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**Board of Forestry and Fire Protection**

**Tethered Operation Amendments, 2020**

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

**Division 1.5, Chapter 4,**

**Subchapter 1, Article 1;**

**Subchapters 4, 5, &6, Article 4;**

**Subchapter 7, Articles 2, 6.5, 6.8, & 6.95**

**§ 895.1. Definitions**

“Tractor Operations” means any activity which is associated with Timber Operations and is performed by wheel or track mounted ground-based equipment, including, but not limited to, tractors or skidders.

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“Tethered Operations” means those Tractor Operations which utilize synchronized (here meaning a mode in which a traction aid winch is operated automatically with pre-set pulling and braking forces to maintain cable tension with the forward or reverse speed of the machine) cable winch systems which have been specifically designed or modified by the manufacturer or a Professional Engineer, as described within the Professional Engineers Act (Chapter 7 of Division 3 of the Business and Professions Code), to assist equipment in felling or Yarding during Timber Operations.

Note: Authority cited: Sections 4551, 4551.5, 4553, 4561, 4561.5, 4561.6, 4562, 4562.5, 4562.7 and 4591.1, Public Resources Code. Reference: Sections 4511, 4512, 4512.5, 4513, 4521.3, 4523, 4524, 4525, 4525.3, 4525.5, 4525.7, 4526, 4526.5, 4527, 4527.5, 4528, 4551, 4551.5, 4561, 4562, 4562.5, 4562.7, 4583.2, 4584, 4591.1 4597.1, 21001(f), 21080.5, 21083.2 and 21084.1, Public Resources Code; CEQA Guidelines Appendix K (printed following Section 15387 of Title 14 Cal. Code of Regulations), Laupheimer v. State (1988) 200 Cal.App.3d 440; 246 Cal.Rptr. 82; and Joy Road Area Forest and Watershed Association, v. California Department of Forestry & Fire Protection, Sonoma County Superior Court No. SCV 229850.

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**§ 914 [934, 954]. Purposes.**

Timber Operations shall be conducted to: meet the goal of maximum sustained production of high quality timber products; minimize breakage of merchantable timber; prevent unreasonable damage to residual trees, Reproduction, and fish and wildlife habitat as identified in the Plan~~THP,~~ or contained in the Rules, ~~reproduction, and Riparian vegetation~~; prevent degradation of the quality and Beneficial Uses of water consistent with 14 CCR § 916.2[936.2,956.2]; prevent degradation of the Beneficial Functions of Riparian Zones consistent with 14 CCR § 916.2[936.2,956.2]; and maintain site productivity by minimizing disturbance that could lead to soil loss.

~~The following provisions shall be applied in a manner which achieves this standard.~~

Note: Authority cited: Sections 4551, 4551.5 and 4553 Public Resources Code. Reference: 33 U.S.C.A. Section 1288; and Sections 4512, 4513, 4514.3, 4527, 4562.5, 4562.7 and 4582, Public Resources Code.

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**§ 914.2. ~~Tractor~~ Operations.**

~~The following standards are applicable to Tractor Operations:~~

(a) ~~Tractor~~Timber Operations shall be conducted in a manner which complies with 14 CCR § 914[934, 954].

(b) ~~Tractor, or other h~~Heavy equipment which is equipped with a blade, shall not operate on skid roads or slopes that are so steep as to require the use of the blade for braking.

(c) Tractor Roads shall be limited in number and width to the minimum necessary for removal of logs. ~~When less damage to the resources specified in 14 CCR § 914[934, 954] will result, existing Tractor Roads shall be used instead of constructing new Tractor Roads.~~

(d) Heavy equipment shall not operate on Unstable Areas. If such areas are unavoidable, the RPF shall develop specific measures to minimize the effect of operations on slope instability. These measures shall be explained and justified in the Plan and approved by the Director, and must meet the requirements of 14 CCR § 914 [934, 954].

(e) Slash and debris from Timber Operations shall not be bunched adjacent to residual trees required for silvicultural or wildlife purposes or placed in locations where they could be discharged into a Class I or II Watercourse, or Lake.

(f) ~~Tractor Operations shall be subject to t~~The following limitations apply:

(1) Except for Tethered Operations, ~~H~~heavy equipment shall be prohibited where any of the following conditions are present:

(A~~i~~) ~~s~~Slopes steeper than 65%

(B~~ii~~) ~~s~~Slopes steeper than 50% where the Erosion Hazard Rating is high or extreme

(2~~iii~~) Heavy equipment shall be prohibited on slopes over 50% which lead without flattening to sufficiently dissipate water flow and trap sediment before it reaches a Watercourse or Lake.

(3~~2~~) On slopes between fifty (50%) percent and sixty-five (65%) percent where the Erosion Hazard Rating is moderate, and all slope percentages are for Average Slope steepness based on sample areas that are twenty (20) acres, or less if proposed by the RPF or required by the Director, heavy equipment, except for Tethered Operations, shall be limited to:

(A~~i~~) existing Tractor Roads that do not require reconstruction, or

(B~~ii~~) ~~n~~New Tractor Roads at a location that has been shown on the Plan~~THP~~ map, flagged by an RPF or Supervised Designee prior to the pre-harvest inspection or, when a pre-harvest inspection is not required, prior to the start of Timber Operations, and approved by the Director.

 (4~~3~~) The RPF may propose exceptions to the limitations on Tractor Operations described above if the proposed exception will comply with 14 CCR § 914 [934, 954], and if the Plan~~THP~~ both clearly explains the proposed exception and justifies how the proposed exception will ~~why application of the standard rule is either not Feasible, or would not~~ comply with 14 CCR § 914 [934, 954]. The location of Tractor Roads, except for those used in Tethered Operations, to be used under such exceptions shall be flagged prior to the pre-harvest inspection or, when a pre-harvest inspection is not required, prior to the start of Timber Operations.

(5) Non-Tethered Tractor Operations, excluding Yarding, may occur in areas designated for Cable Yarding on slopes up to 50%. Tethered Operations, excluding Yarding, may occur in areas designated for Cable Yarding. The limitations of 14 CCR § 914.2[934.2, 954.2](a), (b), (c), (d), (e), (f)(2), (g), (h), and (i), and any other applicable limitations on Tractor Operations throughout this Chapter, by District, apply.

(g) Where Tractor Roads are constructed, Timber Operators shall use Tractor Roads only, both for Skidding logs to Landings and on return trips.

(h) Timber Operators shall exercise due diligence so that desirable residual trees and seedlings which are required to be retained upon completion of Timber Operations will not be damaged or destroyed by Timber~~in Tractor~~ Operations.

(i) Where Waterbreaks cannot effectively disperse surface runoff, other Erosion Controls shall be installed as needed.

Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference: Sections 4512, 4513, 4562.5, 4562.7 and 4582, Public Resources Code.

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**§ 914.3. Cable Yarding.**

The following standards are applicable to Cable Yarding:

(a) Due diligence shall be exercised in the installing, and operating, of cable lines so that residual trees will not incur unreasonable damage by such installation or use.

(b) Residual trees required to be left upon completion of Timber Operations shall not be used for rub trees, corner blocks, Rigging or other cable ties unless effectively protected from damage.

(c) The practice of Tight-Lining for the purpose of changing location of cable lines is prohibited unless such practice can be carried on without damaging residual trees.

(d) Cable Yarding settings shall take maximum advantage of the natural topography and timber types so that Yarding operations will protect residual trees.

~~(e) Tractors shall not be used in areas designated for Cable Yarding except to pull trees away from Streams, to yard logs in areas where deflection is low, where swing Yarding is advantageous, to construct firebreaks and/or Layouts, and to provide tail-holds. Such exception(s) shall be explained and justified in the THP, and require Director's approval.~~

(e) Cable Yarding shall provide suspension above Watercourses in a manner which achieves compliance with 14 CCR § 914.

Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference: Sections 4512, 4513, 4527, 4562.5, 4562.7 and 4582, Public Resources Code.

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**§ 914.6. Waterbreaks.**

(a) Waterbreaks shall be constructed on Tractor Roads, roads, Layouts, and Landings which do not have adequate natural drainage, drainage structures, or Surface Cover or Woody Debris to dissipate water flow and trap sediment to prevent soil loss.~~The following standards are applicable to the construction of Waterbreaks:~~

(b~~a~~) ~~e~~Except as otherwise provided for in the Rules:

(1) All Waterbreaks shall be installed no later than the beginning of the Winter Period of the current year of Timber Operations.

(2) Installation of Drainage Facilities and structures is required from October 15 to November 15 and from April 1 to May 1 on all constructed skid trails and Tractor Roads prior to sunset if the National Weather Service forecast is a “chance” (thirty (30)~~%~~ percent or more) of rain within the next twenty-four (24) hours.

(c~~b~~) Waterbreaks shall be constructed concurrently with the construction of firebreaks and immediately upon conclusion of use of Tractor Roads, roads, Layouts, and Landings which do not have permanent and adequate Drainage Facilities, or Drainage Structures.

(d) When Tethered Operations are proposed in a Plan, the RPF shall explain, in the Plan, how Tractor Roads used in those Tethered Operations will be treated, including any necessary mitigations and metrics for compliance, in order to minimize disturbance which could lead to soil loss and comply with 14 CCR § 914[934, 954].

(e~~c~~) Distances between Waterbreaks shall not exceed the following standards:

MAXIMUM DISTANCE BETWEEN WATERBREAKS

Image 1 within § 914.6. Waterbreaks.​ [*note no change to the image in this section*]

The appropriate Waterbreak spacing shall be based upon the Erosion Hazard Rating and road or trail gradient.

(f~~d~~) Cable Roads that are so deeply cut as to divert and carry water away from natural drainage patterns for more than one hundred (100) feet shall have Waterbreaks installed on them at one hundred (100) feet intervals, or other appropriate erosion control measures may be applied if specified in the Plan.

(g~~e~~) Waterbreaks shall be installed at all natural Watercourses on Tractor Roads and firebreaks regardless of the maximum distances specified in this section except where permanent Drainage Facilities are provided.

(h~~f~~) Waterbreaks shall be located to allow water to be discharged into some form of vegetative cover, duff, Slash, rocks, or less erodible material wherever possible, and shall be constructed to provide for unrestricted discharge at the lower end of the Waterbreak so that water will be discharged and spread in such a manner that erosion shall be minimized. Where Waterbreaks cannot effectively disperse surface runoff, including where Waterbreaks ~~on roads and skid trail~~ cause surface run-off to be concentrated on downslopes, roads or skid trails, other Erosion Controls shall be installed as needed to comply with 14 CCR § 914.

(i~~g~~) Waterbreaks shall be cut diagonally a minimum of six ~~15.2 cm~~ (6) inches~~)~~ into the firm roadbed, Cable Road~~cableroad~~, skid trail or firebreak surface and shall have a continuous firm embankment of at least six ~~15.2 cm~~ (6) inches~~)~~ in height immediately adjacent to the lower edge of the Waterbreak cut.

In the Southern Subdistrict of the Coast Forest District, on truck roads having firmly compacted surfaces, Waterbreaks installed by hand methods need not provide the additional six ~~15.2 cm~~ (6) inch~~)~~ embankment provided the Waterbreak ditch is constructed so that it is at least six ~~15.2 cm~~ (6) inches~~)~~ deep and six ~~15.2 cm~~ (6) inches~~)~~ wide on the bottom and provided there is ample evidence based on slope, material amount of rainfall, and period of use that the Waterbreaks so constructed will be effective in diverting water flow from the road surface without the embankment.

(j~~h~~) Waterbreaks or any other Erosion Controls on skid trails, Cable Roads, Layouts, firebreaks, Abandoned Roads, and Site Preparation areas shall be maintained during the Prescribed Maintenance Period and during Timber Operations as defined in PRC §§ 4527 and 4551.5 so that they continue to function in a manner which minimizes soil erosion and slope instability and which prevents degradation of the quality and Beneficial Uses of water. The method and timing of Waterbreak repair and other erosion control maintenance shall be selected with due consideration given to protection of residual trees and reproduction and the intent of 14 CCR § 914 .

(k~~i~~) The Prescribed Maintenance Period for Waterbreaks and any other erosion control facilities on skid trails, Cable Roads, Layouts, firebreaks, Abandoned Roads, and Site Preparation areas, shall be at least one year. The Director may prescribe a maintenance period extending as much as three years after filing of the work completion report in accordance with 14 CCR § 1050.

Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference: Sections 4512, 4513, 4562.5, 4562.7 and 4582, Public Resources Code.

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**§ 934.2. ~~Tractor~~ Operations.**

~~The following standards are applicable to Tractor Operations:~~

(a) ~~Tractor~~Timber Operations shall be conducted in a manner which complies with 14 CCR § 934.

(b) ~~Tractor, or other h~~Heavy equipment which is equipped with a blade, shall not operate on skid roads or slopes that are so steep as to require the use of the blade for braking.

(c) Tractor Roads shall be limited in number and width to the minimum necessary for removal of logs. ~~When less damage to the resources specified in 14 CCR § 934 will result, existing Tractor Roads shall be used instead of constructing new Tractor Roads.~~ The RPF may propose exceptions for silvicultural reasons when explained and justified in the ~~THP~~Plan.

(d) Heavy equipment shall not operate on Unstable Areas. If such areas are unavoidable, the RPF shall develop specific measures to minimize the effect of operations on slope instability. These measures shall be explained and justified in the Plan and approved by the Director, and must meet the requirements of 14 CCR § 934.

(e) Slash and debris from Timber Operations shall not be bunched adjacent to residual trees required for silvicultural or wildlife purposes or placed in locations where they could be discharged into a Class I or II Watercourse, or Lake.

(f) ~~Tractor Operations shall be subject to t~~The following limitations apply:

(1) Except for Tethered Operations, ~~H~~heavy equipment shall be prohibited where any of the following conditions are present:

(A~~i~~) ~~s~~Slopes steeper than 65%

(B~~ii~~) ~~s~~Slopes steeper than 50% where the Erosion Hazard Rating is high or extreme

(2~~iii~~) Heavy equipment shall be prohibited on slopes over 50% which lead without flattening to sufficiently dissipate water flow and trap sediment before it reaches a Watercourse or Lake.

(3~~2~~) On slopes between fifty (50%) percent and sixty-five (65%) percent where the Erosion Hazard Rating is moderate, and all slope percentages are for Average Slope steepness based on sample areas that are twenty (20) acres, or less if proposed by the RPF or required by the Director, heavy equipment, except for Tethered Operations, shall be limited to:

(A~~i~~) existing Tractor Roads that do not require reconstruction, or

(B) New Tractor Roads at a location that has been shown on the Plan map, flagged by an RPF or Supervised Designee prior to the pre-harvest inspection or, when a pre-harvest inspection is not required, prior to the start of Timber Operations, and approved by the Director.

~~(ii) new Tractor Roads that have been flagged by an RPF or supervised designee prior to use.~~

(4~~3~~) The RPF may propose exceptions to the limitations on Tractor Operations described above if the proposed exception will comply with 14 CCR § 914 [934, 954], and if the Plan~~THP~~ both clearly explains the proposed exception and justifies how the proposed exception will ~~why application of the standard rule is either not Feasible, or would not~~ comply with 14 CCR § 914 [934, 954]. The location of Tractor Roads, except for those used in Tethered Operations, to be used under such exceptions shall be flagged prior to the pre-harvest inspection or, when a pre-harvest inspection is not required, prior to the start of Timber Operations.

(5) Non-Tethered Tractor Operations, excluding Yarding, may occur in areas designated for Cable Yarding on slopes up to 50%. Tethered Operations, excluding Yarding, may occur in areas designated for Cable Yarding. The limitations of 14 CCR § 914.2[934.2, 954.2](a), (b), (c), (d), (e), (f)(2), (g), (h), and (i), and any other applicable limitations on Tractor Operations throughout this Chapter, by District, apply.

(g) Where Tractor Roads are constructed, Timber Operators shall use Tractor Roads only, both for Skidding logs to Landings and on return trips.

(h) Timber Operators shall exercise due diligence so that desirable residual trees and seedlings which are required to be retained upon completion of Timber Operations will not be damaged or destroyed by Timber~~in Tractor~~ Operations.

(i) Where Waterbreaks cannot effectively disperse surface runoff, other Erosion Controls shall be installed as needed.

Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference: Sections 4512, 4513, 4562.5, 4562.7 and 4582, Public Resources Code.
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**§ 934.3. Cable Yarding.**

The following standards are applicable to Cable Yarding:

(a) Due diligence shall be exercised in the installing, and operating, of cable lines so that residual trees will not incur unreasonable damage by such installation or use.

(b) Residual trees required to be left upon completion of Timber Operations shall not be used for rub trees, corner blocks, Rigging or other cable ties unless effectively protected from damage.

(c) The practice of Tight-Lining for the purpose of changing location of cable lines is prohibited unless such practice can be carried on without damaging residual trees.

(d) Cable Yarding settings shall take maximum advantage of the natural topography and timber types so that Yarding operations will protect residual trees.

~~(e) Tractors shall not be used in areas designated for Cable Yarding except to pull trees away from Streams, to yard logs in areas where deflection is low, where swing Yarding is advantageous, to construct firebreaks and/or Layouts, and to provide tail-holds. Such exception(s) shall be explained and justified in the THP, and require Director's approval.~~

(e) Cable Yarding shall provide suspension above Watercourses in a manner which achieves compliance with 14 CCR § 934.

Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference: Sections 4512, 4513, 4527, 4562.5, 4562.7 and 4582, Public Resources Code.

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**§ 934.6. Waterbreaks.**

(a) Waterbreaks shall be constructed on Tractor Roads, roads, Layouts, and Landings which do not have adequate natural drainage, drainage structures, or Surface Cover or Woody Debris to dissipate water flow and trap sediment to prevent soil loss.~~The following standards are applicable to the construction of Waterbreaks:~~

(b~~a~~) ~~e~~Except as otherwise provided for in the Rules:

(1) All Waterbreaks shall be installed no later than the beginning of the Winter Period of the current year of Timber Operations.

(2) Installation of Drainage Facilities and structures is required from October 15 to November 15 and from April 1 to May 1 on all constructed skid trails and Tractor Roads prior to sunset if the National Weather Service forecast is a “chance” (thirty (30)~~%~~ percent or more) of rain within the next twenty-four (24) hours.

(c~~b~~) Waterbreaks shall be constructed concurrently with the construction of firebreaks and immediately upon conclusion of use of Tractor Roads, roads, Layouts, and Landings which do not have permanent and adequate Drainage Facilities, or Drainage Structures.

(d) When Tethered Operations are proposed in a Plan, the RPF shall explain, in the Plan, how Tractor Roads used in those Tethered Operations will be treated, including any necessary mitigations and metrics for compliance, in order to minimize disturbance which could lead to soil loss and comply with 14 CCR § 934.

(e~~c~~) Distances between Waterbreaks shall not exceed the following standards:

MAXIMUM DISTANCE BETWEEN WATERBREAKS

Image 1 within § 934.6. Waterbreaks.​ [*Note: no change to the image in this section*]

The appropriate Waterbreak spacing shall be based upon the Erosion Hazard Rating and road or trail gradient.

(f~~d~~) Cable Roads that are so deeply cut as to divert and carry water away from natural drainage patterns for more than one hundred (100) feet shall have Waterbreaks installed on them at one hundred (100) feet intervals, or other appropriate erosion control measures may be applied if specified in the Plan.

(g~~e~~) Waterbreaks shall be installed at all natural Watercourses on Tractor Roads and firebreaks regardless of the maximum distances specified in this section except where permanent Drainage Facilities are provided.

(h~~f~~) Waterbreaks shall be located to allow water to be discharged into some form of vegetative cover, duff, Slash, rocks, or less erodible material wherever possible, and shall be constructed to provide for unrestricted discharge at the lower end of the Waterbreak so that water will be discharged and spread in such a manner that erosion shall be minimized. Where Waterbreaks cannot effectively disperse surface runoff, including where Waterbreaks ~~on roads and skid trail~~ cause surface run-off to be concentrated on downslopes, roads or skid trails, other Erosion Controls shall be installed as needed to comply with 14 CCR § 934.

(i~~g~~) Waterbreaks shall be cut diagonally a minimum of six ~~15.2 cm~~ (6) inches~~)~~ into the firm roadbed, Cable Road~~cableroad~~, skid trail or firebreak surface and shall have a continuous firm embankment of at least six ~~15.2 cm~~ (6) inches~~)~~ in height immediately adjacent to the lower edge of the Waterbreak cut.

(j~~h~~) Waterbreaks or any other Erosion Controls on skid trails, Cable Roads, Layouts, firebreaks, Abandoned Roads, and Site Preparation areas shall be maintained during the Prescribed Maintenance Period and during Timber Operations as defined in PRC §§ 4527 and 4551.5 so that they continue to function in a manner which minimizes soil erosion and slope instability and which prevents degradation of the quality and Beneficial Uses of water. The method and timing of Waterbreak repair and other erosion control maintenance shall be selected with due consideration given to protection of residual trees and reproduction and the intent of 14 CCR § 934.

(k~~i~~) The Prescribed Maintenance Period for Waterbreaks and any other erosion control facilities on skid trails, Cable Roads, Layouts, firebreaks, Abandoned Roads, and Site Preparation areas, shall be at least one year. The Director may prescribe a maintenance period extending as much as three years after filing of the work completion report in accordance with 14 CCR § 1050.

Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference: Sections 4512, 4513, 4562.5, 4562.7 and 4582, Public Resources Code.

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**§ 954.2. ~~Tractor~~ Operations.**

~~The following standards are applicable to Tractor Operations:~~

(a) ~~Tractor~~Timber Operations shall be conducted in a manner which complies with 14 CCR § 954.

(b) ~~Tractor, or other h~~Heavy equipment which is equipped with a blade, shall not operate on skid roads or slopes that are so steep as to require the use of the blade for braking.

(c) Tractor Roads shall be limited in number and width to the minimum necessary for removal of logs. ~~When less damage to the resources specified in 14 CCR § 914[934, 954] will result, existing Tractor Roads shall be used instead of constructing new Tractor Roads.~~

(d) Heavy equipment shall not operate on Unstable Areas. If such areas are unavoidable, the RPF shall develop specific measures to minimize the effect of operations on slope instability. These measures shall be explained and justified in the Plan and approved by the Director, and must meet the requirements of 14 CCR § 954.

(e) Slash and debris from Timber Operations shall not be bunched adjacent to residual trees required for silvicultural or wildlife purposes or placed in locations where they could be discharged into a Class I or II Watercourse, or Lake.

(f) ~~Tractor Operations shall be subject to t~~The following limitations apply:

(1) Except for Tethered Operations, ~~H~~heavy equipment shall be prohibited where any of the following conditions are present:

(A~~i~~) ~~s~~Slopes steeper than 65%

(B~~ii~~) ~~s~~Slopes steeper than 50% where the Erosion Hazard Rating is high or extreme

(2~~iii~~) Heavy equipment shall be prohibited on slopes over 50% which lead without flattening to sufficiently dissipate water flow and trap sediment before it reaches a Watercourse or Lake.

(3~~2~~) On slopes between fifty (50~~%~~) percent and sixty-five (65%) percent where the Erosion Hazard Rating is moderate, and all slope percentages are for Average Slope steepness based on sample areas that are twenty (20) acres, or less if proposed by the RPF or required by the Director, heavy equipment, except for Tethered Operations, shall be limited to:

(A~~i~~) existing Tractor Roads that do not require reconstruction, or

(B) New Tractor Roads at a location that has been shown on the Plan map, flagged by an RPF or Supervised Designee prior to the pre-harvest inspection or, when a pre-harvest inspection is not required, prior to the start of Timber Operations, and approved by the Director.

~~(ii) new Tractor Roads that have been flagged by an RPF or Supervised Designee prior to use.~~

(4~~3~~) The RPF may propose exceptions to the limitations on Tractor Operations described above if the proposed exception will comply with 14 CCR § 914 [934, 954], and if the Plan~~THP~~ both clearly explains the proposed exception and justifies how the proposed exception will ~~why application of the standard rule is either not Feasible, or would not~~ comply with 14 CCR § 914 [934, 954]. The location of Tractor Roads, except for those used in Tethered Operations, to be used under such exceptions shall be flagged prior to the pre-harvest inspection or, when a pre-harvest inspection is not required, prior to the start of Timber Operations.

(5) Non-Tethered Tractor Operations, excluding Yarding, may occur in areas designated for Cable Yarding on slopes up to 50%. Tethered Operations, excluding Yarding, may occur in areas designated for Cable Yarding. The limitations of 14 CCR § 914.2[934.2, 954.2](a), (b), (c), (d), (e), (f)(2), (g), (h), and (i), and any other applicable limitations on Tractor Operations throughout this Chapter, by District, apply.

(g) Where Tractor Roads are constructed, Timber Operators shall use Tractor Roads only, both for Skidding logs to Landings and on return trips.

(h) Timber Operators shall exercise due diligence so that desirable residual trees and seedlings which are required to be retained upon completion of Timber Operations will not be damaged or destroyed by Timber~~in Tractor~~ Operations.

(i) Where Waterbreaks cannot effectively disperse surface runoff, other Erosion Controls shall be installed as needed.

~~(j) Except where terracing will disturb less than 50% of the soil surface, mechanical Site Preparation shall not be conducted on any of the following:~~

~~(1) Any slopes over 40%.~~

~~(2) Slopes over 30% which lead without flattening to a class I or class II Watercourse or to a Lake.~~

~~(3) Areas having average slopes over 30%, where the Erosion Hazard Rating is high or extreme. The area sampled for the average shall not exceed 20 acres.~~

~~(k) The Director may approve exceptions to (j)(1), (j)(2), and (j)(3) above when damage to soil and water quality caused by the use of heavy equipment will not exceed that caused by other Site Preparation methods if explained and justified in the THP.~~

Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference: Sections 4512, 4513, 4562.5, 4562.7 and 4582, Public Resources Code.

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**§ 954.3. Cable Yarding.**

The following standards are applicable to Cable Yarding:

(a) Due diligence shall be exercised in the installing, and operating, of cable lines so that residual trees will not incur unreasonable damage by such installation or use.

(b) Residual trees required to be left upon completion of Timber Operations shall not be used for rub trees, corner blocks, Rigging or other cable ties unless effectively protected from damage.

(c) The practice of Tight-Lining for the purpose of changing location of cable lines is prohibited unless such practice can be carried on without damaging residual trees.

(d) Cable Yarding settings shall take maximum advantage of the natural topography and timber types so that Yarding operations will protect residual trees.

~~(e) Tractors shall not be used in areas designated for Cable Yarding except to pull trees away from Streams, to yard logs in areas where deflection is low, where swing Yarding is advantageous, to construct firebreaks and/or Layouts, and to provide tail-holds. Such exception(s) shall be explained and justified in the THP, and require Director's approval.~~

(e) Cable Yarding shall provide suspension above Watercourses in a manner which achieves compliance with 14 CCR § 954.

Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference: Sections 4512, 4513, 4527, 4562.5, 4562.7 and 4582, Public Resources Code.

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**§ 954.6. Waterbreaks.**

(a) Waterbreaks shall be constructed on Tractor Roads, roads, Layouts, and Landings which do not have adequate natural drainage, drainage structures, or Surface Cover or Woody Debris to dissipate water flow and trap sediment to prevent soil loss.~~The following standards are applicable to the construction of Waterbreaks:~~

(b~~a~~) ~~e~~Except as otherwise provided for in the Rules:

(1) All Waterbreaks shall be installed no later than the beginning of the Winter Period of the current year of Timber Operations.

(2) Installation of Drainage Facilities and structures is required from October 15 to November 15 and from April 1 to May 1 on all constructed skid trails and Tractor Roads prior to sunset if the National Weather Service forecast is a “chance” (thirty (30)~~%~~ percent or more) of rain within the next twenty-four (24) hours.

(c~~b~~) Waterbreaks shall be constructed concurrently with the construction of firebreaks and immediately upon conclusion of use of Tractor Roads, roads, Layouts, and Landings which do not have permanent and adequate Drainage Facilities, or Drainage Structures.

(d) When Tethered Operations are proposed in a Plan, the RPF shall explain, in the Plan, how Tractor Roads used in those Tethered Operations will be treated, including any necessary mitigations and metrics for compliance, in order to minimize disturbance which could lead to soil loss and comply with 14 CCR § 954.

(e~~c~~) Distances between Waterbreaks shall not exceed the following standards:

MAXIMUM DISTANCE BETWEEN WATERBREAKS

Image 1 within § 954.6. Waterbreaks.​ [*Note: no change to the image in this section*]

The appropriate Waterbreak spacing shall be based upon the Erosion Hazard Rating and road or trail gradient.

(f~~d~~) Cable Roads that are so deeply cut as to divert and carry water away from natural drainage patterns for more than one hundred (100) feet shall have Waterbreaks installed on them at one hundred (100) feet intervals, or other appropriate erosion control measures may be applied if specified in the Plan.

(g~~e~~) Waterbreaks shall be installed at all natural Watercourses on Tractor Roads and firebreaks regardless of the maximum distances specified in this section except where permanent Drainage Facilities are provided.

(h~~f~~) Waterbreaks shall be located to allow water to be discharged into some form of vegetative cover, duff, Slash, rocks, or less erodible material wherever possible, and shall be constructed to provide for unrestricted discharge at the lower end of the Waterbreak so that water will be discharged and spread in such a manner that erosion shall be minimized. Where Waterbreaks cannot effectively disperse surface runoff, including where Waterbreaks ~~on roads and skid trail~~ cause surface run-off to be concentrated on downslopes, roads or skid trails, other Erosion Controls shall be installed as needed to comply with 14 CCR § 954.

(i~~g~~) Waterbreaks shall be cut diagonally a minimum of six ~~15.2 cm~~ (6) inches~~)~~ into the firm roadbed, Cable Road~~cableroad~~, skid trail or firebreak surface and shall have a continuous firm embankment of at least six ~~15.2 cm~~ (6) inches~~)~~ in height immediately adjacent to the lower edge of the Waterbreak cut.

(j~~h~~) Waterbreaks or any other Erosion Controls on skid trails, Cable Roads, Layouts, firebreaks, Abandoned Roads, and Site Preparation areas shall be maintained during the Prescribed Maintenance Period and during Timber Operations as defined in PRC §§ 4527 and 4551.5 so that they continue to function in a manner which minimizes soil erosion and slope instability and which prevents degradation of the quality and Beneficial Uses of water. The method and timing of Waterbreak repair and other erosion control maintenance shall be selected with due consideration given to protection of residual trees and reproduction and the intent of 14 CCR § 954.

(k~~i~~) The Prescribed Maintenance Period for Waterbreaks and any other erosion control facilities on skid trails, Cable Roads, Layouts, firebreaks, Abandoned Roads, and Site Preparation areas, shall be at least one year. The Director may prescribe a maintenance period extending as much as three years after filing of the work completion report in accordance with 14 CCR § 1050.

Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference: Sections 4512, 4513, 4562.5, 4562.7 and 4582, Public Resources Code.

\*\*\*

**§ 1034. Contents of Plan.**

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

\*\*\*\*

(n) Type of Yarding (logging) systems and equipment to be used. Yarding systems will be placed in one or more of the following groups:

(1) Animal.

(2) Tractor, skidder, forwarder.

 (A) Non-tethered

 (B) Tethered

(3) Cable.

(A) Ground-lead.

(B) High-lead.

(C) Skyline.

(4) Balloon, helicopter.

(5) Other, as explained in the Plan.

\*\*\*

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

\*\*\*

(17) Boundaries of any areas where Tractor Operations are proposed for use on areas designated for Cable Yarding.

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

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**§ 1038.2. Mapping Standards for Notices of Exemption.**

A submitted notice of exemption shall include a seven-and-one-half (7 1/2) minute USGS quadrangle map, or its equivalent, depicting the information as required in Table 1 below. Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show specific details, and to improve map clarity. A larger scale map such as an assessor parcel map showing the location of the Timber Operations shall be included for exemptions conducted under 14 CCR § 1038(c). The Appurtenant Roads included within the Logging Area pursuant to subsection (b) below may be shown on a map which may be planimetric with a scale as small as one-half inch equals one mile. Color coding shall not be used. A legend shall be included indicating the meaning of the symbols used. The submitted notice of exemption shall indicate if more than one Yarding system is to be used and identify the systems (if more than one is used).

Table 1: Mapping Requirements

|  |  |
| --- | --- |
| *Applicable Mapping Requirements* | *Notice of Exemption Type(s)* |
| 14 CCR § 1038.2(a) | 14 CCR § 1038(a), (c), and (g) |
| 14 CCR § 1038.2(b), (c), (k) | 14 CCR § 1038(b), (c)(6), (d), (e), |
|  | and (f) |
| 14 CCR § 1038.2(d) through (f) | 14 CCR § 1038(c)(6) through (f) |
| 14 CCR § 1038.2(g), (h), and (j) | 14 CCR § 1038(c)(6), (e), and (f) |
| 14 CCR § 1038.2(i) | 14 CCR § 1038(b) through (f) |
| 14 CCR § 1038.2(l) | 14 CCR § 1038(f) |
| 14 CCR § 1038.2(m) | 14 CCR § 1038(a) through (f) |

\*\*\*

(m) Boundaries of any areas where Tractor Operations are proposed for use on areas designated for Cable Yarding.

Note: Authority cited: Sections 4551, 4553 and 4584, Public Resources Code. Reference: Sections 4527, 4584 and 4584.1, Public Resources Code.

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

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

\*\*\*

(l) Boundaries of any areas where Tractor Operations are proposed for use on areas designated for Cable Yarding.

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

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**§ 1052. Emergency Notice.**

(a) Before cutting or removing timber on an Emergency basis, an RPF on behalf of a Timber Owner or operator shall submit a Notice of Emergency Timber Operations to the Director on form RM-67 (1/1/10), form RM-65 (1052.4) (1/1/10) for a Fuel Hazard Reduction Emergency, or form RM-66 (1052.5) (2/1/11) for a Sudden Oak Death Emergency, herein incorporated by reference, as prescribed by the Director. The notice shall include, but not be limited to, the following:

(1) Names and addresses of all Timberland owner(s), Timber Owner(s), and Timber Operator(s) for the area on which timber will be cut or removed.

(2) A description of the specific conditions that constitute the Emergency, its cause, extent and reason for immediate commencement of Timber Operations.

(3) Legal description of the area from which timber will be cut or removed.

(4) A titled USGS (if available) or equivalent topographic map(s) of scale not less than 2” to the mile, or larger scale, showing the area from which timber will be cut or removed, the legal description, roads and Class I, II, III and IV Watercourses, ~~and~~ Yarding systems if more than one will be used, and boundaries of areas where Tractor Operations are proposed for use on areas designated for Cable Yarding .

(5) Yarding system to be used.

(6) The expected dates of commencement and completion of Timber Operations.

(7) A declaration by the RPF, made under penalty of perjury, that a bona fide Emergency exists which requires Emergency Timber Operations.

(8) A declaration by the Timber Owner, made under penalty of perjury, that any applicable timber yield taxes will be paid pursuant to § 38115 of the Revenue and Taxation Code.

(9) Name, address, License number, and signature of the RPF who prepares the notice and submits it to the Director on behalf of the Timber Owner or operator.

(10) For Emergency Notices covering three acres or more in size, the RPF shall include a CAL with the Emergency Notice submitted to the Director. The Director shall also submit a complete copy of the CAL and two copies of any required archaeological or historical site records, to the appropriate Information Center of the California Historical Resource Information System within 30 days from the date of Emergency Notice submittal to the Director.

(A) For Projects filing an Emergency notice for fuel hazard reduction under 14 CCR § 1052.4, archaeology requirements shall be conducted by a Person possessing current certification pursuant to 14 CCR § 929.4 [949.4, 969.4].

(b) Timber Operations pursuant to an Emergency notice shall comply with the Rules and regulations of the Board. A Person conducting Timber Operations under an Emergency Notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to “Timber Harvest Plan”, “THP”, and “Plan”.

(c) In-lieu practices for Watercourse and Lake Protection Zones as specified under Article 6 of the Rules, exceptions to Rules, and alternative practices are not allowed unless necessary to protect public health and safety.

(d) Timber Operations pursuant to an Emergency Notice may not commence for five working days, 15 days for a fuel hazard Emergency per 14 CCR §§ 1052.1(a)(5) and 1052.4, from the date of the Director's receipt of the Emergency Notice unless such waiting period is waived by the Director. The Director shall determine whether the Emergency notice is complete. If it is found to be complete the Director shall send a copy of a notice of acceptance to the Timberland owner. If the Emergency Notice is not complete it shall be returned to the submitter. If the Director does not act within five working days, 15 days for a fuel hazard Emergency per 14 CCR §§ 1052.1(a)(5) and 1052.4, of receipt of the Emergency Notice, Timber Operations may commence.

(e) Timber Operations shall not continue beyond 1 year from the date the Emergency Notice is accepted by the Director unless a Plan is submitted to the Director and found to be in conformance with the Rules and regulations of the Board, except for burning operations to treat fuels in accordance with § 1052.4(d)(5) which shall be completed by April 1 of the year following fuel creation.

Note: Authority cited: Sections 4551 and 4552, Public Resources Code. Reference: Sections 4592, 4750, 4750.3 and 4750.4, Public Resources Code.

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**§ 1090.5. Contents of NTMP.**

The Plan shall serve three functions: (1) to provide information the Director needs to determine whether the proposed NTMP conforms to the Rules of the Board; (2) to provide information and direction for timber management so it complies with the Rules of the Board and the management objectives of the landowner; and (3) to disclose the potential Effects of timber management to the public. For the Plan to serve these functions, it shall, as a minimum, contain the following information:

\*\*\*

(w) On a USGS quadrangle or equivalent topographical map of a scale not less than two (2”) inches to the mile, the following information shall be clearly provided. Additional maps may be required to show specific details, and may be planimetric. Color coding shall not be used. A legend shall be included indicating the meaning of the symbols used. See the District Rules for the appropriate minimum mapping acreages.

\*\*\*\*

(17) Boundaries of any areas where Tractor Operations are proposed for use on areas designated for Cable Yarding.

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Note: Authority cited: Stats. 1989, Ch. 1290, Sec. 13; and Sections 4551 and 4593.3, Public Resources Code. Reference: Sections 4593 and 4593.3, Public Resources Code.

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**§ 1090.7. Notice of Timber Operations Content.**

The purpose of the Notice of Timber Operations is to provide guidance for implementation of the standards and protective measures in the approved NTMP or most recent amended NTMP and the applicable Rules. For the Notice of Timber Operations to serve these functions, it shall as a minimum, contain the following:

\*\*\*

(n) On a USGS quadrangle or equivalent map of a scale not less than two (2”) inches to the mile, the following information reflecting current conditions pertinent to the Notice of Timber Operations shall be clearly provided. Additional maps may be required to show specific details, and may be planimetric. Color coding shall not be used. A legend shall be included indicating the meaning of the symbols used. See the District Rules for the appropriate minimum mapping acreages.

\*\*\*

(16) Boundaries of any areas where Tractor Operations are proposed for use on areas designated for Cable Yarding.

\*\*\*

Note: Authority cited: Stats. 1989, Ch. 1290, Sec. 13; and Sections 4551 and 4594, Public Resources Code. Reference: Section 4594, Public Resources Code.

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**§ 1092.09. PTHP Contents.**

The purpose of the PTHP is to provide guidance for implementation of the standards and protective measures in the certified PTEIR. For the PTHP to serve these functions it shall contain the following:

\*\*\*

(l) On a titled USGS quadrangle or equivalent topographic maps of a scale not less than 2” to the mile, the information in subsections (1-5)(A)5., (6)(A)-(G), if applicable, and (7)-(11) shall be clearly shown. Additional maps, which may be topographic or planimetric may be used to provide the information required in other subsections or show specific details, and to improve map clarity. The Appurtenant Roads referenced in subsection (5) may be shown on a map which may be planimetric with a scale as small as one-half inch equals one mile. Color coding shall not be used. A legend shall be included indicating the meaning of the symbols used. See the District Rules for the appropriate minimum mapping acreage.

\*\*\*

(12) Boundaries of any areas where Tractor Operations are proposed for use on areas designated for Cable Yarding.

\*\*\*

(m) Type of Yarding (logging) systems and equipment to be used. Yarding systems will be placed in one or more of the following groups:

(1) Animal

(2) Tractor, skidder, forwarder

 (A) Non-tethered

 (B) Tethered

(3) Cable

(A) Ground-lead

(B) High-lead

(C) Skyline

(4) Balloon, helicopter

(5) Other, as explained in the PTHP

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Note: Authority cited: Sections 4551 and 4552, Public Resources Code. Reference: Sections 4527, 4581, 4582 and 4583, Public Resources Code.

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**§ 1094.6. Contents of WFMP.**

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

\*\*\*\*

(e) A United States Geological Survey quadrangle map or equivalent, of a scale not less than 2” per mile. Additional maps may be required to show specific details, and may be planimetric. Color coding on maps may be used if they are able to be reproduced in black and white and clearly show all details. A legend shall be included indicating the meaning of the symbols used. See the District Rules for the appropriate minimum mapping acreages. The map shall include:

\*\*\*

(19) Boundaries of any areas where Tractor Operations are proposed for use on areas designated for Cable Yarding.

\*\*\*

Note: Authority cited: Sections 4551, 4551.5, 4552 and 4553, Public Resources Code. Reference: Sections 4562.5, 4562.7, 4597.2 and 21000(g), Public Resources Code.

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

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

\*\*\*

(u) On a USGS quadrangle or equivalent map, of a scale not less than 2” to the mile, the following information pertinent to the Working Forest Harvest Notice shall be clearly provided. Additional maps may be required to show specific details, and may be planimetric. Color coding on maps may be used if they are able to be reproduced in black and white maps and clearly show all details. A legend shall be included indicating the meaning of the symbols used. See the District Rules for the appropriate minimum mapping acreages. Maps shall be updated to reflect current field conditions.

\*\*\*

(17) Boundaries of any areas where Tractor Operations are proposed for use on areas designated for Cable Yarding.

\*\*\*

Note: Authority cited: Sections 4551, 4551.5, 4552 and 4553, Public Resources Code. Reference: Section 4597.11, Public Resources Code.