



County of San Mateo

Inter-Departmental Correspondence

Department: BOARD OF SUPERVISORS
DISTRICT 3
File #: 22-099

Board Meeting Date: 2/8/2022

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Supervisor Don Horsley, District 3
Subject: Extension of CZU Lightning Complex Fire Remediation Efforts on Timberland

RECOMMENDATION:

Recommendation directing the President of the Board to request an extension to the California Board of Forestry and Fire Protection of an emergency rulemaking change providing temporary relief from Special County Rules regarding weekend timber operations and hauling of forest products within the CZU Lightning Complex fire area in order to enable ongoing fire remediation and recovery efforts resulting from the CZU Lightning Complex.

BACKGROUND:

During its April 20, 2021 meeting, the Board unanimously approved a request from Supervisor Horsley to direct the President to write a letter to the Board of Forestry ("BOF") seeking emergency rulemaking that would support ongoing clean-up and recovery efforts in the footprint of the CZU Lightning Complex fire by allowing weekend work. On May 4, 2021, the Board further directed the President to request extension of the emergency rules beyond the November 15, 2021 end date initially established.

CAL FIRE and County Public Works have endorsed a request by timber operators for the County to seek a temporary suspension of the prohibition on weekend operations in the fire footprint until the removal of fire-killed and damaged trees was completed.

In order to provide the County with as much flexibility as possible while also maintaining a functional regulatory scheme, BOF has requested that the Board support extension of the special rules, with a commitment from the BOF to consult with the County prior to the expiration of any emergency regulations pursuant to Government Code Section 11346.1(e) or any re-adoption of such emergency regulations pursuant to Government Code Section 11346.1(h).

DISCUSSION:

Special County Rules currently in effect (prior to the emergency regulations) limit weekend timber operations and hauling of forest products. Continuing timber operations and log hauling on weekends

in the CZU fire footprint would enable better utilization of limited available personnel and infrastructure, and reduce delays and expense 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 April 20, 2021 Board letter stated the Board's support for limiting the suspension of the weekend work rules. For the reasons described in the Background section, the Board now wishes to further indicate its desire to defer to the time limits and process imposed on emergency rulemaking pursuant to State law. The Board letter also requested that weekend operations be restricted to the hours of 8 a.m. to 6 p.m. on weekend days and federal holidays. Further extensions of the end date will not alter the restrictions on hours during which the weekend work can occur.

FISCAL IMPACT:

None