

California Forest Practice Rules Cumulative Effects Review Concept

October 13, 2014

Problem statement

The California Board of Forestry and Fire Protection (Board), Forest Practices Committee (FPC), has for some time considered revisiting the Forest Practice Rules (FPRs) promulgated nearly 25 years ago pertaining to analysis and disclosure of cumulative effects. During this period, stakeholders and agencies have questioned whether the FPRs effectively address cumulative effects of timber operations approved under timber harvesting plans (THPs). The primary focus of concern has shifted from loss of old-growth habitat and forest habitat elements and the impacts to old-growth-dependent species, to effects on listed salmonids and cumulative watershed effects. Concerns over cumulative effects have been the subject of deliberations by past Board committees and "blue-ribbon panels", each of which in turn has presented conclusions and recommended actions. The recent FPR reforms to the watercourse and lake protection rules, including the "Anadromous Salmonid Protection (ASP) Rules" and the "Road Rules", have been represented as "two legs of a three-legged stool", constituting FPR reforms toward conservation of fish and wildlife values. There is now interest in the "third leg", i.e., reforms to the rules pertaining to cumulative effects and the procedures described in Technical Rule Addendum No. 2 (TRA#2), "Cumulative Impacts Assessment".

The FPC has recently considered several alternative actions drafted by Board Executive staff: a) essentially take no action, b) review changes to CEQA and CEQA Guidelines regarding cumulative effects that have occurred since TRA#2 was first established and as needed effect changes to the Rules and TRA#2 and c) provide a new guidance document for plan submitters to use when addressing cumulative effects in plans. Other, similar or additional actions or objectives that have been discussed include a) provide relief to registered professional foresters and their employers by streamlining what is considered an onerous THP cumulative effects analysis process and b) complete a thorough review of the cumulative effects analysis rules and procedures, taking into account recommendations from the earlier advisory bodies, advances in the scientific literature and thought regarding cumulative effects, and using current analytical tools and resources not available when the cumulative effects rules were initially established. All of these proposals appear to have merit and most are not mutually exclusive.

Related to the Board's interest in considering, and as needed reforming, the FPR's cumulative effects analysis procedures, AB 1492 calls for establishment of "ecological performance measures" through which the status of managed forest landscapes, possibly in terms of "ecological services" or "indicators", are to be assessed and tracked over time. Assuming forest management regimes on private timberlands can affect ecological performance both directly and cumulatively, there appears to be a convergence between the Board's interest in evaluating cumulative effects procedures and provisions of the FPRs and the statutory requirements in AB 1492 to establish and monitor ecological performance measures.

The "Anadromous Salmonid Protection Rules" and "Road Rules" are believed by some to have largely addressed potential cumulative watershed effects, including those on listed salmonids, by avoiding or minimizing potential impacts of forest management to watershed processes, aquatic species and habitats, and impacts to species closely associated with riparian areas. Validation of this belief, however, is on-going. Also, in the absence of similar rule packages that pertain to conservation of terrestrial wildlife species and habitats, the effectiveness of the FPRs in addressing potential cumulative effects on these other resources remains less assured.

The following tasks constitute a possible path forward for helping the Board complete a thorough review of the cumulative effects procedures under the FPRs, with particular focus on terrestrial wildlife species and their habitats.

Tasks

1. Establish a Cumulative Effects Working Group under the aegis of the Board.
2. Compile and review reports, memoranda, and other documents pertaining to cumulative effects analysis generated during the past 20+ years by Board committees and panels, agencies, and stakeholders.
 - a. Work with Board staff to search Board files for documents.
 - b. Conduct outreach to agency staffs for documents.
 - c. Summarize recommendations presented by past committees.
3. Update earlier reviews of literature pertaining to cumulative effects relevant to forest landscapes and resources.
 - a. Review past literature reviews and cited articles and reports for their relevance to current circumstances.
 - b. Prepare an updated literature review and annotated bibliography.
 - c. Share updated literature review/annotated bibliography for comment.
4. Identify analytical tools and methods (e.g. use of GIS, analysis of data from remote sensing) that have emerged since the time the Board established the cumulative effects rules. Develop options for incorporating these into FPRs cumulative effects procedures and Rules.

5. Prepare summary of updated literature review and new analytical tools and methods. Share for comment.
6. Convene workshops to solicit input and ideas from the scientific community and stakeholders.
7. Review the FPRs and Technical Addendum #2 in light of this new information in terms of scope and relevance; prepare and present findings.
8. Prepare periodic updates to the FPC.

Participants

1. Board staff, CalFire and other review team agency staffs, consultants, stakeholders.
2. Staff from other agencies with pertinent expertise.
3. Participants of joint workshops sponsored by the Board including participation by researchers, industry, other practitioners and stakeholders.

Timeframe

To be determined. Gantt chart to be developed.

Resources

To be determined.

