

CALIFORNIA LICENSED FORESTERS ASSOCIATION

Minutes – April 23, 2016

Granzellas, Williams, CA

CLFA President Clayton Code called the meeting to order at 9:05 am.

DIRECTORS PRESENT: Robert Galliano, Jack Harvey, Mitch Hunt, Stacy Stanish, Jan Caster

DIRECTORS ABSENT: Jay Fazio, Kevin Conway, Nick Knipe, & Colin Noyes

OTHERS PRESENT: Kathleen Burr

Clayton welcomed everyone to the meeting. The Sierra Cascade Logging Conference held the 20th annual logging demonstration for school kids in the Shasta /Tehama County School District. Ted James and Delbert Cannon have been spearheading this event for a number of years. Ted organized an additional tour day for agency personnel providing them the opportunity to speak with LTOs and RPFs to learn what goes into a logging operation. 30 were in attendance from both local agencies and Sacramento – there was a valuable exchange of information. The underlining message was that RPFs, LTOs, and agency personnel want trust – everyone wants the same outcome.

Minutes:

A motion was made by Mitch Hunt and seconded by Jack Harvey to approve the March 3, 2016 minutes as corrected. Motion passed unanimously.

Treasurer's Report – Robert Galliano

Kathleen discussed to change bank account the board will need to wait until the new executive committee has been approved at the May board meeting. Robert will need to be engaged in the transfer of accounts as a current signer.

Robert reviewed the financials.

- Profit & Loss – \$75,501.10 - net income
- Balance sheet - \$209,100.31
- Budget vs. actual – membership is above anticipated and goals for 2016 have been met.

Correspondence – Clayton Code

- California forestry challenge year-end report was presented to the board.

Membership – Clayton Code

Jan Caster made a motion with a second by Jack Harvey to approve the following memberships – motion passed unanimously.

- Jose 'Tony' Gomez – Voting
- Nochella Ozard - Associate

Executive Director – Kathleen Burr reported:

Archaeology 2016 classes:

- Five-day initial class is full – a waiting list has been started.
- Make-up class for those who did not refresh in 2015 has been changed and are required to take one of the four refreshers offered in 2016 only.

A motion was made by Jan Caster and seconded by Mitch Hunt to authorize Kathleen to proceed with reserving Thunder Mountain Casino for the Spring Conference/Annual meeting 2017 – motion passed unanimously.

Forest Practice – Clayton Code reported:

Watershed pilot project – AB 1492 initiated this endeavor – progress is slow - Campbell Creek Watershed has been identified as their first watershed project.

Effectiveness Monitoring Committee – making progress – monitoring proposals are floating to surface for work to begin. Resources Agency has proposed \$425,000 per year for two years to fund projects and staff to implement the projects. Some of projects that have begun or are ready to being are post fire rule effectiveness, a portion of this study will be similar to work completed by SPI (establishing soil study, hill slope erosion under varying treatments, etc., salvage with or without tilling.) This study will be at Boggs State Forest. The actual prospective has been uploaded to the committee's website. Delineation of class 2's into small and large – how often conflict and disagreement arises in making this determination. Taking a second look at the current criteria for small vs. large. Evaluating hydrologic disconnect of roads. May 18th field tour of Boggs to look at and discuss the post fire studies.

NTMP – Chris Maranto is utilizing the working forest management plan for his issues with growth and yield on older NTMPs – not getting a lot of traction with the committee.

Small landowner initiative – no new updates.

Electronic THP submission – working group of stake holders will be assembled to begin the process. Starting point may begin with emergencies and exemptions, and working out any kinks in the program. At the last board meeting CALFIRE submitted some rule changes to allow for the electronic submissions. Inserting in the form “prescribed by the director” terminology they would like added. Clayton said he sees this as an opportunity to bring changes to the THP especially in Section 2. Jack Harvey's breakfast group would like CLFA to be involved in this process. Clayton has assurances from Dennis Hall and Russ Henly that CLFA will be part of the working group. Clayton also felt that the LTO community should be involved.

Central Valley Water Quality Control Board - waste discharge requirements – current waiver does not expire until 2018. Staff would like to have a new doc in place to regulate the working forest management plan and have selected to regulate a WDR instead of a waiver. This WDR would not require five year renewals. Workshop was held a couple of weeks ago to go over the draft general

work order. New category for salvage operations after a fire – subdivided into two categories – 1) where there is a primary residence, and 2) one where there is not a primary residence. This is in reaction to the Valley Fire. One of the areas that may be cause for concern are the timelines for enrolling in the WDR. They may consider automatic enrollment. Another issue is the reporting of herbicide usage – same information that is reported to the County Agricultural Commission and is reviewed by DPR. Staff stated the reason for this is “if a member of the community calls – they will be able to answer all questions.” On the flip side – they want the ability to control what chemicals are being used. A larger issue is the WDR would give staff the authority to pull WDR coverage if the landowner does not agree to their recommendations. CLFA challenges staff’s authority to regulate herbicide use that is already regulated under an existing program. Timber harvest is already regulated under an existing program, do their proposed timelines violate the Porter Cologne Act? Maintain communications with CFA to coordinate efforts on this issue and CLFA will begin a discussion with staff.

Clayton will be sending an email out to members and requesting this as a topic of discussion at all May breakfast groups.

Legislation – Clayton Code reported:

The week of April marked the deadline for legislators to move newly introduced bills out of their respective policy committees so they can be considered by the fiscal committees. The deadline applies primarily to bills that may present a fiscal impact to the State. Attention will now shift to the Appropriations Committees where bills are known to die “silent deaths” by placing them on what’s known as the fiscal committees’ so-called “Suspense File.” The decision to keep a bill on suspense is largely decided by legislative leadership or to avoid sending a controversial bill to the Floor. But having a bill on suspense also provides an opportunity for legislators, supporters and opponents to try work out disagreements before bills move to the Floor. This year, the deadline to move bills out of the Appropriations Committee is May 27th and June 3rd and is the deadline to move bills out of each house.

Several resource, energy and environmental-related bills are still active, including legislation to extend and expand the La Malfa exemption (AB 2029); provide funding for vegetation management (AB 2146); and develop a better and more fair criteria for incentivizing procurement of biomass facilities as part of the Renewable Portfolio Standard (AB 2700). There are also some bills that have been held up in the policy committees for various reasons, including unexpected opposition, a lack of interest by the authors, or competing interests and priorities for authors. Below is an update on some of the key resource, energy and environmental bills CLFA is tracking. Also attached is a more detailed bill status report where you can click on the bills for the latest language or committee analysis.

At the same time legislators are working on policy bills, they have also been discussing details of the Governor’s 2016-17 budget priorities and will soon begin engaging in direct negotiations with the Governor after the release of the May Revise. Ironically, key policy issues that are normally reserved for policy bills have increasingly become part of the larger budget discussions, particularly in the resource and environmental policy arena. This year is no different with major attention focused on how to spend revenues from the cap-and-trade program also known as the Greenhouse Gas Reduction Fund (GGRF). The GGRF was authorized under AB 32 almost 10 years ago where the funding comes from fees and the sale of auction revenues to fund projects as a

way to reduce the State's greenhouse gas emission levels. Because there is close to \$4 billion in GGRF money that will need to be allocated, several legislators and interest groups are pushing efforts to fund a number of projects, including biomass, biomethane, dairy digesters, alternative fueled vehicles, and water conservation just to name a few. In fact, over 20 bills alone were introduced this year seeking appropriations from the GGRF but its expected most of those bills will end up as part of the larger budget discussions.

However, this week a significant legal opinion provided by the Legislature's own lawyer (Legislative Counsel) suggest that continued funding for such projects beyond 2020 is not allowed, and it would likely be challenged. This is because AB 32 didn't envision California Air Resources Board (CARB) having authority over GHG reduction strategies post-2020. In essence, the Governor and CARB will need new legislation to extend CARB's authority beyond 2020. This would most likely also apply to attempts to regulate short-lived climate pollutants such as methane and black carbon. The Leg Counsel's legal opinion will likely cause a lot of wrangling and maneuvering in the Capitol and it remains to be seen if the Legislature will push legislation that extends CARB's authority over GHG emissions post-2020, or continue to rely on the Governor's Executive Orders which don't have the force of law. Meanwhile, a pending appellate court decision to determine whether the fees that are deposited into the GGRF should have been passed as taxes under a 2/3 vote of the Legislature also remains in the balance. It's rumored that a decision is imminent and it will surely be the biggest decision yet over implementation of AB 32.

Status of Key Resource, Energy and Environmental Bills

AB 1923 (Wood) would require the California Public Utilities Commission (CPUC) to direct the electrical corporations to authorize a bioenergy electric generation facility with a nameplate generating capacity of up to 5 megawatts to participate in the bioenergy feed-in tariff, if the facility delivers no more than 3 megawatts to the grid at any time and complies with specified interconnection and payment requirements. Watch. ALIVE – Assembly Appropriations

AB 1958 (Wood) would authorize the Board of Forestry, until 7 years after the effective date of regulations adopted by the board, to exempt a person cutting or removing trees in specified areas, including through commercial harvest, to restore and conserve California black or Oregon white oak woodlands and associated grasslands. Watch. ALIVE – Assembly Appropriations

AB 2029 (Dahle/Gordon) would among other things, authorize the La Malfa exemption until January 1, 2023; expand the exemption to instead permit the removal of trees less than 26 inches in stump diameter, measured at 8 inches above ground level; allow the construction or reconstruction of temporary roads of 600 feet or less on slopes of 40 percent or less; and apply the exemption to activities anywhere within those 28 counties. In order to move the bill out of the Assembly Natural Resources Committee, the author and sponsors had to take amendments to narrow the exemption or face the possibility of the bill stalling for the year (attached is a copy of bill). Support. ALIVE – Appropriations

AB 2146 (Patterson) would provide that an amount not to exceed \$200,000,000 from the Greenhouse Gas Reduction Fund shall be made available to the Department of Forestry and Fire Prevention, upon appropriation, for specified activities that reduce greenhouse gas emissions in the state caused by uncontrolled forest fires. Support. ALIVE – Appropriations

AB 2162 (Chu) would enact the Oak Woodlands Protection Act, which would prohibit a person from removing from an oak woodland, as defined, specified oak trees, unless an oak removal plan and oak removal permit application for the oak tree removal has been submitted to and approved by the Director of Fish and Wildlife. Oppose. DEAD – Held in Assembly Water, Parks & Wildlife

AB 2700 (Salas) would require the CPUC, when doing the rank ordering and selection of least-cost and best-fit eligible renewable energy resources, to consider criteria that takes into account jobs retained associated with contracting for existing eligible renewable energy resources as a way to promote a more balanced process for utilities to consider biomass projects. Support. ALIVE – Assembly Appropriations

SB 1043 (Allen) would require CARB to consider and, as appropriate, adopt policies to significantly increase the sustainable production and use of renewable gas, in addition to ensuring renewable gas provides direct environmental benefits and identifying barriers to the rapid development and use of renewable gas. Despite trying to encourage production of renewable gas using forestry biomass. There is a provision in the bill that would actually add an impediment to forest biomass by limiting the type of forest that would qualify to only those that would be harvested pursuant to the Governor's October 30, 2015 emergency proclamation on tree mortality. Calforests and CLFA have requested that specific language be removed from the bill. Oppose Unless Amended. ALIVE – Senate Appropriations

SB 1383 (Lara) would require the State Air Resources Board, no later than January 1, 2018, to approve and begin implementing that comprehensive strategy to reduce emissions of short-lived climate pollutants to achieve a reduction in methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. Watch. ALIVE – Senate Appropriations

Overall attitude in Sacramento & with many stakeholders is the use of prescribed fire to achieve healthy forests is taking a more positive aspect in its effectiveness and use. When discussions occur, CLFA needs to make sure there is a distinction between private lands and public lands.

Licensing – Clayton Code reported:

Nothing new to report.

Water & Wildlife – Mitch Hunt reported:

Northern Spotted Owl next meeting will be held in Bakersfield in June - Fish & Wildlife Commission.

Another issue with the NTMP – more information is going to be required for botany surveys.

Election Results – Clayton Code reported:

Mitch Hunt moved with a second by Jan Caster to approve the voting and appointment of new members – motion passed unanimously.

Coast District:

- Harlan Tranmer
 - There are two vacant seats on coast.

Southern District:

- Ron Hutchinson & Christopher Dow

Northern District:

- George Gentry, Mike Bacca, and Kieran O'Leary

If accepted, board would like to appoint Stewart McMorrow & Sara Taddo Jones to coast district seats – they would hold these seats for one year – until the 2017 election.

Old Business

Fall Workshop – Nick Knipe will be organizing the inland field day – October 7, 2016. Mitch Hunt will ask his breakfast group for ideas on a one day brown bag field trip for the coast.

Kathleen will also post all jobs on Facebook.

Clayton suggested appointing one board member to be responsible for website content – such as make sure 'what's new section' has current and informative information for members.

60 second forester – Jan Caster has reviewed all 360 videos and narrowed the list for production down to 29 based on current relevant topics. The Tree Farm Grant has the funds in hand. CLFA will begin the work looking into other grants that would open up later this year. Clayton's vision for this project would be a multi-year project that continues over the years. As Jan will be off the board in 2017, it will be important to find a board member who would assist Jan and ensure this program continues.

BOF Representation – Clayton's time may be up in May. With the committee meetings being webcast one idea would be to have several board members commit to logging into the meeting to observe and take notes. There is still the ability to comment via text.

New Business

Late pay members – The board will be contacting all late pay members to ascertain if they wish to continue CLFA membership or not. All non-paid members will be purged at the May board meeting.

Hip Camp – is a web based company that lists public and private lands for camping sites. Private landowners can list their property as potential campsites through Hip Camp. Nike Knipe and Colin Noyes will contact the company and provide more information to the board.

Respectfully submitted,

Kathleen Burr
Executive Director