

April 17, 2017
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Dear Chair Longley and Members of the Board:

Thank you for the opportunity to comment on the Proposed General Order for Discharges Related to Timberland Management Activities. The **California Forestry Association** (CFA) represents landowners who own and are responsible for the management over 4 million acres of timberlands in the State. We appreciate that your staff has conducted outreach efforts to our members, and actively sought their input.

We have several comments regarding the Proposed General Order.

For historical accuracy, on page 5 the statement regarding the 1988 MAA “to date, that review has not occurred” is not correct. That review did occur, and the State Board recognized the FPRs as Best Management Practices prior to submittal to USEPA Region 5.

Also on page 5, regarding “Coordination with other Agencies”, it is appropriate to include a discussion regarding the Natural Resources Agency. Since the implementation of AB 1492, all the reviewing agencies have been conducting periodic meetings to coordinate interagency objectives, and to provide information on staffing needs. In addition, they are required to report on review times as part of the Agency’s report to the legislature.

On page 10, Part II, Item 4, regarding the description of changed conditions/new information and the requirement for incorporating management practices, we believe this is meant to incorporate post-harvest plan approval conditions, i.e., outside of the regular interagency plan approval process. Clarification in this regard is recommended.

On Page 15, Part III, Section C, regarding Categories 2A and 2B, there is a requirement to submit a Post-Fire Management and Reforestation Plan (PFP) at

least 30 days prior to pesticide application. The PFP requires Executive Officer approval, but offers no commitment to a response time. Given the often tight planning windows, a sentence or comment requiring a response time is recommended and fair. This is particularly true given AB 1492 reporting requirements as to efficiency of agency review, and to provide accountability for those requirements.

On page 16, Part III, Section C, Item 3, subsection ii, Item 2, in the requirement for 50% effective groundcover documentation should, at a minimum, recognize that such a determination constitutes the practice of Forestry under the Public Resources Code and requires a Registered Professional Forester. We have concerns also about the 50% threshold. In reviewing these criteria with vegetation managers, 50% may be problematic. We recognize that a PFP may be submitted if that standard cannot be met, but such a requirement post fire may be too high in many instances. Based on these discussions with managers, as well as studies (Oliver 1989, Ditomaso & Marcum 1996, McDonald 1998, for example), we believe a lower threshold is warranted. It is mentioned in the discussion that 50% was chosen to simplify identification of ground cover level. If the requirement of a Registered Professional Forester is added, a requirement of 30% could easily be identified and utilized. This level is somewhat higher than we believe necessary, but will allow for a margin of safety.

On page 6 of Appendix C, "POST-FIRE MANAGEMENT AND REFORESTATION PLAN GUIDANCE AND TECHNICAL STANDARDS FOR CATEGORIES 2A AND 5A" the following is stated:

"D. Pesticide Application

a. Describe the following:

- i. Chemical(s);
- ii. Application method(s);
- iii. Schedule for application (dates);
- iv. Location(s) of application (Emergency Notice number and/or Township/Section/Range);

**Changes to any of the above (D.a.i-iv.) must be submitted in writing no less than 48 hours prior to pesticide application."

The items listed above are controlled and mitigated by other state and local agencies. Pesticide applicators need flexibility in timing their applications due to sometimes rapidly changing local weather and wind conditions. We recommend

that “no less than 48 hours” be stricken to allow applicators the ability to adapt and change their application times and dates.

As a general comment, it should be noted that our membership aggressively replants and re-establishes conifer stocking post-fire. Such activities should be encouraged to the fullest extent possible, as the rapid re-capture of these sites is imperative, in particular in order to rapidly mitigate post-fire erosion. Most post-fire erosion is rapidly cured by such efforts.

Sincerely,

A handwritten signature in blue ink that reads "George Gentry". The signature is written in a cursive, flowing style.

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