



August 14, 2017

Dr. J. Keith Gilles, Chair
California Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

Sent via electronic mail to publiccomments@BOF.ca.gov

RE: Cumulative Impacts Assessment Checklist, Technical Rule Addendum No. 2 and Appendix Amendments, 2017

Chair Gilles and Board Members:

The Center for Biological Diversity submits the following comments concerning the Board of Forestry 45-Day Notice of Proposed Rulemaking for amendments to Cumulative Impacts Assessment Checklist, Technical Rule Addendum No. 2 and Appendix Amendments.

This process has been going on for three years and now proposes to produce changes that will not help forest wildlife or promote transparency. Instead, the proposed changes take an already weak Technical Rule Addendum No. 2 and further weaken it by calling it “guidance” and then changing words such as “should” to “may” in furtherance of that goal. We ask that you cancel this rulemaking and begin anew to produce regulations that seek to meaningfully protect California’s forest-dependent wildlife and promote transparency of the timber review process with respect to actions that impact wildlife.

No analysis is provided as to how these changes comply with CEQA. Clearly there is potential for significant impacts due to the changes, such as the changes (from “should” to “may”) with respect to snags, non-listed species, and oaks, as well as the lack of any changes to meaningfully protect late-seral forest. While we believe the rulemaking should start over, at the very least it does not meet CEQA’s mandates with respect to analyzing a reasonable range of alternatives (including one that does that opposite of what the proposal does, such as increasing protections for wildlife and forest attributes such as snags, oaks, and late-seral structures), or analyzing, avoiding, and mitigating potentially significant impacts, such as those described above. Until compliance with CEQA is achieved the rulemaking is not only bad policy with respect to forest-dependent wildlife, it is illegal as well.

Sincerely,

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