

**Ebbetts Pass  
Forest Watch**



RECEIVED 06/01/2020  
Board of Forestry and Fire Protection

**Matt Dias, Chief Executive Officer Board of Forestry**

**Request for urgent action by the Board of Forestry**

EPFW requests that the BOF issue an emergency rule or other action requiring companies executing utility exemptions to notify CALFIRE *where* they will be cutting or trimming trees. Because no Notice of Commencement is currently required for utility exemptions, CALFIRE is largely unable to do its required Resource Protection oversight, and other Resource Agencies such as DFW and the Water Board are also unable to protect vulnerable public resources.

The utility exemption tree removal program includes approximately 1 million acres in utility exemptions by PG&E alone. CALFIRE data, obtained by a public records act request, shows that in 2018 and 2019 there were *726,000 acres of exemptions filed by PG&E*.

Utility companies, particularly PG&E, are now embarked upon a massive tree removal program in addition to tree trimming. This is occurring in urban areas as well as in heavily forested areas.

In the process of requesting information from CALFIRE regarding utility exemption violations and inspections, EPFW learned that CALFIRE personnel consider this lack of notification of commencement to be a serious problem which hampers their ability to do inspections. PG&E utility exemptions, in particular, span whole communities. PG&E's activities are conducted throughout the community at random times and places, so unless CALFIRE receives a complaint or happens upon the work, inspections cannot occur because CALFIRE does not know where the work is happening.

The following are some of the types of violations that CALFIRE has found occurring under PG&E utility exemptions and reported by private property owners to environmental organizations and the media.

- Lack of required fire prevention and firefighting equipment
- Riparian and public water supply damage – felled trees and slash
- Improper marking of trees, including trees that were healthy and straight and not leaning, and which posed no hazard.

- Improper marking and removal of old growth trees, when there were alternatives to making the line safe, including moving poles, installation of coated tree wire and circuit interrupters, etc.
- Failure to mark nest trees with active nests
- Leaving significant dry debris on private property, including within the 30-foot defensible space zone and never coming back to pick it up despite repeated calls
- Creating significant erosion potential in areas subject to slides by excessive tree removal
- Removing trees without getting the property owner's permission.

We urge the board of BOF to take urgent emergency action so that CALFIRE and other resource agencies can do their job.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Robinson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Susan Robinson

Ebbetts Pass Forest Watch