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RE: Process for Implementation of the Timber Regulation and Forest Restoration Fund/Program
(Part of Chapter 289 of the Statutes of 2012) and Three Draft Charters

While realizing that achieving the intents of the statute regarding Timber Regulation and Forest Restoration (TRFR) will inevitably be complex and difficult, no matter how approached – there are some key relationships, principles, and participation protocols that need to be incorporated. Several of these are:

** The fullest range possible of stakeholder representatives and applicable scientific disciplines need to be integrated every step of the way. This means representatives and expertise that extends past a very constrained circle of agency personnel that includes a few 'token' scientists and academics mainly associated with 'mainstream' industry and institutions. "Public Input" must include public representatives being an integral part of each committee involved in meeting statutory intents.

** These stakeholder representatives, scientists, and experts from the public need to be able to draw upon the resources from the timber assessment provided for in this statute to enable their participation and vital contributions.

** Lessons learned from previous successful processes need to be incorporated – like the engagement a truly broad range of stakeholders and the resulting basic information gathered for the Scientific Review Panel (SRP 1999) Report, and the process and representation for the Jackson Advisory Group (JAG) for the development of a comprehensive management plan for Jackson Demonstration State Forest. One could easily argue that adequate implementation of the intents for the TRFR needs even more rigor and thoroughness.

** An initial and substantive effort has to go into evaluation of actual existing conditions and information produced by the THP process in a range of actual CalWater2.2 Planning Watersheds to determine the adequacy of the current Forest Practice Process. Multistakeholder and multidisciplinary teams need to make findings and recommendations that can give direction as to how this reform process should work, from the basic formats for information, to elements necessary for recovery, to efficiency & ecological performance pathways and meeting the rest of the statutory intent.

** Parallel actions are obviously warranted. Note DF&Ws call for an evaluation and summary of all the reports and 'blue-ribbon panels' et al. that have been focused on cumulative impacts on California forestlands. This should get started right away along with the foundational pilot projects (note the plural) – different processes and timing, but each effort will combine to well inform the basis for

effective action.

** Each of the three draft charters lay out seemingly reasonable and necessary actions, but without the other two working group draft charters to review and get the fuller picture, it difficult to really give an adequate critique of how this is all supposed to work. A specific criticism of the three draft charters (and the processes as so-far presented) is that there is no active participation by public stakeholders provided for in these working groups, just the chance now & then perhaps to make comments.

** There must be a truly independent TRFR process, separate from the duties and functions of the Board of Forestry's Effectiveness Monitoring Committee. The EMC has some valid roles found in its pre-AB 1492 charter, but being “the future venue for all forest practice rule-making” and the “go through” for reforms coming out of the processes to implement actions to fulfill the intents of TRFR are not valid roles.

** There has been a lot of work by agency personnel to try and address ways to meet the intents of the TRFR. This has been some good work, but unless there is a more inclusive approach with broader sets of stakeholders and experts included, the top-down, agency-centric process that's unfolding will not get the reforms and “buy-in” by stakeholders, scientists, and the general public that is essential to attain adequate reforms.

Sincerely,

Richard Gienger
for Forests Forever and others