



SIERRA PACIFIC INDUSTRIES

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October 13, 2023

Attn: Regulations Priority Review
Board of Forestry and Fire Protection
PO Box 944246
Sacramento, CA 94244-2460

RE: 2023 Regulations and Priority Review

Chair Gilliss,

I want to thank you for the opportunity to provide comments on the priorities for regulatory review by the Board in the coming year. Our state's forests and the subsequent clean air, clean water, abundant wildlife habitat, and the sustainable wood products that they produce are extremely important to the people of this state. The largest threat to our forests is from the devastating impacts of high intensity wildfires at large scales. Most people would agree that restoring forests to a more resilient and historic state of fuel loading is of utmost importance. I believe that it has been and should continue to be one of the highest priorities of the Board.

The Board has taken recent actions to reduce the required stocking and retention standards that align with management of forests to maintain a more resilient and return to the historic state. One of those actions was the creation the Forest Fire Prevention Exemption in 2019. This was an effort to encourage landowners to accomplish costly fuel reduction treatments on their forests without the cost and burden of the preparation of a Timber Harvest Plan. This exemption has been utilized over the last several years but not to the extent that it needs to be in order to achieve landscape scale treatments for fuel reduction and forest resilience. This exemption can be a pivotal element in achieving the annual 500,000 acres of treatment that California committed to in their Agreement for Stewardship of California's Forests and Rangelands. The reason for the lack of use is the overly restrictive sections of the rule that do not aid in achieving the goal of a resilient forest.

Sierra Pacific Industries requests that the Board review the restrictions and requirements that are contained within the Forest Fire Prevention Exemption (1038.3) that have very little to do with forest resiliency and are impeding the efficacy and applicability of the exemption. Fuel reduction and forest thinning are treatments done in the forest that are at best break even and most likely result in net costs. This is why the ability to utilize an exemption such as the Forest Fire Prevention Exemption is so important to increasing the pace and scale of treatments. The following are examples within the current exemption where changes need to be made to make them more widely used and thus achieve more acres treated across the landscape.

The acreage limitation needs to be removed. The more acres that are treated, the better. Restricting to 300 acres adds more time, cost and tracking on all levels as well as diminishes the importance of treatment at larger landscape scales.

The stocking standards within the rule need to be modified to align with the current stocking standards of commercial thinning. The standard in this rule is contradictory even within the rule itself. The commercial thinning stocking standards were recently modified to align with more resilient forest stands and consistency in the standard is necessary.

The limitation on cut tree size needs to be removed. Fuel reduction needs to happen across all stand types and size classes of trees within the forests of the state. There is already a requirement of increasing QMD that keeps the intent of the rule as a thinning from below standard. This requirement also adds a level of agency follow-up and cost that is not necessary to achieve the desired results.

The post treatment canopy closure requirements need to be removed. The intent of the exemption is to reduce fuel, eliminate vertical continuity of fuels and limit horizontal continuity of fuels. Requiring a certain base level of canopy closure is a tool to retain canopy for closure and understory shading. This is counter to the intent of the exemption. Promotion of a more open canopy is necessary to achieve resiliency and compliance with retention of overstory trees can be achieved with the stocking level and QMD requirement. The canopy closure requirement also adds a level of agency follow-up and cost that is not necessary to achieve the desired results.

All the above comments and suggestions also apply to the older rule language contained in the Emergency Notice for Fuel Hazard Reduction (1052.4). Sierra Pacific Industries requests that the Board review the consistency of requirements between these two rules and how they can be complementary to each other. These two rules and their use by forest landowners are the key to increasing the pace and scale of fuel reduction across the state and achieving the commitment in the Million Acre Strategy.

There remains a need to continue the effort to make changes within the rules to encourage forest landowners to retain their forested lands as forests and to manage them in a way that restores their resiliency to the effects of fire and drought. Continued active management of our forests are important and necessary and the worst thing we can do is make the management of them unattainable. The Board must take the lead in facilitating the responsible and economically viable management of the forests in our state to ensure they continue to be forests that provide clean air, clean water, valuable habitat, and sustainable wood products well into the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Sweet", with a stylized flourish at the end.

Eric Sweet
North Sierra Area Manager