



County of Santa Cruz

BOARD OF SUPERVISORS

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April 27, 2021

Matt Dias
Executive Director
California Board of Forestry and Fire Protection
PO Box 944246
Sacramento, CA 94244-2460

Dear Mr. Dias:

As clean-up and recovery efforts continue in the footprint of the CZU Lightning Complex fire, a multitude of federal, state and county contractors work daily to clear debris, assess and remediate hazards, and rebuild critical infrastructure. As part of this effort, local timberland owners are utilizing several CAL FIRE permits under the Forest Practice Rules for removing fire-killed or damaged trees. While the Permit process is efficient, there are local operational constraints and restrictions that significantly limit completion of fire remediation efforts on timberland (Ref 14 CCR sections 926.9 and 926.10).

Two localized restrictions have been identified which should be addressed to facilitate timber operations conducted under the Permits. These Special County Rules specifically relate to restrictions of weekend timber operations and weekend log hauling.

The existing harvest infrastructure in the Santa Cruz Mountains is not sufficient to adequately address the magnitude of dead or damaged timber resulting from the CZU Lightning Complex fire. This localized scarcity of Licensed Timber Operators, log truck drivers, timber fallers, and sawmills available to handle the volume of material is problematic. The Permit process does not provide a mechanism that allows for variances or exceptions to the Special County Rules, which limit weekend timber operations and hauling of forest products. These provisions are hampering clean-up efforts. Allowing timber operations and log hauling on weekends would enable better utilization of the limited available personnel and infrastructure while reducing the delays and expense that are being incurred by conforming to the Special County Rules. Two additional days

per each work week in the CZU Lightning Complex fire impact area would result in an overall shorter timeline for post-fire remediation that can be accomplished by our regionally limited pool of operators.

The Santa Cruz Board of Supervisors respectfully requests, as provided for in Public Resource Code section 4516.5, that the Board of Forestry and Fire Protection (Board) enter into emergency rulemaking to provide temporary relief as it relates to the Special County Rules identified above (14 CCR §(926.9(a), 926.10(a).) which apply specifically to the County of Santa Cruz to allow weekend timber operations and hauling of forest products to assist in the clean-up efforts associated with the CZU Lightning Complex Fire.

Requested Temporary Rule Relief

It is requested that the **Bold Type** portions of the following California Forest Practice Rules 14 CCR §(926.9(a), 926.10(a) be suspended or modified to allow for weekend timber operations and hauling forest products to assist in the clean up of dead or damaged timber associated with the CZU Lightning Complex Fire. This would pertain to those operations conducting post-fire salvage or restoration harvests under Emergency Notices, Exemption or Timber Harvest Plan within the boundary of the CZU Fire within the County of Santa Cruz. We request that weekend and holiday hours be restricted to the period of 8 a.m. to 6 p.m.

California Forest Practice Rules
Title 14 CCR

926.9 Hours of Work [Santa Cruz County]:

- (a) **Except as provided in paragraph (b) below, the operation of chain saws and other power-driven equipment shall be restricted to the hours between 7:00 a.m. and 7:00 p.m., and shall be prohibited on Saturdays, Sundays, and nationally designated legal holidays. An exception to this rule may be granted by the Director where s/he has found that no disturbance will result from the use of such equipment.**
- (b) Within 300 feet of any occupied legal dwelling, the operation of chain saws and all other power equipment, except licensed highway vehicles, shall be restricted to the hours between 8:00 a.m. and 6:00 p.m., and shall be prohibited on Saturdays, Sundays and nationally designated legal holidays. The Director may grant an exception to allow operations between 7:00 a.m. and 7:00 p.m. within 300 feet of residences if a determination of no disturbance can be made based upon the occupant(s) agreement to a written request submitted by the RPF to the Director before plan approval.

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- (c) When it is anticipated that there will be staging of licensed vehicles outside the plan submitter's property between the hours of 9:00 p.m. and 7:00 a.m., the RPF shall provide an operating plan which reduces noise impacts to nearby residences.

926.10 Log Hauling [Santa Cruz County]:

- (a) **Log hauling on public roads is not permitted on Saturdays, Sundays, or on those days which are nationally designated legal holidays.**
- (b) Log hauling on public roads, or private roads may be restricted or not permitted by the Director during commute hours or during school busing hours when necessary to prevent a serious hazard to traffic flow and safety or to prevent hazardous conditions that would endanger public safety.
- (c) During log hauling on public roads, or on private roads the timber operator may be required by the Director to post special traffic signs and/or flagpersons where determined to be necessary to prevent a hazard to traffic.

Given the devastating losses that our community has suffered due to the CZU Lightning Complex fire, it is imperative that we are able to move toward recovery as quickly as possible. Therefore, we respectfully request your assistance with temporary relief from the Special County Rules that are impeding these efforts.

Sincerely,



BRUCE MCPHERSON, Chair
Board of Supervisors

BM:cs