



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

GOVERNOR'S OFFICE OF EMERGENCY SERVICES

Tree Mortality Task Force Regulations Working Group (RWG) Minutes

Meeting Information

January 7, 2016

1:00 to 3:00PM

1416 9th Street, Sacramento

Natural Resources Bld. Room 1654-3 (16th Floor)

(Conference Call Line 916-324-6897)

Minutes

- I. Welcome and Instructions were provided by Working Group Leader-Matthew Reischman CAL FIRE**
 - a. Instructions stressed the importance of all working group member participation and cooperation to provide an all-inclusive effort focused on regulatory solutions.

- II. Roll call of assigned Working Group Members**
 - a. Attendees Present or on Conference Line: The work group meeting was well attended with 12 members present. There are 19 positions on the working group, 16 positions currently filled. Vacancies exist for one additional Group Leader (any agency), one member from CA Air Resources Board and one member from the CA Department of Insurance. Non-working group members present included Task Force IC Glenn Barley CAL FIRE, Len Neilson CAL FIRE, and George Gentry CFA.
 - b. The Working Group requested additional member positions for Cal Trans and CA State Parks to identify and address storage facility establishment and state land storage facility options. The group also requested a single point of contact from the State Fire Marshal's Office to assist with storage locations and pertinent safety regulations.

- III. Brief Background/Working Group**
 - a. Group Leader Reischman provided a brief review of the current IAP, status of the various working groups and a review of the Task Force Management Objective stressing public health and safety, coordination, communication, consistent messaging and financial responsibility.

- IV. Approval of Minutes/Approval of Agenda (with any member Additions)**
 - a. Identify a RWG Secretary (responsible for capturing Meeting Minutes, Action Items and Agenda). Debbie Franco (OPR) assisted to capture Action Items and will evaluate the potential for OPR to provide a secretary for the next meeting.
 - b. No additional agenda items were provided



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

V. Review of Working Group Objectives from Incident Action Plan

- a. The Group discussed the various group objectives from the IAP specific to the RWG focusing on the priorities and process for completing objectives; group assignments; staffing needs; objectives that overlap or require coordination with other working groups and a workload timeline for completing objectives and tasks.
- b. Prior to the meeting, Leader Reischman developed a RWG work plan to help track action item assignments and established timelines for completion. Reischman will continually update the work plan following meetings to document and track group progress.
- c. The following represent the specific group objectives reviewed:
 1. Support local-level identification of community storage locations for removed trees by:
 - a. Providing resources to assist local entities with regulations, agreements and policies associated with storage facilities.
 - b. Developing guidelines to limit liability related to the use of storage facilities.
 - c. Identifying applicable safety regulations associated with the use of such storage sites.
 2. Encourage local entities to consider storage locations that can also act as utilization sites for various wood products and bioenergy production as appropriate.
 3. Coordinate with the Resource Allocation Group and Bioenergy Group on distribution and location of portable equipment across high hazard zones.
 4. Develop emergency guidelines setting forth the relevant criteria to remove dead and dying trees and incidental vegetation in high hazard zones (CAL FIRE).
 5. Conduct public meetings as appropriate on regulations and guidelines developed pursuant to the Directives in the Proclamation.
 6. Provide regular updates at Task Force meetings to ensure effective communication and geographic coordination among all task force groups and stakeholders.

VI. New Business, Action Item Discussion and Supporting Information:

The following summarize the general discussion of issues and questions affiliated with the action items identified below under VII:

- a. There is a need to research the State Fire Code section 2806 to determine what Agencies have authority over the regulation? What is the regulation designed to achieve? Does the regulating agency have any flexibility under existing authority? Are there alternatives for compliance in-lieu of water storage? Note: If local air districts or CARB have authority under this regulation there may be a need to coordinate with the Prescribed Fire Group.
- b. There is a need to analyze the availability and requirements surrounding storage site development on state and federal lands. Scott Tangenberg (USFS) will evaluate conditions surrounding storage on federal lands (USFS) and Reischman will evaluate conditions for storage on state forests. General Questions: Can state and/or federal agencies collaborate with local governments on storage locations? If so, which lands are available? Ideally state and federal Agencies with available land will provide this information in GIS format. Note: there is a need to coordinate this effort with the Mapping and Monitoring Group.



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

GOVERNOR'S OFFICE OF EMERGENCY SERVICES

- c. Identify Pro Bono assistance to analyze pros and cons of available storage options-Debbie Franco
- d. There is a need to gain a better understanding of the liabilities surrounding storage facilities and where there may be flexibility. Is there a mechanism to address the potential hit that homeowners will take on their insurance premiums? Rosemarie Smallcombe
- e. Water Board Permitting Issues. Once storage locations are identified Phil Crader will help to identify any water board permitting issues that may apply to those locations. There is a need to provide locals with information on water rights in key high hazard areas. Phil Crader will provide a link to water rights information and Debbie/Rosemarie will assure that locals receive the link.
- f. There is a need to identify the existing regulatory requirements surrounding storage locations. Glenn Barley will look into a Big Bear example. Rich Wade will talk with landowners that store wood for commercial firewood operations. Rosemarie will check with her contacts.
We are interested in the answers to the following questions for both commercial and non-commercial applications: What regulatory requirements did each operation have to meet to establish their storage facility? What ongoing requirements do storage facilities have to meet? In the case of Big Bear, were there any particularly difficult regulatory requirements? What opportunities exist to make storage facility establishment faster and more efficient without jeopardizing public safety or the environment?-Barley/Wade/Group
- g. There is a need to identify the differences between temporary versus permanent permitting requirements for storage facilities. If a location is established under a temporary operating regime are there any barriers to moving to permanent permitting? What does "temporary" mean? Group legal representation will be consulted on this item. Reischman
- h. There is a need to develop "Facts for Homeowners" documentation. This information would address non-commercial tree removal within high hazard zones. Rosemarie and Dave will check with local fire safe councils and the California Fire Safe Council for existing documentation. Are there already materials available that provide guidance to homeowners removing trees for non-commercial purposes? CAL FIRE is developing guidelines for tree removal in high hazard zones and non-commercial tree removal can be addressed in these guidelines as well as CEQA compliance. Reischman will work to identify when the draft guidelines will be available for the group to review. Rosemarie/Dave/Reischman
- i. There is a need to create a "Regulations Checklist": Develop a brochure that identifies the regulations that apply during this emergency in the form of a checklist. Include a state section, a federal section, and then supply to locals with a space for them to add their own information. All of the other tasks will contribute to creation of this checklist. Group

VII. Review and Status of Action Items:

- a. **ACTION ITEM:** Research State Fire Code 2806 that establishes water storage and flow requirements surrounding storage facilities. Evaluate alternatives to water storage for compliance-Reischman



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

GOVERNOR'S OFFICE OF EMERGENCY SERVICES

- b. **ACTION ITEM:** Analyze the availability and requirements surrounding storage site development on state and federal lands-Tangenberg and Reischman
- c. **ACTION ITEM:** Identify Pro Bono Assistance to analyze pros and cons of available storage options-Debbie Franco
- d. **ACTION ITEM:** Identify the liabilities surrounding storage facilities and where there may be flexibility; are there mechanisms to address the potential hit that homeowners will take on their insurance premiums? Smallcombe
- e. **ACTION ITEM:** Identify water board permitting issues that may apply to storage locations. Provide locals with information on water rights in key high hazard areas through a link to applicable water rights information. Crader/Franco/Smallcombe
- f. **ACTION ITEM:** Identify the existing regulatory requirements surrounding storage locations for both commercial and non-commercial operations. Barley/Wade/Group
- g. **ACTION ITEM:** Identify the differences between temporary versus permanent permitting requirements for storage facilities. Reischman via Legal Counsel
- h. **ACTION ITEM:** Develop a "Facts for Homeowners" documentation. This information would address non-commercial tree removal within high hazard zones. Develop high hazard tree removal guidelines per directive 2 and RWG group objective 4. Bischel/Smallcombe/Reischman
- i. **ACTION ITEM:** Develop a "Regulations Checklist" that identifies the federal, state and local regulations that apply to storage facilities and all other operations conducted during this emergency. Group

VIII. Scheduling of working group meetings

- a. The work group established a reoccurring meeting date on the first Wednesday of each month from 9:00-11:00AM. Conference calls will be held between meetings as necessary to ensure timely progress.

Next meeting: Wednesday, February 3rd 9:00-11:00AM.

Next conference call: Friday, January 22nd 9:00-10:00AM

IX. Closing Comments/Adjournment