



## DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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September 29, 2014

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

Re: Forest Fire Prevention Pilot Project Exemption, 2014

Dear Chairman Gilles:

The California Department of Forestry and Fire Protection (CAL FIRE) has reviewed the proposed regulation language included in the 15-day notice for the Forest Fire Prevention Pilot Project Exemption, 2014, including the requirements from AB 2142, that was signed by the Governor providing an urgency clause to immediately include the four northern coastal counties under the Forest Fire Prevention Pilot Project Exemption authorized by AB 744. The amendments proposed under this pilot program may provide incentives to timberland owners for increased use of the Forest Fire Prevention Exemption, thereby reducing fuel hazards.

Congressman Doug LaMalfa authored AB 2420, signed into law in 2005, creating the Forest Fire Prevention Exemption for use statewide. The exemption included treatment of *surface fuels* to achieve the goal of an average of four-foot maximum flame length under average severe fire weather conditions. Although the surface fuel treatment goal provided for more effective ground attack and reduced the likelihood of fire extending into the crown, the achievement of this goal proved to be somewhat subjective for enforcement. In 2007, AB 1515 was approved, revising the fuel treatment for the Forest Fire Prevention Exemption based on vertical and horizontal ladder fuel clearance with consideration of slopes. Pursuant to AB 1515, treatments in areas within a community wildfire protection plan required that dead surface fuel depth be less than nine inches while outside those areas, it required all logging slash created by operations to be treated to achieve a maximum post-harvest depth of nine inches above the ground.

Forest practice inspections in areas where the Forest Fire Prevention Exemption has been utilized more frequently indicated that achieving the maximum post-harvest surface fuel depth of 9 inches above the ground has not been a significant constraint for compliance. Considering the timber types of the Coast Forest District and normal weather influences on fuel moisture, a post-harvest slash depth of 18 inches may be reasonable for some site conditions, but further analysis would be necessary, especially if the 18 inch revised standard were to be applied statewide as proposed. Such analysis may be appropriate under the pilot project's requirements for the Department to evaluate impacts on fuel reduction.

I appreciate the Board accepting the suggestions included in my August 25, 2014, letter and incorporating these revisions into the notice. CAL FIRE has no further comments on this rule package, and supports the Forest Fire Prevention Pilot Project Exemption, 2014, with the exception of the change from a 9-inch to an 18-inch post-harvest slash depth standard as presented.

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Thank you for providing the Department an opportunity to comment on this rule package. A representative from CAL FIRE will be at the hearing should any questions arise related to this proposed change to the regulations.

Sincerely,



DUANE SHINTAKU  
Deputy Director