



CALIFORNIA
LICENSED
FORESTERS
ASSOCIATION

*The Voice of
California's
Licensed
Foresters*

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California Licensed Foresters Association

October 2022 - Newsletter

Presidents Message

Joe Starr

Last month we saw a senate bill CLFA has been watching, opposing, then watching, then opposing again and finally come to a resolution. SB 396 met its demise from a slurry of letters sent in from professional organizations such as CLFA, Forest Landowners, environmental groups, and local government groups. It was impressive to see opposition from all these different entities and organizations that had such an impact in Sacramento. This makes you realize how well things can work when we find some common ground and work together.

I hope we are turning a corner here in California where small landowners, large landowners, counties, the state, the federal government, and even environmental groups can all start working together more collaboratively on projects.

So, what is the common ground we can find? In my opinion it's fire resiliency and fuels reduction. I doubt there's an individual in California that enjoys breathing smoke or enjoys watching our forests die. We all know that fuels need to be treated on a large scale across the state and the only way to get that done correctly is if we all work together in some capacity.

I would love to see all fuels reduction treatments currently in place continue to all neighboring properties and planned treatments be prescribed around all communities, state highways, and other major roads. The best way to ensure that everyone's properties are treated and protected from catastrophic wildfire is if we all work together.

We need to find that common ground and work amongst one another to achieve everyone's different goals. But again, I think we can all agree that the simplest common ground we already have is we don't want to see our State continue to burn up.

I encourage everyone to work with your local Fire Safe Councils, RCDs, and neighbors. Work with the State, industrial landowners, small landowners, the Federal Government, and environmental groups. Get to understand what their different goals and objectives are and how they operate, as well as, what their hurdles are. If we can work together we can make progress.





Forest Practice—BOF

Andrea Eggleton—Regulatory Rep to CLFA

The Board of Forestry and Fire Protection met on September 20-22, 2022 in-person in Redding, CA. The next scheduled meeting is on November 1-2 and will be held in-person in Sacramento at the new Natural Resources Building. The ability to participate remotely via webinar is being maintained. The agendas for meetings are available at: <https://bofdata.fire.ca.gov/business/meeting-agendas-and-annual-schedules/>

The following is a summary of items of greatest interest to the RPF community from the September Board of Forestry Meeting:

Forest Practice Committee 9/20/22

1. NSO Definitions rule text revisions – Revisions to NSO Habitat definition suggested per the ACF letter were made during the August meeting. An ISOR has also been drafted. No change occurred during the September meeting. This rule package was brought to the Full Board for a vote.
2. Slash Disposal – CAL FIRE brought this issue to the attention of the Board in their Annual Report to the Board on Suggested Rule Modifications. A slash pile along a public road that was left in hopes of a chip market became a problem in the Dixie Fire.
 - a. Board Staff prepared a list of all of the existing Slash Treatment Requirements within the FPRs in August
 - b. Following the August meeting, the Board Staff prepared some potential rule revisions and a few representative examples of Wildfire Risk and Hazard Assessments in Section IV of THPs for discussion at the September meeting.
 - i. Summary of potential rule revisions
 - i) Extend the existing Northern Region Hazard Reduction Zone rules to the Coast and Southern Districts (i.e. include a 50' hazard reduction zone along private roads that do not require permission to pass)
 - ii) Apply pile burning treatment timing to all slash treatments (NOT expected to remain as-is in rule package)
 - ii. Discussion was generally circular and reviewing topics previously covered at the August meeting. CAL FIRE did not come to the September meeting with any new information (they had previously committed to conducting a GIS analysis of the miles of road that could be impacted by rule changes and also to survey the Forest Practice staff to see if this is an isolated incident or more widespread problem.)
 - iii. Next Steps: Possibly consider issues of timing of slash disposal, as slash within Hazard Treatment Zones could also sit on land for 7 years, as long as it is treated by the time the THP is completed. CAL FIRE is planning to discuss with Forest Practice program staff to survey the Units regarding slash in order to see if there are other issues out there or if this was an isolated incident. The Board also requested that CAL FIRE go talk with Battalion Chiefs as well to assess the scale of the problem. Board Staff is going to prepare an economic analysis of slash disposal methods.

Management Committee 9/20/2022

1. Maximum Sustained Production (MSP) concept in Forest Practice Rules
 - a. Background:
 - i. Maximum Sustained Production of high-quality timber products is the intent of the Forest Practice Act, per PRC 4513. At the August meeting, the Board Staff presented a report providing the history of the development of the concepts and standards surrounding MSP.
 - i) All aspects of the FPRs have been developed through this lens.
 - ii) The MSP rules within 913.11 are distinct from this overarching statutory intent.
 - ii. The reason for the Committee bringing it to high priority is that CAL FIRE has had it in their response to the Call for Regulatory Review for many years after concern by some stakeholders that CAL FIRE was not closely enough monitoring growth and yield on Option A documents, SYPs, and NTMPs. Another reason is to provide greater opportunity for promotion of forest stand resilience (ie lower stocking) in light of megafires and research that historic stand structures were much more open.
 - b. Pursuant to Committee direction at the August meeting, Board Staff prepared a draft rule plead of MSP Fire Risk Rule Amendments for consideration during the September committee meeting. Summary of discussion/next steps on 9/20/2022:



Forest Practice/BOF cont.

- i. Integrate the risk of catastrophic fire in the concept of MSP; needs to be considered in Option A/B (landowners are already being asked to consider this by Cal Fire)
- ii. Explore if there are other ways to create options for creating resilient structures
- iii. There was a lot of discussion of what the right terms should be: fire protection vs resilience vs risk vs risk of catastrophic fire, etc. Chair Chase would like the Board Staff to refine this rule plead in consideration of the discussions prior to the next meeting and in consideration of the vote on the Forest Resilience rule package on Thursday's (9/22) Full Board Meeting
- iv. No rush on this, so there is time to consider and get it right

Discussion of Silvicultural Methods allowed within the Coastal Commission Special Treatment Area (CCSTA) Rules

- a. Background:
 - i. During the July BOF meeting held in Santa Cruz County, the Board heard a lot from local stakeholders about challenges working within the Coastal Development process when projects are in the Coastal Commission Special Treatment Areas (CCSTAs), so the Board is looking into some issues that were raised.
 - i) THPs provide the only pathway for vegetation management without a Coastal Development Permit (CDP) within the Coastal Zone
 - ii) The Board would like to facilitate vegetation management permitting pathways without the need for a CDP.
 - iii) Exemptions under the FPRs, CFIP projects, building fuelbreaks, etc require a CDP! Coastal Commission defines "removal of major woody vegetation" as "development".
- b. At the August meeting, [Board Staff presented a report](#) regarding Silvicultural Limitations within the Special Treatments Area of the FPRs. Also provided a list of [existing related FPR language and documentation from the old rulemaking file on the topic](#).
 - i. These rules generally pre-date special prescriptions such as the Fuelbreak Silvicultural Method.
 - ii. Board Staff believes there is some opportunity within their own authority to update the FPRs in order to expand opportunities for vegetation management without the need to obtain a Coastal Development Permit.
 - iii. Board of Forestry has the exclusive authority to update Forest Practice Rules that apply to the Special Treatment Areas, but the Board has a responsibility to engage with other agencies and has reached out to the Coastal Commission to work on this together.
- c. The Committee desires to develop new tools for use within the Special Treatment Area, such as exemptions and expanding silvicultural methods
- d. Pursuant to Committee direction at the August meeting, Board Staff prepared a draft rule plead [Draft CCSTA Rule Text](#), which seeks to achieve consistency across stocking standards between the CCSTAs and the Southern Subdistrict of the Coast and add other silvicultural prescriptions to support wildfire resilience and ecological function. Summary of discussion/next steps on 9/20/2022:
 - i. Allows for Alternative RX and also intermediate silvicultural methods within the CCSTA.
 - ii. Need to look for how to provide opportunities for exemptions and use of CFIP within the Coastal Zone and without the need for a CDP.
 - iii. **Looking for some input from coastal foresters on this topic! Chair Chase encourages coastal practitioners to participate in the next meeting on November 1, or to get in touch with CLFA to present your comments on your behalf if you're not able to make the meeting.**
 - iv. Board Staff will prepare a letter to the coastal commission to discuss special prescriptions and ministerial permits.

Discussion of [CFIP Cap Rate Increase Proposal](#) by John Ramaley, CAL FIRE

- a. The Department prepared a memo describing the need for rate increases over and above the temporary 8.9% increases that were just to address the recent inflation. This permanent rate increase schedule will result in approximately 25% increase in cost share for participants.
- b. There is also the addition of a new practice and rate, entitled "Substantially Damaged Site Preparation". This is intended to help landowners with burned timberland that are not able to salvage harvest to deal with their large amount of debris.



Forest Practice/BOF cont.

Full Board Meeting 9/22/2022

Closed Session:

- a. Possible Discussion Topics/Action Items:
 - i. California Chaparral Institute, *et al.*, vs. California State Board of Forestry and Fire Protection (Case No. 37-2020-00005203)
 - ii. Shurtz vs. Board of Forestry and Fire Protection (Case No. 21CV0076)
 - iii. RCRC vs. Board of Forestry and Fire Protection (Case No. 22CECG00123)

Regular Session:

Announcement of Action(s) Taken in Executive Session: no reportable actions.

Monthly Board Reports

- Consent Calendar Items –Motion confirmed unanimously to approve consent calendar items including the [RPF-CRM Vital Statistics](#), approval of meeting minutes of August 17, 2022, and review of [Rulemaking Matrix](#).
- Chairman’s Report (Chair Gilles)
 - Welcome of two new Board Members:
 1. Dawn Blake
 2. Jeremiah Hallisey
- CAL FIRE [Director’s Report](#) (Matthew Reishman and Dennis Hall):
 - Working on modeling and training to conduct post-fire debris flow risk and hazard assessments.
- Executive Officer Report—Edith Hannigan
 - [Legislative Report](#)
 1. AB 592 is the only bill EO Hannigan highlighted. It will require work from the Board which addresses the Forest Fire Prevention sunset date.
 2. Annual Call for Regulatory Review – **please reach out to CLFA with any pressing topics for possible regulatory revision that you feel we should consider bringing to the Board (see examples below). Comments must be submitted directly to the Board no later than October 14, 2022, and should be submitted to CLFA no later than October 7, 2022 if you’d like CLFA to sponsor the topic.**
 - The Board is requesting public comment, and a presentation by the Department, at the regularly scheduled Board and Board committee meetings in November addressing the following:
 1. Areas where questions exist on interpretation of the regulatory standards, including potential solutions.
 2. Issues encountered in achieving compliance with the regulatory standards, including potential solutions.
 3. Suggested regulatory modifications which would either clarify existing rule language to better achieve the intended resource protection, or would reduce regulatory inefficiencies and maintain the same or better level of protection.
 - [Reist Ranch BOF Resolution](#) and [Project Description](#)
 1. CAL FIRE is acquiring a conservation easement on the 95-acre Reist Ranch property in Mendocino County, located within the lands of the Usal Redwood Forest Company, a subsidiary of the Redwood Forest Foundation, Inc. (RFFI).
 2. The Board voted to adopt the Resolution, approving the acquisition.
- Report of the Regulations Coordinator –
 - Consideration of adoption of rule text and approval of the [Final Statement of Reasons](#) for the Rulemaking titled “[Spotted Owl Resource Plan Amendment, 2022](#)”
 1. Dennis Hall of Cal Fire commented to thank the Board for their support and work on this, which is important for small landowners, and he is pleased that it is moving forward.
 2. The Board adopted the text and FSOR
- Report of the Standing Committees
 - Forest Practice



Forest Practice/BOF cont.

- Forest Practice
 1. Chair Wade brought the [NSO Take Avoidance Pathways and Definitions rule text revisions](#) and the [ISOR](#) to a vote to go to initial 45-day notice and begin the formal rulemaking process. This rule package simplifies, updates, and cleans up language related to NSO Take Avoidance and Habitat Definitions. The motion passed and the language is expected to take effect on January 1, 2024 after going through the Office of Administrative Law review process.
 2. Public Comment
 - i. Cal Fire expressed support
 - ii. CDFW expressed support for the collaborative process and for the rule package itself.
- Management Committee
 1. Chair Chase brought CAL FIRE's CFIP Rates Revision Memo to the Full Board for approval. The Board adopted the memo, and the new rates are effective immediately for new applications going forward.
- Resource Protection Committee – 1) Land Use Planning program update by CAL FIRE Deputy Chief Matt Damon; 2) Subdivision Review Program update by CAL FIRE Assistant Chief Carmel Barnhart – reviewed Riverside County, City of Anaheim, and City of Escondido; 3) Safety Element Review – Marin County, City of Anaheim, and City of Burbank
- Public Hearing “[Forest Resiliency Amendments, 2022](#)” The proposed action amends regulations related to selection silviculture in order to provides more opportunities for the management of forests in a manner that can address changing forest and climatic conditions throughout the state. See the [ISOR](#) and draft rule text for more information.
 - The Board moved to prepare the FSOR and 15-day notice with the addition of an expanded table which outlines the minimum age of adjacent regenerated groups for use of any expanded group selection regime.
 1. The rule package increases the maximum group area from 20% to 33% but also increases the minimum age of adjacent groups from 10 years to 17 years. The 17-year figure came from taking the 20% and 10-year proportion based on a 50-year rotation and expanding that to 33%. The table will provide minimum ages for group area regimes between 20-33% in order to eliminate the issue of using expanded group area associated with otherwise having to go straight up to 17 years (example: an RPF proposes to put 22% of the area into groups but now has to have adjacent minimum age of 17 years up from 10 years. The table would provide that 22% area would have a minimum adjacency age of 11 years.)
 2. This rule package is still expected to be in effect on January 1, 2023.
- Public Forum
 - RPF Jim Ostrowski, current Sierra-Cascade Logging Conference President, presented an update to the Board on the Conference plans for February 9-11, 2023 and invited all Board Members to attend.
 - Dan Courtney – complaints about PG&E tree cutting without permits.
 - Richard Geinger – welcomed the new Board Members and provided them some suggested readings.



Legislation

Jason Wells—Chair

In addition to last month's Legislation recap: Since last month's newsletter, 3 bills on our list we were supporting were signed and 1 that we were in opposition to was vetoed.

- AB 522 (Fong): extends the forest fire prevention exemption from five years after the effective date of emergency regulations adopted by the Board of Forestry (BOF), which is February 19, 2024, until January 1, 2026. Status: Signed by Governor. Position: Support
- AB 1717 (Aguiar-Curry): beginning January 1, 2024, expands the definition of public works, for which prevailing wage must be paid to workers, to include publicly funded fuel reduction work paid for in whole or in part by public funds as part of a fire mitigation project. This would include residential chipping, rural road fuel breaks, fire breaks, and vegetation management. Status: Vetoed by Governor. Position: Oppose
- SB 926 (Dodd): requires CALFIRE, on or before January 1, 2023, to establish the Prescribed Fire Liability Pilot Program (PFL Pilot Program) and a \$20 million Prescribed Fire Claims Fund (Fund) to support coverage for losses from permitted prescribed fires by individuals and nonpublic entities. The Legislature enacted FLC-supported prescribed burn liability relief bill in 2021 (SB 332 – Dodd), so this funding for a pilot program would help implement that legislation. Status: Signed by Governor. Position: Support
- SB 1109 (Caballero): extends requirements on electrical corporations and community choice aggregators (CCAs) to procure energy from biomass generating electric facilities by five years and requires extension of existing contracts by five years. While recent amendments deleted the increase of the additional 100 MW due to concerns raised by utilities and the Senate Energy Committee, it is still a good bill. Status: Signed by Governor. Position: Support

The 2022 HAZEL JACKSON / CALIFORNIA LICENSED FORESTERS ASSOCIATION SCHOLARSHIP and the ROY H. RICHARDS, JR. MEMORIAL SCHOLARSHIP

APPLICATION & INSTRUCTIONS

Are attached to the newsletter



SAVE THE DATE

CLFA Fall Workshop—Topic is Botany

November 18, 2022

Gaia Hotel & Spa in Anderson

Flyer & Registration Attached

MARK YOUR CALENDARS TO ATTEND!

Save the Date!

Licensing Prep Exam

Thursday, February 2, 2023

@

Granzellas Hotel, Williams, CA

More info to follow in November Newsletter



Water/Wildlife/Botany

Mark Pugsley — Committee Chair

WATER QUALITY

STATE WATER RESOURCES CONTROL BOARD

Drought Information and Updates

The Board last met on September 20th in Sacramento. no forestry action items were on the agenda. Agenda The next meeting is scheduled for October 18th; the agenda is not yet available.

Region 1-North Coast

The Board last met on August 30th in Eureka. A discussion of the TMDL for the Upper Elk River occurred. Agenda. The next meeting is scheduled for October 7th in Santa Rosa; the agenda is not yet available.

Region 2- San Francisco Bay

The Board last met on September 14th in Oakland. No forestry action items were on the agenda. Minutes are not yet available, but the agenda is. Agenda. The next meeting is scheduled for October 14th in Oakland.

Region 3-Central Coast

The Board last met on August 13th in San Luis Obispo. No forestry action items were on the agenda. Minutes are not yet available, but the agenda is. Agenda. The next meeting is scheduled for October 13th in San Luis Obispo; the agenda is not yet available.

Region 5-Central Valley

The Board last met on June 9th in Rancho Cordova. No forestry action items were on the agenda. Minutes are not yet available, but the agenda is. Agenda. The next meeting is scheduled for October 13th in Redding; the agenda is not yet available.

Region 6-Lahontan

The Board last met on September 14th in Bishop. No forestry action items were on the agenda. Minutes are not yet available, but the agenda is. Agenda. The next meeting is scheduled for November 9th in South Lake Tahoe; the agenda is not yet available.

WILDLIFE

California Fish and Game Commission

The Commission last met on August 17th in Loleta. No forestry action items were on the agenda. Minutes are not yet available, but the agenda is. Agenda. The next meeting is scheduled for October 12th in Kings Beach.

A new lawsuit has been filed regarding the listing of the fisher (*Pekania pennanti*)

California Supreme Court upholds that bumblebees can listed under CESA



CAL POLY



Help guide the economic future of Urban & Community Forestry in California by completing a confidential 20-minute [survey](#).

California ReLeaf, with support from CAL FIRE and the USDA Forest Service, has partnered with North Carolina State University, Virginia Tech, and Cal Poly, to perform a new study on the impact of urban and community forestry on California's economy.

As part of this analysis, we are conducting a survey of public, private, non-profit, higher education, and utility sector enterprises involved in growing and managing urban trees. Your response is critical as we gather information that will guide future efforts to support urban and community forestry businesses and activities throughout California.

We invite the person in your organization most familiar with your financial operations to complete our voluntary survey. All responses to this survey are confidential and no personally identifying information will be recorded. **Information collected from this survey will be aggregated with other respondents for analysis and will not be reported in any way that may reveal the identity of you or your organization.**

For more information about the study, please visit California ReLeaf's website www.californiareleaf.org/survey.

If you have any questions about the study, please don't hesitate to contact Cindy Blain of California ReLeaf (cblain@californiareleaf.org), Walter Passmore, California State Urban Forester (walter.passmore@fire.ca.gov), or our lead researcher Dr. Rajan Parajuli (urban_forestry@ncsu.edu). We hope you will take part in this important survey.

Thank you so much for your time and assistance,

California ReLeaf – Research Team
Cindy Blain, Executive Director | California ReLeaf
Dr. Rajan Parajuli, PhD | North Carolina State University
Dr. Natalie Love, PhD | Cal Poly State University
Dr. Eric Wiseman, PhD | Virginia Tech

To participate in the survey, please click [here](#).



Forestry Challenge Update

by Diane Dealey Neill

Our first event of the fall season is in the bag! The Shasta Forestry Challenge was September 25 to 28 at Mountain Meadows Camp near Shingletown. Thank you to the following RPFs and RPFs in training who volunteered:

Brian Dunham
Cameron Miller
Connor Evans
Cori Hansen
DaShayne Stewart
Jonathan Fitch

Dennis Bebensee
Ethan Fagan
Frank Barron
Frank Losekoot
John Nicoles

Len Lindstrand
Sandra James
Steve Fitch
Steve Whitehorn
Dean Lofthus

There were 72 students from 15 schools in attendance. The focus topic for this event was conducting an inventory and post-treatment evaluation of two units of the North 49 Forest Health Recovery project, a 42,400 acre project designed to increase fire resiliency and restore pre settlement conditions, located on the Hat Creek Ranger District of the Lassen National Forest. Students used the data they collected to evaluate the effectiveness of the treatment and predict stand conditions into the future. Results are as follows out of a possible score of 250 points:

1st Place: Mt. Shasta High School, 201.0 points

2nd Place: Fall River and Nevada Union High Schools, 185.8 points (tie)

3rd Place: Shasta View Academy, 181.0 points

4th Place: Mt. Shasta High School, 178.5 points

5th Place: Emerald Earth Homeschool Collective, 171.7 points

Other schools in attendance were Anderson Union, Anderson New Tech, Argonaut, Butte Valley, Elk Creek, Etna, Northern Summit Academy, Orland, Trinity, and Weed.



Group Photo

Forestry Challenge cont.



Dean Lofthus teaches a student how to use a Biltmore Stick



RPFs Dan Craig and Steve Whitehorn trained students on the use of an Angle Gauge



2022/2023 CLFA BOARD MEETING WORKSHOP/CONFERENCE SCHEDULE

BOARD MEETINGS

2022

- ◆ October 18, 2022—GoToMeeting—6:00 pm
- ◆ November 17, 2022—Gaia Hotel & Spa, Anderson—11:00 am
- ◆ December—Board is Dark

2023

- ◆ January 14, 2023—Granzellas, Williams—9:00 am
- ◆ February 21, 2023—GoToMeeting—6:00 pm
- ◆ March 1, 2023—Gaia Hotel & Spa, Anderson— 11:00 am
- ◆ April 18, 2023—GoToMeeting—6:00 pm
- ◆ May 19, 2023—Granzellas, Anderson—Audit—6:00 pm
- ◆ May 20, 2023—Granzellas, Anderson—9:00 am

CLFA WORKSHOPS / CONFERENCES

2022

- ◆ November 9 & 10, 2022—Archaeology Refreshers, Gaia Hotel & Spa, Anderson— *spots open to attend*
- ◆ November 18, 2022—Botany Fall Conference, Gaia Hotel & Spa, Anderson

2023

- ◆ February 2, 2023—Licensing Test Prep Class—Granzellas, Williams
- ◆ March 2 & 3, 2023—Spring Conference, Gaia Hotel & Spa, Anderson
- ◆ March 6—10, 2023—5-day Initial Archaeology, Courtyard Marriott, San Luis Obispo
- ◆ April 25 & 26, 2023— Archaeology Refreshers, Courtyard Marriott, San Luis Obispo
- ◆ October 2-6, 2023—5-day Initial Archaeology, Gaia Hotel & Spa, Anderson
- ◆ November 8 & 9, 2023—Archaeology Refreshers, Gaia Hotel & Spa, Anderson

2022/2023 CLFA BOARD OF DIRECTORS

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