



California Licensed Foresters Association

January 2019 - Newsletter

President's Message

Harlan Tranmer, CLFA President

CALIFORNIA
LICENSED
FORESTERS
ASSOCIATION

*The Voice of
California's
Licensed
Foresters*

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Welcome to 2019! It's an arbitrary benchmark but it helps us organize our thoughts. The days are getting longer now, so we will be able to get more work done. Hopefully you've had a chance to recharge your batteries. There is a lot to do this year.

Everyone loves check boxes, right? They make it easier and quicker to fill out forms. The problem is that it's impossible to categorize every conceivable situation, especially in a forest environment. That's why we need humans making decisions on the ground and as foresters, we need flexibility.

Most of us spent this past holiday season trying to explain to friends and family what, if anything, can be done to manage forests to reduce fire hazard and increase resilience. Those questions are often very difficult to answer because of the multitude of variables involved, the inevitable trade-offs, and how much we still don't know. People's eyes start to glaze over as soon as you say, "Well, it's complicated." They usually ask a question with a binary choice of answers, such as yes vs. no, good vs. bad, more vs. less, or Trump vs. the other side. I would rather put them to sleep with forestry talk than lie to them with an overly simplified response.

Even with check boxes, we are given the opportunity to explain and justify our determinations and that practice will continue. Otherwise, we would soon be replaced by robots. Automation will continue to progress, affecting our personal and professional lives and we will have to work with it. It will be difficult but ultimately, there is no getting around it. We just have to be careful to keep humans involved to override the system when the circumstances call for it. Rules and regulations are not going away either but they can be modified to achieve management objectives while also protecting resources. Keep the conversation going, perpetually.

The majority of the public wants more forestry work done but also worries about adverse impacts. That sounds like a job for a forester. To get more done, we need to be trusted to do the right thing. We need the handcuffs taken off. The only way that will work is if we honor the trust we are given.

Harlan Tranmer
CLFA President



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Regulatory Report

Andrea Eggleton – CLFA Regulatory Representative

I would like to introduce myself to the CLFA membership as your new Regulatory Representative. The CLFA Board has contracted my company, Forest Resource Solutions and Technologies (FRST), to represent the membership in regulatory affairs, mostly through in-person representation at Board of Forestry (BOF) meetings and committee workshops. I am honored and excited to work on behalf of the CLFA membership to bring the concerns and interests of the professional forestry community to the BOF. If you have a regulatory concern or inquiry, please get in touch with a CLFA Board Member, who will pass the concern on to me.

The Board of Forestry (BOF) met on November 6-7 and December 4-5.

http://bofdata.fire.ca.gov/board_business/meeting_agendas/2018bma/11_final_revised_november_2018_agenda.pdf

http://bofdata.fire.ca.gov/board_business/meeting_agendas/2018bma/december_2018_notice_and_agenda.pdf

SB 901

The Forest Practice Committee held another workshop on November 27 to address rule language revisions to the 1038 exemptions pursuant to the requirements of SB 901. Another workshop is expected prior to the next full board meeting (Jan 22-23). The legislation requires the BOF to consider several changes to the 1038 exemption rule language. The BOF will be publishing plea language for emergency rule making prior to their January meeting. We can expect to see some new mapping and reporting requirements to many of the existing exemptions, but also to see many of the timing and operational requirements become more consistent between the exemptions. The Board will likely also be combining the “less than 10% dead and dying” exemption (1038b) and the “biomass” exemption (1038k), which will expand the applicability of the 1038(k) exemption beyond its current application to removing previously decked material along roads. The plea language is expected to be drafted prior to the next BOF meeting, after which it will be processed as emergency rule making. The goal is to have the new rule package take effect by April.

CLFA has been very involved with the development of these changes through the workshops that were held in October and November and has pushed back hard on expanding restrictions and noticing requirements on exemptions where they are not required by the legislation or are not warranted in our view. CLFA has also been able to provide a practitioner’s perspective on how various proposed revisions will affect the ability of landowners large and small to manage fuels and fire risk (the focus of the legislation). At this time, the Board is not considering changes to the 1104.1 Conversion Exemption rule language through this emergency rule making process, though it is likely that they will address the Conversion Exemptions later this year.

SB 901 also creates a new Small Timberland Owner Exemption and expands the Forest Fire Prevention Exemption. The BOF has not yet begun to work on rule language for these two exemptions but will be addressing them early in 2019 with the goal of having them available for use by April. The legislation also calls for some revisions to the NTMP rule language, which the Management Committee is currently reviewing. The revisions are expected to make the mapping requirements in 14 CCR 1090.5 consistent with the Road Rules mapping requirements for clarity, as well as make it clear that the use of exemptions is permitted on NTMP footprints. The Board is also considering whether or not to require a “Designated Agent” to be appointed for NTMPs that cover multiple ownerships, similar to the rule language for the WFMP.

CalTREES

In response to CLFA’s letter to the Board of Forestry, CAL FIRE testified to the Board at their public meeting on Wednesday December 5th that the mandate to use the CalTREES forms will be pushed back to July 1st, 2019. RPF’s are encouraged to use the new forms now but THP’s will be accepted using the old forms until that date. The earliest date that on-line submission will be ready is likely March. As of July 1st, the old forms will no longer be accepted.

Stocking Standards

The Forest Practice Committee will continue to address the stocking standards in this next regulatory cycle. The next step will likely be to review the point count standards for evenaged stocking standards.

General BOF Business

The Board of Forestry has started a new regulatory cycle as of November, which is expected to be very busy. The Board Staff will be reviewing the Committee Priorities for discussion at the January Board Meeting. Some of the items of interest to CLFA members that the Board will be addressing include SB 901-related rulemaking, revisions to stocking standards, review of the utility ROW exemptions, and revisions of several of its land use regulations and policies (contact Edith.Hannigan@bof.ca.gov).



Water & Wildlife

Elicia Goldsworthy —Committee Chair

WATER QUALITY

North Coast: <http://www.waterboards.ca.gov/northcoast>

The Board last met on Nov 14 in Santa Rosa; there were no forestry items on the agenda. The next Board meeting is (tentatively) scheduled for Feb 20 & 21, 2019 in Santa Rosa; an update on the findings of the Elk River Recovery Assessment is on the draft agenda. Extension of the timber categorical waiver has been (tentatively) scheduled for the draft agenda for the April meeting.

Central Valley: <http://www.waterboards.ca.gov/centralvalley>

The Board met Dec 6-7 in Rancho Cordova; no forestry items were on the agenda and the minutes are not yet available. Refer to the Executive Officer's report for a number of forest management related discussions, including how implementation of exemptions authorized by SB 901 is likely to impact the Water Board(s). The next meeting is scheduled for Feb 7-8 in Rancho Cordova; the agenda is not yet available.

Lahontan: <http://www.waterboards.ca.gov/lahontan>

The Board met on Nov 14-15 in Apple Valley; no specific forestry topics were on the agenda. Refer to the Executive Officer's report (link below) for discussion of upcoming changes to timber harvest and vegetation management (2014 timber waiver). The next meeting is scheduled for Jan 16, 2019 in Apple Valley and South Lake Tahoe (teleconference); there are no specific forestry items on the agenda.

https://www.waterboards.ca.gov/lahontan/board_info/agenda/2018/nov/item_12_eo_report.pdf

Central Coast: <http://www.waterboards.ca.gov/centralcoast>

The Board met Dec 6-7 in San Luis Obispo; there were no forestry items on the agenda. The next meeting is scheduled for Jan 31 and Feb 1, 2019 in San Luis Obispo; the agenda is not yet available.

WILDLIFE

The Fish and Game Commission: <http://www.fgc.ca.gov/meetings/2018/index.aspx>

The Fish and Game Commission (FGC) met December 12-13 in Oceanside. The agenda included the following consent items: consideration of the petition to list northern California summer steelhead as endangered under CESA and CDFW's request for a 30-day extension to review the petition; ratification of the decision to list Humboldt marten as endangered under CESA; and receipt of the 90-day evaluation report from CDFW to list the UKTR spring Chinook salmon as endangered under CESA. Specific details are provided in the discussions below. The next FGC meeting is scheduled for February 6, 2019 in Sacramento.

Northern California Summer Steelhead (*Oncorhynchus mykiss irideus*)

The FGC initially received a petition on September 28, 2018 from Friends of the Eel River to list northern California summer steelhead as endangered under CESA. On Oct 8, 2018 FGC staff transmitted the petition to DFW for review and a notice of receipt of petition was published in the California Regulatory Notice Register on Oct 26, 2018. On Nov 5, 2018 CDFW requested a 30-day extension to the 90-day evaluation period which will change the due date from Jan 6, 2019, to Feb 5, 2019. FGC staff recommended approval of CDFW's request in the December 13, 2018 meeting.

Upper Klamath-Trinity River (UKTR) Chinook salmon (*Oncorhynchus tshawytscha*)

The FGC initially received petition to list the UKTR spring run Chinook salmon as endangered under CESA on 7/23/2018. Based upon the information contained in the petition and other relevant information, CDFW has determined that there is sufficient scientific information available at this time to indicate that the petitioned action may be warranted and has recommended the petition be accepted and considered. The FGC determination if the petitioned action may be warranted will be an item on the next meeting agenda on February 6, 2019 in Sacramento.



Water & Wildlife cont.

National Marine Fisheries Service is also conducting a status review to address the petition to list the UKTR spring run Chinook salmon ESU as threatened or endangered under the Federal Endangered Species Act (FESA). It is anticipated that the 90-day finding will be published in the Federal Register in early Feb 2019; though this schedule may be disrupted by the current lapse in federal appropriations.

Humboldt Marten (*Martes caurina humboldtensis*)

The Fish and Game Commission, in their August meeting, determined that the information contained in the petition to list Humboldt marten (*Martes caurina humboldtensis*) and other information in the record before the Commission, warrants listing Humboldt marten as an endangered species under the California Endangered Species Act. The Commission voted unanimously to add Humboldt marten to the list of endangered species in California and the findings for listing determination were adopted at the December FGC meeting.

Cascades Frog (*Rana cascadae*) – no new information

On Mar 1, 2017, FGC received a petition from the Center for Biological Diversity to list Cascades frog as a threatened or endangered species under CESA. On Oct 11, 2017 FGC determined listing may be warranted, initiating a 12-month review of the status of Cascades frog in California. In Aug 2018, CDFW submitted a request that FGC grant a 6-month extension of time pursuant to Section 2074.6 of the Fish and Game Code; the extension allows time for further analysis and evaluation of the available science, completion of the status review, and peer review.

In its Oct 17 meeting, FCG staff approved DFW's request, thus changing the due date for DFW's report to Apr 27, 2019 (18 months from the date candidacy findings were published) and is now scheduled for receipt at the Jun 12-13, 2019 FGC meeting. The FGC will consider the petition, DFW's evaluation, and other information submitted to determine if listing is warranted at its Aug 7-8, 2019 meeting.

Foothill yellow-legged frog (*Rana boylei*) – no new information

CDFW report to FCG due January 7, 2019 (18 months from the date the candidacy filing were published). The FGC will consider the petition, DFW's evaluation and other information submitted to determine if listing is warranted at its April 2019 meeting.

A general guidance document for CDFW staff, project proponents and consultants is available online: *Considerations for Conserving the Foothill Yellow-Legged Frog* <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=157562&inline>

Mountain Yellow-Legged Frog (*Rana muscosa*) – no new information

The USFWS has announced that the *Endangered Mountain Yellow-legged Frog Draft Recovery Plan* is available for public comment. The document can be viewed at <https://go.usa.gov/xUNec>.

Western Pond Turtle (*Actinemys marmorata*) – no new information

Listing status is currently under review with the USFWS. Monitoring is ongoing. An initial working group meeting has been scheduled to determine population status and conservation needs. Updates will be provided as they become available.





SAVE THE DATE !!!

March 8th & 9th

CLFA Annual Workshop & Conference

Location: Gaia, Anderson

Friday workshop:

Forest Management & Fire Prevention—Increasing the Pace & Scale

- ◆ Hot topics in forestry legislation
- ◆ Senate Bill 901—what it means to us
- ◆ Fire presentation of the Camp Fire
- ◆ Pilot operations in riparian zones—when and if it's possible
- ◆ Oak woodland exemption
- ◆ 1038 discussion

Saturday Conference:

CALTREES & Permitting Synchronization

Thank you to the following members who have donated this year to the following scholarships:

- ◆ Tom Amesbury—Harold H. Biswell & California Forestry Challenge
- ◆ Brian Brown—CLFA, Roy Richards, & Harold H, Biswell
- ◆ Christopher Carroll—CLFA
- ◆ Kelly Conner—CLFA & California Forestry Challenge
- ◆ Joseph Culver—CLFA
- ◆ Erik Jensen—California Forestry Challenge
- ◆ Jerry Jensen—CLFA & California Forestry Challenge
- ◆ Harold Johnson—CLFA
- ◆ Peter D. Johnson—California Forestry Challenge
- ◆ Todd McMahon—California Forestry Challenge
- ◆ Mark Mueller—CLFA
- ◆ Colin Noyes—CLFA
- ◆ Brian A. Rueger—CLFA
- ◆ Thomas E. Smythe—CLFA
- ◆ Jeffrey A. Stephens—California Forestry Challenge
- ◆ Craig A. Tolmie—CLFA

- ◆ Linda Richards—Mrs. Richards donates \$1,000 each year to her husband's scholarship.
- ◆ Steve du Chesne—donates \$400 each year to the Roy Richards scholarship

The CLFA Board of Directors thanks each of you for making these scholarships possible.



2018/2019 CLFA BOARD MEETING WORKSHOP/CONFERENCE SCHEDULE

BOARD MEETINGS

- ◆ January 19, 2019—Board Meeting @ Granzellas
- ◆ February 19, 2019—GoToMeeting
- ◆ March 7, 2019—Board Meeting @ Gaia in Anderson
- ◆ April 16, 2019—GoToMeeting
- ◆ May 17, 2019—Audit Committee @ Granzellas
- ◆ May 18, 2019—Board Meeting @ Granzellas

CLFA WORKSHOPS / CONFERENCES

- ◆ January 18, 2019—Annual Archaeology with CLFA & CAL FIRE—Granzellas, Williams
- ◆ February 21, 2018—Legislative meeting in Sacramento
 - ◆ This will replace the legislative meeting normally held in March at the annual meeting
- ◆ February 25—March 1, 2019—5-day Initial Archaeology Class, Gaia, Anderson— **CLASS IS FULL**
- ◆ March 8 & 9, 2019—Annual Workshop, Annual Conference, & Business Meeting, Gaia, Anderson
- ◆ March 27 & 28, 2019—Archaeology Refresher—Granzellas, Williams
- ◆ October 21—25, 2019—5-day Initial Archaeology Class, Gaia, Anderson - 18 SPOTS REMAINING
- ◆ November 6 & 7, 2019—Archaeology Refresher—Granzellas, Williams

Brochures and registration for all workshops & conferences will be accessible on the CLFA website!

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