

**State of California  
Office of Administrative Law**

**In re:**  
**Board of Forestry and Fire Protection**

**Regulatory Action:**

**Title 14, California Code of Regulations**

**Amend sections:** 895.1, 906, 912.7 (932.7,  
952.7), 913.4 (933.4,  
953.4), 916.3 (936.3,  
956.3), 921.4, 923.1 (943.1,  
963.1), 923.4 (943.4,  
963.4), 953.12, 1027.1,  
1034, 1038.4, 1051, 1051.4,  
1072.4, 1094.6, 1094.8.

**NOTICE OF APPROVAL OF REGULATORY  
ACTION**

**Government Code Section 11349.3**

**OAL Matter Number: 2022-0617-03**

**OAL Matter Type: Regular (S)**

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This action removes references to "Cutover Land," combines the definitions for "Meadows and Wet Areas" to cover all forest districts, and makes references to "Meadows and Wet Areas" and "Wet Meadows and Other Wet Areas" consistent in the Forest Practice Rules.

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OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 1/1/2023.

**Date:** July 29, 2022



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**Ashita Mohandas  
Attorney**

**For:** Kenneth J. Pogue  
Director

**Original:** Matt Dias, Executive Officer  
**Copy:** Jane Van Susteren

1  
2 **Board of Forestry and Fire Protection**

3 **Meadows and Wet Areas, and Cutover Land Amendments**

4 **Title 14 of the California Code of Regulations**

5 **Division 1.5, Chapter 4**

6  
7 **§895.1. Definitions.**

8 \*\*\*

9 For the Northern Forest District:

10 ~~“Meadows and Wet areas” means those areas which are moist on the surface throughout most~~  
11 ~~of the year and/or support aquatic vegetation, grasses and forbs as their principal vegetative~~  
12 ~~cover. (Reference: § 4562.7, Public Resources Code.)~~

13 For the Southern Forest District:

14 “Meadows and Wet Areas” means those areas which are moist on the surface throughout most  
15 of the year and/or support aquatic vegetation, grasses and forbs as their principal vegetative  
16 cover.

17 \*\*\*

18 “Wet Meadows and Other Wet Areas” mean those natural areas ~~except cutover Timberland~~  
19 which are moist on the surface throughout most of the year and support aquatic vegetation,  
20 grasses and forbs as their principal vegetative cover.

21  
22 Note: Authority cited: Sections 4551, 4551.5, 4553, 4561, 4561.5, ~~4561.6~~, 4562, 4562.5, 4562.7  
23 and 4591.1, Public Resources Code. Reference: Sections 4511, 4512, 4512.5, 4513, 4521.3,  
24 4523, 4524, 4525, 4525.3, 4525.5, 4525.7, 4526, 4526.5, 4527, 4527.5, 4528, 4551, 4551.5,  
25 4561, 4562, 4562.5, 4562.7, 4583.2, 4584, 4591.1, 4597.1, 21001(f), 21080.5, 21083.2 and

1 21084.1, Public Resources Code; CEQA Guidelines Appendix K (printed following Section  
2 15387 of Title 14 Cal. Code of Regulations), *Laupheimer v. State* (1988) 200 Cal.App.3d 440;  
3 246 Cal. Rptr. 82; and *Joy Road Area Forest and Watershed Association, v. California*  
4 *Department of Forestry & Fire Protection*, Sonoma County Superior Court No. SCV 229850.

5 \*\*\*

6 **§ 906. Forest Districts.**

7 To meet the requirements of Chapter 8, Article 3 (commencing with Section 4531), Public  
8 Resources Code, and to designate areas for appropriate special forest practice Rules, the  
9 nonfederally-owned commercial forest areas of the state are divided into three Districts which  
10 are designated as Coast Forest District, Northern Forest District, and Southern Forest District.  
11 Each District is comprised of Timberlands and ~~cutover lands~~ within the boundaries as set forth  
12 in this article.

13  
14 Note: Authority cited: Section 4551, Public Resources Code. Reference: Section 4531, Public  
15 Resources Code.

16 \*\*\*

17 **§ 912.7 Resource Conservation Standards for Minimum Stocking.**

18 The following resource conservation standards constitute minimum acceptable stocking in the  
19 Coast Forest District after Timber Operations have been completed.

20 (a) Rock outcroppings, ~~m~~Meadows, ~~and~~ Wet Areas, or other areas not normally bearing  
21 commercial species shall not be considered as requiring stocking and are exempt from such  
22 provisions.

23  
24 Note: Authority cited: Sections 4551, 4553, 4561.1 and 4561.2, Public Resources Code.

25 Reference: Sections 4561, 4561.1 and 4561.2, Public Resources Code.

1 \*\*\*

2 **§ 913.4 Special Prescriptions.**

3 \*\*\*

4 (e) Aspen, and Meadows and Wet Areas restoration. All trees within aspen stands (defined as a  
5 location with the presence of living aspen (~~Populus tremuloides~~Populus tremuloides)), Meadows  
6 and Wet Areas may be harvested or otherwise treated in order to restore, retain, or enhance  
7 these areas for ecological or range values. A primary goal of aspen restoration Projects is the  
8 successful regeneration of aspen and recruitment into larger size classes. Projects using this  
9 prescription shall be designed to balance the protection and regeneration of aspen stands, and  
10 ~~m~~Meadows, and ~~W~~Wet Areas habitats in California's forest ecosystems with the other goals of  
11 forest management as specified in 14 CCR § 897 and meet the following requirements:

12 (1) The RPF shall state in the Plan each Project type(s) that is being proposed (aspen, or  
13 ~~m~~Meadows and/or ~~w~~Wet Areas restoration).

14 (2) Each Project type shall be shown on the Plan map, consistent with 14 CCR § 1034(x), and  
15 at a scale that shows the locations of planned operations.

16 (3) The RPF shall describe the extent of the area proposed for harvesting or treatment and the  
17 types of harvesting or treatments.

18 (4) The RPF shall describe the condition of aspen stands, and Meadows and Wet Areas in the  
19 Project area.

20 (A) For aspen stands, the condition description shall include, but is not limited to, the  
21 determination of whether the aspen stands are upland aspen stands ~~mixed with conifer~~ or  
22 Riparian/~~wet meadow~~ aspen stands; spatial extent, Species composition, and stand structure  
23 (including Overstory/Understory coverage and whether a stand is pure aspen or mixed with  
24 conifer) of the Project area; and the relationship of the Project area to other known aspen  
25 stands in the Planning Watershed or biological assessment area.

1 (B) For Meadows and Wet Areas, the condition description shall include spatial extent, Species  
2 composition, and stand structure (including Overstory/Understory coverage) of the Project area;  
3 relevant Watercourse condition factors stated in Board Technical Rule Addendum #2; and other  
4 factors indicative of ~~m~~Meadows ~~or~~ Wwet Aareas geomorphic and hydrological functions.

5 (5) The RPF shall state the Project goals and the measures of success for the proposed aspen,  
6 or ~~m~~Meadows and ~~or~~ Wwet Aareas restoration Project. For purposes of this subsection,  
7 measures of success means criteria related to a physical condition that can be measured using  
8 conventional forestry equipment or readily available technology to indicate the level of  
9 accomplishment of the Project goals.

10 (A) Aspen, or ~~m~~Meadows and ~~or~~ Wwet Aareas Project goals and measures of success shall be  
11 based on the condition assessment required in 14 CCR §§ 913.4, 933.4, and 953.4, subsection  
12 (e)(4), and identification of problematic aspen, ~~m~~Meadows ~~or~~ Wwet Aareas conditions and  
13 their agents/causes. Information shall include a description of factors that may be putting aspen  
14 stands, or ~~m~~Meadows ~~or~~ Wwet Aareas at risk, and presence of any unique physical  
15 conditions. Projects shall be designed to contribute to rectifying factors that are limiting  
16 restoration, to the extent Feasible.

17 (6) For Projects of twenty (20) acres or less in size, the RPF has the option to not include the  
18 requirements of 14 CCR §§ 913.4, 933.4, and 953.4, subsections (e)(4) and (5) if the RPF  
19 consults with CDFW prior to Plan submittal and, if wet areas are proposed, the RPF shall also  
20 consult with the appropriate RWQCB in those locations where the applicable basin Plan  
21 identifies wet areas as a Beneficial Use. The results of the consultation(s) shall be included in  
22 the Plan.

23 (7) The Department shall review post-harvest field conditions of the portions of Plans using the  
24 aspen, ~~m~~Meadows and Wwet Aareas restoration silvicultural prescription and prepare a

1 monitoring report every five (5) years for the Board. The monitoring report shall summarize  
2 information on use of the prescription including:

3 \*\*\*

4 *[note: no further changes to this section]*

5  
6 Note: Authority cited: Sections 4551 and 4553, Public Resources Code. Reference: Sections  
7 4512, 4551.5, 4561, 4561.2, 4582 and 4582.5, Public Resources Code

8 \*\*\*

9 **§ 916.3 General Limitations Near Watercourses, Lakes, Marshes, Wet Meadows and Other**  
10 **Wet Areas.**

11 The quality and Beneficial Uses of water shall not be unreasonably degraded by Timber  
12 Operations. During Timber Operations, the Timber Operator shall not place, discharge, or  
13 dispose of or deposit in such a manner as to permit to pass into the water of this state, any  
14 substances or materials, including, but not limited to, soil, silt, bark, Slash, sawdust, or  
15 petroleum, in quantities deleterious to fish, wildlife, or the quality and Beneficial Uses of water.

16 All provisions of this article shall be applied in a manner which complies with this standard.

17 (a) When there is reasonable expectation that Slash, debris, soil, or other material resulting from  
18 Timber Operations, falling or associated activities, will be deposited in Class I and Class II  
19 waters below the Watercourse or Lake Transition Line or in Watercourses which contain or  
20 conduct Class IV water, those harvest activities shall be deferred until equipment is available for  
21 its removal, or another procedure and schedule for completion of corrective work is approved by  
22 the Director.

23 (b) Accidental depositions of soil or other debris in Lakes or below the Watercourse or Lake  
24 Transition Line in waters classed I, II, and IV shall be removed immediately after the deposition  
25 or as approved by the Director.

1 (c) The Timber Operator shall not construct or use Tractor Roads in Class I, II, III or IV  
2 Watercourses, in the WLPZ, marshes, and Wwet Mmeadows, and Qother Wwet Areas unless  
3 explained and justified in the Plan by the RPF, and approved by the Director, except as follows:

4 (1) At prepared tractor road crossings as described in 14 CCR § 914.8(b).

5 (2) Crossings of Class III Watercourses that are dry at the time of use.

6 (3) At new and existing Tractor Road crossings approved as part of the Fish and Game Code  
7 process (F&GC § 1600 et seq.).

8  
9 *[note: no further changes to this section]*

10  
11 Note: Authority cited: Sections 4551, 4562.7 and 21000(g), Public Resources Code. Reference:  
12 Sections 4512, 4513, 4551.5 and 21001(f), Public Resources Code; ~~40 CFR 35.1505~~; and 33  
13 USC Section 1288(b)(2)(F).

14 \*\*\*

15 **§ 921.4 Stocking Requirements.**

16 The Stocking Standards for understocked Timberlands and Substantially Damaged Timberlands  
17 as provided for by 14 CCR 1080 through 1081.1 and 1085 through 1085.6 are not applicable in  
18 Coastal Commission Special Treatment Areas in the Coast Forest District. After completion of  
19 Timber Operations one of the following Stocking Standards must be met:

20 (a) Basal Area. The average residual basal area, measured in stems 1 inch (2.5 cm) or larger in  
21 Diameter at least 125 square feet per acre (28.69 m<sup>2</sup> per ha) on Site I lands, at least 100 square  
22 feet per acre (22.96 m<sup>2</sup> per ha) on Site II and Site III lands and at least 75 square feet per acre  
23 (17.22 m<sup>2</sup> per ha) on Site IV and V lands, or

24 (b) Point Count. The area contains an average point count as specified below:

1 (1) On Site I and II lands, the area contains an average point count of 450 per acre (1111.9 per  
2 ha) to be computed as follows:

3 (A) 450 Countable Trees per acre (1111.9 per ha) not more than 4 inches (10.2 cm) dbh; each  
4 tree to count as 1 towards meeting Stocking requirements.

5 (B) 150 Countable Trees per acre (370.6 per ha) over 4 inches (10.2 cm) dbh and not more than  
6 12 inches (30.5 cm) dbh; each tree to count as 3 toward meeting Stocking requirements.

7 (C) 75 Countable Trees per acre (185.3 per ha) over 12 inches (30.5 cm) dbh; each tree to  
8 count as 6 toward meeting Stocking requirements.

9 (2) On Site III, IV, and V lands the area contains an average point count of 300 per acre (741.3  
10 per ha) to be computed as follows:

11 (A) 300 Countable Trees per acre (741.3 per ha) not more than 4 inches (10.2 cm) dbh; each  
12 tree to count as 1 toward meeting Stocking requirements.

13 (B) 100 Countable Trees per acre (247.1 per ha) over 4 inches (10.2 cm) dbh and not more than  
14 12 inches (30.5 cm) dbh; each tree to count as 3 toward meeting Stocking requirements.

15 (C) 50 Countable Trees per acre (123.5 per ha) over 12 inches (30.5 cm) dbh; each tree to  
16 count as 6 toward meeting Stocking requirements.

17 Redwood root crown sprouts will be counted using the average stump Diameter 1 foot (.305 m)  
18 above average ground level of the original stump from which the redwood root crown sprouts  
19 originate, counting 1 sprout for each 1 foot (.305 m) of stump Diameter to a maximum of 6 per  
20 stump.

21 Site Classification shall be determined by the RPF who prepared the Plan.

22 Rock outcroppings, ~~m~~Meadows, and Wwet Areas, or other areas not normally bearing timber  
23 shall not be considered as requiring Stocking and are exempt from such provisions.

24



1 Note: Authority cited: Section 4551, Public Resources Code. Reference: Sections 4551.5 and  
2 30417, Public Resources Code.

3 \*\*\*

4 **§ 923.1 Planning for Logging Roads and Landings.**

5 Logging Roads and Landings shall be planned and located within the context of a systematic  
6 layout pattern that considers 14 CCR § 923(b), uses existing Logging Roads and Landings  
7 where Feasible and appropriate, and provides access for fire and resource protection activities.

8 (a) Logging Roads and Landings shall be planned and located to minimize the following:

9 (1) Duplicative roads and total road mileage.

10 (2) The number of Logging Road Watercourse crossings.

11 (3) Construction and reconstruction near Watercourses, Lakes, marshes, and Wet Meadows,  
12 and Other Wet Areas.

13 \*\*\*

14 (b) No Logging Roads or Landings shall be planned for construction (i) within 150 feet of the  
15 Class I Watercourse Transition Line, (ii) within 100 feet of the Class II Watercourse Transition  
16 Line on slopes greater than 30%, (iii) within Class I, II, III, or IV Watercourses or Lakes, (iv)  
17 within a WLPZ, or (v) in marshes, or Wet Meadows, and Other Wet Areas, except as follows:

18 (1) At existing Logging Road Watercourse crossings.

19 (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are  
20 approved as part of the Fish and Game Code process (F&GC § 1600 et seq.).

21 (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of  
22 use.

23 (c) No Logging Roads or Landings shall be planned for reconstruction (i) within Class I, II, III, or  
24 IV Watercourses or Lakes, (ii) within a WLPZ, or (iii) in marshes, or Wet Meadows, and Other  
25 Wet Areas, except as follows:

1 (1) At existing Logging Road Watercourse crossings.

2 (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are  
3 approved as part of the Fish and Game Code process (F&GC § 1600 et seq.).

4 (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of  
5 use.

6 \*\*\*

7  
8 *[note: no further changes to this section]*

9  
10 Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference:  
11 Sections 4512, 4513, 4551 and 4551.5, Public Resources Code; 33 USC 1288(b); 40 CFR  
12 130.2(e); and *Natural Resources Defense Council, Inc. v. Arcata Natl. Corp.* (1972) 59  
13 Cal.App.3d 959, 131 Cal. Rptr. 172.

14 \*\*\*

15 **§ 923.4 Construction and Reconstruction of Logging Roads and Landings.**

16 Logging Roads and Landings shall be constructed or Reconstructed in accordance with the  
17 approved Plan and the following requirements. If a change in designation of Logging Road  
18 classification is made after the Plan is approved, the change shall be reported in accordance  
19 with 14 CCR §§ 1039, 1040, 1090.14, 1092.26, 1092.27, 1094.23 or 1094.24 as appropriate.

20 (a) Logging Roads and Landings shall be hydrologically disconnected from Watercourses and  
21 Lakes to the extent Feasible to minimize sediment delivery from road runoff to a Watercourse,  
22 and reduce the potential for hydrologic changes that alter the magnitude and frequency of runoff  
23 delivery to a Watercourse. Guidance on methods for Hydrologic Disconnection may be found in  
24 "Board of Forestry Technical Rule Addendum Number 5: Guidance on Hydrologic

1 Disconnection, Road Drainage, Minimization of Diversion Potential, and High Risk Crossings”  
2 (1st Edition, revised 04/21/15), hereby incorporated by reference.

3 (b) No Logging Roads or Landings shall be constructed (i) within 150 feet of the Class I  
4 Watercourse Transition Line, (ii) within 100 feet of the Class II Watercourse Transition Line on  
5 slopes greater than 30%, (iii) within Class I, II, III, or IV Watercourses or Lakes, (iv) within a  
6 WLPZ, or (v) in marshes, Wet Meadows, and Other Wet Areas, except as follows:

7 (1) At existing Logging Road Watercourse crossings.

8 (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are  
9 approved as part of the Fish and Game Code process (F&GC § 1600 et seq.)

10 (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of  
11 use.

12 (c) No Logging Roads or Landings shall be Reconstructed (i) within Class I, II, III, or IV  
13 Watercourses or Lakes, (ii) within a WLPZ, or (iii) in marshes, and Wet Meadows, and Other  
14 Wet Areas, except as follows:

15 (1) At existing Logging Road Watercourse crossings.

16 (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are  
17 approved as part of the Fish and Game Code process (F&GC § 1600 et seq.)

18 (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of  
19 use.

20  
21 *[note: no further changes to this section]*

22  
23 Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference:

24 Sections 4512, 4513, 4551, 4551.5, 4562.5, 4562.7 and 4597, Public Resources Code; 33 USC

1 1288(b); and *Natural Resources Defense Council, Inc. v. Arcata Natl. Corp.* (1976) 59  
2 Cal.App.3d 959, 131 Cal. Rptr. 172.

3 \*\*\*

4 **§ 932.7 Resource Conservation Standards for Minimum Stocking.**

5 The following resource conservation standards constitute minimum acceptable stocking in the  
6 Northern Forest District after Timber Operations have been completed.

7 (a) Rock outcroppings, ~~m~~Meadows, and ~~W~~Wet Areas, or other areas not normally bearing  
8 commercial species shall not be considered as requiring stocking and are exempt from such  
9 provisions.

10  
11 *[note: no further changes to this section]*

12  
13 Note: Authority cited: Sections 4551, 4553, 4561.1 and 4561.2, Public Resources Code.

14 Reference: Sections 4561, 4561.1 and 4561.2, Public Resources Code.

15 \*\*\*

16 **§ 933.4 Special Prescriptions.**

17 \*\*\*

18 (e) Aspen, and Meadows and Wet Areas restoration. All trees within aspen stands (defined as a  
19 location with the presence of living aspen (~~Populus tremuloides~~Populus tremuloides)), Meadows  
20 and Wet Areas may be harvested or otherwise treated in order to restore, retain, or enhance  
21 these areas for ecological or range values. A primary goal of aspen restoration Projects is the  
22 successful regeneration of aspen and recruitment into larger size classes. Projects using this  
23 prescription shall be designed to balance the protection and regeneration of aspen stands, and  
24 ~~m~~Meadows, and ~~W~~Wet Areas habitats in California's forest ecosystems with the other goals of  
25 forest management as specified in 14 CCR § 897 and meet the following requirements:

1 (1) The RPF shall state in the Plan each Project type(s) that is being proposed (aspen, or  
2 mMeadows, and/or Wwet aAreas restoration).

3 (2) Each Project type shall be shown on the Plan map, consistent with 14 CCR § 1034(x), and  
4 at a scale that shows the locations of planned operations.

5 (3) The RPF shall describe the extent of the area proposed for harvesting or treatment and the  
6 types of harvesting or treatments.

7 (4) The RPF shall describe the condition of aspen stands, Meadows and Wet Areas in the  
8 Project area.

9 (A) For aspen stands, the condition description shall include, but is not limited to, the  
10 determination of whether the aspen stands are upland aspen stands ~~mixed with conifer~~ or  
11 Riparian/~~wet meadow~~ aspen stands; spatial extent, Species composition, and stand structure  
12 (including Overstory/Understory coverage and whether a stand is pure aspen or mixed with  
13 conifer) of the Project area; and the relationship of the Project area to other known aspen  
14 stands in the Planning Watershed or biological assessment area.

15 (B) For Meadows and Wet Areas, the condition description shall include spatial extent, Species  
16 composition, and stand structure (including Overstory/Understory coverage) of the Project area;  
17 relevant Watercourse condition factors stated in Board Technical Rule Addendum #2; and other  
18 factors indicative of ~~mMeadows~~ or Wwet Aareas geomorphic and hydrological functions.

19 (5) The RPF shall state the Project goals and the measures of success for the proposed aspen,  
20 or mMeadows, and/or Wwet Aareas restoration Project. For purposes of this subsection,  
21 measures of success means criteria related to a physical condition that can be measured using  
22 conventional forestry equipment or readily available technology to indicate the level of  
23 accomplishment of the Project goals.

24 (A) Aspen, or mMeadows, and/or Wwet Aareas Project goals and measures of success shall be  
25 based on the condition assessment required in 14 CCR §§ 913.4, 933.4, and 953.4, subsection

1 (e)(4), and identification of problematic aspen, mMeadows, or and Wwet Aareas conditions and  
2 their agents/causes. Information shall include a description of factors that may be putting aspen  
3 stands, or mMeadows, or and Wwet Aareas at risk, and presence of any unique physical  
4 conditions. Projects shall be designed to contribute to rectifying factors that are limiting  
5 restoration, to the extent Feasible.

6 (6) For Projects of twenty (20) acres or less in size, the RPF has the option to not include the  
7 requirements of 14 CCR §§ 913.4, 933.4, and 953.4, subsections (e)(4) and (5) if the RPF  
8 consults with CDFW prior to Plan submittal and, if wet areas are proposed, the RPF shall also  
9 consult with the appropriate RWQCB in those locations where the applicable basin Plan  
10 identifies wet areas as a Beneficial Use. The results of the consultation(s) shall be included in  
11 the Plan.

12 (7) The Department shall review post-harvest field conditions of the portions of Plans using the  
13 aspen, mMeadows and Wwet Aareas restoration silvicultural prescription and prepare a  
14 monitoring report every five (5) years for the Board. The monitoring report shall summarize  
15 information on use of the prescription including:

16 \*\*\*

17 *[note: no further changes to this section]*

18  
19 Note: Authority cited: Sections 4551 and 4553, Public Resources Code. Reference: Sections  
20 4512, 4551.5, 4561, 4561.2, 4582 and 4582.5, Public Resources Code.

21 \*\*\*

22 **§ 936.3 General Limitations Near Watercourses, Lakes, Marshes, Wet Meadows and Other**  
23 **Wet Areas.**

24 The quality and Beneficial Uses of water shall not be unreasonably degraded by Timber  
25 Operations. During Timber Operations, the Timber Operator shall not place, discharge, or

1 dispose of or deposit in such a manner as to permit to pass into the water of this state, any  
2 substances or materials, including, but not limited to, soil, silt, bark, Slash, sawdust, or  
3 petroleum, in quantities deleterious to fish, wildlife, or the quality and Beneficial Uses of water.

4 All provisions of this article shall be applied in a manner which complies with this standard.

5 (a) When there is reasonable expectation that Slash, debris, soil, or other material resulting from  
6 Timber Operations, falling or associated activities, will be deposited in Class I and Class II  
7 waters below the Watercourse or Lake Transition Line or in Watercourses which contain or  
8 conduct Class IV water, those harvest activities shall be deferred until equipment is available for  
9 its removal, or another procedure and schedule for completion of corrective work is approved by  
10 the Director.

11 (b) Accidental depositions of soil or other debris in Lakes or below the Watercourse or Lake  
12 Transition Line in waters classed I, II, and IV shall be removed immediately after the deposition  
13 or as approved by the Director.

14 (c) The Timber Operator shall not construct or use Tractor Roads in Class I, II, III or IV  
15 Watercourses, in the WLPZ, marshes, ~~W~~Wet ~~M~~Meadows, and ~~O~~Other ~~W~~Wet ~~A~~Areas unless  
16 explained and justified in the Plan by the RPF, and approved by the Director, except as follows:

17 (1) At prepared tractor road crossings as described in 14 CCR § 934.8(b).

18 (2) Crossings of Class III Watercourses that are dry at the time of use.

19 (3) At new and existing Tractor Road crossings approved as part of the Fish and Game Code  
20 process (F&GC § 1600 et seq.).

21  
22 *[note: no further changes to this section]*

23

1 Note: Authority cited: Sections 4551, 4562.7 and 21000(g), Public Resources Code. Reference:  
2 Sections 4512, 4513, 4551.5 and 21001(f), Public Resources Code; ~~40 CFR 35.1505~~; and 33  
3 USC Section 1288(b)(2)(F).

4 \*\*\*

5 **§ 943.1 Planning for Logging Roads and Landings.**

6 Logging Roads and Landings shall be planned and located within the context of a systematic  
7 layout pattern that considers 14 CCR § 923(b), uses existing Logging Roads and Landings  
8 where Feasible and appropriate, and provides access for fire and resource protection activities.

9 (a) Logging Roads and Landings shall be planned and located to minimize the following:

10 (1) Duplicative roads and total road mileage.

11 (2) The number of Logging Road Watercourse crossings.

12 (3) Construction and reconstruction near Watercourses, Lakes, marshes, and Wet Meadows  
13 and Other Wet Areas.

14 \*\*\*

15 (b) No Logging Roads or Landings shall be planned for construction (i) within 150 feet of the  
16 Class I Watercourse Transition Line, (ii) within 100 feet of the Class II Watercourse Transition  
17 Line on slopes greater than 30%, (iii) within Class I, II, III, or IV Watercourses or Lakes, (iv)  
18 within a WLPZ, or (v) in marshes, or Wet Meadows and Other Wet Areas, except as follows:

19 (1) At existing Logging Road Watercourse crossings.

20 (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are  
21 approved as part of the Fish and Game Code process (F&GC § 1600 et seq.).

22 (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of  
23 use.



1 (c) No Logging Roads or Landings shall be planned for reconstruction (i) within Class I, II, III, or  
2 IV Watercourses or Lakes, (ii) within a WLPZ, or (iii) in marshes, or Wet Meadows and Other  
3 Wet Areas, except as follows:

4 (1) At existing Logging Road Watercourse crossings.

5 (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are  
6 approved as part of the Fish and Game Code process (F&GC § 1600 et seq.).

7 (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of  
8 use.

9 \*\*\*

10  
11 *[note: no further changes to this section]*

12  
13 Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference:  
14 Sections 4512, 4513, 4551 and 4551.5, Public Resources Code; 33 USC 1288(b); 40 CFR  
15 130.2(eg); and *Natural Resources Defense Council, Inc. v. Arcata Natl. Corp.* (1972) 59  
16 Cal.App.3d 959, 131 Cal. Rptr. 172.

17 \*\*\*

18 **§ 943.4 Construction and Reconstruction of Logging Roads and Landings.**

19 Logging Roads and Landings shall be constructed or Reconstructed in accordance with the  
20 approved Plan and the following requirements. If a change in designation of Logging Road  
21 classification is made after the Plan is approved, the change shall be reported in accordance  
22 with 14 CCR §§ 1039, 1040, 1090.14, 1092.26, 1092.27, 1094.23 or 1094.24 as appropriate.

23 (a) Logging Roads and Landings shall be hydrologically disconnected from Watercourses and  
24 Lakes to the extent Feasible to minimize sediment delivery from road runoff to a Watercourse,  
25 and reduce the potential for hydrologic changes that alter the magnitude and frequency of runoff

1 delivery to a Watercourse. Guidance on methods for Hydrologic Disconnection may be found in  
2 "Board of Forestry Technical Rule Addendum Number 5: Guidance on Hydrologic  
3 Disconnection, Road Drainage, Minimization of Diversion Potential, and High Risk Crossings"  
4 (1st Edition, revised 04/21/15), hereby incorporated by reference.

5 (b) No Logging Roads or Landings shall be constructed (i) within 150 feet of the Class I  
6 Watercourse Transition Line, (ii) within 100 feet of the Class II Watercourse Transition Line on  
7 slopes greater than 30%, (iii) within Class I, II, III, or IV Watercourses or Lakes, (iv) within a  
8 WLPZ, or (v) in marshes, Wet Meadows and Other Wet Areas, except as follows:

9 (1) At existing Logging Road Watercourse crossings.

10 (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are  
11 approved as part of the Fish and Game Code process (F&GC § 1600 et seq.)

12 (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of  
13 use.

14 (c) No Logging Roads or Landings shall be Reconstructed (i) within Class I, II, III, or IV  
15 Watercourses or Lakes, (ii) within a WLPZ, or (iii) in marshes, and Wet Meadows and Other Wet  
16 Areas, except as follows:

17 (1) At existing Logging Road Watercourse crossings.

18 (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are  
19 approved as part of the Fish and Game Code process (F&GC § 1600 et seq.)

20 (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of  
21 use.

22  
23 *[note: no further changes to this section]*  
24

1 Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference:  
2 Sections 4512, 4513, 4551, 4551.5, 4562.5, 4562.7 and 4597, Public Resources Code; 33 USC  
3 1288(b); and *Natural Resources Defense Council, Inc. v. Arcata Natl. Corp.* (1976) 59  
4 Cal.App.3d 959, 131 Cal. Rptr. 172.

5 \*\*\*

6 **§ 952.7 Resource Conservation Standards for Minimum Stocking.**

7 The following resource conservation standards constitute minimum acceptable stocking in the  
8 Southern Forest District after Timber Operations have been completed.

9 (a) Rock outcroppings, ~~m~~Meadows, and ~~W~~Wet Areas, or other areas not normally bearing  
10 commercial species shall not be considered as requiring stocking and are exempt from such  
11 provisions.

12  
13 [note: no further changes to this section]

14  
15 Note: Authority cited: Sections 4551, 4553, 4561.1 and 4561.2, Public Resources Code.

16 Reference: Sections 4561, 4561.1 and 4561.2, Public Resources Code.

17 \*\*\*

18 **§ 953.4 Special Prescriptions.**

19 \*\*\*

20 (e) Aspen, and Meadows and Wet Areas restoration. All trees within aspen stands (defined as a  
21 location with the presence of living aspen (~~Populus tremuloides~~Populus tremuloides)), Meadows  
22 and Wet Areas may be harvested or otherwise treated in order to restore, retain, or enhance  
23 these areas for ecological or range values. A primary goal of aspen restoration Projects is the  
24 successful regeneration of aspen and recruitment into larger size classes. Projects using this  
25 prescription shall be designed to balance the protection and regeneration of aspen stands, and

1 ~~m~~Meadows, and WWet AAreas habitats in California's forest ecosystems with the other goals of  
2 forest management as specified in 14 CCR § 897 and meet the following requirements:

3 (1) The RPF shall state in the Plan each Project type(s) that is being proposed (aspen, or  
4 ~~m~~Meadows, and/or WWet AAreas restoration).

5 (2) Each Project type shall be shown on the Plan map, consistent with 14 CCR § 1034(x), and  
6 at a scale that shows the locations of planned operations.

7 (3) The RPF shall describe the extent of the area proposed for harvesting or treatment and the  
8 types of harvesting or treatments.

9 (4) The RPF shall describe the condition of aspen stands, Meadows and Wet Areas in the  
10 Project area.

11 (A) For aspen stands, the condition description shall include, but is not limited to, the  
12 determination of whether the aspen stands are upland aspen stands ~~mixed with conifer~~ or  
13 Riparian/~~wet meadow~~ aspen stands; spatial extent, Species composition, and stand structure  
14 (including Overstory/Understory coverage and whether a stand is pure aspen or mixed with  
15 conifer) of the Project area; and the relationship of the Project area to other known aspen  
16 stands in the Planning Watershed or biological assessment area.

17 (B) For Meadows and Wet Areas, the condition description shall include spatial extent, Species  
18 composition, and stand structure (including Overstory/Understory coverage) of the Project area;  
19 relevant Watercourse condition factors stated in Board Technical Rule Addendum #2; and other  
20 factors indicative of ~~m~~Meadows ~~or~~ and WWet AAreas geomorphic and hydrological functions.

21 (5) The RPF shall state the Project goals and the measures of success for the proposed aspen,  
22 or ~~m~~Meadows, ~~or~~ and WWet AAreas restoration Project. For purposes of this subsection,  
23 measures of success means criteria related to a physical condition that can be measured using  
24 conventional forestry equipment or readily available technology to indicate the level of  
25 accomplishment of the Project goals.

1 (A) Aspen, ~~or mMeadows and or Wwet Aareas~~ Project goals and measures of success shall be  
2 based on the condition assessment required in 14 CCR §§ 913.4, 933.4, and 953.4, subsection  
3 (e)(4), and identification of problematic aspen, ~~mMeadows, or and Wwet Aareas~~ conditions and  
4 their agents/causes. Information shall include a description of factors that may be putting aspen  
5 stands, ~~or mMeadows, or and Wwet Aareas~~ at risk, and presence of any unique physical  
6 conditions. Projects shall be designed to contribute to rectifying factors that are limiting  
7 restoration, to the extent Feasible.

8 (6) For Projects of twenty (20) acres or less in size, the RPF has the option to not include the  
9 requirements of 14 CCR §§ 913.4, 933.4, and 953.4, subsections (e)(4) and (5) if the RPF  
10 consults with CDFW prior to Plan submittal and, if wet areas are proposed, the RPF shall also  
11 consult with the appropriate RWQCB in those locations where the applicable basin Plan  
12 identifies wet areas as a Beneficial Use. The results of the consultation(s) shall be included in  
13 the Plan.

14 (7) The Department shall review post-harvest field conditions of the portions of Plans using the  
15 aspen, ~~mMeadows and Wwet Aareas~~ restoration silvicultural prescription and prepare a  
16 monitoring report every five (5) years for the Board. The monitoring report shall summarize  
17 information on use of the prescription including:

- 18 (i) the level of achievement of the measures of success as stated in the Plan per 14 CCR §§  
19 913.4, 933.4, and 953.4, subsection (e)(5);  
20 (ii) any post harvest adverse environmental impacts resulting from use of the prescription;  
21 (iii) any regulatory compliance issues, and;  
22 (iv) any other significant findings resulting from the review. The review shall include photo point  
23 records.

24  
25 [note: no further changes to this section]

1  
2 Note: Authority cited: Sections 4551, 4553 and 4561, Public Resources Code. Reference:  
3 Sections 4512, 4551.5, 4582 and 4582.5, Public Resources Code.

4 \*\*\*

5 **§ 953.12- High Use Subdistrict.**

6 In the "High Use Subdistrict," the selection Regeneration Method, or sanitation-salvage or  
7 commercial thinning treatments may be used. An RPF may propose a modification of the  
8 selection Regeneration Method or sanitation-salvage Intermediate Treatments when explained  
9 and justified in the Plan. (See 14 CCR § 953 for Alternative Prescriptions.) In these areas, no  
10 trees shall be cut unless first marked on both the bole and stump with either paint, tags or  
11 blazes so as to be plainly visible. Such Marking shall be done by an RPF or Supervised  
12 Designee sufficiently in advance of cutting to allow for inspection by the Director's  
13 representatives. In these areas, the leave stand will be at least 50% of the number of trees 12  
14 in. or larger dbh standing prior to the time of harvesting. These leave trees should be in  
15 Dunning's tree Classes 1, 2, or 3 (Ref. 14 CCR § 952 def. Dunning's Classification). The  
16 composition and distribution of the leave stand shall be maintained as nearly as practical, giving  
17 consideration to the aesthetics of the areas. ~~Only sanitation-salvage treatment shall be allowed~~  
18 ~~in the cutover areas for 10 years following the harvest.~~

19  
20 Note: Authority cited: Sections 4551, 4561 and 4561.1, Public Resources Code. Reference:  
21 Sections 4561, 4586 and 4588, Public Resources Code.

22  
23 **§ 956.3 General Limitations Near Watercourses, Lakes, Marshes, Wet Meadows and Other**  
24 **Wet Areas.**

1 The quality and Beneficial Uses of water shall not be unreasonably degraded by Timber  
2 Operations. During Timber Operations, the Timber Operator shall not place, discharge, or  
3 dispose of or deposit in such a manner as to permit to pass into the water of this state, any  
4 substances or materials, including, but not limited to, soil, silt, bark, Slash, sawdust, or  
5 petroleum, in quantities deleterious to fish, wildlife, or the quality and Beneficial Uses of water.

6 All provisions of this article shall be applied in a manner which complies with this standard.

7 (a) When there is reasonable expectation that Slash, debris, soil, or other material resulting from  
8 Timber Operations, falling or associated activities, will be deposited in Class I and Class II  
9 waters below the Watercourse or Lake Transition Line or in Watercourses which contain or  
10 conduct Class IV water, those harvest activities shall be deferred until equipment is available for  
11 its removal, or another procedure and schedule for completion of corrective work is approved by  
12 the Director.

13 (b) Accidental depositions of soil or other debris in Lakes or below the Watercourse or Lake  
14 Transition Line in waters classed I, II, and IV shall be removed immediately after the deposition  
15 or as approved by the Director.

16 (c) The Timber Operator shall not construct or use Tractor Roads in Class I, II, III or IV  
17 Watercourses, in the WLPZ, marshes, Wwet Meadows, and Other Wwet Areas unless  
18 explained and justified in the Plan by the RPF, and approved by the Director, except as follows:

19 (1) At prepared tractor road crossings as described in 14 CCR § 954.8(b).

20 (2) Crossings of Class III Watercourses that are dry at the time of use.

21 (3) At new and existing Tractor Road crossings approved as part of the Fish and Game Code  
22 process (F&GC § 1600 et seq.).

23  
24 *[note: no further changes to this section]*

25

1 Note: Authority cited: Sections 4551, 4562.7 and 21000(g), Public Resources Code. Reference:  
2 Sections 4512, 4513, 4551.5 and 21001(f), Public Resources Code; 40 CFR 35.1505; and 33  
3 USC Section 1288(b)(2)(F).

4 \*\*\*

5  
6 **§ 963.1 Planning for Logging Roads and Landings.**

7 Logging Roads and Landings shall be planned and located within the context of a systematic  
8 layout pattern that considers 14 CCR § 923(b), uses existing Logging Roads and Landings  
9 where Feasible and appropriate, and provides access for fire and resource protection activities.

10 (a) Logging Roads and Landings shall be planned and located to minimize the following:

11 (1) Duplicative roads and total road mileage.

12 (2) The number of Logging Road Watercourse crossings.

13 (3) Construction and reconstruction near Watercourses, Lakes, marshes, and Wet Meadows  
14 and Other Wet Areas.

15 \*\*\*

16 (b) No Logging Roads or Landings shall be planned for construction (i) within 150 feet of the  
17 Class I Watercourse Transition Line, (ii) within 100 feet of the Class II Watercourse Transition  
18 Line on slopes greater than 30%, (iii) within Class I, II, III, or IV Watercourses or Lakes, (iv)  
19 within a WLPZ, or (v) in marshes, or Wet Meadows and Other Wet Areas, except as follows:

20 (1) At existing Logging Road Watercourse crossings.

21 (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are  
22 approved as part of the Fish and Game Code process (F&GC § 1600 et seq.).

23 (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of  
24 use.



1 (c) No Logging Roads or Landings shall be planned for reconstruction (i) within Class I, II, III, or  
2 IV Watercourses or Lakes, (ii) within a WLPZ, or (iii) in marshes, or Wet Meadows and Other  
3 Wet Areas, except as follows:

4 (1) At existing Logging Road Watercourse crossings.

5 (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are  
6 approved as part of the Fish and Game Code process (F&GC § 1600 et seq.).

7 (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of  
8 use.

9 \*\*\*

10  
11 *[note: no further changes to this section]*

12  
13 ~~Note;~~ Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code.

14 Reference: Sections 4512, 4513, 4551 and 4551.5, Public Resources Code; 33 USC 1288(b);  
15 40 CFR 130.2(ee); and *Natural Resources Defense Council, Inc. v. Arcata Natl. Corp.* (1972) 59  
16 Cal.App.3d 959, 131 Cal. Rptr. 172.

17 \*\*\*

18 **§ 963.4. Construction and Reconstruction of Logging Roads and Landings.**

19 Logging Roads and Landings shall be constructed or Reconstructed in accordance with the  
20 approved Plan and the following requirements. If a change in designation of Logging Road  
21 classification is made after the Plan is approved, the change shall be reported in accordance  
22 with 14 CCR §§ 1039, 1040, 1090.14, 1092.26, 1092.27, 1094.23 or 1094.24 as appropriate.

23 (a) Logging Roads and Landings shall be hydrologically disconnected from Watercourses and  
24 Lakes to the extent Feasible to minimize sediment delivery from road runoff to a Watercourse,  
25 and reduce the potential for hydrologic changes that alter the magnitude and frequency of runoff

1 delivery to a Watercourse. Guidance on methods for Hydrologic Disconnection may be found in  
2 "Board of Forestry Technical Rule Addendum Number 5: Guidance on Hydrologic  
3 Disconnection, Road Drainage, Minimization of Diversion Potential, and High Risk Crossings"  
4 (1st Edition, revised 04/21/15), hereby incorporated by reference.

5 (b) No Logging Roads or Landings shall be constructed (i) within 150 feet of the Class I  
6 Watercourse Transition Line, (ii) within 100 feet of the Class II Watercourse Transition Line on  
7 slopes greater than 30%, (iii) within Class I, II, III, or IV Watercourses or Lakes, (iv) within a  
8 WLPZ, or (v) in marshes, Wet Meadows and Other Wet Areas, except as follows:

9 (1) At existing Logging Road Watercourse crossings.

10 (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are  
11 approved as part of the Fish and Game Code process (F&GC § 1600 et seq.)

12 (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of  
13 use.

14 (c) No Logging Roads or Landings shall be Reconstructed (i) within Class I, II, III, or IV  
15 Watercourses or Lakes, (ii) within a WLPZ, or (iii) in marshes and Wet Meadows and Other Wet  
16 Areas, except as follows:

17 (1) At existing Logging Road Watercourse crossings.

18 (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are  
19 approved as part of the Fish and Game Code process (F&GC § 1600 et seq.)

20 (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of  
21 use.

22  
23 *[note: no further changes to this section]*  
24

1 Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference:  
2 Sections 4512, 4513, 4551, 4551.5, 4562.5, 4562.7 and 4597, Public Resources Code; 33 USC  
3 1288(b); and *Natural Resources Defense Council, Inc. v. Arcata Natl. Corp.* (1976) 59  
4 Cal.App.3d 959, 131 Cal. Rptr. 172.

5 \*\*\*

6 **§ 1027.1- Basis of Denial.**

7 The Director may deny issuance of any License either upon original application or upon  
8 application for renewal for any of the reasons set forth in PRC § 4573. In addition, the Director  
9 may deny any application for renewal until any violations of the Rules and regulations of the  
10 Board and provisions of the Forest Practice Act by the applicant as exist on the date of  
11 submission of the renewal application, of which the applicant has been notified and given  
12 reasonable opportunity to correct, are corrected on such reasonable terms and conditions as  
13 the Director may require, ~~including planting of reasonable numbers of seedlings and young~~  
14 ~~growth trees to restock cutover lands.~~

15  
16 Note: Authority cited: Sections 4551 and 4572, Public Resources Code. Reference: Sections  
17 4573, 4574 and 4577, Public Resources Code.

18 \*\*\*

19 **§ 1034- Contents of Plan.**

20 The Plan shall serve two functions: to provide information the Director needs to determine  
21 whether the proposed Timber Operation conforms to the Rules of the Board; and to provide  
22 information and direction to Timber Operators so that they comply with the Rules of the Board.  
23 For the Plan to serve these functions, it shall, as a minimum, contain the following information:

24 \*\*\*

1 (x) On titled USGS (if available) or equivalent topographic maps of a scale not less than 2" to  
2 the mile, the information in subsections (1)-(3), (4)(A), (B) and (E) ((4)(B) and (E) for sites within  
3 the Harvest Area), (8), (9), and (11)-(13) shall be clearly shown. Additional maps, which may be  
4 topographic or planimetric, may be used to provide the information required in the other  
5 subsections, to show specific details, and to improve map clarity. The Appurtenant Roads  
6 referenced in subsections (4)(B), (C), (D), and (E) ((4)(B) and (E) for sites not within the Harvest  
7 Area) may be shown on a map which may be planimetric with a scale as small as one-half inch  
8 equals one mile. Color coding shall not be used. A legend shall be included indicating the  
9 meaning of the symbols used. See the District Rules for the appropriate minimum mapping  
10 acreages.

11 (4) Location of all roads to be used for, or potentially impacted by, Timber Operations. This shall  
12 include:

13 (A) The classification of all roads as permanent, seasonal, temporary, deactivated, or proposed  
14 for Abandonment.

15 (B) Roads and Landings located in Watercourses, Lakes, WLPZs, marshes, and Wet Meadows,  
16 and Other Wet Areas, other than at road Watercourse crossings.

17 \*\*\*

18 (16) Location of any in lieu use of heavy equipment and location of tractor roads in  
19 Watercourses, Lakes, WLPZs, marshes, and Wet Meadows, and Other Wet Areas.

20 \*\*\*

21 (cc) Explanation and justification for use of Watercourses, marshes, Wet Meadows, and Other  
22 Wet Areas as tractor roads.

23  
24 *[note: no further changes to this section]*

25

1 Note: Authority cited: Sections 4551 and 4552, Public Resources Code. Reference: Sections  
2 4527, 4582 and 4583, Public Resources Code.

3 \*\*\*

4 **§1038.4. Mapping Standards for the Forest Fire Prevention Exemption.**

5 An exemption pursuant to this 14 CCR § 1038.4 will be mapped on a USGS 7 1/2 minute  
6 quadrangle map, or equivalent topographic maps, and shall contain all required information  
7 stated within this section. Additional maps, which may be topographic or planimetric, may be  
8 used to provide the information required in this section, to show specific details, and to improve  
9 map clarity. Appurtenant Roads may be shown on a separate map which may be planimetric  
10 with a scale as small as one-half inch equals one mile. Color coding may not be used. A legend  
11 shall be included indicating the meaning of symbols used.

12 (a) Boundaries of the Logging Area.

13 (b) Boundaries of Yarding (logging) systems, if more than one system is used.

14 (c) Location of all roads to be used for, or potentially impacted by, Timber Operations. This shall  
15 include:

16 (1) The classification of all roads as proposed, Permanent, Seasonal, Temporary, Deactivated,  
17 or proposed for Abandonment.

18 (2) Roads and Landings located in Watercourses, Lakes, WLPZs, marshes, Wet Meadows and  
19 Other Wet Areas, other than at road Watercourse crossings.

20  
21 *[note: no further changes to this section]*

22  
23 Note: Authority cited: Sections 4551, 4553 and 4584, Public Resources Code. Reference:  
24 Sections 4527, 4584 and 4584.2, Public Resources Code.

25 \*\*\*

1 **§ 1051. Modified Timber Harvest Plan.**

2 (a) On an ownership of 160 acres, or a quarter (1/4) section or less of Timberland, a modified  
3 timber harvest Plan may be filed by a Plan submitter, providing that the following conditions and  
4 mitigations are met:

5 \*\*\*

6 (9) No heavy equipment operations shall occur within a Watercourse or lake protection zone, or  
7 Wet M̄eadows, and/or Other W̄et Āreas, except as follows:

8 (A) For maintenance of existing Logging Roads, Drainage Facilities or structures, or

9 (B) For logging and tractor road Watercourse crossing construction or reconstruction approved  
10 by the California Department of Fish and Wildlife (CDFW) through notification required pursuant  
11 to F&GC § 1602.

12 \*\*\*

13  
14 *[note: no further changes to this section]*

15  
16 Note: Authority cited: Sections 4551, 4551.5, 4593, 21082 and 21086, Public Resources Code.

17 Reference: Sections 4512, 4513, 4551, 4551.5, 4552, 4593, 21082, 21084 and 21086, Public  
18 Resources Code.

19 \*\*\*

20 **§ 1051.4. Modified THP for Fuel Hazard Reduction Conditions and Mitigations.**

21 (a) A Modified THP for Fuel Hazard Reduction (hereafter also referred to as "MTHP-FHR") may  
22 be filed by a Plan submitter for a Project area not to exceed 2,500 acres, providing that the  
23 following conditions and mitigations are met:

24 \*\*\*

1 (9) Timber harvesting in a Class II WLPZ for a Watercourse that is dry by July 15 of any year  
2 may be proposed by the RPF and approved by the Director. When proposed, the RPF shall  
3 explain and justify the treatment, and provide a written analysis of the potential for significant  
4 adverse effects to the Class II WLPZ that could result from the proposed operations. The focus  
5 of Class II WLPZ treatments shall be removal of surface and Ladder Fuels, and no less than  
6 70% of the existing Overstory Canopy layer shall be retained. Unless explained and justified,  
7 retention of the Overstory Canopy layer shall be accomplished by leaving the existing larger  
8 Dominant and Codominant trees.

9 (A) No tractor operations shall occur within a Class II WLPZ, or Wet M̄eadows, ande Other  
10 W̄wet Āareas, except where the Director determines that the threat of catastrophic wildfire is  
11 sufficient to justify the necessity of operations, or for maintenance of existing roads, drainage  
12 facilities or structures. Where the Director has made such a determination, operations may only  
13 occur where the Erosion Hazard Rating (EHR) pursuant to 14 CCR §§ 912.5, 932.5, and 952.5  
14 is Moderate or less and slopes are no greater than 30%,

15 \*\*\*

16  
17 *[note: no further changes to this section]*

18  
19 Note: Authority cited: Sections 4551, 4551.5 and 4593, Public Resources Code. Reference:  
20 Sections 4512, 4513, 4551, 4551.5, 4552 and 4593, Public Resources Code.

21 \*\*\*

22 **§ 1072.4. Exclusions.**

23 Roads and Landings that will not be regenerated, M̄eadows, and W̄wet Āareas, rocky areas,  
24 and areas not normally bearing timber shall not be used as plot centers for sampling purposes.  
25 Stream protection zones may be excluded from the sample where Stocking cannot be achieved

1 due to legal restrictions on regenerating the zone and it is explained in the Stocking report.  
2 Notwithstanding the provisions of 14 CCR § 1072.2, a random right/left offset from the plot  
3 center may be used. Alternatively, the plot may be treated as an unstocked plot for purposes of  
4 determining acceptable Stocking. The reason for the offset shall be stated in the Stocking  
5 report.

6  
7 Offsets shall be in one-half chain (33 feet) (10.06 m) intervals at a right angle to the plot line with  
8 a maximum distance of 1.5 chains (99 feet) (30.19 m) allowed. The direction and distance of the  
9 offset, if any, shall be noted on the plot sheet.

10  
11 Note: Authority cited: Sections 4551, 4561 and 4587, Public Resources Code. Reference:  
12 Sections 4561 and 4587, Public Resources Code.

13 \*\*\*

14 **§ 1094.6 Contents of WFMP.**

15 The WFMP shall serve three functions: 1) to provide information the Director needs to  
16 determine whether the proposed WFMP conforms to the Board Rules; 2) to provide information  
17 and direction for timber management so it complies with the Board Rules and the management  
18 objectives of the landowner(s); and 3) to disclose the potential effects of timber management to  
19 the public. For the WFMP to serve these functions, it shall, at a minimum, contain the following  
20 information:

21 \*\*\*

22 (e) A United States Geological Survey quadrangle map or equivalent, of a scale not less than 2"  
23 per mile. Additional maps may be required to show specific details, and may be planimetric.  
24 Color coding on maps may be used if they are able to be reproduced in black and white and



1 clearly show all details. A legend shall be included indicating the meaning of the symbols used.

2 See the District Rules for the appropriate minimum mapping acreages. The map shall include:

3 (1) Boundaries of WFMP Management Unit(s). Boundaries of Management Units shall not  
4 exceed a single ownership which may include, but is not limited to, entities comprised as a  
5 single ownership of divided interest, natural-persons with undivided interests, or a legally  
6 established artificial-person (such as limited liability companies, corporations, partnerships, or  
7 trusts).

8 (2) Boundaries of yarding (logging) systems, if more than one (1) system is to be used.

9 (3) Boundaries of areas sample marked for each prescribed silvicultural method to be applied.

10 (4) Location of all roads to be used for, or potentially impacted by, timber operations. This shall  
11 include:

12 (A) The classification of all roads as permanent, seasonal, temporary, or deactivated.

13 (B) Roads and Landings located in Watercourses, Lakes, WLPZs, Wet Meadows, or Other Wet  
14 Areas other than at road Watercourse crossings.

15 \*\*\*

16 (18) Location of any in lieu use of heavy equipment and location of tractor roads in  
17 Watercourses, lakes, WLPZs, marshes, Wwet Meadows, and Other Wwet Areas, except  
18 where the WFMP has a standard operating practice(s) pursuant to 14 CCR § 1094.6 (jj).~~+~~

19 \*\*\*

20 (cc) Explanation and justification for use of Landings, Logging ~~R~~oads and skid trails in the  
21 protection zones of Watercourses, Lakes, Wet Meadows, ~~or~~ and Other Wet Areas.

22  
23 [note: no further changes to this section]  
24

1 Note: Authority cited: Sections 4551, 4551.5, 4552 and 4553, Public Resources Code.

2 Reference: Sections 4562.5, 4562.7, 4597.2 and 21000(g), Public Resources Code.

3 \*\*\*

4 **§ 1094.8 Working Forest Harvest Notice Content.**

5 The Working Forest Harvest Notice shall be a public record. The Department shall post the  
6 Working Forest Harvest Notice on the Department's Internet Website. All necessary deviations  
7 shall be approved by the Director, pursuant to 14 CCR §§ 1094.23 and 1094.24, prior to  
8 submission of a Working Forest Harvest Notice. The Working Forest Harvest Notice shall  
9 include all of the following information:

10 \*\*\*

11 (u) On a USGS quadrangle or equivalent map, of a scale not less than 2" to the mile, the  
12 following information pertinent to the Working Forest Harvest Notice shall be clearly provided.

13 Additional maps may be required to show specific details, and may be planimetric. Color coding  
14 on maps may be used if they are able to be reproduced in black and white maps and clearly  
15 show all details. A legend shall be included indicating the meaning of the symbols used. See the  
16 District Rules for the appropriate minimum mapping acreages. Maps shall be updated to reflect  
17 current field conditions.

18 (1) Boundaries of area(s) where timber operations are to occur under the Working Forest  
19 Harvest Notice.

20 (2) Boundaries of area(s) for specified regeneration methods, intermediate treatments, special  
21 harvesting methods, and alternative prescriptions that are to be applied.

22 (3) Boundaries of area(s) for specified yarding (logging) systems, if more than one (1) system is  
23 to be used.

24 (4) Location of all roads to be used for, or potentially impacted by, timber operations. This shall  
25 include:

- 1 (A) The classification of all roads as permanent, seasonal, temporary, or deactivated.  
2 (B) Roads and Landings located in Watercourses, Lakes, WLPZs, and Wet Meadows, or Other  
3 Wet Areas, other than at road Watercourse crossings.  
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5 Note: Authority cited: Sections 4551, 4551.5, 4552 and 4553, Public Resources Code.

6 Reference: Section 4597.11, Public Resources Code.

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