Staff Overview: Revisions to Proposed Rule Text, Forest Resilience and Oak Woodland Exemption per AB 2276.

# Overview

In January 2025 an emergency rule plead was approved per AB 2276. AB 2276, approved by the Governor in November 2024, made changes to the regulatory requirements to the Oak Woodland Exemption and renamed the Forest Fire Prevention Exemption to the “Forest Resilience Exemption” and made changes to the regulatory requirements.

The Emergency Rule Plead approved in January 2025 only includes language which largely makes prescriptive changes to the statute, meaning the Board does not have the discretion to adopt different requirements than the Legislature provided for. However, the Bill did give the Board discretion in implementing canopy retention standards, dimeter at breast height (DBH) standards and the removal of dead and dying trees.

The Resource Management Committee evaluated the Oak Woodland Exemption, and the Forest Practice Committee evaluated the Forest Resilience Exemption. Both committees used the discretion provided to the Board to develop regulatory standards addressing canopy closure and diameter regulatory standards.

The Resource Management Committee and the Forest Practice Committee are being provided with a combined package, which includes the Oak Woodland Exemption and the Forest Resilience Exemption, which will be submitted to OAL upon Board approval, to finalize the emergency rule package.

* Green underlined text represents statutory changes identified in AB 2276 and approved in the emergency rule package, January 2025.
* Blue underlined text represents regulatory changes developed by the Resource Protection Committee for the Oak Woodland Exemption.
* Red Underlined text represents regulatory changes developed by the Forest Practice Committee for the Forest Resilience Exemption.