



CALIFORNIA
LICENSED
FORESTERS
ASSOCIATION

P.O. Box 87 • Fort Bragg, CA 95437
phone • 707.964.4815 fax • 530.463.7521
email • clfa@volcano.net web • www.clfa.org

October 7, 2013

California State Board of Forestry and Fire Protection
Mr. Keith Gilles, Chairman
P.O. Box 944246
Sacramento, CA 94244-2460

RE: Class II-L Identification and Protection Amendments, 2013.

Dear Chairman Gilles and Board Members,

CLFA supports the amendments to clarify identification of Class II-Large (L) as a necessary and beneficial modification to the Forest Practice Rules. Class II-L watercourses are a valuable resource and should be afforded special protection within 1000 feet of the confluence of the Class I. However, if the definition of Class II-L watercourses is not clear, the field identification of these watercourses will be subjected to individual RPF and Agency Representative interpretation, leading to unnecessary, foreseeable conflicts and an inconsistent application of protection measures. Class II-L protection measures will be recommended (enforced) where Class II-L attributes do not exist. This has been occurring on THPs processed since the Class II-L regulations came into effect. The appropriate protection measures applied to the intended watercourse qualities will maintain a healthy environment while protecting the viability of timberlands and assist in building a strong economy.

The existing language in the rules includes a field assessment of the watercourse channel to be completed during a specific time of year, during an average hydrologic year. This is not always possible to achieve, particularly with smaller ownerships where the RPF may have only a short timeframe to visit the ownership and prepare a plan. The proposed language helps address this issue by excluding such a restrictive time for evaluation. The wording for 14CCR 916.9(g)(1)(A)2 [found on page 4 of 7, lines 12-27] describes the method for determining a potential Class II-L watercourse based on channel width. Where this is beneficial from a timing consideration, it could also have other downsides.

Our concern regarding the channel width determination method as described on page 4 of 7 is the possibility that the RPF may not have access to the confluence location. There are watercourses on many ownerships which flow across a property line before a confluence. Often times in these situations the RPF has no access to the neighboring ownership and cannot verify the off property channel width. In which case, the RPF's professional evaluation and the physical characteristics of the watercourse segment available for inspection must take precedence over speculation as to the channel characteristics that may occur downstream but off limits for inspection.

A second concern over the channel width determination process is the potential for disagreements on the actual width. During the field review held on the coast for this rule language development there were many discussions on measuring channel width. The group was able to come to consensus on measurements though it was clear that this could be an area of contention. Channels are seldom uniform and some segments of channels do not lend themselves to accurate measurement. Therefore, the measurer must be selective and could potentially introduce bias into the measurements. This could create problems if a dispute arises during plan review over the accuracy of a specific watercourse's channel width.

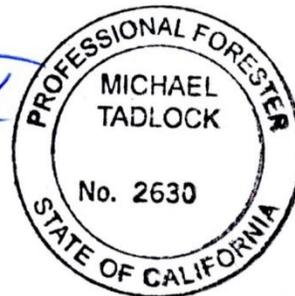
CLFA does not support the modification of core zone widths on Class II-S watercourses as depicted in Table 4 [page 7 of 7 lines 13 through 21]. Specifically the concern is addressed toward the increase of the core zone from 0 to 15 feet on watercourses with side slopes less than 10%. The Class II-S watercourses generally have small channels (less than 5 feet wide) and are located in small watersheds. Generally, due to the physical difficulty of removing individual trees from this portion of the zone (other retention trees blocking a clear and safe falling path, lean of the tree, trees limb locked with other retention trees) and other retention requirements (minimum canopy retention levels, conifer stocking standards) removal opportunity is limited causing little change to the canopy layer within the proposed core zone thus having no impact to water temperature. The mobility of large woody debris is not possible in such small watercourses, specifically with flat side slopes. If an increase in temperature and large woody debris transport, is not feasible given the physical characteristics (limitations) of the watercourse and due to the protection measures provided by the current rules, it is unclear why the addition of these core zones is need. More protection the closer operations occur to the watercourse is generally the right prescription (and for the Class II-S it feels good), but given all of the standard mitigations in place, the additional mitigation in this case, provides no additional protection and therefore does not justify the reduction in value to the landowners property. Please consider retaining the existing zone widths and rejecting this potential modification.

CLFA supports making these modifications to the rules to improve the clarity for making the determination between Class II Standard and Large watercourses. Class II-L watercourses are a valuable resource that should be afforded additional protection while allowing for appropriate management of timberlands; including Class II-S watercourses. CLFA believes that making the distinction clear between the two watercourse types will help to maintain a healthy environment while protecting economic viability of timberlands and supporting the economy of the state while minimizing conflicts in the field between the landowner and the reviewing agency, resulting in a cost savings to all parties associated with the harvest plan review process.

Sincerely,



Michael Tadlock
RPF #2630
CLFA President



The California Licensed Foresters Association, with a membership responsible for the sustained management of millions of acres of California forestland, represents the common interests of California Registered Professional Foresters. The Association provides opportunities for continuing education and public outreach to its membership, which includes professionals affiliated with government agencies, private timber companies, consultants, the public, and the academic community. Governed by an elected Board of Directors, CLFA was established in 1980 after the passage of the landmark California Professional Foresters Law.