



State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE
Habitat Conservation Planning Branch
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Sacramento, CA 94244-2090
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



August 7, 2020

Mr. Matt Dias
Executive Officer
Board of Forestry and Fire Protection
1416 Ninth Street
PO Box 944246
Sacramento, CA 94244-2460
Matt.Dias@bof.ca.gov

SUBJECT: BOARD OF FORESTRY AND FIRE PROTECTION, NOTICE OF PROPOSED ACTION, TETHERED OPERATION AMENDMENTS, 2020.

Dear Mr. Dias:

California Department of Fish and Wildlife (CDFW) staff has reviewed the Board of Forestry and Fire Protection's (Board) Notice of Proposed Action, Tethered Operation Amendments, 2020, containing proposed changes to the California Forest Practice Rules relating to steep slope tethered operations in California's timberlands. The following comments regarding this rule proposal reflect CDFW staff's verbal comments at prior Joint Committee meetings.

While CDFW staff support the evaluation and use of new technologies for the conduct of timber operations, the discussion preceding this proposed rule change has not allowed for a data-driven consideration of the environmental impacts of steep slope tethered operations in California. The Board Staff Memorandums dated April 7, 2020, and May 5, 2020, regarding limitations on the use of ground-based equipment within 14 CCR §§ 914.2[934.2, 954.2] and 914.3[934.3, 954.3] summarize scientific literature findings, concluding that minimal impacts will occur for these types of operations. However, the basis for the assumption of minimal impacts are studies from other countries, and no literature references were found regarding the impacts of tethered operations in California's diverse timberland ecosystems. The evidence of minimal impacts is incomplete for several resource areas, including erosion, sedimentation, and tree retention. A proposed operational demonstration on California's North Coast, as discussed in Committee, could allow for first-person evaluation of impacts; however, this

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demonstration will occur after the August 19, 2020 public hearing, and likely after the Board has voted on the rule change.

Given these concerns, CDFW recommends the following actions be implemented before the adoption of rule changes:

- Public demonstrations of tethered operations on both Coastal and Interior timberlands of the state.
- Prohibiting steep slope tethered operations from Emergency and Exemption plans until the completion of a pilot study of the environmental effects of these operations.
- Inclusion of a multi-agency monitoring effort.
- Creating a sunset date for the rule change to allow for incorporation of findings from the pilot study and monitoring effort.

Thank you for considering CDFW's comments. If you have any questions about the topics included in this letter, please contact Isabel Baer at (916) 203-3193 or isabel.baer@wildlife.ca.gov. CDFW looks forward to working with the Board and its staff.

Sincerely,

DocuSigned by:

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Jeff Drongesen, Branch Chief
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California Department of Fish and Wildlife

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