



July 11, 2024

State Board of Forestry and Fire Protection  
P.O. Box 944246  
Sacramento, CA 94244-2460

**Re: Utility and Public Agency ROW Exemption Amendments; Title 14 of the California Code of Regulations, Division 1.5, Chapter 4**

Submitted via email to: [PublicComments@bof.ca.gov](mailto:PublicComments@bof.ca.gov)

Dear Board and Management Committee:

California Farm Bureau (Farm Bureau) submits these comments in response to the July 2024 draft Utility and Public Agency ROW Exemption Amendments. Farm Bureau is a non-governmental, non-profit organization representing over 26,000 farming members, including over 20,000 small farms, with a purpose to protect and promote agricultural interests throughout California and to find solutions to the problems facing agricultural businesses and rural communities.

During the spring of 2024, Farm Bureau participated in a public workshop regarding the draft amendments. We appreciate the July revision, as it addresses concerns expressed by Farm Bureau and other organizations. We note that the revisions do not expand the list from RPF or supervised designee and arborist activities, which conforms to the skills and training, accordingly. Further, we appreciate that there is a clear policy statement regarding landowner rights (see section 1114 (a)(3)) and that utility requests to widen the right of ways were rejected.

While we are encouraged by the revisions that focus on ensuring treatments are accomplished in a timely manner such that Slash and Woody Debris do not increase wildfire risks (which are largely responsible for driving a statewide insurance market crisis), Farm Bureau recommends additional consideration be given to shortening the treatment timeframes when fire risk is heightened instead of adhering to set timeframes. For example, if mitigation work is performed in a Winter Period, treatment should be completed prior to that region moving into a higher fire risk season. Further risk reduction could be accomplished through a reduced timeframe (7 days, for example) for the treatment of All Woody Debris on private lands once any state or local agency declares a fire warning covering the areas where the Timber Operations were conducted.

Finally, Farm Bureau suggests that landowners would benefit from prior notice from a utility, with the simple addition of a 30 day notice requirement in Section 1114 (f)(24)(B). That section reads in part (with our addition in blue):

*(24)(B) Absent circumstances where tree removal must be expedited to avoid imminent harm to persons or property, a utility shall undertake a good faith effort as part of its landowner notification process to notify landowners **30 days prior**, or timber owners if different from the landowner, that the utility intends to fell trees of a commercial species on the landowner's property. The landowner notification shall advise of the landowner's or timber owner's right to commercialize timber*



*harvested under the utility's notice of utility right-of-way exemption and provide information regarding the process for coordinating such efforts with the utility. The utility shall also undertake a good faith effort to coordinate scheduling of timber operations so as to allow those interested landowners, or timber owners if different from the landowner, to make concurrent arrangements to commercialize felled trees...*

If the Board or staff have questions about Farm Bureau's comments, please contact us at your convenience.

Sincerely,

A handwritten signature in blue ink that reads "Peter Ansel".

Peter Ansel  
Sr. Policy Advocate  
pansel@cbbf.com