



CALIFORNIA
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FORESTERS
ASSOCIATION

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September 29, 2004

Office of Governor Arnold Schwarzenegger
Constituent Affairs
State Capitol
Sacramento, CA 95814
Attn: CPR Commission

RE: CLFA Responses to CPR Report

To Whom It May Concern:

I am writing on behalf of the California Licensed Foresters Association (CLFA), which represents approximately 700 Registered Professional Foresters and other associated resource professionals involved in the management of forestlands in California. The continued protection and stewardship of these natural resources is ensured through use of a Registered Professional Forester, also known as an RPF. RPFs are individuals that have demonstrated a thorough knowledge of the wildland environment and have been licensed by the State of California to provide technical assistance to landowners on wildland management issues.

CLFA has previously submitted comments to the California Performance Review (CPR) in two letters dated March 24, 2004. Those letters provide some important background information regarding why the CPR effort is so important to our members and California forestry. In addition, we had a representative present at the CPR hearing conducted September 17, 2004 in Fresno. At this time, we would like to take the opportunity to provide comment on some specific recommendations residing in the report entitled "Government for the People for a Change" prepared by CPR (Report).

Proposal to split the California Department of Forestry and Fire Protection

Volume II, Chapter 8 of the Report proposes the "splitting" of the California Department of Forestry and Fire Protection (CDF) by placing the Resource Management side of CDF into the Division of Land Management and the rest of CDF into the Department of Public Safety and Homeland Security. We have two primary concerns regarding this proposal. First, we still have questions about the proposal. For example, in one of our letters to CPR last March, we asked for and made recommendations for improvement to CDF's Vegetation Management Program (VMP). It is unclear where VMP would be placed under the CPR Proposal. The second concern we have in regards to the "splitting" of CDF relates to wildland fire. We are concerned that the proposed splitting will lead to future lack of coordination between the fire suppression and resource management sides of CDF. We believe that the two sides have coordinated well together in the past, especially in regards to wildland fire situations. Examples would be the

strategic location of fuelbreaks on the landscape and the use of personnel to create such fuelbreaks.

Proposal to eliminate the Board of Forestry and Fire Protection

The Appendix to Volume II of the Report entitled “Evaluating California’s Boards and Commissions” recommends the elimination of the Board of Forestry and Fire Protection (BOF) and placement of BOF powers related to fire management into the new Department of Public Safety and Homeland Security. BOF powers related to forestry management practices would be placed into the new Department of Natural Resources. We cannot support this recommendation since we find the BOF to be a better alternative to that proposed in the Report. For example, the BOF and its various Committees provide a better forum for organizations such as CLFA to provide input regarding policy issues. The current policy structure offers more inherent stability than what is being proposed. In addition, the BOF with the Professional Foresters Examining Committee (PFEC), provides a better forum for the administration of foresters licensing than the alternative proposed in the Report. Individuals associated with the BOF and PFEC are generally better versed in forestry and forest management and, therefore, are better equipped to handle the administration of the licensing of foresters. Finally, we are unsure as to where the management of the State Demonstration Forests would go.

Improving the Timber Harvest Plan Development and Review Process

RES21 within Volume IV, Chapter 5 of the Report contains several recommendations to improve the timber harvest plan (THP) development and review process. CLFA supports all of the recommendations made within this portion of the Report. Of particular note is the recommendation for the establishment of a new agreement between CDF and the State Water Resources Control Board to help reestablish a single point of regulatory oversight with regards to water quality issues. CLFA strongly supports this effort as necessary to reduce the duplicative, costly (to both the State and timberland owners) permitting process currently in place. In addition, perhaps a similar agreement could be established between the Department of Fish and Game and CDF so that the duplicative Fish and Game Code 1602/1611 process could be eliminated for stream crossings related to timber harvesting.

CLFA would suggest that the Report include a recommendation that the BOF continue to work on developing performance-based regulations as an alternative to the current regulations, which are primarily prescriptive in nature. Performance-based regulations focus on results, allowing RPFs to implement whatever site-specific measures are required to achieve the desired result. Other states have implemented performance-based regulations at substantially lower costs with similar resource protection results to those achieved in California’s prescriptive approach.

Reorganization of the California Environmental Protection Agency

The Appendix to Volume II of the Report entitled “Evaluating California’s Boards and Commissions” recommends the elimination of the State Water Resources Control Board (SWRCB) and elimination of the Regional Water Quality Control Boards. CLFA supports elimination of the Regional Water Quality Control Boards with the placement of their staff and functions into a single entity such as the SWRCB. The establishment of a single entity for water quality issues should help maintain agreements such as the agreement between the SWRCB and CDF discussed in Recommendation B within RES21 within Volume IV, Chapter 5 of the Report.

Simplification of the process for interagency work authorizations

RES 17 within Volume 4, Chapter 5 of the Report recommends that the Governor issue an Executive Order to streamline the State's internal contracting processes. CLFA strongly supports this recommendation since interagency work authorizations have provided an efficient means for interagency review/communication during the THP Review Process. One example would be the agreement between CDF and the California Geological Survey. Simplifying the process for interagency work authorizations could also lead to more agreements with other agencies involved in the THP Review Process.

CLFA appreciates the efforts put forth thus far by CPR to reform California government. Once again, thank you for providing an opportunity to provide input regarding potential solutions to help improve agency performance and regulatory processes associated with forest management in California. If you need additional information from CLFA, please do not hesitate to contact us at the above address.

Sincerely,

Chris Quirnbach, RPF #2623
President