

Board of Forestry and Fire Protection

INITIAL STATEMENT OF REASONS

“UTILITY NOTICE OF OVERHEAD OPERATIONS AMENDMENTS, 2016”

**Title 14 of the California Code of Regulations (14 CCR),
Division 1.5, Chapter 4:
Subchapter 1, Article 1
Amend: § 895.1;
Subchapter 7, Article 2
Amend: § 1032.7**

INTRODUCTION INCLUDING PUBLIC PROBLEM, ADMINISTRATIVE REQUIREMENT, OR OTHER CONDITION OR CIRCUMSTANCE THE REGULATION IS INTENDED TO ADDRESS (pursuant to GC § 11346.2(b)(1))...NECESSITY (pursuant to GC § 11346.2(b)(1) and 11349(a))....BENEFITS (pursuant to GC § 11346.2(b)(1))

Pursuant to the Z'berg-Nejedly Forest Practice Act of 1973 (FPA, PRC § 4511, *et seq.*), the Board is authorized to construct a system of forest practice regulations applicable to timber management on state, municipal and private timberlands; and through PRC § 740 “...shall determine, establish and maintain an adequate forest policy. General policies for guidance of the department shall be determined by the Board.”

Additionally, under PRC § 4111 “The Board shall make and enforce such regulations as are necessary and proper for the organization maintenance, government, and direction of the fire protective system and suppression of forest fires...”

The basis for the proposed action is derived upon a request to the Board primarily received from associated public utilities (PU) stakeholders throughout the state of California. These PUs implored the Board to consider promulgation of rulemaking efforts to remedy issues regarding landowner forestry operations and PU infrastructure. Reasons cited included a lack of communication and consultation between the two increases economic losses to landowners, compromises efficient power delivery to customers, and increases the chance of vegetative ignitions.

The purpose of this proposed action is to make permanent, through regular rulemaking, these amendments.

The effect of this proposed action is to provide a requirement within 14 CCR § 1032.7 (“Plan Submittal and Notice of Intent.”), and defined in 14 CCR § 895.1 (“Definitions.”), entailing that landowners must notify via disclosure on the existing Notice of Intent (NOI) and contact or consult a PU whenever within proposed prescriptive distance standards (200 ft.) of overhead electrical power lines prior to initiation of any activity governed by

the California Forest Practice Rules (FPRs).

The primary benefit of the proposed action is three fold. First, this action will ultimately benefit landowner(s) by increasing the effectiveness and utilization of harvest methods within proximity to powerlines. Notification and consultation with PUs will enable landowners to increase biomass marked for harvest that can be safely removed by Licensed Timber Operators (LTOs), ensuring the safety of their crew and equipment. Due to the general lack of proper training required of LTOs working around electrical utilities, consultation with PU designees will allow them to operate with efficiency and safety. Secondly, by having PUs notified when timber activities are occurring within the vicinity of their powerlines, will allow them to confirm the safety and protection of the structures to withstand adjacent management activities and provide necessary safety upgrades or repairs to existing equipment. Ultimately this will result in safeguarding against possible failures or malfunctions, ensuring successful power delivery to customers. Finally, this mandate of increased communication will ultimately reduce the risk to life, property and the environment posed by the possibility of fire incidents caused by direct or arcing contact between vegetative materials and electrical power sources. PUs will be able assist the landowner by providing specially trained crews to perform work in close proximity to the powerlines, thereby reducing the threat of vegetative growth into utility right of ways that may in the future exacerbate the risk of ignitions.

SPECIFIC PURPOSE OF EACH ADOPTION, AMENDMENT OR REPEAL (pursuant to GOV § 11346.2(b)(1)) AND THE RATIONALE FOR THE AGENCY'S DETERMINATION THAT EACH ADOPTION, AMENDMENT OR REPEAL IS REASONABLY NECESSARY TO CARRY OUT THE PURPOSE(S) OF THE STATUTE(S) OR OTHER PROVISIONS OF LAW THAT THE ACTION IS IMPLEMENTING, INTERPRETING OR MAKING SPECIFIC AND TO ADDRESS THE PROBLEM FOR WHICH IT IS PROPOSED (pursuant to GOV §§ 11346.2(b)(1) and 11349(a) and 1 CCR § 10(b)). *Note: For each adoption, amendment, or repeal provide the problem, purpose and necessity.*

The Board is proposing action to make permanent, through regular rulemaking, amendments to Title 14 CCR §§ 895.1 and 1032.7 to make specific and explicit that notification is required, with consultation being optional of PUs, when the immediate plan area or its boundaries are within a prescribed distance (200 ft.) of overhead powerlines.

The problem is that utility right-of-ways blanket a majority of California, much of it being timberlands that are under management activities, whether it has been in the past, present, or future. These utility right-of-ways often consist of powerlines, that when running adjacent or overhead of timber operations, results in an increase of the management plan complexity to avoid electrical structures, loss of harvesting efficiency, and risks to life and property. Although there is a requirement to disclose on the NOI when there are existing overhead powerlines, this amendment will extend the notification requirement to 200 ft. of the plan area's boundaries. Furthermore, contrary to current regulations, the Department will be required to send the utility company

owning said powerlines a copy of the NOI, notifying that timber management activities will be occurring in the vicinity of their utility infrastructure. This lack of communication has the ability to cause several issues, ranging from mild to severe. The first is that the lack of discourse between timberland owners and PUs causes a discrepancy of how close to overhead or adjacent powerlines an operator may go. Many times trees are felled and left behind when too close to power sources, as an LTO will not risk the safety of himself, his equipment and crew to skid and load felled logs when safety hazards exist. Additionally, having untrained RPFs and licensed timber operators LTOs judge how close they can operate near power sources creates an uncertain level of danger, as electrical power sources can arc when too close, especially to large current conductors such as tractors and other logging machinery. Moreover, this level of uncertainty can affect the long-termed forest productivity, as landowners may not have the technology or will not take the risk of management within these hazardous zones, ultimately resulting in a loss of economic return.

Improving the relationships between forest landowners and PUs will also aid in productive utility grid delivery and protection. By notifying PUs of impending forest management activities, linemen crews will have ample time to ensure the integrity of the electrical equipment in that area, reducing the chance of lost power delivery. Utility linemen will also have the opportunity to either replace power equipment or perform maintenance on existing structures and protect them from faulty electrical transportation before the commencement of the timber operation, avoiding possible compromises of the power delivering structures. The maintenance of these structures does fall within the legal responsibility of the PU, specifically under PRC § 4292 which states, "Except as otherwise provided in Section 4296, any person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land, or forest-covered land, brush-covered land, or grass-covered land shall, during such times and in such areas as are determined to be necessary by the director or the agency which has primary responsibility for fire protection of such areas, maintain around and adjacent to any pole or tower which supports a switch, fuse, transformer, lightning arrester, line junction, or dead end or corner pole, a firebreak which consists of a clearing of not less than 10 feet in each direction from the outer circumference of such pole or tower. This section does not, however, apply to any line which is used exclusively as telephone, telegraph, telephone or telegraph messenger call, fire or alarm line, or other line which is classed as a communication circuit by the Public Utilities Commission. The director or the agency which has primary fire protection responsibility for the protection of such areas may permit exceptions from the requirements of this section which are based upon the specific circumstances involved." Although the PUs are obligated to this standard, they have hundreds to thousands of miles to ensure the clearance of vegetation from their utilities, and often resort to quicker and more effective strategies to ensure powerline clearance. These strategies may include hiring outside contractors to maintain vegetative clearance, relying on aerial right-of-way surveys, and prioritizing certain high risk areas above other lesser risk areas.

The final benefit that this proposed action seeks to provide a heightened level of safety statewide regarding risk to life and property. Keeping PUs advised of activities within areas of utility structures will allow them to properly safeguard and protect that

area's grid, from both hazardous vegetation and the possible dangerous situations that may manifest during timber operations. Advising landowners on how to properly operate within areas in close proximity to existing utility infrastructure and assisting them with vegetation will reduce the risk of vegetative ignitions caused by either the landowner or overhead powerlines. With California being victim to an enduring drought and unprecedented levels of tree mortality, these amendments seek to place additional safety measures on landowners during operations around powerlines. This is crucial to reduce risk to life and property potentially caused by powerlines initiating fire incidents that may result in wildfires.

Having landowners contact PUs prior to the commencement of timber operations will result in both parties realizing a higher level of safety and efficacy. This proposed action simply requires the land manager proposing timber operations to make contact with a designated representative from each PU that owns infrastructure within or adjacent to the timber operation. PU contacts will be easily identified as CAL FIRE will compile the list of designated representatives for each PU and maintain it on a publically available webpage. Continuous updating of the correct persons and contact information for each zone throughout the state listed on behalf of the utility companies will reside under CAL FIRE's responsibility. Landowners will be required to state that they have contacted and/or consulted with their respective location's PU prior to commencement of timber operations, which will be located on the existing notice of intent (NOI) outlined within 14 CCR § 1032.7(d).

The purpose of this proposed action is to state clearly and explicitly that whenever management activities governed by the FPRs are proposed for plan areas within a 200 ft. distance from powerlines, disclosure to the Department must take place by reporting of conditions on the NOI. CAL FIRE in turn will notify the appropriate PU designee and will reserve the option for the landowners to consult with their respective PU designee prior to commencing operations. This action serves to increase safety for both the landowners and PU, by not only increasing discourse between the two, but by giving the resource of consultation from PUs to landowners. This consultation helps to increase the effectiveness of the landowner's management activity, while protecting the integrity of the utility structure. Furthermore, with the unprecedented level of dead and dying trees, exacerbated by California's drought, fire prevention efforts are being prioritized to reduce the frequency of use and amount of resources needed for fire suppression. Giving PUs awareness of forest management activities in areas near their powerlines will allow them to cooperatively manage their infrastructure to assure compliance with PRC § 4119.

Amendments to the existing definitions can:

- Encourage landowners to work cooperatively with PUs to increase the productivity of their timber management activities;
- Help PUs protect their power delivering infrastructure and reduce power losses or interruptions in service;
- Increase economic returns to landowners and heighten the level of safety for RPFs, LTOs and their crews;

- Reduce the chance of vegetative ignitions, that have the possibility of progressing into a fire event or possibly into a conflagration;
- Increase the overall vegetative clearance of utility right-of-ways, as PUs will be able to identify areas of concern when timber operations are occurring in the immediate area.

Explanation for Why the Proposed Action Clarifies and/or Makes Specific Statute and Existing Rules

Pursuant to §4511 et seq. and §4553 et al. the Board is authorized to clarify or make specific statute and/or existing rules to satisfy the clarity standard. In this rulemaking effort, the Board exercised its authority to amend current rules set forth under the FPRs. Amending current rules was used as a tool to provide clear and explicit notification between timber landowners and PUs. These amendments to the FPRs will result in a clear mandate of landowners being required to disclose when the plan area is within a prescriptive (200 ft.) distance of overhead powerlines, which will indirectly notify PUs through forwarding of the NOI from CAL FIRE Review Team Offices. Allowing PUs to be properly notified on impending timber operations near their infrastructure will allow them to plan preventative safety and maintenance checks, and provide consultation and operation services to the operating landowner(s). The proposed regulatory action intends to create improved awareness of both landowners and PU operations, benefitting in economic, efficiency and safety improvements. Most importantly, it reduces the perpetual risk of wildfire, “By working together and sharing expertise, technology, communications, training and data gathering, we can enter a new era of fire prevention and savings to the taxpayers and shareholders, both in dollars and in the valuable California environment.”¹ For the reasons explained above, the Board seeks to amend the FPRs § 895.1 and §1032.7.

The language contained within the proposed amendments and language proposed for adoption explicitly states that full disclosure of power lines with 200 ft. of the plan area by the landowner must occur upon the NOI submitted to the appropriate CAL FIRE Review Team Office before commencing timber management operations. Currently, landowners are already required to state whether powerlines are overhead but only in the immediate plan area. These amendments will also require notification to PUs through CAL FIRE forwarding of NOI’s to the appropriate PU.

Amending § 1032.7 and adding a definition to § 895.1, was determined to be a prudent measure because it was developed and informed by experts and through a collaborative effort between landowner, industry, and resource agency representatives. These amendments and new addition to § 895.1 “Definitions.” were subsequently used to develop the conditions described in the proposed action.

¹ California Department of Forestry & Fire Protection. 2008. *Power Line Fire Prevention Field Guide (2008 Edition)*. Sacramento, CA: CAL FIRE “Fire Plan”.
<http://cdfdata.fire.ca.gov/pub/fireplan/fpupload/fppguidepdf126.pdf> .

Where the statute is made specific or interpreted, an explanation regarding why the proposed rule is reasonably necessary to carry out the purpose and to address the problem for which it is proposed is provided.

Additional Aggregated Explanation(s)

Many of the provisions of the proposed action are based on the necessity to make it congruent with the existing statutory provisions. Where the definition is made specific or interpreted, an explanation regarding why the proposed definition is reasonably necessary to carry out the purpose and to address the problem for which it is proposed is provided.

Amend 14 CCR § 895.1

The proposed amendment adds one (1) definition to § 895.1 of the FPRs, titled “Utility Contact List.” This contact list will declare at least one designated representative from each utility company that must be contact and/or consulted with prior to commencement of timber operations within prescriptive distances of utilities outlined in 14 CCR § 1032.7. The Department will be responsible for continuous updating of the list and public disclosure of the list upon a readily accessible webpage, or by contact with the appropriate CAL FIRE Review Team Office. Each utility company shall be responsible for listing the appropriate person(s) and correct contact information and forward that information to the Department.

Amend 14 CCR § 1032.7(c)(4) and § 1032.7(f)

The proposed amendment to § 1032.7 mandates the plan submitter in prescriptive standards. The RPF preparing the plan under these amendments must disclose whether any overhead power line is within the immediate plan area or 200 feet of the plan area’s boundary. Additionally, disclosure must also occur whenever an amendment is added to the plan, which brings the new immediate plan area or its border within 200 feet of an overhead power line.

Secondly, upon submission of the plan preparing, the responsible RPF shall furnish to the Department the name(s) and mailing addresses of the utility company or their publically stated designee whenever power lines are above immediate plan area or within 200 feet of the plan’s entire boundary.

ECONOMIC IMPACT ANALYSIS (pursuant to GOV § 11346.3(b)(1)(A)-(D) and provided pursuant to 11346.3(a)(3))

The effect of this proposed action is to provide a requirement within 14 CCR § 1032.7 (“Plan Submittal and Notice of Intent.”), and defined in 14 CCR § 895.1 (“Definitions.”), entailing that the landowner must notify via disclosure on the existing Notice of Intent (NOI) and/or consult a public utilities company (PUC) whenever within proposed prescriptive distance standards (200 ft.) of overhead electrical power lines prior to

initiation of any activity governed by the California Forest Practice Rules (FPRs).

The proposed action:

- (A) will not create jobs within California;
- (A) will not eliminate jobs within California;
- (B) will not create new businesses,
- (B) will not eliminate existing businesses within California
- (C) will beneficially affect the expansion of businesses currently doing business within California.
- (D) will have nonmonetary benefits. The primary benefit of the proposed action is three fold. First, this action will ultimately benefit landowner(s) by increasing the effectiveness and utilization of harvest methods within proximity to powerlines. Notification and consultation with PUs will enable landowners to increase biomass marked for harvest that can be safely removed by LTOs, ensuring safety of their crew and equipment. Due to the general lack of proper training required of LTOs working around electrical utilities, consultation with PU designees will allow them to operate with efficiency and safety under the provisions of the Plan. Secondly, by having PUs notified when timber activities are occurring within the vicinity of their powerlines will allow them to confirm the safety and protection of the structures to withstand nearby management activities and provide necessary maintenance to vegetation or existing infrastructure. Ultimately this will result in safeguarding against possible failures or malfunctions, ensuring successful power delivery to customers. Finally, this mandate of increased communication will ultimately reduce the risk to life, property and the environment posed by the possibility of fire incidents caused by direct or arcing contact between vegetative materials and electrical power sources. LTOs and PUs can work cooperatively to reduce the threat of vegetative growth into utility right of ways that may in the future exacerbate the risk of vegetative ignitions.
- (E) No jobs are expected to be eliminated.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENT RELIED UPON (pursuant to GOV SECTION 11346.2(b)(3))

The Board of Forestry and Fire Protection relied on the following list of technical, theoretical, and/or empirical studies, reports or similar documents to develop the proposed action.

1. California Department of Forestry & Fire Protection. 2008. *Power Line Fire Prevention Field Guide (2008 Edition)*. Sacramento, CA: CAL FIRE "Fire Plan". <http://cdfdata.fire.ca.gov/pub/fireplan/fpupload/fppguidepdf126.pdf> .

REASONABLE ALTERNATIVES TO THE PROPOSED ACTION CONSIDERED BY THE BOARD, IF ANY, INCLUDING THE FOLLOWING AND THE BOARD'S

REASONS FOR REJECTING THOSE ALTERNATIVES (pursuant to GOV § 11346.2(b)(4)(A) and (B)):

- **ALTERNATIVES THAT WOULD LESSEN ANY ADVERSE IMPACTS ON SMALL BUSINESS AND/OR**
- **ALTERNATIVES THAT ARE LESS BURDENSOME AND EQUALLY EFFECTIVE IN ACHIEVING THE PURPOSES OF THE REGULATION IN A MANNER THAT ENSURES FULL COMPLIANCE WITH THE AUTHORIZING STATUTE OR OTHER LAW BEING IMPLEMENTED OR MADE SPECIFIC BY THE PROPOSED REGULATION**

The Board has considered the following alternatives and rejected all but alternative #4.

Alternative #1: No Action

This alternative would result in not adopting 14 CCR § 895.1 definition of a “Utility Contact List” and not amending § 1032.7 to require disclosure whenever timber management activities governed by the FPRs are either within the immediate plan area or 200 ft. of its boundary with the appropriate utility company person or designee.

This alternative was rejected because maintaining the existing language in the FPRs would not address the need for an explicit mandate for disclosure to both CAL FIRE and the respective PU when timber operations will be occurring within the proposed vicinity of power lines. The Board rejected this alternative, because not adopting these proposed amendments would not establish the goals of increasing economic returns for landowners, safety risks to both life and property, and lowering of the level of fire danger imposed by utility power lines.

Alternative #2: Take Action to Increase the Specificity of the Regulation Needed to Implement the Statute

This alternative would increase the specificity of the regulation needed to implement the statute.

The Board rejected increasing the specificity of the regulation needed to implement the statute in recognition of the diversity in timberland, management and mitigations and to keep a very clear and explicit mandate of prescriptive standards. Increasing the specificity of the regulation would make the notification and statement of powerlines beyond what is proposed would make these amendments unnecessarily complex. The increase in specificity would also increase time and monetary expenditures, defeating the purpose and intent of these proposed amendments.

Alternative #3: Take Action to Decrease the Specificity of the Regulation Needed to Implement the Statute

This alternative would decrease the specificity of the regulation needed to implement the statute.

The Board rejected decreasing the specificity of the regulation that is proposed. Decreasing its specificity would allow the proposed regulation to be subject to multiple

interpretations, which would result in lax usage and ineffective enforcement. Not specifying that the disclosure and notification must occur within the proposed prescriptive standards would defeat the purpose of this proposed action, and would not increase quality discourse and working relationships between landowners and PUs. Not mandating this action would lead to poor adherence of these proposed regulations.

Alternative #4: Take Action as Proposed and Modified through the Formal Public Review and Comment Process

This alternative would result in clearly stating when disclosure is required of active power lines and contact must be made with the appropriate PU. By adopting the “Utility Contact List” definition to 14 CCR § 895.1, and increase the specificity of 14 CCR § 1032.7 on what is required in the NOI when within the prescriptive standards of power lines, will allow for numerous benefits with only nominal costs to both landowners and PUCs.

The proposed action does not change the application of the FPRs, but clarifies and introduces new language regarding operations within the vicinity of active power lines, and when notification of the Department and PUs is required.

This is the preferred alternative as it fulfills the obligations, specified in statute, of the Board and represents a product based upon compromise and the greatest degree of consensus achievable at the time the Board authorized noticing of the proposed action. Public and agency representatives have reviewed the proposed action and provided input, which is reflected in the proposed regulation. The Board found that the proposed action clarified the intent of the FPRs, introduced benefits to both the landowner and PUs and would not result in application of the FPRs in terms of where the Board did not intend for them to apply.

Board Findings Regarding Alternatives

The Board finds that none of the following alternatives:

- Would have any adverse impact on small business.
- Would be less burdensome and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the authorizing statute or other law being implemented or made specific by the proposed regulation than the proposed action.
- Would be more effective in carrying out the purpose for which the action is proposed and would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposed action.

Prescriptive Standards versus Performance Based Standards (pursuant to GOV §§11340.1(a), 11346.2(b)(1) and 11346.2(b)(4)(A)):

Pursuant to GOV §11340.1(a), agencies shall actively seek to reduce the unnecessary regulatory burden on private individuals and entities by substituting performance

standards for prescriptive standards wherever performance standards can be reasonably expected to be as effective and less burdensome, and that this substitution shall be considered during the course of the agency rulemaking process.

The proposed action does not mandate the use of specific technologies or equipment; it simply provides an explicitly stated mandate on when disclosure is required on the NOI, and when contact and/or consultation with the respective PU will apply. Adopting the proposed definition within § 895.1 and amending § 1032.7 will clarify in simple terms what must be disclosed prior to commencement of timber management operations in regards to active power lines, for consideration by the Director for determining whether or not a Plan is in compliance with the FPRs.

Pursuant to GOV § 11346.2(b)(1), the proposed action does not mandate the use of specific technologies or equipment.

Pursuant to GOV § 11346.2(b)(4)(A), performance standards were considered to be used in lieu of prescriptive standards. After deliberating on whether performance based standards could be utilized in this rulemaking matter, it was determined that using performance based standards in lieu of prescriptive standards would not be beneficial, as not setting a prescriptive standard to when active power lines must be disclosed would undermine the whole purpose of these amendments. The only way that these amendments can be enforced is with prescriptive standards. Not implementing minimum prescriptive standards would lead to confusion, subjective enforcement, and incorrect interpretations of this regulation promulgated by the Board.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE RELIED UPON TO SUPPORT INITIAL DETERMINATION IN THE NOTICE THAT THE PROPOSED ACTION WILL NOT HAVE A SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS (pursuant to GOV § 11346.2(b)(5))

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Businesses will not be adversely impacted by the proposed action.

Pursuant to GOV § 11346.5(a)(8), the agency shall provide in the record facts, evidence, documents, testimony, or other evidence upon which the agency relies to support this initial determination:

The Board relied on their own expertise and thorough working knowledge of forestry practices and regulations as experienced forestry and environmental professionals. Furthermore, the Board received concurrence from numerous California PU stakeholders that this would not have a significant adverse impact directly affecting businesses both statewide and regionally. Additionally, oral testimony before the Board in July 2015 also supported the proposed action.

DESCRIPTION OF EFFORTS TO AVOID UNNECESSARY DUPLICATION OR CONFLICT WITH THE CODE OF FEDERAL REGULATION (pursuant to GOV § 11346.2(b)(6))

The Code of Federal Regulations has been reviewed and based on this research, the Board found that the proposed action neither conflicts with, nor duplicates Federal regulations. There are no comparable Federal regulations for disclosing power lines in the vicinity of timber management activities on State or private lands, and no existing Federal regulations that met the same purpose as the proposed action were identified.

POSSIBLE SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS AND MITIGATIONS

The California Environmental Quality Act (CEQA) requires review, evaluation and environmental documentation of potential significant environmental impacts from a qualified project. The Board's rulemaking process has been certified by the Secretary of Resources as meeting the requirements of PRC § 21080.5.

The proposed action would be an added element to the State's comprehensive Forest Practice Program under which all commercial timber management is regulated. The Board's Forest Practice Rules along with the Department oversight of rule compliance functions expressly to prevent adverse environmental effects.

Harvesting Plans contain a mix of avoidance and mitigation measures that are required by the FPRs or are specifically designed by a licensed RPF to reduce the risk for potential adverse effects. They also contain a comprehensive cumulative effects analysis utilized in part to identify potential risks and effects to aid in the RPF's avoidance and mitigation measure development.

State representatives review every harvesting plan prior to a decision as to approval or denial. Local and federal agency representatives are also involved in the review process. State representatives continue with compliance inspections of approved plans until the conclusion of the plan's lifespan. Where FPRs standards or approved plan provisions have been violated, specified corrective and/or punitive enforcement measures, including but not limited to financial penalties, are imposed upon the identified offender(s).

In summary, the proposed action will not result in significant adverse environmental effects. The proposed action is an element of a comprehensive avoidance, safety abatement and mitigation program for commercial timber harvesting activities.