

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 ***

10 ~~For the Northern Forest District:~~

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

14 ~~For the Southern Forest District:~~

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

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

22 ***

23 **§ 906. Forest Districts.**

24 To meet the requirements of Chapter 8, Article 3 (commencing with Section 4531), Public
25 Resources Code, and to designate areas for appropriate special forest practice Rules, the

1 nonfederally-owned commercial forest areas of the state are divided into three Districts which
2 are designated as Coast Forest District, Northern Forest District, and Southern Forest District.
3 Each District is comprised of Timberlands ~~and cut-over lands~~ within the boundaries as set forth
4 in this article.

5

6 Note: Authority cited: Section 4551, Public Resources Code. Reference: Section 4531, Public
7 Resources Code.

8 ***

9 **§ 912.7, 932.7, 952.7 Resource Conservation Standards for Minimum Stocking**

10 The following resource conservation standards constitute minimum acceptable stocking in the
11 Coast [Northern, Southern] Forest District after Timber Operations have been completed.

12 (a) Rock outcroppings, ~~m~~Meadows ~~and~~ W~~wet~~ A~~areas~~, or other areas not normally bearing
13 commercial species shall not be considered as requiring stocking and are exempt from such
14 provisions.

15 ***

16 **§ 912.9, 932.9, 952.9 Cumulative Impacts Assessment Checklist.**

17 ***

18 A. Watershed Resources

19 Cumulative watershed Effects (CWEs) occur within and near bodies of water or Wet Meadows
20 ~~and~~ Other W~~wet~~ A~~areas~~, where individual Impacts are combined to produce an effect that is
21 greater than any of the individual Impacts acting alone. Factors to consider in the evaluation of
22 CWEs include those listed below. The factors described are general and may not be appropriate
23 for all situations. In some cases, measurements may be required for evaluation of the potential
24 for significant adverse Effects. The evaluation of Impacts to watershed resources is based on
25 significant adverse on-site and off-site Cumulative Impacts on Beneficial Uses. Additionally, the

1 Plan must comply with the quantitative or narrative water quality objectives set forth in an
2 applicable Water Quality Control Plan.

3 ***

4 **§ 913.4, 933.4, 953.4 Special Prescriptions.**

5 ***

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

14 (1) The RPF shall state in the Plan each Project type(s) that is being proposed (aspen,
15 ~~m~~Meadows, and ~~W~~wet Aareas restoration).

16 ***

17 (4) The RPF shall describe the condition of aspen stands, ~~m~~Meadows and ~~W~~wet Aareas in the
18 Project area.

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

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

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

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

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

24 (7) The Department shall review post-harvest field conditions of the portions of Plans using the
25 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 (i) the level of achievement of the measures of success as stated in the Plan per 14 CCR §§
4 913.4, 933.4, and 953.4, subsection (e)(5);
5 (ii) any post harvest adverse environmental impacts resulting from use of the prescription;
6 (iii) any regulatory compliance issues, and;
7 (iv) any other significant findings resulting from the review. The review shall include photo point
8 records.

9 (8) Exemptions from other FPRs:

10 (A) Silvicultural standards for opening size, adjacency requirements, or conifer Stocking
11 Standards in 14 CCR §§ 913.1-913.3, 933.1-933.3, and 953.1-953.3]; 14 CCR §§ 913.6, 933.6,
12 and 953.6; and 14 CCR §§ 913.8 do not apply to use of this prescription.

13 (B) Minimum Resource Conservation Standards in 14 CCR §§ 912.7, 932.7, and 952.7 do not
14 apply to use of this prescription.

15 (C) For purposes of this prescription, Timberland productivity and MSP requirements as stated
16 in 14 CCR §§ 913.10, 933.10, and 953.10; and 14 CCR §§ 913.11, 933.11, and 953.11 are
17 compatible with implementing actions that contribute to attaining the measures of success
18 approved by the Department for this prescription.

19 ***

20 **§ 916.3, 936.3, 956.3 General Limitations Near Watercourses, Lakes, Marshes, Wet**
21 **Meadows and Other Wet Areas.**

22 The quality and Beneficial Uses of water shall not be unreasonably degraded by Timber
23 Operations. During Timber Operations, the Timber Operator shall not place, discharge, or
24 dispose of or deposit in such a manner as to permit to pass into the water of this state, any
25 substances or materials, including, but not limited to, soil, silt, bark, Slash, sawdust, or

1 petroleum, in quantities deleterious to fish, wildlife, or the quality and Beneficial Uses of water.

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

3 ***

4 (c) The Timber Operator shall not construct or use Tractor Roads in Class I, II, III or IV

5 Watercourses, in the WLPZ, marshes, Wwet Meadows, and Other-Wwet Areas unless

6 explained and justified in the Plan by the RPF, and approved by the Director, except as follows:

7 ***

8 **§ 921.4, 961.4 Stocking Requirements [Coast, Southern, STA]**

9 The stocking standards for understocked Timberlands and substantially damaged Timberlands
10 as provided for by 14 CCR 1080 through 1081.1 and 1085 through 1085.6 are not applicable in
11 Coastal Commission Special Treatment Areas in the Coast [Southern] Forest District. After
12 completion of Timber Operations one of the following stocking standards must be met:

13 ***

14 Site classification shall be determined by the RPF who prepared the plan. Rock outcroppings,
15 meadows and Wwet Areas, or other areas not normally bearing timber shall not be
16 considered as requiring stocking and are exempt from such provisions.

17 ***

18 **§ 923.1, 943.1, 963.1 Planning for Logging Roads and Landings. [All Districts]**

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

22 ***

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

24 (3) Construction and reconstruction near Watercourses, lakes, marshes, Wwet Meadows and
25 Other Wwet Areas.

1 ***

2 (b) No Logging Roads or Landings shall be planned for construction (i) within 150 feet of the
3 Class I Watercourse transition line, (ii) within 100 feet of the Class II Watercourse Transition
4 Line on slopes greater than 30%, (iii) within Class I, II, III, or IV Watercourses or lakes, (iv)
5 within a WLPZ, or (v) in marshes, ~~W~~wet ~~M~~meadows and ~~O~~ther ~~W~~wet ~~A~~reas, except as
6 follows:

7 ***

8 (c) No Logging Roads or Landings shall be planned for reconstruction (i) within Class I, II, III, or
9 IV Watercourses or lakes, (ii) within a WLPZ, or (iii) in marshes, ~~W~~wet ~~M~~meadows and ~~O~~ther
10 ~~W~~wet ~~A~~reas, except as follows:

11 ***

12 **§ 923.4, 943.4, 963.4. Construction and Reconstruction of Logging Roads and Landings.**

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

17 ~~*****~~

18 (b) No Logging Roads or Landings shall be constructed

19 ***

20 (iii) within Class I, II, III, or IV Watercourses or lakes, (iv) within a WLPZ, or (v) in marshes,
21 ~~W~~wet ~~M~~meadows and ~~O~~ther ~~W~~wet ~~A~~reas-, except as follows:

22 ***

23

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

4 ***

5 **§ 927.10 Stocking Requirements [Marin County]**

6 The stocking standards for understocked Timberlands and substantially damaged Timberlands
7 as provided for by 14 CCR 1080 through 1081.1 and 1085 through 1085.6 are not applicable in
8 the County. After completion of Timber Operations one of the following stocking standards must
9 be met:

10 ***

11 Redwood root crown sprouts will be counted using the average stump diameter 1 ft. above
12 average ground level of the original stump from which the redwood root crown sprouts originate,
13 counting one sprout for each 1 ft. of stump diameter to a maximum of six per stump. Site
14 classification shall be determined by the forester (RPF) who prepared the plan. Rock
15 outcroppings, mMeadows and Wwet Areas, or other areas not normally bearing timber shall
16 not be considered as requiring stocking and are exempt from such provisions.

17 ***

18 **§ 953.7 Riparian Vegetation [Southern]**

19 All noncommercial Riparian vegetation found along Streams and lakes and within mMeadows
20 and Wwet Areas shall be retained and protected insofar as practical.

21 ***

22 **§ 953.12. High Use Subdistrict.**

23 In the “High Use Subdistrict,” the selection Regeneration Method, or sanitation-salvage or
24 commercial thinning treatments may be used. An RPF may propose a modification of the
25 selection Regeneration Method or sanitation-salvage Intermediate Treatments when explained

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

11

12 Note: Authority cited: Sections 4551, 4561 and 4561.1, Public Resources Code. Reference:
13 Sections 4561, 4586 and 4588, Public Resources Code.

14 ***

15 **§ 1027.1. Basis of Denial.**

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

24

1 Note: Authority cited: Sections 4551 and 4572, Public Resources Code. Reference: Sections
2 4573, 4574 and 4577, Public Resources Code

3 ***

4 **§ 1034. Contents of Plan.**

5 The Plan shall serve two functions: to provide information the Director needs to determine
6 whether the proposed Timber Operation conforms to the Rules of the Board; and to provide
7 information and direction to Timber Operators so that they comply with the Rules of the Board.

8 For the Plan to serve these functions, it shall, as a minimum, contain the following information:

9 ***

10 (x)(4)(B) Roads and Landings located in Watercourses, Lakes, WLPZs, marshes, and Wwet
11 Meadows and Other Wwet Areas-other than at road Watercourse crossings.

12 ***

13 (x)(16) Location of any in lieu use of heavy equipment and location of tractor roads in
14 Watercourses, lakes, WLPZs, marshes, Wwet Meadows and Other Wwet Areas

15 ***

16 (cc) Explanation and justification for use of Watercourses, marshes, Wwet Meadows and
17 Other Wwet Areas-as tractor roads.

18 ***

19 **1038.4. Mapping Standards for the Forest Fire Prevention Exemption**

20 An exemption pursuant to this 14 CCR § 1038.4 will be mapped on a USGS 7 ½ minute
21 quadrangle map, or equivalent topographic maps, and shall contain all required information
22 stated within this section. Additional maps, which may be topographic or planimetric, may be
23 used to provide the information required in this section, to show specific details, and to improve
24 map clarity. Appurtenant Roads may be shown on a separate map which may be planimetric

1 with a scale as small as one-half inch equals one mile. Color coding may not be used. A legend
2 shall be included indicating the meaning of symbols used.

3 ***

4 (c)(2) Roads and Landings located in Watercourses, Lakes, WLPZs, marshes, ~~W~~Wet
5 Meadows and Other ~~W~~Wet Areas, other than at road Watercourse crossings.

6 ***

7 **1051 Modified THP**

8 ***

9 (9) No heavy equipment operations shall occur within a Watercourse or lake protection zone, or
10 Wet Meadows, and Other Wet Areas, except as follows:

11 ***

12 **1051.4. Modified THP for Fuel Hazard Reduction Conditions and Mitigations.**

13 ***

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

20 ***

21 **§ 1072.4. Exclusions.**

22 Roads and Landings that will not be regenerated, Meadows, and Wet Areas, rocky areas,
23 and areas not normally bearing timber shall not be used as plot centers for sampling purposes.
24 Stream protection zones may be excluded from the sample where Stocking cannot be achieved
25 due to legal restrictions on regenerating the zone and it is explained in the Stocking report.

1 Notwithstanding the provisions of 14 CCR § 1072.2, a random right/left offset from the plot
2 center may be used. Alternatively, the plot may be treated as an unstocked plot for purposes of
3 determining acceptable Stocking. The reason for the offset shall be stated in the Stocking
4 report.

5
6 Offsets shall be in one-half chain (33 feet) (10.06 m) intervals at a right angle to the plot line with
7 a maximum distance of 1.5 chains (99 feet) (30.19 m) allowed. The direction and distance of the
8 offset, if any, shall be noted on the plot sheet.

9 ***

10 **§ 1090.5 Contents of NTMP**

11 ***

12 (w)(4)(B) Roads and Landings located in Watercourses, lakes, WLPZs, marshes, and Wwet
13 Meadows and Other-Wwet Areas, other than at road watercourse crossings.

14 ***

15 (bb) Explanation and justification for use of Watercourse, marshes, Wwet Meadows and
16 Other-Wwet Areas as Landings, roads, or skid trails.

17 ***

18 **§ 1092.09 PTHP Contents**

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

22 ***

23 (l)(5)(A)2. Roads and Landings located in Watercourses, lakes, WLPZs, marshes, Wwet
24 Meadows and Other-Wwet Areas, other than at road Watercourse crossings.

25 ***

1 **§ 1094.6 Contents of WFMP**

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

8 ***

9 (e)(4) (B) Roads and Landings located in Watercourses, Lakes, WLPZs, Wwet Mmeadows and
10 Oether-Wwet Areas other than at road Watercourse crossings.

11 ***

12 (e)(18) Location of any in lieu use of heavy equipment and location of tractor roads in
13 Watercourses, lakes, WLPZs, marshes, Wwet Mmeadows and Oether-Wwet Areas, except
14 where the WFMP has a standard operating practice(s) pursuant to 14 CCR § 1094.6 (jj).

15 ***

16 (cc) Explanation and justification for use of Landings, Logging Roads and skid trails in the
17 protection zones of Watercourses, Lakes, Wwet Mmeadows and Oether-Wwet Areas.

18 ***

19 (ii) A description of Lakes, Wwet Mmeadows and Oether-Wwet Areas.

20 ***

21 **§ 1094.8 Working Forest Harvest Notice Content**

22 The Working Forest Harvest Notice shall be a public record. The Department shall post the
23 Working Forest Harvest Notice on the Department's Internet Website. All necessary deviations
24 shall be approved by the Director, pursuant to 14 CCR §§ 1094.23 and 1094.24, prior to

1 submission of a Working Forest Harvest Notice. The Working Forest Harvest Notice shall
2 include all of the following information:

3 ***

4 (s) A description of Lakes and Wwet Meadows and Other-Wwet Areas ~~W~~wet ~~M~~eadows
5 and ~~O~~ther-~~W~~wet ~~A~~reas.

6 ***

7 (u)(4)(B) Roads and Landings located in Watercourses, Lakes, WLPZs, Wwet Meadows and
8 Other-Wwet Areas, other than at road Watercourse crossings.

9 ***

10 (u) (9) Location of Lakes and Watercourse(s) with Class I, II, III or IV waters; and Wwet
11 Meadows and Other-Wwet Areas including when operations are proposed pursuant to 14
12 CCR § 916.3(c).