

# 7, 14, 29, 32



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DATE

1/11/16

EDC COB &lt;edc.cob@edcgov.us&gt;

1/12/15 BOS Agenda Items...

BOS 1/12/16

1 message

Melody Lane &lt;melody.lane@reagan.com&gt;

Mon, Jan 11, 2016 at 10:58 AM

To: Jim Mitrisin &lt;jim.mitrisin@edcgov.us&gt;, edc.cob@edcgov.us, michael.ranalli@edcgov.us, ron.mikulaco@edcgov.us

Cc: larry.combs@edcgov.us, Paula Frantz &lt;paula.frantz@edcgov.us&gt;, michael.ciccozzi@edcgov.us, bosfive@edcgov.us, bosfour@edcgov.us, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

There are several issues requiring public transparency and accountability relevant to the 1/12/15 BOS agenda.

*\*Note: Members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body. Any attempt to restrict the content of such speech must be narrowly tailored to effectuate a compelling state interest. Specifically, the courts found that policies that prohibited members of the public from criticizing [school district] employees were unconstitutional. (Leventahal v. Vista Unified School Dist. (1997) 973 F. Supp. 951 Baca v. Moreno Valley Unified School dist. (1996) 936 F. Supp. 719.) These decisions found that prohibiting critical comments was a form of **viewpoint discrimination**, and that such a prohibition promoted discussion **artificially geared** toward praising (and maintaining) the **status quo**, therefore foreclosing **meaningful public dialog**.*

*The Act provides criminal misdemeanor penalties for certain violations. Specifically, the Act punishes attendance by a member of a body at a meeting where action is taken in violation of the Act, and where the member intends to **deprive the public of information** to which the member knows or has reason to know the public is entitled. (§ 54959.) The term "action taken" as defined by section 54952.6 includes a collective decision, commitment or promise by a majority of the members of a body. The fact that the decision is tentative rather than final does **not shield participants from criminal liability**; where "action" within the meaning of the statute was taken would be a factual question in each case. (61 Ops. Cal. Atty. Gen. 283, 292-293 (1978).)*

Please publicly post the entirety of this correspondence to Items #7 & 14 on the 1/12/15 BOS Consent previously requested to be pulled for public discussion.

Also include the entirety of this correspondence with items #29 and #32 for public discussion.

Thanks for your anticipated cooperation.

*Melody Lane*

Founder, Compass2Truth

Conservatives Serving God in Truth & Liberty

***"It does not take a majority to prevail... but rather an irate, tireless minority, keen on setting brushfires of freedom in the minds of men." ~ Samuel Adams ~***

**From:** Tim Kulton [mailto:tkulton@gmail.com]  
**Sent:** Saturday, December 19, 2015 2:22 PM  
**To:** Fire- Melody Lane  
**Cc:** Deborah S Kruse  
**Subject:** Responding to your request...

Date: Dec. 19, 2015

Dear Ms. Lane:

We are writing in response to your several recent contacts both in person and through email and thank you for your interest in the Coloma-Lotus Fire Safe Council.

The Coloma-Lotus Fire Safe Council (CLFSC) is a newly formed associate of the El Dorado County Fire Safe Council (EDCFSC). The El Dorado County Fire Safe Council is a private non-profit, public benefit corporation formed as a tax exempt entity. The word "County" in the title refers to a geographic area and does not imply that the EDCFSC is a part of El Dorado County Government.

As the EDCFSC is a private corporation it is not subject to the Brown Act and is not subject to public records laws or the freedom of information act. Even though the council is not required by law to comply with these regulations, the council and its leadership strive to maintain transparency and to the extent possible follow the intent of these laws. The meetings and agendas are published in advance and meeting notes or minutes are posted for public access. The public is encouraged to attend the meetings and there is a public comment period at each meeting where members of the public community can make their views known to all.

It seemed to me that your questions in front of the Argonaut would be more appropriate at one of our public meetings, or our web site where everyone could hear/see the questions as well as the answers. In fact, as open and transparent public meetings is one of your stated objectives, we agree and invite you to attend and participate.

Our Council was formed from verbal requests at our meetings this year and in the March 2015

Agenda. Item 7 of the meeting held on Tue. March 31st was:

1. How to get Involved/Areas of Need:

- Survey – What is important to you?
- Secretary, Treasurer, Chief of Communications, Field Event Coordinator, Emergency Preparedness Coordinator

Just for the record, the volunteer board officers were elected at our public meeting in October by a majority of those present. The Officers are: Deborah Kruse – Chairperson & Secretary, Tim Kulton – Co-Chairperson and Treasurer and Bill Deitchman – Project Manager. All of the board members are volunteers and are sacrificing their time to assist the community. The council's sole objective is to help our residents and community to become more fire safe. We are focused on wildfire planning and vegetation fuel mitigation. Issues with law enforcement, the recreation vendors and with county staff are beyond our charter, scope and control. Additionally, to date, the Coloma-Lotus Fire Safe Council has not applied for nor has it received any funding, public or private. Voluntary contributions are requested and appreciated.

We encourage you to attend our meetings and become a productive part of our process.

Sincerely,

Deborah Kruse

Chairperson

Tim Kulton

Co-Chairperson



**County Council Response CPRA dated 12-02-15 Melody Lane.pdf**

138K

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CHIEF ASS'T. COUNTY COUNSEL

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JOMO K. STEWART

December 11, 2015

Melody Lane  
Compass 2 Truth  
P.O. Box 598  
Coloma, CA. 95613

Re: CPRA dated December 02, 2015, pertaining to the Coloma/Lotus Fire Safe Council.

Dear Ms. Lane:

In response to your CPRA dated December 2, 2015, regarding the Coloma/Lotus Fire Safe Council, the County has the following response:

1. The County has no records "substantiating the application of the Coloma Lotus Fire Safe Council, the date it was formed, the names of the officers and the method/policies by which they were selected." The El Dorado County Fire Safe Council and the various local sub-councils are not County agencies. The El Dorado County Fire Safe Council is a non-profit public benefit corporation formed as a tax exempt organization. The County did not govern their initial formation, does not govern the formation of local sub-councils, and does not select their officers, set their policies or keep their records. They do not submit the names of their officers to the County. Therefore, for documents about the formation of the local councils, and for information about the names of officers and the council's selection policies, I suggest you contact the Fire Safe Council directly. Their website is [edcfiresafe.org](http://edcfiresafe.org). Their address is El Dorado County Fire Safe Council, P.O. Box 1011, Diamond Springs, CA 95619, and their phone number is 647-1700.

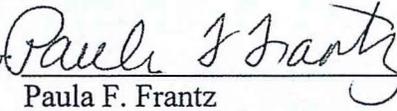
Members of the Board of Supervisors sometimes attend Fire Safe Council meetings in their district, as they attend other public meetings. To try to help you in your research into timing of formation of the Coloma Lotus Council, I have attached minutes from all of the Board of Supervisors meetings where attendance at Coloma Lotus Fire Safe Council meetings was mentioned. In addition, the Fire Safe Council made a presentation to the Board on December 08, 2015, and information about the Fire Safe Council is available on the County's website as part of the agenda for that date. However, I did not see any specific reference to Coloma Lotus in the materials for that day.

2. The County has no “copies of contracts/agreements with the Coloma Fire Safe Council” or contracts with “tree trimming/chipping agencies” in the Coloma-Lotus area. We located one contract with a tree service, to perform services on County owned property in Placerville which did not seem responsive to your request but I’ve attached it for your review.
3. I have attached copies of “all correspondence between Supervisor Ranalli, Tim Kulton, Deborah Kruse and all officers and active participants pertaining to the implementation of the Coloma Lotus Fire Safe Council.”

I hope this is of assistance.

Sincerely,

ROBYN TRUITT DRIVON  
County Counsel

By   
\_\_\_\_\_  
Paula F. Frantz  
Sr. Deputy County Counsel

cc: Board of Supervisors:  
Brian K. Veerkamp, Chair, District III  
Ron Mikulaco, District I  
Shiva Frentzen, District II  
Michael Ranalli, District IV  
Sue Novasel, District V

# LATE DISTRIBUTION

DATE

1/11/16

BOS 4/12/16

#32

Sorry I can't be there to listen to your reports and say my own little piece, but while you are having fun at a Board meeting I will be babysitting my 8 month old screaming, teething baby granddaughter. Believe me, I would much rather be there to hear what you have to say about the state of our forest restoration/fuel reduction projects.

In June of this past year I sat in a meeting where Randy Moore made the statement that current work to revise the out of date Forest Plans would probably mean less money for boots-on-the-ground work in the forest. Some people believe that Forest Plan revision work should be put on temporary hold, so that what money is available can be used to improve forest health and reduce fire risk (Yes, thinning our forests!) But current plans are to roll out Forest Plan revisions across all the national forests in Region 5 over the next three to five years. **Business as usual.**

In December of 2015, there was hope that the issue of how we pay for wildfire fighting would be resolved so that we weren't robbing Peter to pay Paul, but two of our senators, one from Washington state and one from Alaska killed that hope, so we will still be spending out of already stretched regular budgets for fire suppression. **Business as usual.**

In 1996 UC Davis was involved in authoring the multi-volume Report to Congress on the State of the Sierra Nevadas. The last article in the 1500 pages of volume 2 warned with vivid description of catastrophic wildfires if we continued with the current fire suppression regime. The authors went on to recommend various alternative methods of fuel reduction to lessen the risk of those monstrous fires occurring in our National Forests, but **we continued with business as usual** and 18 years later fire consumed almost 100,000 acres of the El Dorado National Forest.

In 1997 David Bakke, a silviculturist, wrote a short paper to define imminent susceptibility of insect attack on forest stands within the El Dorado. In this article he discussed the influence of drought and stand density, providing lower and upper ranges by species even, on beetle infestations, two conditions that we are all too familiar with. **But we continued with business as even less than usual**, reducing our timber harvest on the El Dorado from 100+ MMBF per year in the 1980s to today's less than 20 MMBF per year.

When you leave here today go down Hiway 50, west towards Sacramento. Just as you cross Weber Creek, look to the left and you will see rusty brown trees killed by bugs. When I moved back to Placerville 18 months ago, there was one dead tree in that location. Six months later, there were three. Now, 18 months later, there are at least 14 dead trees on the left side of the roadway and more than 20 on the right side. This is just the beginning.

If you want a real eye opener, drive down to Shaver Lake, in the Sierras east of Fresno. Entire hillsides without a single live tree! Even worse than our fire was, because once the fire is out, it's out; but with beetle infestations the bugs just move on to new trees.

Ramiro Rojas, Forest Service silviculturist with the Sierra National Forest, provides statistics showing basal area mortality per acre in Ponderosa Pines increasing from 12% in August, 2011, to 22% in June, 2015, and to a shocking 52% in October, 2015, the mortality more than doubling in four months! He

states that "large trees are being killed at rates that exceed the ability to replace them." He continues that maintaining dense stands "will not maintain owl habitat even without high severity fire." He finishes by stating that "the combination of high severity fire and insect infestations make the current objectives of maximizing owl and fisher habitat unsustainable." I have attached a copy of his presentation to show details. Yet, **we continue with business as usual**, making significant concessions to the single species advocates even in the face of overwhelming scientific evidence that their demands are endangering the entire forest, including whatever species they pretend to be advocating for.

I know I am not telling anyone from the Forest Service or CalFire anything they don't already know. The message I want to get across is that **we cannot continue with business as usual**. We need to have more of a sense of urgency about fixing the health of our forests - quickly. The Forest Service needs to start acting on the information that their own scientists are providing and CalFire needs to take a public stand when they see poor forest management practices on public lands, not just on privately held forest land as they currently do.

At the first public comment meeting about restoration of the King Fire burn, in January 2015, Pat Ferrell stated that sales and contracts would be put up in late July, 2015. To speed the process along, the public comment period on the draft EIS was shortened by 15 days and the objection period of 30 days was eliminated altogether, which should have brought the end date in even more, but the Record of Decision wasn't published until September, 2015. Essentially, the Forest Service told the general public to speed up their part of the process, but the Forest Service actually slowed their part down by several months. That doesn't demonstrate a sense of urgency to me.

I know that there are significant budget restraints that slow down the pace and scale of the work that needs to be done, but we keep hearing the words increased pace and scale, but we don't see that happening. Instead we continue to fall further behind as our forests continue to grow increasingly dense.

We have been given a short window of opportunity recently, in that we actually have snow this winter. That doesn't mean we can wait to see what happens next summer. We need to search out additional funding for the S. Ford American River Cohesive Strategy, to increase the planned work as documented in the June 5, 2015, project description. At the end of next summer we need to be able to point to this project and say we have exceeded planned pace and scale.

Realizing the budget constraints, I think that there are two questions that need to be asked each time a project is proposed or a dime allocated.

One: Will this proposed action aid us in getting ahead of the bugs or reduce fire danger quickly?

Two: Will this proposed action create/maintain infrastructure that will aid us in getting ahead of the bugs or reduce fire danger quickly?

If you can't answer yes to one or the other of these questions, then find another project that will.

Kathy Smith

1/11/15

# Preliminary Results of intensity and extent of Insect Mortality on the Sierra National Forest

October 2015

Ramiro Rojas

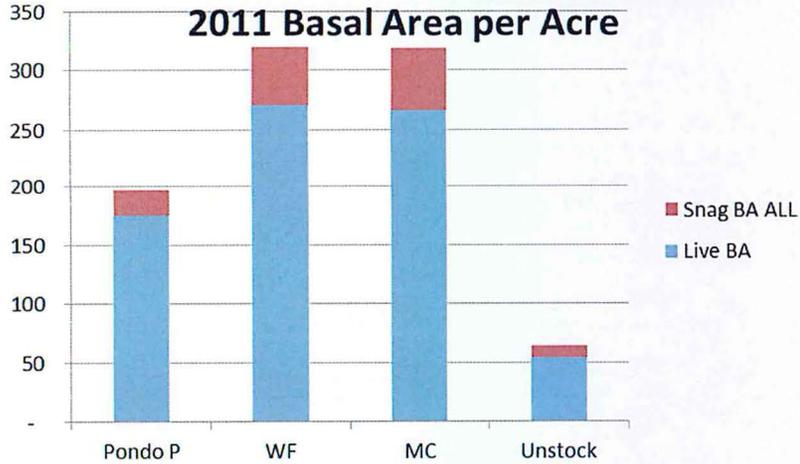
District Silviculturist



Southern Sierra Drought Insect Response Team (DIRT)

V1.2

**2011 Basal Area per Acre**

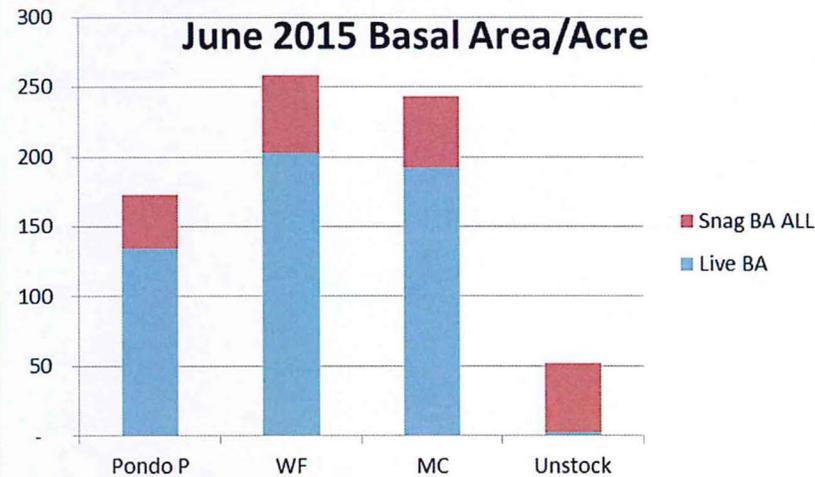


**Percent Basal Area per Acre Mortality**

Forest Type	August 2011	Jun-15	Oct-15
Ponderosa pine	12%	22%	52%
Mixed Conifer (WF)	15%	22%	25%
Mixed Conifer (Pine)	16%	21%	27%
Unstocked	17%	96%	77%
Grand Total	15%	23%	33%

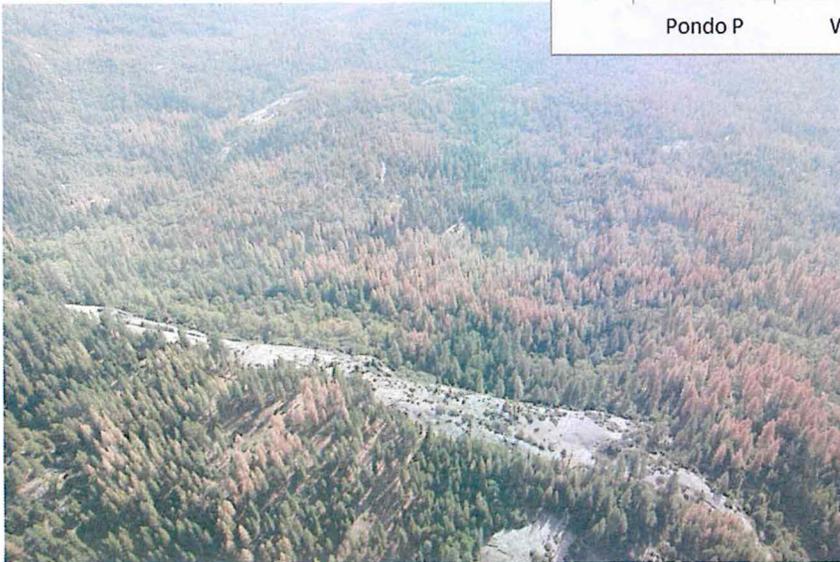
June and October 2015 data from 258 plots across elevational range of the Dinkey CFLR; October 2015 revisited June plot locations- 2011 data from 1600 plots originally collected to calibrate lidar

**June 2015 Basal Area/Acre**

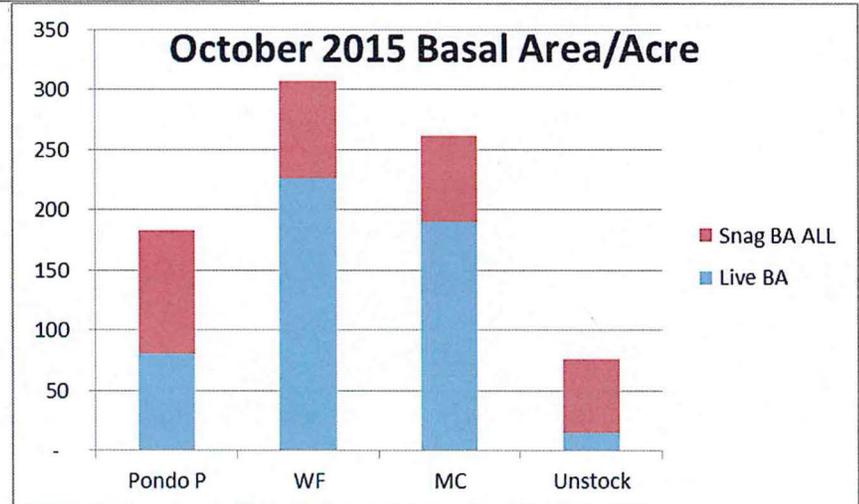


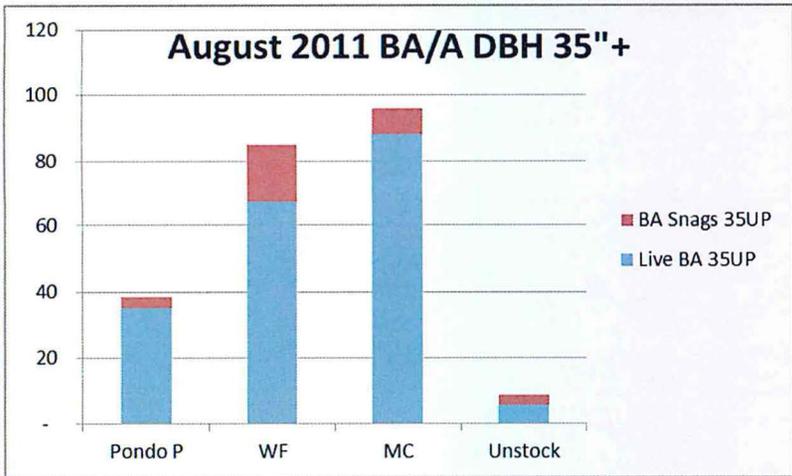
Mortality is increasing and is at levels never before seen in the Sierras

+/- 12 ft<sup>2</sup> BA/A for Dead Trees

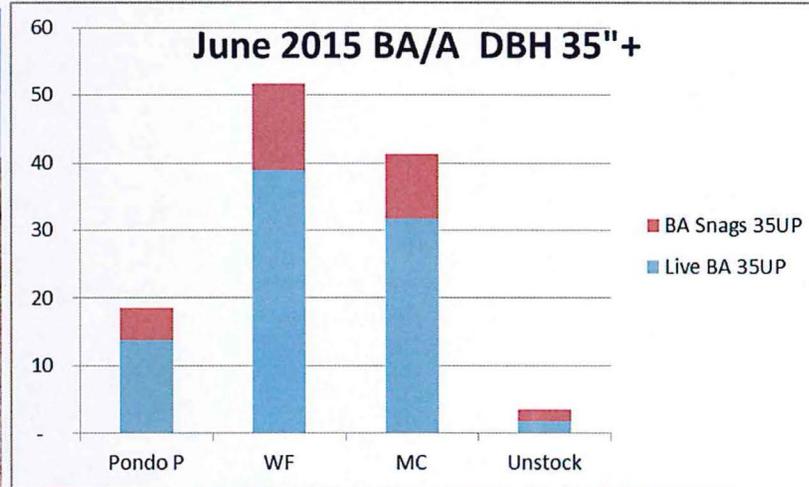


**October 2015 Basal Area/Acre**

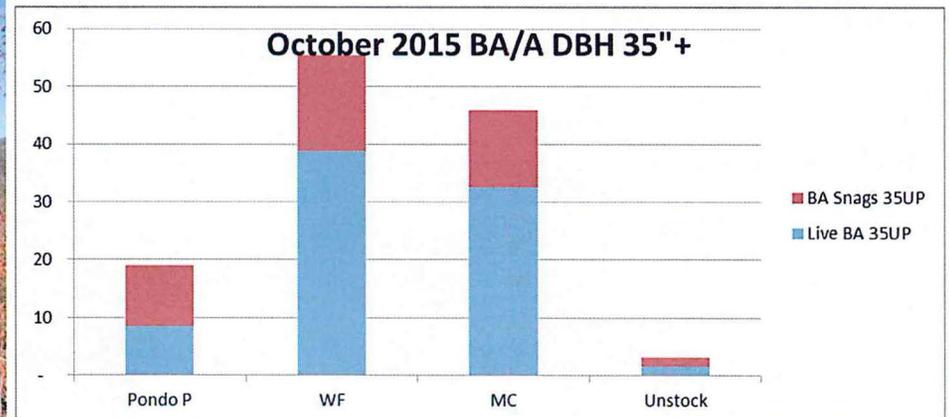
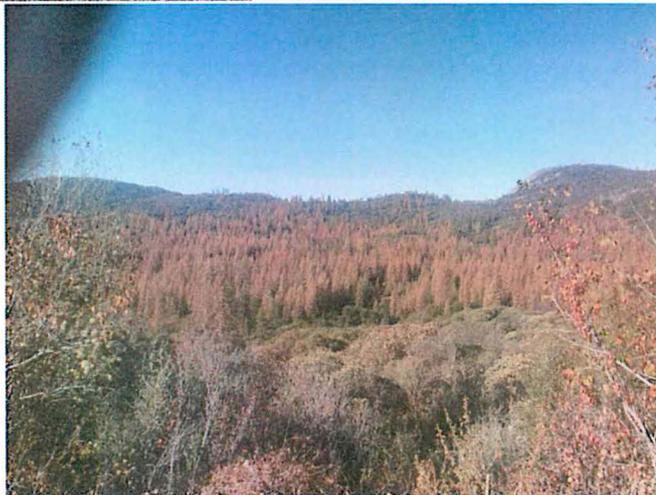




Percent Basal Mortality Trees > 35" DBH			
Forest Type	August 2011	Jun-15	Oct-15
Ponderosa pine	9%	26%	55%
Mixed Conifer (WF)	21%	25%	30%
Mixed Conifer (Pine)	8%	23%	29%
Unstocked	35%	50%	50%
Grand Total	10%	24%	33%



Large trees are being killed at rates that exceed the ability to replace. Replacement will take a hundred years.



+/- 4 BA/A for Dead Trees

# Dinke CFLR USFS Acres Conifer Zone

Forest Type	CFLR ACRES	Deforested Acres
Alpine Shrub	19	
Annual Grass	41	
Aspen	1	
Barren	6,801	
Blue Oak	66	
Jeffrey pine	929	
Lodgepole	1,209	
Chaparral	2,199	
Montane chaparral	2,394	
Montane Hardwood/conifer	2,140	
Montane Hardwood	2,100	
Ponderosa Pine	15,501	7,596
Red fir	10,147	
Redwood	70	
SubAlpine	326	
Sierra mixed conifer	36,056	6,129
Urban	21	
Water	4	
Mixed conifer (WF)	245	29
Meadow	1,143	
<b>Grand Total</b>	<b>81,414</b>	<b>13,755</b>

Forest Type	percentage of plots by mortality class			Grand Total
	0	<50%	50%+	
Ponderosa Pine	0%	51%	49%	100%
Mixed Conifer (WF)	0%	88%	12%	100%
Mixed Conifer (Pine)	0%	83%	17%	100%
Unstock	36%	24%	40%	100%
<b>Grand Total</b>	<b>4%</b>	<b>70%</b>	<b>27%</b>	<b>100%</b>

Region 5 defines mortality >50% as deforested





- Based upon the 260 CFLR plots Taken in October 2015 a rough approximation of Forest wide Insect Deforest Acres can be made. Deforest acres being those with more than 50% of the trees (basal area) dead.
- Across the Sierra National Forest Insect Deforested Acres:
  - Ponderosa Pine Forest ~ 37,900 acres
  - Mixed Conifer (pine and fir) Forest ~ 46,400 acres
- Total Sierra National Forest Insect Deforested Acres ~ 84,400



Numbers of Dead Trees Across the Dinkey CFLR > 15" is approximately 1 million

Numbers of Dead Trees Across the Sierra NF > 15" DBH is Approximately 8 million

More than 340 million Board feet in the Dinkey CFLR and more than 1 billion board feet across the Sierra National Forest

Forest Type	Average Snags/Acre > 15" DBH	Dinkey Acres	Dinkey total snags	Sierra NF Acres	Sierra NF total snags
Ponderosa Pine	25	15,501	380,473	77,491	1,902,032
Mixed conifer (WF)	19	245	4,724	2,603	50,192
Mixed Conifer (Pine)	17	36,056	597,906	271,339	4,499,531
Unstock	14	2,394	37,637	86,539	1,360,516
All Forest Types	18	54,196	1,020,740	437,973	7,812,272

19 snags per acre average across the forest types +/- 3 trees per acre



The dead trees in this photo are mostly sugar pine

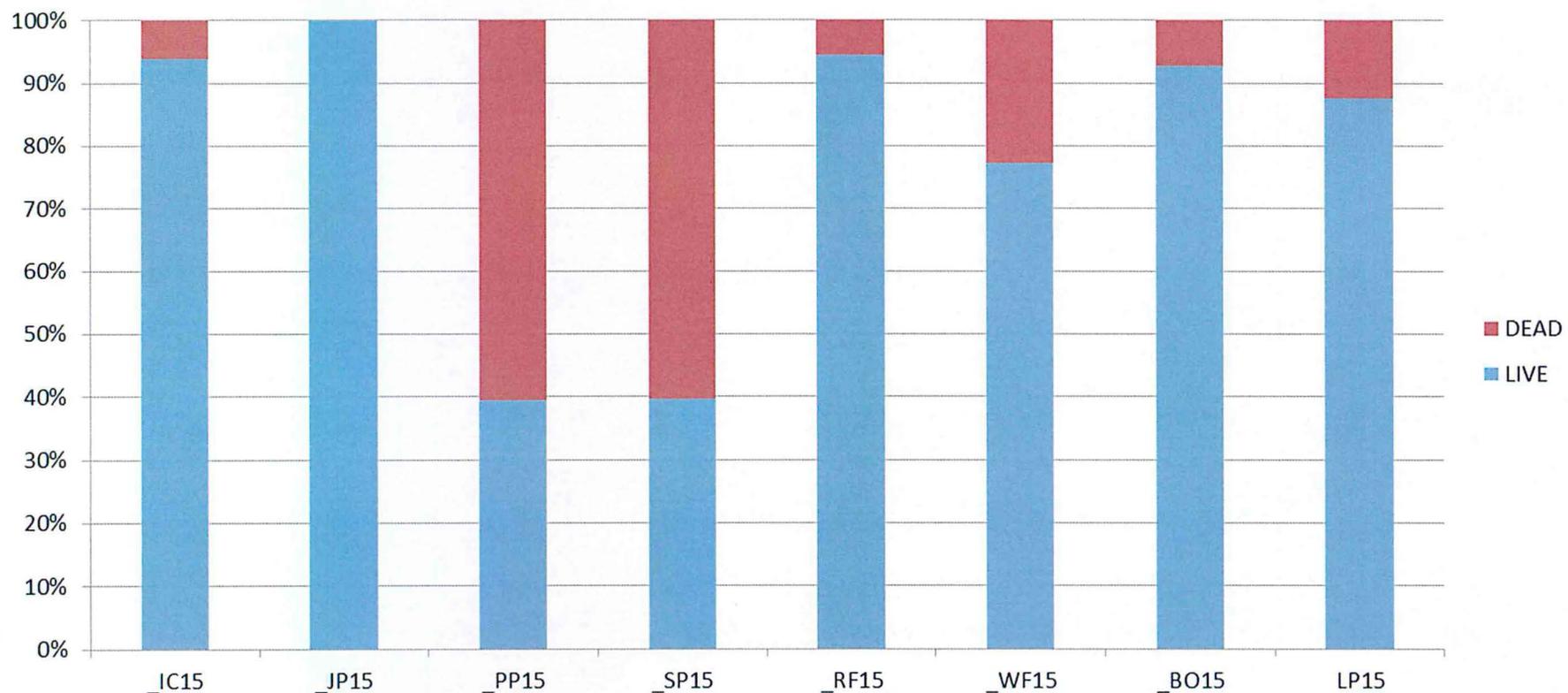
Sugar pine makes up 5% of the live trees and 17% of the dead trees

Ponderosa pine makes up 16% of the live trees and 51% of the dead trees

White fir makes up 44% of the live trees and 27% of the Dead trees

Percent of live and dead basal Area by species > 15" DBH --- October 2015									
	_IC15	_JP15	_PP15	_SP15	_RF15	_WF15	_BO15	_LP15	Total
Dead	3%	0%	51%	17%	1%	27%	1%	0%	100%
Live	23%	0%	16%	5%	5%	44%	7%	1%	100%

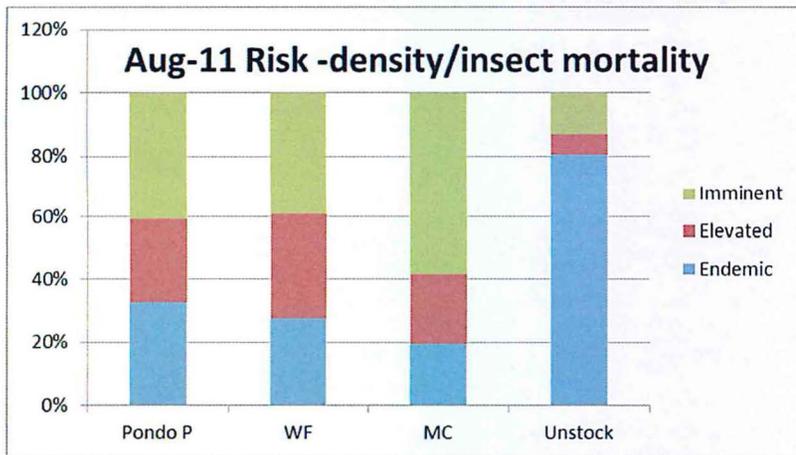
## Percent of Mortality by Species All Plots October 2015



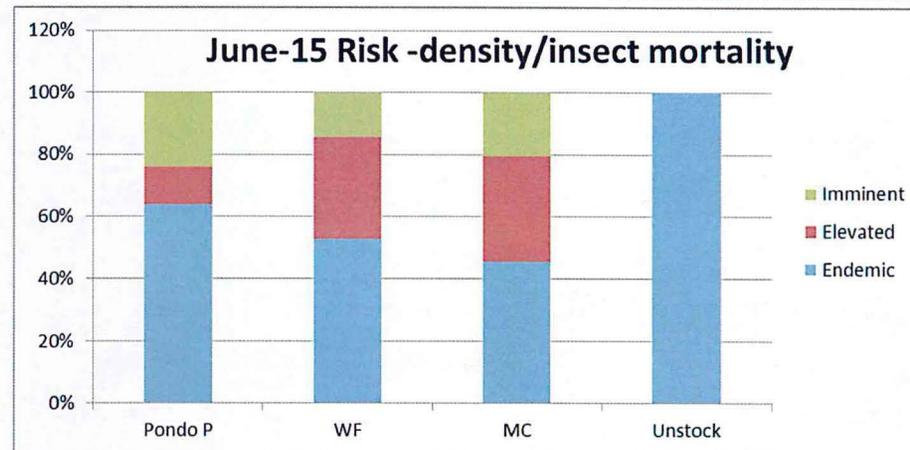
Pine species are being lost at an alarming rate. Approximately 60% of all measured sugar pine and ponderosa pine > 15" DBH are dead.

The Graph represents the percent of trees > 15" DBH live and dead measured for all plots.

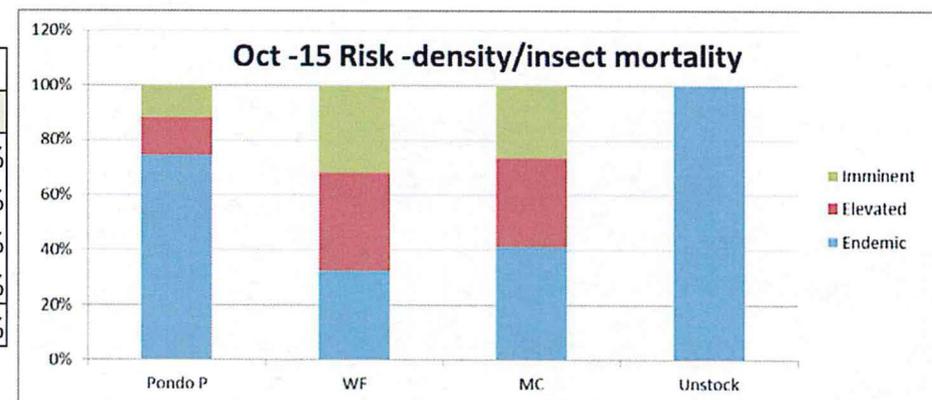
Ic= incense cedar, JP=Jeffrey pine, PP=ponderosa pine, RF=red fir, WF=white fir, BO=black oak, LP=lodgepole pine



Insect risk has decreased in ponderosa pine forests as mortality reduces density. Insect risk in mixed conifer remains at levels that indicate a lack of resilience.



Forest Type	Oct-15 Risk of Density/Insect Induced Mortality			Grand Total
	Endemic	Elevated	Imminent	
Ponderosa Pine	77%	12%	11%	100%
Mixed Conifer (WF)	35%	35%	29%	100%
Mixed Conifer (Pine)	42%	32%	27%	100%
Unstock	100%	0%	0%	100%
Grand Total	55%	24%	20%	100%



# Take Home messages

The Southern Sierras are experiencing an unprecedented insect mortality outbreak - as a result on the average 1/3 of the trees in pine forests or forests with a mix of pine and white fir are dead.

1/3 of these pine forests or forests with a mix of pine and white fir are in a deforested condition.

The mortality will continue until drought weakened trees are all dead or several years of above normal rainfall occurs and trees regain vigor.

It Appears that maintaining dense stands:

will not result in increasing large trees,

Will not maintaining pine species,

Will not maintaining owl habitat even without high severity fire.

Insects are killing trees >35" faster than they can be grown.

The combination of high severity fire and insect mortality make the current objectives of maximizing owl/fisher habitat unsustainable.