless it is in the public interest.

Cal Fire comments

* Supportive of addressing the complex issues here
* Include consideration of County rules
* Want to make the guidance clearer and more consistent to the public

George Gentry - CFA

* There are many types of conversions
* Capable of growing trees is a key consideration, i.e. permanent transformation vs non-permanent transformation
* Suggestion: staff creates a list of the categories of conversions (ag vs permanent conversion etc.)

Mike Garabedian

* Need to also consider Williamson Act/TPZ authority and coming out of TPZ
* Counties also make TPZ rules and also the Dept of Conservation also has a significant involvement in TPZ issues

The Board will hold a Workshop on conversion, likely in January

* Goals are to identify the types of conversion that exist and opportunities to address those, identify what the problems are

“Cutover Land”, “Meadows and Wet Areas”, and “Wet Meadows and Other Wet Areas” Revisions

* Definition of Meadows and Wet Areas was changed again in this plead to revert back to the original FPR definition. The Water Board and CDFW think this is a step backwards from the WQ/“interagency” definition that was included in the [September rule plead](https://bof.fire.ca.gov/media/fmwpthqe/mgmt-3-meadows-and-cutover-land-rule-text_ada.docx). Cal Fire has concerns about the WQ definition. The Water Board commented that their definition would “protect” meadows that are dry in drought conditions but wet “under normal conditions”. Members Chase and Pardi want to focus on cleaning up the Rules with removing reference to cutover lands and providing consistent references to the existing defined term of “Meadows and Wet Areas”, declining to include the Water Board’s definition of wet area. Cal Fire does not think there is a problem with degradation of meadows with timber operations.
* Member Chase plan to present [the rule plead as-is](https://bof.fire.ca.gov/media/vapkbx2r/mgmt-3-draft-meadows-and-cutover-land-rule-text_ada.docx) to the full board with the existing FPR definition for “Meadows and Wet Areas” in January.
  + (“Meadows and Wet Areas” means those areas which are moist on the surface throughout most of the year and/or support aquatic vegetation, grasses and forbs as their principal vegetative cover.)
* E. Goldsworthy of GDRC commented that the Water Board has a no-net-loss requirement and also is more complicated to the point where it gets into the “wetland delineation” area, which requires an additional license and is overly burdensome.

Unevenaged Management Working Group – comments from George Gentry

* The group is still working on a proposal for revisions to stocking standards for unevenaged management, though the Dixie Fire has added some new thoughts for consideration for the group.
* They know they want to propose change to 8-18s, and also include providing stocking credit for hardwoods and snags.

2022 Priorities

* Discussion of [priorities](https://bof.fire.ca.gov/media/nc0nm1yg/mgmt-5-2022-priorities_ada.pdf); the list will be finalized in January at the earliest.
* Many public comments requesting review and update of the JDSF Management Plan.

Forest Practice Committee

Cal Fire Update on Exemption and Emergency Notice Reporting pursuant to PRC 4589  – Eric Huff, Staff Chief, CAL FIRE

* Chief Huff provided a draft [Monitoring Report](https://bof.fire.ca.gov/media/rhylvnn3/fpc-2-draft-exem-1038c6-monitoring-report_ada.pdf) on the 1038(c)6 Exemption (300-ft from an Approved and Legally Permitted Habitable Structure). This report is part of a requirement from SB 901 on the Department.
* This report is complementary to the 1038c monitoring report presented to the board earlier in the year.
* Cal Fire staff that wrote the report will be present at the January meeting for questions.
* 35 exemption notices were reviewed that were located across the State.
* Report includes a section on operational and policy recommendations based on the observations
  + The footprints are typically very small.
  + Watercourse protection was generally adequate, with sediment discharge typically occurring on Class III tractor crossings.
  + The fuels treatment requirements are generally resulting in the types of fuels conditions that are defensible for the future.
  + Many landowners reported that the operations were break-even or a little profit.
* Chief Huff encouraged the public to dive into the report and provide any comments for the January BOF meeting.

[Class II-L Sunset Repeal Rule Text](https://bof.fire.ca.gov/media/vfaeeehl/fpc-3-a-class-ii-l-sunset-repeal-rule-text_ada.docx)

* The rules for determination of Class II-L sunset in 2022, so the Board must decide whether to revise or readopt the rules. The Effectiveness Monitoring Committee has suggested that the watershed size method be maintained and the channel width method be removed based on [recent rigorous research](https://bof.fire.ca.gov/media/q3nd51lz/fpc-3-b-emc-class-ii-l-studies-bof_ada.pdf).
* CDFW has expressed concern for removing the channel width method.
* Drew Coe presented again to further present the EMC’s research results.
* CDFW still has “concerns” and recommends “caution.” The Committee is giving them one more month to bring legitimate concerns and data forward.

2022 Priorities

* Discussion of [priorities](https://bof.fire.ca.gov/media/nc0nm1yg/mgmt-5-2022-priorities_ada.pdf); the list will be finalized in January at the earliest.

Full Board Meeting 12/8/21

Actions taken during the Executive Session (closed):

Discussed the two litigation items on the agenda but took no reportable actions.

Regular Session

Consent Calendar Items: approved

* Approval of November BOF Meeting Minutes
* [Rulemaking Matrix](https://bof.fire.ca.gov/media/s2sh3chg/full-7-b-rulemaking-matrix_ada.pdf)
* [Appointment of William Snyder, RPF No.1760, as Vice-Chair of the Professional Forester Examining Committee.](https://bof.fire.ca.gov/media/qsmkyopn/full-7-c-pfec-vice-chair-appointment-snyder_ada.pdf)
* [Range Management Advisory Committee (RMAC) - re-appoint Lance Criley, USFS, for 4-yr term with the RMAC](https://bof.fire.ca.gov/media/0mjjijdx/full-7-d-l-criley-nomination-packet-rmac-2021-_ada.pdf)
* [Approval of Final Joint Institute for Wood Products Innovation Report: Cross-Laminated Timber Layup Tests Using Western Wood Products Association (WWPA) White fir Species Group, TallWood Design Institute](https://bof.fire.ca.gov/media/xbdiyi2a/full-7-e-jiwpi-white-fir-clt-testing-project-final-report_ada.pdf)
* [Approval of Final Board of Forestry and Fire Protection Report: Barriers to Mass Timber and Other Innovative Wood Products in California, Sierra Institute for Community and Environment](https://bof.fire.ca.gov/media/flwbiptn/full-7-f-sierra-institute-mass-timber-innv-wood-final-report-10-29-21_ada.pdf)
* RPF-CRM Vital Statistics, Approval of RPF License Withdrawal

Monthly Board Reports

Report of the Chairman (Chair Gilless): very brief, acknowledges the Francis Raymond award for the day.

[Director’s Report](https://bof.fire.ca.gov/media/fq1df2au/full-9-december-2021-director-s-report.pdf), Thom Porter:

* Thom Porter is retiring, this is his last month as Director
* Following up on Board Member questions from last month:
  + Demonstration State Forests – return to the ritual of the holiday season, and the Capital Christmas tree in Sacramento was supplied by La Tour DSF. Tree lighting ceremony viewing link is included in the Director’s report.
  + Firefighter behavioral health: HR Dept of Health and Wellness provided a briefing to the Director on the behavioral health aspect of CAL FIRE’s operations
    - incorporating more mindfulness and meditation content at the fire academy and at the stations
    - Will roll out a “tactical fitness program” in the spring
    - Continuing to work towards physical fitness standards with the union.
    - The program has an average of 600+ employee contacts during fire season (employees reaching out to behavioral health staff for support).
  + There is the most public attention on “forest management” as ever in Director Porter’s career. Cautions the Board that the state legislature is busy pushing “solutions” from their perspective, and Director Porter feels the BOF needs to get ahead of some of these proposals that are starting to erode important state institutions. Need to also do a better job of highlighting the Board’s work to the public.
* The Governor is working on a successor for Director Porter.

Executive Officer Report, Edith Hannigan:

* In-person meetings: hopeful that the BOF will be able to reconvene with in-person meetings at some point in 2022, especially for re-engaging with field tour meetings (May, July, and September).
* Husari and Wade’s terms expire in January, though they may be able to extend their service for some time until successors are appointed.
* Staffing update: Looking for a Land Use Planning staffer to fill Edith’s previous position.
* [DRAFT Annual Report](https://bof.fire.ca.gov/media/hu0dffku/full-10-b-draft-2021-annual-report_ada.pdf) Update
* Annual Call for Regulatory Review received a number of Public Comment Letters:
  + [Board Staff Report](https://bof.fire.ca.gov/media/wjtli4pv/full-10-b-1-board-rules-report-to-bof_ada.pdf) on Newly Effective Forest Practice Rules and Suggested Rule Modifications for Consideration
  + [Loretta Moreno CNRA comment](https://bof.fire.ca.gov/media/0x4ejlwu/full-10-b-2-loretta-moreno-cnra-comment.pdf)
  + [John Munn comment](https://bof.fire.ca.gov/media/qm5mauhi/full-10-b-3-john-munn-comment.pdf)
  + [Dustin Lindler comment](https://bof.fire.ca.gov/media/s1ghwkwz/full-10-b-4-dustin-lindler-comment_ada.pdf)
  + [Contractor’s Coalition comment](https://bof.fire.ca.gov/media/k0llpw5e/full-10-b-5-coalition-comment_ada.pdf)
  + [California Wildlife Foundation comment](https://bof.fire.ca.gov/media/ko0hd0wi/full-10-b-6-california-wildlife-foundation-comment_ada.pdf)
  + [County of Nevada comment](https://bof.fire.ca.gov/media/3ihd022z/full-10-b-7-county-of-nevada-comment_ada.pdf)
  + [Marc Jameson comment](https://bof.fire.ca.gov/media/hosg5jtt/full-10-b-8-marc-jameson-comment_ada.pdf)
  + [Niel Fischer Collins Pine comment](https://bof.fire.ca.gov/media/gpxb1fj3/full-10-b-9-niel-fischer-collins-pine-comment_ada.pdf)
  + [Warren Halsey comment](https://bof.fire.ca.gov/media/4qijmrfi/full-10-b-10-warren-halsey-comment.pdf)
  + [Lynn Kennedy comment](https://bof.fire.ca.gov/media/w05igayg/full-10-b-12-lee-ann-and-eric-wade-comment.pdf)
  + [Lee Ann and Eric Wade comment](https://bof.fire.ca.gov/media/w05igayg/full-10-b-12-lee-ann-and-eric-wade-comment.pdf)
  + [Adil Allawi comment](https://bof.fire.ca.gov/media/axof2ure/full-10-b-13-adil-allawi-comment.pdf)
  + [Michael Burke comment](https://bof.fire.ca.gov/media/lialrgda/full-10-b-14-michael-burke-_ada.pdf)
  + [David Hutchinson comment](https://bof.fire.ca.gov/media/i1ljl1v0/full-10-b-15-david-hutchison-comment.pdf)
  + [Margaret Belska comment](https://bof.fire.ca.gov/media/3gshh2qx/full-10-b-16-margaret-belska_ada.pdf)
  + [County of Santa Clara comment](https://bof.fire.ca.gov/media/clyft5as/full-10-b-17-county-of-santa-clara-comment.pdf)
  + [Denis Zaff comment](https://bof.fire.ca.gov/media/u0ndrdpy/full-10-b-18-denis-zaff-comment.pdf)

Report of the Regulations Coordinator (Jane VanSustern):

* Board consideration of re-adoption of emergency rulemaking entitled “[Emergency Notice Fuel Treatment & RPF Responsibilities](https://bof.fire.ca.gov/media/0ekhgvu0/full-11-a-1-1st-readopt-notice-of-proposed-emergency-action_ada.pdf)” - 14 CCR §§ 1052 and 1052.4
  + These emergency regulations are coming to their sunset date. In previous meetings, this rule text was approved under regular rulemaking for permanent adoption, but will not go into effect until 2023, so this re-adoption of the emergency rules is necessary to ensure there is not a lapse in applicability. Please see the [Notice of Proposed Emergency Action](https://bof.fire.ca.gov/media/0ekhgvu0/full-11-a-1-1st-readopt-notice-of-proposed-emergency-action_ada.pdf) for more details.
  + This rule package requires that RPFs be present on-site on Emergency Notice Areas a sufficient number of times to remain apprised of operations, as well as requires the fuels treatments associated with the Emergency Notice for Fuel Hazard Reduction to be completed within one year of acceptance of the EM, instead of one year from creation of the slash. Please note that this regulatory text is currently in effect, as of 8/5/2021.
  + Motion to re-adopt the emergency rulemaking passes unanimously, extending the applicability of this text until Dec 21, 2022. The permanent rulemaking on this rule package is identical and will come into effect on Jan 1, 2023.

Report of the Standing Committees

Management and Forest Practice Committees – see detailed notes on Committee Meetings above

Resource Protection Committee

* [Defensible Space Regulations](https://bof.fire.ca.gov/media/klhbgc3n/rpc-3-defensible-space-zone-0-draft-rule-plead.doc) – Clare McCoy from BOF Staff reported that this regulatory package is being composed by a large, inter-disciplinary group of stakeholders. This rule plead includes a 0-5-foot zero-fuels zone around structures.
* [Subdivision review](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcalfire-forestry.maps.arcgis.com%2Fhome%2Fitem.html%3Fid%3Da045e9e9c01c4dd7abdf14ad30646eaf&data=04%7C01%7CMazonika.Kemp%40bof.ca.gov%7C4124fc994f7242bb32e008d9b51b3a02%7C447a4ca05405454dad68c98a520261f8%7C1%7C0%7C637739950798056932%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=wzj8DG2AFRcNXosR86HkyDyCSxIoHHz68sYrLUnFO20%3D&reserved=0) – CAL FIRE is making progress on review of all of the subdivisions in the State in SRA or Very High Fire Severity LRA that do not have 2 methods of ingress and egress
* Safety Elements – reviewed City of Perris, City of Monrovia, City of Palm Desert, City of Rancho Mirage, City of Rancho Santa Margarita, and Imperial County.
* Reviewed the Draft 2022 Committee Priorities
* Board consideration of proposed changes to regular rulemaking entitled “[State Minimum Fire Safe Regulations, 2021](https://bof.fire.ca.gov/media/vm0lm3wi/revised-rpc-2-d-draft-state-minimum-fire-safe-regulations-revisions-nov-22_ada.doc)”
  + Approval of the motion to move the rule package for 15-day public comment period.

Report of the EMC, Sue Husari: the committee has not meet since November, so there was nothing further to report.

Report of the RMAC, Christina of the Board Staff

* Discussions with the Tahoe National Forest with CRMs or folks who have the required expertise to manage grazing of rangelands and meadows. The RMAC was helping the forest with outreach to qualified applicant pools and how to improve their program nationwide. No action taken.
* January 5th is the next meeting.
* Recommendations for appointment for the four open seats should be coming to the Board at the January meeting. Applications will be reviewed at the Jan 5th committee meeting.
* The RMAC annual work plan will also be submitted to the Board at the January meeting.

Presentation of the 2021 Francis H. Raymond Award for Excellence in California Forestry

* Congratulations to Gary Rynearson, RPF #2117, individual winner of the 2021 Francis H. Raymond Award! Thank you for your 44 years of hard work in this industry and your service as a prior CLFA President, three-time member of the Board of Forestry, member of the PFEC for over a decade, and many other contributions.
* Congratulations also to the California Forest Pest Council, the organizational winner of the 2021 Francis H. Raymond Award!

Public Comments

* Many comments calling for a current review of the JDSF Forest Management Plan, as well as many comments expressing concern for forest management activities and their impact (implied negative) on wildlife, watersheds, wildfire risk, Indigenous values and cultural resources, and climate change. Many commenters from Mendocino County with concerns.

Education –

* Spring conference is postponed. The new conference dates will be May 19th – 21st, 2022. Kathleen will confirm with the Gaia and Joe will contact the speakers.
* Board discussed that masks would be required.

Cal Fire MOU for the archaeology program.

* Kathleen discussed the archaeology program. Once all income and been received and all bills have been paid. If there is a profit in the program – that money is deposited into the ARC account. If the program has a negative cash flow the funds are transferred from the ARC Account back to CLFA. For the last few years, the program had experienced a loss.
* Chris Dow renegotiated that CLFA would receive an 18% management. Kathleen’s admin fee is not taken out of this 18%. Len Nielson feels that Kathleen’s admin fee should come out of the 18% management fee.
* Kathleen discussed that Beth Bagwell was originally hired to write her portion of the program. She currently teaches at every class.
* Kathleen reviewed the other contract speakers.
* Charll had previously commented that he felt 12% is a normal management fee.
* The 18% also contributes to CLFA’s annual budget.
* Kathleen discussed holding the refresher’s virtually, which Len Nielson agrees can happen in the future.
* Kathleen had previously recommended that Beth not be included as a teacher at the refreshers. The Cal Fire teaching cadre feels she is necessary at all classes.
* Jason feels that CLFA should try to not increase the fees as this is a necessity for foresters to do their jobs.
* There will be a meeting with Len to discuss on January 18th.

Credit card fees:

* Eventbrite will be used for all CLFA events as they will charge the 3% for credit card use and it will not come out of CLFA budget.
* Kathleen also noted that the members who pay via check are more likely to donate funds to scholarships.

Outreach – Jeremy Wright – nothing new to report

Legislation – Joe Starr

* AB-522 – Fong - Dealing with the fire safe exemption – remove the sunset exemption and be inoperative as of January 1, 2026. It has passed committee and is currently with the finance committee.
* AB-1154 – Forest fire exemption - Paterson - A bill seeking CEQA exemption for roads built for fire escape routes in high fire prone areas. This bill is with the finance committee.
  + Forestland owners is working on both of these bills.

Licensing – Nothing to report

Water & Wildlife – Mark Pugsley reported

Communications – Nothing new to report

Both YG and Jeremey hold study groups for those planning to take the licensing test.

Prescribed Burn Boss program – The Board discussed the current issues with this program and the certification of people who have take the course. Jason will reach out to Lenya Quinn-Davidson and see if she would like a support letter from CLFA to Cal Fire regarding this program.

Scholarships – Katheen reported:

* CLFA has received 7 scholarships that will be sent out to the Board members for review.
* Charll will finalize the Biswell scholarship with an April deadline. The questions will be less difficult with the questions. Will probably be a question why they applicant wants to be a forester with an interview.

Newsletter articles are due to Kathleen February 25, 2022.

Jeremy Wright moved with a second by YG to end the meeting at 2:25. Motion passed unanimously.

Respectfully submitted,

Kathleen Burr

Executive Director