**CALIFORNIA LICENSED FORESTERS ASSOCIATION**

**April 22, 2020 Board Meeting**

**GoToMeeting**

Chris Dow called the meeting to order at 6:00 pm

Members Present: Gwyndolyn Ozard, Harlan Tranmer, Robert Little, Jason Wells, Joe Starr, Tony Gomez, Ariel Thomson-Roughton, Elicia Goldsworthy, and Paul Violett,

Members absent: Emil Mason, Ricky Shurtz

Others present: Kathleen Burr

March Meeting minutes – Tony Gomez moved with a second by Joe Starr to approve the March Board minutes. Motion passed unanimously.

Treasurers - Paul Violett report:

* Profit & Loss – Balance as of April - $81,274.49
* Balance Sheet – Total liabilities & Equity - $340,681.56
* Managed Accounts:
	+ Archaeology – Balance $35,221.25
	+ CLFA Scholarship – Balance $34,569.52
	+ Hazel Jackson – Balance $2,600.00
	+ Roy Richards – Balance $11,470.20
* Outstanding payments – reminder invoices were mailed – from the March fundraiser:
	+ Hazel Jackson - $1,550.00
	+ Raffle items - $850.00
* Budget vs. Actual:
	+ Membership is over 27.93% then budgeted
	+ Supplies over budgeted due to CLFA envelopes ordered
	+ Supplies for spring conference over budget due to purchase of flags, plaques, and increase in cost of speaker gifts
	+ At 5 months into the budget year – expenses are at 40.16% of budget
* Joe Starr moved with a second by Tony Gomez to approve the financials at presented. Motion passed unanimously.

Executive Director & Archaeology – Kathleen Burr presented:

* The March 5-day initial archaeology class has been moved to the week of September 21, 2020 due to the current ‘stay at home order’.
* The second 5-day initial archaeology class will be the week of October 26, 2020.
	+ Currently there are 21 people on the waiting list for the October class.
	+ These people will be first to be registered in the spring 2021 class.
* The April refresher classes have been rescheduled to the November refresher dates. There will only be two classes held in 2020.

Education: Priority Changes to Education Committee – Robert Little reported:

As it relates to CLFA’s Committee Goals & Objectives – under the education committee - Robert Little discussed the importance of holding the archaeology classes and the importance of having an RPF in good standing, within the private sector, sit on the archaeology training committee with Cal Fire. Robert felt this should be inserted as one of the committee’s responsibilities.

Strategic Plan – Board Discussion:

The Board discussed where the strategic plan should be placed for members to review. Kathleen felt the plan should be placed on the website. Chris Dow recommended that the strategic plan be reviewed during the May & June Board meetings and then uploaded onto the website. Board members agreed to review the strategic plan so that it could be uploaded onto the website.

Video Scholarship

Both Chris and Kathleen informed the Board that there should be several applications coming in for this scholarship.

Legislation –Brian White & Jason Wells reported:

* This is the latest of what we know for the Legislative Committee report, which is to say we don't know much. Today there will be virtual committee meetings held in the Assembly and Senate to discuss COVID-19. The Legislature has been in recess and will convene again in May. No one is sure how things are going to play out this year, but COVID-19, homelessness, and wildfires are problems that are pressing and aren't going away. Each legislator has been asked to limit the number of bills they submit to 3-5 for the year. Assembly member Patterson, who authored the 300-foot exemption bill, has stated that his office will continue with the bill to remove the sunset clause of that exemption.

Legislator’s Priorities

* Last week legislative leadership announced the Legislature will return to the Capitol on May 4th (this assumes shelter in place orders will be lifted) but this could change if social distancing is still mandated.
* In terms of the Legislature’s priorities going forward, it’s safe to say everything is uncertain except for bills dealing with COVID-19, public health and most likely wildfire response.  In fact, several policy committee chairs issued memos last week recommending that legislators should delay pushing most of their bills this year if they are not critical or relevant to COVID-19 response (see attached memos from Senate Leader Atkins and Assembly Member Friedman).  Right now each legislator is in soul searching mode to see which bills they will deem as priorities knowing they may only get to push only three to five bills each.
* For example, in a conversation I had with Assem Jim Patterson’s office this week, his staff indicated Assem Patterson will not be pursuing the current language in AB 2468 which would have allowed landowners to file joint CFIP applications.  However, Assem Patterson will continue to make funding for CFIP a high priority through the budget.  CLFA’s support for CFIP funding was sent to the Legislature and Newsom Administration last week.  Follow-up will continue on this issue but realistically, the Newsom Administration and Legislature will most likely have to defer action on it until August when revenue numbers are updated (see State Budget below).
* Meanwhile, Assem. Patterson has indicated his bill to extend the 300 foot THP exemption for defensible space until 2026 will be a priority. That will be accomplished through either AB 3132 or AB 2468.

 **Legislative remote hearings and voting**

* It should be noted the policy committees will be operating under a timing issue since the legislative calendar has now been shortened.  Until the Legislature physically comes back in May, it’s not clear if or when policy committees will hear bills. Since most bills introduced this year will not meet the April 24th policy committee deadline, unless legislative leadership extends the deadline, there is a possibility legislators could turn to budget trailer bills at the end-of-session to implement policies they weren’t able to adopt in regular stand-alone bills.  Stay tuned for more on this later . . .
* In addition, it’s unclear whether the Legislature will conduct remote hearings going forward.  Both the Senate and Assembly are having discussions about devising a joint plan (one that addresses constitutional concerns) that would allow for remote hearings and voting while shelter in place and social distancing orders are in effect.  In the meantime, the Senate already passed a resolution last month that authorizes the Senate to conduct remote hearings and voting; however, the Assembly held off on the approval.  To be effective, both houses must agree on a plan for remote voting for full legislative action to take place.  An analysis prepared by UC Berkeley Law’s CA Constitutional Center (see below) discusses the potential legal challenges of the Legislature conducting remote hearings during the COVID response.  They ultimately concluded it’s possible if the Legislature approves emergency orders that ensures the public has open access through live streaming and ability to comment, especially if the Legislature is taking votes.  <http://scocablog.com/californias-legislature-can-and-should-meet-remotely/>

 **Governor Newsom’s Response and Legislative hearings on COVID-19**

* Governor Newsom has received fairly good marks at the federal, state and local levels for his response to COVID-19 by taking a proactive approach in securing supplies such as masks and ventilators, in addition to providing daily updates and issuing executive orders. But there are rumblings from some legislators that the Newsom Administration hasn’t been as transparent with the Legislature as they would like, particularly with the spending of resources to secure supplies and other announcements. Before the Legislature adjourned due to the COVID-19 pandemic, they gave Gov. Newsom authorization to spend up to $1 billion to address the response.  To track how much Newsom has spent and what he has spent, you can view here -  <https://cssrc.us/content/covid-19-response-spending?utm_source=CSSRC+-+COVID+4.10.20&utm_campaign=CSSRC+-+COVID+4.10.20&utm_medium=email>
* In response to the growing spread of COVID-19 and the Legislature’s desire to be proactive, Senate Leader Toni Atkins (D-San Diego) and Assembly Speaker Anthony Rendon (D-Lakewood) issued a joint statement confirming the legislature will begin conducting COVID-19 oversight hearings. The bipartisan oversight hearings are expected to gather information on Governor Newsom Administration’s spending in response to the COVID-19 pandemic.  The first hearing will take place in the Senate on Thursday, April 16th at 2 pm (remotely of course).  The Assembly will hold a hearing on Monday, April 20 at 10 am.
* Details on the hearings, where to watch them, and how to submit public testimony will be forthcoming but can also be found here –

State Budget

* With respect to the State’s budget, it will not be pretty.  The good news is the state has a budget reserve of about $20 billion to help weather the storm.  The bad news is there are significant portions of the economy, particularly in tourism, restaurants and hotels that aren’t expected to come back at full scale for quite some time and that will significantly impact the state’s General Fund.
* For now all signs point to the Legislature adopting a so-called “workload budget” to meet the constitutional June 15th deadline.  As noted in the attached letter from Assembly Budget Chair Phil Ting, this means the Legislature will adopt a barebones budget based on 2019 budget allocations.  This is being done because state dollars are being siphoned off to address COVID-19 response and the Governor’s Department of Finance is unable to accurately calculate new revenues for the current fiscal year until after July tax filings are completed (the CA tax deadline was extended to July 15th).
* After adopting a June workload budget, the Legislature will then wait for the Governor to issue the revised budget numbers in July and then they’ll adopt another budget in August to provide more General Fund dollars for priority programs such as healthcare, wildfires, employment, education with other resource related programs being funded by special funds such as greenhouse gas reduction funds.  All said, it will be an interesting and challenging budget year. But when there’s chaos, there may be also be some opportunities to pivot for other important programs to address other crisis such as wildfire prevention.

Water and Wildlife Updates – Gwyndolyn Ozard reported:

* April FGC meeting CONSENT ITEMS of Note:
* Item 30: Shasta Snow Wreath.

The Commission, pursuant to Section 2074.2 of the Fish and Game Code, finds that the petition to list Shasta snow wreath as an endangered species does provide sufficient information to indicate that the petitioned action may be warranted based on the information in the record before the Commission, directs staff to issue a notice reflecting this finding, and declares Shasta snow wreath is a candidate for threatened or endangered species status.

* Item 32: Mountain Lion:

The Commission, pursuant to Section 2074.2 of the Fish and Game Code, finds the petition to list one or more evolutionarily significant units of mountain lion as an endangered or threatened species does provide sufficient information to indicate that the petitioned action may be warranted based on the information in the record before the Commission, directs staff to issue a notice reflecting this finding, and declares, within the southern ESU, mountain lion is a candidate for threatened or endangered species status.

Forest Practice – Andrea Eggleton reported:

I monitored the Board of Forestry Joint Committee Meeting on April 7 and the Full Board Meeting on April 8 via webinar on behalf of CLFA as your Regulatory Representative. The meeting was held via teleconference. A summary of topics covered and CLFA needed actions are included.

The next meeting is May 5-6, 2020 via teleconference.

CLFA Board Member Action Items and Next Month’s Agenda Items:

* None at this time - It is undetermined whether or not rulemaking will continue or not at the May meeting. I expect it to be similar to the April meeting, in which the staff produced many supporting documents and summaries for presentation but there was no engagement in active rulemaking.
* All of the agenda items for the Management Committee and Forest Practice Committee are expected to be the same next month.

BOF April 2020 Meeting Summary

Attendees – Commenters only

Board Members: Chairman Gilles, Members Chase, Los Huertos, Wade, Delbar, Jani, Wheeles, Husari.

Others: BOF Staff, Scott Witt, Deputy Chief, CAL FIRE Office of the State Fire Marshal, Sonoma County Counsel, public commenters from Sonoma County, representatives from City of Novato and County of Lassen, and other CAL FIRE staff related to Safety Elements

Resource Protection Committee Meeting: Topics Covered- Did not attend

* Lots of discussion and public and county staff (County Counsel) comment on the County of Sonoma Fire Safe Regulations (14 CCR 1270.04) – very contentious
* Safety Elements for City of Novato and County of Lassen are works in progress and will come before the committee again later in the year

Forest Practice Committee Meeting: Topics Covered

* Steep Slope Yarding Regulations
	+ [Staff update only](https://bof.fire.ca.gov/media/9888/wksp-41-april-2020-steep-slope-logging-staff-memo-ada.pdf)
	+ Recognized additional literature researched by staff including peer reviewed literature, regulations from [New Zealand](https://bof.fire.ca.gov/media/9805/wksp-42-new-zealand-acop-section-64-ada.pdf) and BMPs from [State of Washington](https://bof.fire.ca.gov/media/9806/wksp-43-wa-steep-slope-machine-logging-bmp-ada.pdf)
	+ Working with Dr. Hunter Harrell from HSU on this (per a CLFA introduction. Thank you, Elicia, for bringing it to my attention that Dr. Harrell had volunteered himself to be a resource via your local breakfast meeting.)
	+ Other jurisdictions make reference to the specialized nature of the equipment, as is the research literature, and therefore the Board’s regulations should consider and reference this as well (i.e. regulations are expected to be specific to winch-assist tethered technology)
	+ Cal Fire is using the opportunity to conduct a case study on the topic with SPI on a THP in Tehama County that is proposing to use tethered logging
	+ Continue to consider environmental concerns with tethered logging
	+ Move forward with fact finding for next month
	+ <https://bof.fire.ca.gov/media/9888/wksp-41-april-2020-steep-slope-logging-staff-memo-ada.pdf>

Management Committee

* Basal Area stocking standards
	+ [Staff update](https://bof.fire.ca.gov/media/9807/wksp-50-basal-area-staff-memo-ada.pdf) and [YG update](https://bof.fire.ca.gov/media/9889/wksp-51-unevenage-working-group-update-ada.docx)
		- Focus on group selection and transition Silvicultural methods in terms of promoting the regeneration of shade intolerant species with unevenaged methods; flexibility on 8-18”s
		- Look forward to additional information from the working group
* Group A and B species
	+ [Staff update only](https://bof.fire.ca.gov/media/9882/wksp-6-commercial-species-april-2020-joint-committe-report-ada.pdf)
	+ Board staff recommendation is to address the impacts of black oak and giant sequoia on MSP via a review of MSP instead of commercial species revisions right now
	+ Larry Camp sent in a comment letter regarding the black oak and giant sequoia, which will be discussed next month
	+ Monterey pine and eucalyptus
		- If there are no group A species present on a site, it is not considered “timberland” and then the FPRs do not apply, and if in the Coastal Zone, needs to go through CEQA with a Coastal Development Permit
		- As another example, Monterey pine stands can’t be thinned using a Fire Prevention Exemption either if no other Group A species are present
		- Need to continue to put some thought into this issue – won’t work for an RPF to propose to move a B species up to A on a case-by-case basis because only the BOF has the authority to designate commercial species
* Mountain Home State Forest – review of Forest Management Plan
* Mitigated Neg Dec for Mountain Home – may not be appropriate to attach this to the FMP now due to the CAL VTP coverage
* Increase in camping fees at MHSF
	+ Discussed a consistent camping fee throughout state forest system

Full Board

* Re-adoption of [findings of emergency](https://bof.fire.ca.gov/media/9791/full-9-a-1-emergency-notice-for-fuel-hazard-reduction-notice-of-proposed-emergency-action-2nd-readopt-ada.pdf) and [rule text](https://bof.fire.ca.gov/media/9792/full-9-a-2-emergency-emergency-fuel-hazard-reduction-rule-text-2nd-readopt-ada.docx) for emergency rulemaking action entitled “Emergency Fuel Hazard Reduction Amendments, 2019” (14 CCR §§ 913, 933, 953, 1052 & 1052.4).
	+ 8/11/2019 effective date of emergency 1052.4 regs.
	+ Public hearing on the regular rulemaking is scheduled for the June meeting
	+ Emergency rules were proposed for 2nd and final re-adoption
	+ Motion of to re-adopt carries unanimously
	+ If approved by OAL, **this readoption will extend the effectiveness of the emergency regulations to August 10, 2020.**
* The Report of the CAL FIRE Director was skipped in order to deal with technical issues – see [Director’s Report](https://bof.fire.ca.gov/media/9883/april-2020-directors-report.pdf) for more details
	+ **Forest Practice** Report – comparison of harvest documents to this time last year
		- THP and NTMP submissions are fairly flat, approvals are down
		- Exemption Notices are up substantially from 370 to 412
		- Emergency Notices are 56% lower than last year
	+ 2020 **Exemption Notice monitoring** is continuing, with a focus on structure protection exemptions and utility ROW exemptions
	+ **Urban and Community Forestry Grant** Project applications are due on April 16th
	+ **Rx Burning** - CAL FIRE’s internal working group is developing a statewide and consistent process for issuance of burn permits for prescribed fire projects.
	+ On Monday, March 23rd, **L.A. Moran Reforestation Center** began the process of sowing and growing conifer seedlings in the reconstructed greenhouses. Seedlings have not been grown at LAMRC since the nursery closed back in 2003. CAL FIRE will be growing 107,000 seedlings this year, many of which will be planted in areas devastated by the Camp Fire.
	+ The **CFIP Proposition 68** second quarter funding cycle ended on February 28, 2020. There are 22 projects that were selected for funding with a total encumbrance of 1.8 million dollars. Affected acreage associated with the 22 projects is approximately 1,198 acres.
	+ The **Forest Legacy Program** is preparing for the next round of Federal Legacy project applications and updating the California Climate Investment (CCI) grant guidelines in advance of the next round of those grants.
	+ Grants are in place or being developed for all nine southern California counties impacted by the **Invasive Shot Hole Borer Complexes**
	+ An Incident Command System team has been established for the **Mediterranean Oak Borer complex** including federal state and local government personnel, and university researchers. Trapping and surveys are underway in Napa, Lake and Mendocino for the invasive pest. Education and outreach have begun (although put on hold by COVID-19) and research is ongoing on both the insect and its associated fungi.
	+ **2020 Power Line Fire Prevention Field Guide** has been submitted to CAL FIRE executive staff for review.
	+ **Utility Wildfire Mitigation** staff are working with the CPUC on the 2020 Wildfire Mitigation Plans submitted by the investor owned utility companies.
	+ FY 19/20 **CCI Fire Prevention Grants** Awarded 55 grants for a total of $43.5 Million on March 9, 2020.

**PRESENTION: State Responsibility Area (SRA) Redetermination 2020** - Scott Witt, Deputy Chief, CAL FIRE Office of the State Fire Marshal

* Revising the classification of SRA – 99 recommended changes
* PRC 4125 outlines key elements of classification (authority to classify all lands within the state for their fire responsibility), requires a review every 5-years and notification by Department to Counties
* PRC 4126 – definition of SRA
* 4127 – exclusions of lands that can’t qualify as SRA
* 4128 – The board may use “lines of convenience” to designate the SRA such as roads, ditches, etc. that facilitates the rapid response by fire agencies to be able to use recognizable landmarks in the field
* Next steps
	+ Remap Fire Hazard Severity Zones, then remap LRA Very High FHSZ
	+ Next statewide SRA review will be in 2025
		- Annual “automatic” reviews include federal ownership changes or city incorporation changes

Unevenaged Management Working Group

Attendees: Jim Able and Ben Cohoon, Neil Fisher, Matt Greene, Eric Hedge (BOF Staff), John Mills, Nadia Hamey, Larry Camp, and Andrea Eggleton

8-18”s – remove requirement all together; YG read an old memo from 1979-80 BOF meeting that states problems with the rule and is not accomplishing the intent for selection. YG – makes no sense at all why it is in there and can’t find a good reason to retain it in the rule. YG has gone through decades of BOF notes to find where the standard came from and thinks it is just a vestige. YG is also going to talk to Chiefs Huff and Hall. NTMP owners brought this up to YG 20 years ago when he was on the CLFA Board, upset about the limitations of the 8-18s on their management.

* Able – would be helpful, open up some small landowner options that are currently on the line
* John Mills – Wouldn’t pose a problem, even in Beaty’s SYP. It mostly impacts small landowners that are using Option C
* Neil Fisher – probably are working towards that standard anyway, seems like an arbitrary inclusion to retain large trees (political), would be helpful in stands that are not capable of growing 18” trees. Main intent is to be able to address
* Andrea – would be helpful especially on low site ground that doesn’t produce the seed tree standard, but there may be value in retaining the language about good phenotypic quality trees
* Nadia- the shade intolerance argument speaks to her, but it doesn’t really pose a problem for her as it is; doesn’t really change the weird southern subdistrict selection rules
* Matt Greene- mills are now tooled for an optimal 18” size, so would open up the ability to provide that size class better; would be good to know if changing an NTMP with this standard already baked in would be a minor or major amendment.
* Larry – personally frustrating that the Dept. looks at RPFs as doing a bad job and wants to be recognized for having a biological reason for doing what we’re doing

Credit for Group B species and snags

* Probably want to make that part of a different proposal

Group Size and Percent of Area

* Able – if you’re going to have groups, do them right. Tired of coming back 20 years later and finding the edge trees all short and center trees twice as tall. Larger group openings or a more frequent entry period would help
* John Mills – **third entry into some areas and having trouble complying with the basal area retention over 80% of the area because tree size from first 2 group ages are not big enough yet – would like to use a commercial thin standard for those stands that are less than 14” dbh.** Never gotten anywhere near 20% of the area in groups
* Andrea – YG asked me to share my concern over changing the rules – Neil cautions that we have to be careful about talking about area regulation with teensy mini clear cuts, whether 2.5 or 5 acres
* The height of adjacent stands is a problem for group size

AP

* Neil - CAL FIRE is doing their job and it’s not wrong that it raises a red flag
* YG – RPF explain and justify used to be better respected; do we really need to go into this detail in the rules to be able to do the right thing?
* Matt Greene – fuelbreaks are not allowed in the Coastal Zone; went back to John Helms’ dictionary definition of group selection, which relies on the adjacent height of trees dictating the size of the groups
* Neil – species composition is really their problem, want to increase percentage of groups on the landscape but doesn’t really want to increase the size except on cable or maybe for the size of groups. Adjacency and logical logging units are already being scrutinized by the agencies.
* Ben Cohoon – RPFs are supposed to be able to tailor the Silvicultural to the stand and needs, and it would be nice to get that back.
* Larry – suggests including Rob York and Paul Violett

New Business:

* May 15, 2020 Meeting – Granzellas
	+ The Board discussed options for meeting in May and the CLFA Audit. It was determined that the May meeting will be a GoToMeeting on May 16, 2020.
	+ As for the audit, Kathleen and Paul will come up with a plan for the audit to proceed accordingly.
* Newsletter Articles due April 28, 2020. Email to Kathleen
* Committee Reports for Meetings: To be distributed Friday prior to Meeting

Tony Gomez moved with a second by Joe Starr to adjourn the meeting at 7:31 pm. Motion passed unanimously.

Respectfully submitted,

Kathleen Burr