

FAMILY FOREST NEWS

FOREST LANDOWNERS OF CALIFORNIA

February 2008 VOL 10

Editor

Melinda Fleming

Editorial Committee

John Middlebrook
Ron Berryman
Charles Greenlaw
Ron Michener

Board of Directors

John Williams, Santa Rosa
 President
Ralph Gaarde, Oakdale
 Vice President
Charles Greenlaw, Sacramento
 Treasurer
Dennis Bebensee, Shingletown
 Secretary
Bill Beaty, Redding
George Belden, Redding
Bob Berlage, Davenport
Ron Berryman, McCloud
Jim Chapin, Redding
Nan Deniston, South Pasadena
Sally French, Garberville
Art Harwood, Branscomb
Ron Knaus, Nevada City
Len Lindstrand, Redding
Jim Little, Laytonville
Elizabeth Maybee, Garberville
Ron Michener, Zenia
John Middlebrook, Chico
Eric Moore, Felton
Peter Parker, Altadena
Margaret Perry, Fort Bragg
Forest Tilley, Fort Bragg
Steven VanderHorst, Ukiah

Directors Emeritus

Hal Bowman, Dunsmuir
Wayne Miller, Orinda
Joe Russ IV, Ferndale
Charles Wagner, Stockton

Executive Director

Melinda Fleming
PO Box 1096
Soulsbyville, CA 95372
Ph/Fx(209) 533-1625
forestlandowners@sbcglobal.net
www.forestlandowners.org
*Official publication of the
Forest Landowners of California*

FLC ANNUAL MEETING SET, MAY 1-3

If you've never been to the Gold Country in the Sierra Nevada foothills, now is your chance. This year, Forest Landowners of California will hold their annual meeting in Sonora, Tuolumne County, California.

The Mother Lode Fairgrounds will serve as the location for the event, with the majority of workshops and speaker sessions held on site. A fieldtrip is planned to the nearby Stanislaus National Forest to see the outcome of programs conducted between Forest Service and local landowners in efforts to reduce the threat of catastrophic fire and to create sustainable forests. The fieldtrip will also take participants to view a forest thinning demonstration at the property of Forest Landowner and Tree Farmer of the Year, Robert Kinsinger. Bob's forester, Mike Albrecht of Sierra Resource Management, will host the demonstration.

The tour will also include a visit to a local mill owned by Sierra Pacific Industries and a visit to Covanta's Pacific Ultrapower Plant, a biomass facility which produces clean energy for California from forest waste materials.

Thursday evening there will be an informal B-B-Q and social time. Friday evening, FLC will host a banquet and awards program with a keynote speaker (TBA). Please complete the registration form that is included in this newsletter to reserve your place at the annual meeting. Detailed information will be available on the website and by calling Melinda at the FLC office, or you can email your questions to: forestlandowners@sbcglobal.net

Space is limited, first come-first served, so register today. Deadline for registration runs till the conference is full, but don't wait till the last minute...when the facility is full, it's full! We look forward to seeing you there. Use this event as an opportunity to invite those who are California forest landowners but not part of our organization. Additional and optional touring opportunities will be available for Saturday afternoon following the closing of our meetings. Melinda will give you information about that.

Don't wait. Get your registration in today.

*Ralph Gaarde, Vice President, Forest Landowners of California
and Melinda Fleming, Executive Director*

Forest Capitol: News from Sacramento

By Bill Keye, California Forest Keepers Incorporated

2008 begins with a sense of change in the air. Maybe it was the truly awesome Pacific storm on Friday, January 3rd, which tore through Sacramento upending trees, knocking out power and leaving cleanup and repair projects everywhere.

Or maybe it's the buzz around the early presidential primaries, the talk – and feel – of an economic recession, or the news that our state is once again facing a multibillion dollar revenue shortfall.

Maybe it's \$3 gas in the dead of winter. Whatever it is, I'm feeling it. How about you?

California voters will be asked to cast their ballots three times this year, beginning soon with our own "Super Tuesday" presidential primary on February 5th. Also on the ballot that day will be Proposition 93, which asks voters to tinker with legislative term limits in a manner that will allow termed-out incumbents (such as Assembly Speaker Fabian Nunez and Senate President pro Tempore Don Perata) to hang onto their seats rather than having to vacate them, as currently required, at the end of this year.

With the state fiscal downturn, it's predictable that FLC this year will be trying to fend off legislative efforts to tap your pocketbooks. These could come in the form of parcel fees or surcharges related to the timber harvest permitting process.

One word you won't be hearing most politicians utter is TAXES. The reason is that under the state constitution, new taxes require a 2/3 vote, whereas fees, are well... fees. Got it?

Another issue this year, entirely apart from the budget, will be efforts to expand voluntary forest sector carbon accounting protocols. The Air Resources Board in October voted to adopt a set of forestry protocols developed by the California Climate Action Registry, a state sponsored non profit organization. John Middlebrook, representing FLC, was one of many voices opposed to the action. Although the ARB went forward with its adoption, it also resolved to broaden stakeholder input and to develop potentially more useful carbon protocols in the future.

This forest carbon/climate change juggernaut bears more than watching – FLC needs to maintain its place at the table to ensure that the voice of small forest landowners is heard. Check out http://www.arb.ca.gov/cc/forestry/forest_scoping/forest_scoping.htm for more information.

Finally, I really enjoyed our Legislative Training Day held last month here in the Capitol. We had great walking weather and participation from 10 FLC Members. There were opportunities for "quality time" with key staffers from the Legislature, Cal Fire and the Board of Forestry. The group also met with Dave Bischel, Brian White and Michele Dias of the California Forestry Association.

Legislative stuff takes a lot of time and dedication. I was gratified by the turnout of FLC volunteers, and am hopeful that the organization will benefit. I look forward to working with FLC's new Legislative Committee Chair, Bob Berlage.

FLC Legislative Training Day

Sacramento, December 7, 2007

By John Middlebrook

Bill Keye, Legislative consultant in Sacramento, sponsored a day of training for FLC members interested in assisting our Legislative Committee in matters of legislative interests in Sacramento to various groups as well to legislators.

FLC members Steve VanderHorst, Forest Tilley, Jim Chapin, Ralph Gaarde, Bob Berlage, John Middlebrook, Jerry Jensen, Peter Parker, Charles Greenlaw, and Mike Kissel attended.

We assembled at 7th & J Streets, where Bill's office is located for initial discussions legislature. California has a population of approximately 38,000,000 represented by 40 State Senators and 80 Assemblyman primarily from urban areas.

Doug Yoakem, Legislative Director for Senator Dave Cox, spoke next. He emphasized most of the legislature is "youthful". Doug suggested before meeting a legislator to "do your homework" on the issue and the legislation. He spoke about the importance of making the point to a legislator of "why a position we might take makes economic and social sense and that it was important to appeal to moderates. Today the Senate is 25 Democrats and 15 Republicans, and the Assembly is 48 Democrats and 32 Republicans. The Democrats are in the majority and they listen to their 3 main support groups: Labor, Environmentalist, and Trial Lawyers. Make your point in no more than 15 minutes. Always make an appointment and be prepared to deal with the legislator's staff.

An advocate must be aware most legislators think of being re-elected as their first priority. They then think of what is best for their constituents, and finally they think of what is the right or best for the State.

The busy season of the Legislature is March through July.

Statutes and regulations were distinguished. Statues become law through the legislative process. Regulations are developed by the Regulatory agency under the umbrella of a statute and then become part of the California Code of Regulation

Our next stop was the California Forestry Association (CFA) at 13 & K Streets. We met with Dave Bischel, CFA President, Brian White, VP Legislative Affairs, and Michele Dias, Environmental and Legal affairs. CFA is a trade organization representing approximately 90% of the forest product manufactured in the state. The big issue now is climate change/ the California Climate Action Registry/ ARB and the forest protocols/ AB32. FLC was invited to attend the CFA Annual Meeting in San Francisco on Jan 30th and attend their "Forest Carbon 101" workshop.

Legislation is analyzed for cost impact for the organizational members. CFA tries to meet with the legislator or legislative staff. Other organizations are called upon for their input. FLC has a good working relationship with CFA.

We made a tour of the Capitol and stopped by the office of Senator Roy Ashburn where Bill Bailey of the Senators staff discussed Governor's appointments with us. The Governor receives recommendations and then makes the appointment. Sometime within the span of one year from the date of the appointment, the Senate must confirm the appointment. If the appointee has been working for 11 months and is not confirmed, he is out! We learned the Gary Nakamura appointment to the Board of Forestry must have Senate confirmation by February 21, 2008

Our next stop was the Resources Building on the Corner of 9th & O Streets. This is the home to CAL – FIRE, Board of Forestry, and Fish & Game. We next met with George “YG” Gentry, Executive Officer, Board of Forestry. He feels FLC has a positive effect on the BOF. The BOF is small, (9 members when fully complemented), and must have 5 to meet. The BOF has policy and over-site on forestry matters. He would like to see FLC be proactive and bring important issues and opinions to the BOF. Gentry says, “I have yet to see a non-industrial forest owner who wants to screw up his property!”

George explained the rule making process of the BOF and time deadlines and implementation dates. Rules normally take effect on January 1 of each year. If the rule doesn't get completed by August, it won't happen before the end of the following year. Finally, effective testimony before the BOF must be to the point. Put testimony in written form. The written testimony should be submitted in sufficient time ahead of the meeting to give the legislators or board members the opportunity to read ahead of time.

Bill Keye summed up legislative lobbying as something you must “have fun doing” or you could burn out very quickly. The name of the game is making and maintaining personal contacts.

The FLC Legislative Committee, chaired by Bob Berlage, needs to keep aware of proposed and pending legislation and regulations keeping the membership advised and helping the organization take a pro-active position on matters of concern. Every speaker mentioned how important it was to have actual non-industrial forest landowners (FLC members) appearing and testifying at policy bodies' hearings. We, as small landowners, are generally seen as “the genuine article” and are seriously listened to by legislators and regulators. This is why the FLC Board of Directors and the Legislative Committee is seeking a pool of members who are “pre-trained” or adequately experienced in effective presentations and from which to draw representation as needed. Please contact Melinda Fleming, Executive Director, if you wish to participate in legislative activities. Your active involvement is needed.

Become a Tree Farmer

The American Tree Farm System is a nationwide community of nearly 70,000 individuals and families joined by their desire for excellence in forest stewardship. To qualify for Tree Farm certification, woodlands must be:

- Ten acres or more
- Under management, with a written and implemented plan that accounts for water quality, wildlife habitat, soil conservation, biodiversity, and recreational opportunities as well as production of forest products.
- Protected from fire, insects, disease and destructive grazing
- Reforested after harvesting

If you meet these criteria, an inspection of your property can be arranged through the State Tree Farm Committee. If you are working toward obtaining these criteria, you may be eligible for Pioneer Tree Farmer status. Contact George Belden, by phone at: (530) 229-3798, through the mail at: 1777 Lakeside Dr., Redding, CA 96001 or by email at: lake1777@pacbell.net

LOCAL GOV'T INVOLVEMENT—TPZ ISSUES IN TWO COUNTIES— HOW TO INTERPRET STATE LAW

By Charles Greenlaw

A year ago in these pages we urged our members to diligently monitor local government Planning Department and Board of Supervisor agendas where their forestland is located, to detect in time proposed actions that would affect their interests. We cautioned that local action by affected landowners would be necessary, and offered tips on how to do that effectively. Since then, two California counties, Sierra and Humboldt, have been caught trying to deprive forestland owners of the right to build and occupy their own homes on forestland zoned for Timberland Productivity (TPZ) per state statutes administered at the county level. In both cases the counties tried to sneak their changes past the landowner public without adequate notice and opportunity to be heard. In both places a rapid landowner response was mounted that was promptly aided by members of our Legislative Committee and Board of Directors. We have been told how this assistance has been of great value to local members and their allies, whose efforts quickly put proponents on the defensive and reversed the progress of the offending county proposals. At our officer and committee level, our aim has been to help empower and enable local action by local members rather than to appear and speak for them. The results have been very satisfying.

Tactics successfully used locally include having lots of opposition repeatedly appear and testify; interviewing and establishing mutually respectful relationships with county decision makers in advance of needing their votes, providing positive input to them on other matters as well; seeking local media coverage and being accessible to reporters; and having sympathetic volunteers as members of local advisory bodies. An additional tactic that has paid off is to become familiar with state laws and appellate court decisions that bear on the issues in dispute and use that knowledge to advise county officials and to debunk the claims of those whom we are opposing, as well as to lay a foundation for future legal action should it be needed.

Following is a characterization of the TPZ program's effects as the state set it up, a report on the Humboldt and Sierra County situations to date, and tips on how to properly interpret state law as contrasted to how local advocacies and planning personnel often do it.

THE TPZ PROGRAM

To recap what "TPZ" means, it is two-thirds of a three-faceted state legislative enactment of 1976, reworked and amended in 1982, whose explicit purpose is to encourage retention of forestland for its productivity and incidental collateral benefits by making the "carrying costs" of forestland ownership less burdensome, in exchange for a landowner obligation to keep land use essentially but not totally in forest growth.

First, annual taxation of standing timber was changed to a yield tax collected at the time of harvest.

Second, the assessed market value of the forestland (excepting the value of constructed improvements) no longer was the basis of annual property taxes if the land was enrolled into a new Timberland Productivity Zoning ("TPZ"). Instead the taxes became set by a state agency based solely on the land's timber production value. The resulting taxes are often much lower than would result from local assessment

based on land sales comparables, for the simple reason that land sales reflect desirability of land ownership that's in excess of what the land yields in timber harvest revenue.

(Unlike with conservation easements, the TPZ's property tax benefits are annually continuing rather than a lump-sum payment up front, and the owner's obligation runs for only ten years after the property tax benefit ends if the owner opts out, rather than forever. Subsequent owners can opt out under the same conditions. Market value would not be as badly affected by a TPZ's 10-year encumbrance as by a conservation easement's perpetual one.)

The third facet of the TPZ program is that the legislature expressly allowed forestland owners to additionally use the land for "compatible uses", defined as "any use that does not significantly detract from the use of the property for or inhibit growing and harvesting timber, and shall include, but not be limited to," six example uses, the sixth being "a residence or other structure necessary for the management of land zoned as timberland." It is primarily this actual or potential residential use that can take the entire property's market value way above that which its sustainable timber production yield could support on its own. The Legislature knowingly accepted a modest residential presence in forestland to enable the land to not become predominantly residential.

And it's this residential compatible use that has aroused the ire of spiteful gadfly activists and influential others, including local planning staffs, which don't appreciate or otherwise don't agree with the Legislature's 30-year old compromises that help make preservation of working forests economically viable for their owners. As we all know, that economic viability has in recent years been severely eroded by constantly increasing costs of forest management and harvesting due to endless regulatory screw tightening. What we need now are more concessions, not fewer, if the Legislature's clear objectives of back then are not to be frustrated and defeated after all. Instead we continue to get more burdens from a forgetful state legislature plus attempts at same by state law-disregarding, activist-goaded local government.

HUMBOLDT COUNTY

In the fall of 2007, Humboldt County Supervisors abruptly enacted a temporary moratorium on new residential construction on TPZ land. Their aim was to thwart a rumored plan by Pacific Lumber Co to sell off some of their TPZ land in 160-acre parcels to individuals who would be expected to build homes and live there. Reportedly it was planning department staff who encouraged this obstructive action, and who encouraged making the moratorium permanent.

Remarkably, it was Eureka High School students who first organized and established formal opposition, including a website. See <http://www.humpropalliance.org/>. Their initial objection was that eliminating the possibility of building a home on TPZ land where it had been freely allowed at the time of purchase would wipe out landowner equity in the property, or alternatively destroy the landowner's financial incentive to keep the land out of development if TPZ status had to be given up to build one house. Their understandings of TPZ ordinances and state law were initially quite sketchy and emotionally reactive but we figured that their grasp could mature rapidly if given constructive support. Besides that it seemed that a good way to get favorable treatment by the county supervisors was to have a large volume of heated opposition come in rapidly from all directions and hit the fan where the supervisors hang out. Then they might be receptive to solid, civil discourse that might prove persuasive. This is pretty much what happened, and rather fast.

Adult-level support rapidly blossomed and soon became the dominant advocacy that did persuade the county supervisors to rescind their peremptory ordinance change. Our directors Sally French and Elizabeth Maybee, ranchers with lots of forestland in the Garberville area, were prominent in obtaining

this reversal. We see that the local media covered the situation thoroughly and fairly, giving the students' courthouse steps demonstrations lots of exposure and liberally airing allegations of high-handedness at the planning department. The supervisors calmly returned the TPZ question to the standing Forest Review Committee that is part of their Planning Commission's current County General Plan update process, where it awaits its turn on their agenda. We understand that said committee has many members who are forest-savvy and appreciate the broad benefits of the TPZ program to all parties, even to those who remain adamantly hostile. The students have moved on, linking to their successors, the Humboldt Coalition for Property Rights at www.HumCPR.org. We see many of our Humboldt County members listed as supporters of this coalition, and there's an interesting 15-minute video you can download.

We offered constructive comments on the students' website's Guestbook page and those comments got some favorable notice by later visitors. Participating in opposition to the similarly anti-residence Sierra County TPZ ordinance proposals of six months earlier was very helpful to us in providing rapid, knowledgeable support to Humboldt's outraged opponents. Support of the Sierra County opposition campaign by Santa Cruz County timberland-owning partisans in turn was very helpful when the similar Humboldt ordinance suddenly was enacted. The owners of Big Creek Lumber Co. have fought many county-level deprecations in court, clear through the appeals process, and the published appellate court results are proving very useful in opposing these county TPZ-based actions elsewhere. *Big Creek Lumber Co v. County of Santa Cruz* (2004, 115 Cal App 4th 952), viewable online or at the county law library, includes the court's enlightening summary of the legislative origins and purposes for the timber and timberland taxing schemes adopted as the TPA, which had wide support among disparate interests, including county government and environmental lobbies of that day.

SIERRA COUNTY

As for Sierra County, the Planning Commission there has not had the year-old TPZ rewrite on their agenda at all in the last few months. That changed on Jan 24, when it appeared without any advance public notice, but our Robert Eshleman found out, showed up, and carried on appropriately. There is some optimism that the multi-hatted Planning Director may have soured on making any substantive TPZ ordinance changes other than angling for special use permits to build a residence larger than a token cabin. Reportedly the few anti-residence proponents have made much worse pests of themselves to him since mid-2007 than have the many TPZ-holding, residence-desiring landowners. One local eco-alliance is demanding a CEQA EIR on whatever the Planning Commission adopts.

Additionally, the Sierra County Supervisors have been lobbied often and to apparent good effect in advance of anything yet coming onto their agenda. Most of them appear to be displeased by this protracted ruckus over something they didn't even ask for. Local press has ridiculed the TPZ change proposals and their strange revision process all along. Our Sierra County members continue to oppose special use permits for any sort of single-family residence on TPZ land and oppose any acreage limits for residential occupancy that are larger than the minimum parcel size for being accepted into TPZ at the time it happened. So we continue to be involved, with a guarded optimism.

HOW TO INTERPRET STATE LAW, and WHY

Local government cannot adopt ordinance or regulation provisions that are contrary to state law or in excess of authority granted them by state law or the state constitution. The meaning of what the legislature enacted by statute is determined with finality by the courts, not by the Legislature or the Governor, let alone by local government officials, county counsel, or advocacy groups. Talking up statutes the way courts would is of value early on in a county-level policy change process.

Here's part of a headnote summary of an opinion of the State Supreme Court, as rendered in Nov 1987 in *Dyna-Med Inc. v. Fair Employment and Housing Commission* (43 Cal 3d 1379) at page 1380 in headnotes

2 and 3. At issue in Dyna-Med was whether the Commission had statutory authority to award punitive damages to a fired employee. The Supreme Court had to interpret a legislatively enacted statute in order to resolve that question. In doing so they set forth their interpretive methodology, a reiteration of long-established precedent but perhaps with some new refinement. This Dyna-Med version is not necessarily the latest published but is still good enough for our purposes.

(2) Statutes -- Construction -- Legislative Intent -- Purpose of Law --

A court's first task in construing a statute is to ascertain the intent of the Legislature so as to effectuate the purpose of the law. In determining such intent, a court must first look to the words of the statute themselves, giving to the language its usual, ordinary import and according significance, if possible, to every word, phrase and sentence in pursuance of the legislative purpose. A construction making some word surplusage is to be avoided. The words of the statute must be construed in context, keeping in mind the statutory purpose, and statutes or statutory sections relating to the same subject must be harmonized, both internally and with each other, to the extent possible. Where uncertainty exists consideration should be given to the consequences that will flow from a particular interpretation.

(3) Statutes -- Construction -- Legislative Intent -- Legislative History --

Both the legislative history of a statute and the wider historical circumstances of its enactment may be considered in ascertaining the legislative intent. A statute should be interpreted, whenever possible, so as to preserve its constitutionality.

Note: In the above, "surplusage" means (per Black's Law Dictionary) "extraneous, impertinent, superfluous, or unnecessary matter."

You'll often see local advocates, government staffers and some headstrong county officials ignore as surplusage portions of statutory enactments that don't support their visions of how things ought to be, and also construe a statute so as to effectuate their own purposes rather than the Legislature's. They avoid harmonizing the whole legislative scheme in a way that supports purposes or consequences they don't agree with. They'll latch onto a clause and interpret it out of any harmonious context, as though it trumps all the rest of the statute. You cannot let this happen unchallenged. Now you've got a basis in high-placed legal authority to counter that sort of thing early, ideally before political decision-makers take hard positions that they might later be loath to reverse; if not, then to show them their weakness if legal action has to be taken against them later.

FOREST LANDOWNERS TO INCLUDE ADVERTISING IN FUTURE NEWSLETTERS!

If you are interested in placing an ad in future electronic E-News publications or the printed membership directory for the Annual Membership Meeting in May, please contact Melinda at the FLC office. Pricing and submission dates and specifications are available. Ad size will be pre-determined and space will be limited. Call (209) 533-1625 or email to forestlandowners@sbcglobal.net for more information. *FLC reserves the right to refuse advertising which does not reflect the mission and/or purpose of the organization and its members.*



CAL FIRE NEWS RELEASE

California Department of Forestry and Fire Protection

CONTACT: Daniel Berlant
Information Officer
(916) 651-FIRE (3473)

RELEASE DATE:
January 7, 2008

CAL FIRE to Create Advisory Group for Jackson Demonstration State Forest

Sacramento – The Department of Forestry and Fire Protection (CAL FIRE) invites public involvement in the management of Jackson Demonstration State Forest (JDSF) in Mendocino County. CAL FIRE Director Ruben Grijalva and the Board of Forestry and Fire Protection (Board) are currently forming a panel to advise each entity on forest management at the largest of California’s eight demonstration state forests.

“We have an excellent opportunity to ensure that the decisions we make regarding management of Jackson Demonstration State Forest incorporate a variety of state and local perspectives on the use and care of this exceptional resource,” said Grijalva. “I look forward to assembling a group of people who are interested in the future of JDSF and knowledgeable about the research, environmental, economic, or recreation aspects of forests in California.”

The 48,652-acre redwood forest near Fort Bragg is managed primarily for research and demonstration associated with a range of forest management purposes, including environmental stewardship, timber production, and recreation. The JDSF advisory group will advise the department and Board on implementation of a new forest management plan currently undergoing review by the Board as well as on management of the forest over time. The group will have an opportunity to receive and discuss JDSF management information and to provide recommendations back to the department and Board. Although the panel will be advisory only, the comments provided will be considered in CAL FIRE and Board decision-making processes.

Appointments will be made by the Director and subject to the Board’s approval. The advisory group will consist of approximately a dozen members representing a range of local, regional, and state interests and areas of technical expertise. They will meet roughly monthly during the initial implementation of the new forest management plan, and two to three times per year thereafter. There is no compensation for service on the advisory group; however, travel expenses can be reimbursed.

Those who are interested in serving on the JDSF Advisory Group are invited to apply by sending a letter of interest and a resume to: Tanya Aviles-Medeiros Executive Assistant to the Director
P.O. Box 944246 Sacramento, CA 94244-2460

For further information, contact CAL FIRE Chief Deputy Director Crawford Tuttle at (916) 653-4175 or crawford.tuttle@fire.ca.gov or Board of Forestry and Fire Protection Executive Officer George Gentry at (916) 653-8807.

NEWS OF INTEREST: "Link to Air Resources Board Diesel equipment regulations for members owning diesel tractor equipment provides rules for retrofit of emission attachments and for exemptions."
The ARB link below should be of interest to anyone of our membership that owns one or more pieces of diesel equipment used in the maintenance and operation of their forestlands. Toward the end of the document there is a list of exemptions for retrofits to diesel equipment and for annual low hour usage.

<http://www.arb.ca.gov/msprog/ordiesel/documents/offrddieselsmallfltsFS.pdf>

2008 CALIFORNIA FOREST PRACTICE RULES AND ACT

The **2008 Forest Practice Rule Book** should be printed and distributed in late January or early February. The **2008 Forest Practice Rules** should be posted on the CAL FIRE Forest Practice website by early next week. The following link will get you there: http://www.fire.ca.gov/rsrc-mgt_forestpractice.php.

There are links to the Forest Practice Rules and Act on the web page (under Forest Practice More Info...) If you would like a copy of the 2008 Rulebook in WORD format, please request one by email which can be found at the site. Final language for rules going into effect on January 1, 2008 can be found at the Board of Forestry's web site at:

http://www.bof.fire.ca.gov/board/board_proposed_rule_packages.aspx.

There are four rule packages adopted by the Board of Forestry and Fire Protection that will take effect, and become operative, on January 1, 2008. They are:

- Protection of Threatened or Impaired Watershed Values Extension, 2008.
- AB 1515, Forest Fire Prevention Exemption, 2008.
- Emergency Notice for Fuel Hazard Reduction, 2008.
- Road Management Plan, 2008.

There is one rule package adopted by the Board of Forestry and Fire Protection that will take effect on January 1, 2008 but not become operative until a complimentary rule package adopted by the Director of the Department of Fish and Game becomes effective:

- Coho Incidental Take Assistance, 2008.

DFG's complimentary rule package was adopted on December 27, 2007 and will likely take until mid-January 2008 to be filed with the Secretary of State. At the time that DFG's rule package is filed, the Board of Forestry and Fire Protection's Coho Incidental Take Assistance, 2007, rule package becomes operative.

The print- and web-based copies of the 2008 rulebook will have an appendix containing Board of Forestry Technical Rule Addendum No. 1. It will not be found in copies distributed via email. The technical rule addendum is also available on the CAL FIRE Forest Practice website at http://www.fire.ca.gov/rsrc-mgt_forestpractice_harvestingforms.php.

FLC Calendar of Events

May 1-3

FLC Annual Membership Meeting, Sonora CA

The following is the agenda from the most recent Board Meeting of the FLC Board of Directors:

**January 25, 2008 Board of Directors Meeting
Williams, California**

**BOARD OF DIRECTORS MEETING
January 25, 2008
Williams, California**

AGENDA

10:00 a.m.....Call to Order.....John Williams, President

1. Review/approve Minutes from the October 7, 2007 Board Meeting
2. Additions to the Agenda
3. Treasurer's Report – Charles Greenlaw
4. President's Report – John Williams
5. Executive Director's Report – Melinda Fleming
6. Action Items:
 - Approve nomination of non-industrial forest landowner to JDSF Advisory Group
 - Reimbursement of expenses for participation in approved events – Gaarde
7. 2005-2006 audit – Charles Greenlaw/Ralph Gaarde
8. TPZ / Building Site Conflict – Steve Horner
9. AB32 / Carbon Protocols – John Middlebrook / Bill Keye
10. Committee Reports:
 - Legislative Committee – Bob Berlage
 - Annual Meeting – Ralph Gaarde & Melinda
 - Nominating Committee – Jim Chapin
 - Communications Development Committee
 - Finance Committee – Charles Greenlaw
 - By-Laws Committee – Ralph Gaarde
 - 2008 Field Days
 - California Tree Farm Committee – George Belden
 - Northwest Woodland Owners Association – Art Harwood

Adjourn by 3:00 p.m.

(Complete minutes are available upon request by any member in good standing.)

CALIFORNIA CHRISTMAS TREE ASSOCIATION'S ANNUAL MEETING

FEB. 29-MAR. 1, 2008

RAMADA INN, MISSION DE ORO, SANTA NELLA, CA

CURRENT MEMBERS AND ANYONE THINKING OF GROWING

CHRISTMAS TREES IS WELCOME.

HOTEL RESERVATIONS: (800) 546-5697 GENERAL

INFORMATION: CALL SAM MINTURN AT (209) 669-6668 OR EMAIL AT: CalifCTA@aol.com

UPCOMING WORKSHOPS:

A LETTER FOR INTERESTED LAND OWNERS: (see next page)



College Of Natural Resources
Center For Forestry
163 Mulford Hall Mc 3114
Berkeley, California 94720

January 4, 2008

Stakeholders and others with an interest in forest landowner education:

Greetings:

For many years, the University of California, Cooperative Extension (UCCE) has offered courses and workshops on the general theme of forest stewardship to California's forest landowners. These workshops have been held throughout the state. They have varied in breadth and depth of presentation detail. Some have focused on specific issues such as road management. Others have covered a relatively large number of topics at a general level.

Along with conducting workshops, UCCE has produced a number of publications on topics related to forest stewardship and management. The "forest stewardship series", consisting of 24 separate leaflets was recently released and is available for download at <http://anrcatalog.ucdavis.edu/pdf/8323.pdf>. Additional publications on rural road management, recovery after wildfire and other topics of interest to forest landowners are now available.

While UCCE assumes a leadership role in providing educational services to California's forest landowners, UCCE generally collaborates with other agencies and groups when it offers educational events. Notable collaborators include local Resource Conservation Districts, watershed councils and groups, CAL FIRE and the Natural Resources Conservation Service.

We are sending this letter to invite you to a meeting at which we will solicit your advice and recommendations for developing additional educational materials and conducting future workshops to better serve the needs of California's family forest landowners. You have been selected to attend either because your organization represents California forest landowners or provides them with technical assistance. The meeting will be held at UCCE offices on the UC Davis campus. The proposed date for the meeting is February 27, 2008. Meeting objectives are: 1) to determine the issues facing family forest landowners today and into the future, 2) based on those issues, determine the information and education needs of forest landowners and 3) improve the process by which educational services are delivered by UCCE to forest landowners.

Enclosed is an agenda for a typical forest stewardship workshop and summary reports of education events conducted from 2002-2003. Also included is a tabular summary of existing education programs. At the meeting, we will provide a bibliography of selected reference materials available through UC Agriculture and Natural Resources publications, a CD of reference materials that we hand out at our Forest Stewardship workshops, and an updated directory of Cost-share and Assistance Programs for California Family Forest Landowners. (2003 version at <http://ceres.ca.gov/foreststeward/pdf/costshare.pdf>)

The majority of the meeting will be dedicated to obtaining your input on the educational needs and priorities of forest landowners. We are also conducting a survey of landowners to gain a better understanding of their goals and objectives for owning and managing their properties. Although the survey results will not be available for the February 27th meeting, we will have some information gleaned from a recent nationwide survey of forest landowners.

The expected products of the meeting will be a detailed summary of the discussions, a list of identified "gaps" in educational materials now available and a calendar for this year's program of landowner workshops. We plan to hold up to 10 workshops this year. We hope to plan the content and locations for those workshops with your assistance.

We would appreciate it if you can respond to this request for your attendance at the planned meeting no later than February 1. For those of you who may require travel support to attend the meeting, limited funds are available.

Please indicate in your response whether or not you will require funding for travel. Once we know who is confirmed to attend, we will send out additional information including directions to the meeting and a proposed agenda.

Please respond to Sherry Cooper slcooper@nature.berkeley.edu or (530) 224-4902.

We look forward to hearing from you and ultimately, to improving the quality of UCCE natural resource education programs.

Very truly yours,

Richard R. Harris and Gary Nakamura
Cooperative Extension Forestry Specialists
rrharris@nature.berkeley.edu
nakamura@nature.berkeley.edu

CALFIRE/DFG THP Review Workshop – Inland Central/Southern

Purpose: This training is designed to provide Registered Professional Foresters (RPFs) and others interested in timber harvest on private and industrial timberlands with the natural resource knowledge, regulations, policies and procedures the Department of Fish and Game (DFG) employs in the review of Timber Harvesting Plans as a review team member, trustee and responsible agency. The purpose of the training is to provide a reference for and understanding of the information the DFG uses to evaluate impacts to fish and wildlife resources and to facilitate RPFs in the preparation and review of Timber Harvesting Plans.

Who should attend: RPFs and others involved in preparing Timber Harvesting Plans. Those involved in Vegetation Management projects in forested environments are also encouraged to attend.

Course Topics:

- CEQA-THP Relationship
- Scoping
- Listed and Non-listed species
- T&I / Restorable Watersheds
- Coho 2112 process
- BIOS demonstration
- Surveys, Mitigation and Monitoring
- Late Seral Elements and Habitat Retention, and
- 1600 Agreements

Course Length: 2 days - Day 1 will be a half day of classroom presentations, exercises and Q&A, and half day field exercises; Day 2 will be a half day of classroom presentations and field exercises.

Instructors: DFG staff and CALFIRE staff including Dan Applebee, Curt Babcock, Mike Bacca, Tina Bartlett, Chris Browder, among others.

Dates and Location:

- City of Jackson, Board of Supervisor's Chambers
- 810 Court Street, Jackson, CA 95642
- **March 19 and 20, 2008**

Registration is FREE:

For Registration, please contact Tina Bartlett at tbartlett@dfg.ca.gov or at telephone (916) 358-2892. An agenda will be forwarded to you once we have your contact information.

Registration Form - Annual Meeting May 1- 3, 2008

Please register us for the following:	Number	Amount	Total
Conference Registration			
FLC Member----- \$ 85	-----	-----	-----
Member Couples----- \$105	-----	-----	-----
Non-Member----- \$105	-----	-----	-----
Non-Member Couple - \$125	-----	-----	-----
(Registration fee covers your Friday buffet lunch, Friday and Saturday seminar, and continental breakfast costs)			
Thursday Field Trip ----- FREE!	-----	-----	-----
(includes bus, lunch, refreshments)			
Thursday BBQ----- \$20	-----	-----	-----
Friday Banquet Dinner			
Beef choice ---- \$35	-----	-----	-----
Chicken choice - \$35	-----	-----	-----
Total Amount Enclosed:			\$_____

We will bring a raffle or silent auction item. () Yes () No

Name(s) _____

Tree Farm, Ranch or Company _____

Address _____ City _____ Zip _____

Phone _____ Names for Name Tags _____

**PLEASE CLIP THIS FORM AND MAIL WITH YOUR CHECK TO:
FOREST LANDOWNERS OF CALIFORNIA
P.O. Box 1096, Soulsbyville, CA 95372**

PLEASE GIVE US YOUR IDEAS FOR THE FLC ANNUAL MEETING

What I'd really like to have a presentation on at the Annual Meeting is:

Forest Landowners' concerns and "hot" topics I would like to have discussion about at the Annual Meeting include:

Ideas I have for speakers and presentations for the Annual Meeting in Sonora, California:

Questions? Call Melinda Fleming, Executive Director
Phone: (209) 533-1625 Email: forestlandowners@sbcglobal.net

DIRECTIONS TO THE MOTHER LODE FAIRGROUNDS: When approaching Sonora from Hwy 108 heading east, take the Hwy 49 exit. This passes the fairgrounds on the right. There are two entrances. Parking is in and around the buildings. The BBQ & picnic area is at the far end of the fairgrounds near the horse barns. The Sierra Building is the middle of the three large buildings

RESERVATIONS: Rooms are being held till the first week of April at the following hotels: Best Western Sonora Oaks, 19551 Hess Avenue, Sonora, CA (800) 532-1944 or (209) 533-4400; Inns of California, 350 S. Washington Street, Sonora @ (800) 251-1538 or (209) 532-3633; Aladdin Motor Inn 14260 Mono Way, Sonora @ (800) 696-3969 or (209) 533-7025. Other hotels in the area: Gunn House Hotel, 286 S. Washington Street, Sonora (209) 532-3421; Sonora Days Inn, 160 S. Washington Street, Sonora, (209) 532-2400.

If you plan to RV, call the Mother Lode Fairgrounds @ (209) 532-7428.