

Background:

1. After stalling in the review of the “Interagency Road Rules Package,” in November, 2004, the Forest Practice Committee established the Road Rules Technical Working Group at the December 2004 committee meeting.
2. Jim Ostrowski compiled the existing Forest Practice Rules that deal with logging roads, landings, and logging road watercourse crossings when he was snowed-in in January 2005.
3. The Road Rules Technical Working Group, with representatives from CAL FIRE, CGS, DFG, the North Coast RWQCB, the Central Valley RWQCB, CFA, CLFA, and the environmental community met numerous times to reorganize the Forest Practice Rules related to logging roads and logging road watercourse crossings.
4. A PowerPoint presentation on the Executive Summary of the proposed Road Rules package as of March 5, 2006, is available at http://www.bof.fire.ca.gov/regulations/proposed_rule_packages/interagency_road_rules_2009/roadrulestaskforce_exsum_28ppoint_3-5-08.pdf
5. A September 1, 2009 Staff Proposal, entitled “Road Regulations of Anadromous Salmonid Protection Rules: Concept for Review” proposed to begin revising rules following the general format undertaken by the Anadromous Salmonid Technical Working Group and set up a tentative timeframe for developing the package.
6. At the October 2009 Forest Practice Committee meeting the Road Rules Technical Working Group was directed to again work on the package, with the direction to consider all rules associated with logging roads and logging road watercourse crossings, not just for those areas with protected anadromous salmonids.
7. The first meeting of the Technical Working Group is scheduled for Tuesday, November 10. Representatives from CAL FIRE, CGS, DFG, the North Coast RWQCB, the Central Valley RWQCB, CFA, CLFA, and the environmental community have been contacted and have indicated that they will participate.
8. The most recent draft of logging road- and crossing-related rule changes is maintained by Chris Browder.

Key Issues needing Forest Practice Committee approval:

1. Are the Technical Working Group agreed upon Standards of Review that set the following criteria for rule evaluation appropriate?
 - What is a proposed rule trying to achieve (intent) – the goals/objectives/standards should be clear
 - What is the necessity of a rule (existing and proposed) – Includes the identification of alternative approaches (performance-based vs. prescriptive)
 - The revised rules would be unambiguous (in plain English and grammatically correct)

- Rule requirements would not be included in definitions
- The revised Road Rules would be organized in a logical manner
- Each issue would be addressed in an individual rule to avoid multiple rules addressing the same issue
- To avoid differing standards or confusion in interpretation, redundancy between sections was considered to be preferable to possible omissions.
- Implementation costs would be considered in rule revisions
- The effectiveness of existing as well as proposed rules would be considered
- Identifying possible unintended consequences would occur at each step of the process

2. Is the proposed reorganization of the Forest Practice Rules in line with Forest Practice Committee goals?

- Articles 11 and 12 Logging Roads, Landings, and Logging Road Watercourse Crossings: All and only rules related to logging roads, landings and logging road watercourse crossings are proposed to be retained in Articles 11 and 12.
- Rules related to logging roads and landings would be separate from rules related to logging road watercourse crossings because of the higher potential effects of in-channel work associated with crossings.

3. Should the rules follow the following format?

Intent	
<u>Logging Roads and Landings</u>	<u>Logging Road Watercourse Crossings</u>
Planning	Planning
Design and Implementation	Design and Implementation
Mapping and Identification	Mapping and Identification
Construction and Reconstruction	Construction and Reconstruction
Erosion Control	Erosion Control
Use	Use
Maintenance and Monitoring	Maintenance and Monitoring
Abandonment and Deactivation	Removal
LTO Responsibility	

With each rule section addressing issues in the format of general to specific.

- A. Performance-based rules
 - B. Prescriptive rules
 - C. Temporal rules
 - D. Rules for Threatened or Impaired Watersheds
 - E. Rules for watersheds with listed anadromous salmonids
- These last two are the focus of new work*