Board of Forestry and Fire Protection "Forest Resiliency Amendments, 2022"

Title 14 of the California Code of Regulations (14 CCR),

Division 1.5, Chapter 4:

Subchapters 4, 5, 6, Article 2

Subchapters 4, 5, 6, Article 3

15-Day Notice Rule Text

Amend:

§ 912.7. Resource Conservation Standards for Minimum Stocking.

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

- (a) Rock outcroppings, Meadows and Wet Areas, or other areas not normally bearing commercial species shall not be considered as requiring stocking and are exempt from such provisions.
- (b) An area on which Timber Operations have taken place shall be classified as acceptably stocked if either of the standards set forth in (1) or (2) below are met within five (5) years after completion of Timber Operations unless otherwise specified in the Rules.*****
- ****** (3) To the extent basal area standards are specified in the rules in excess of 14 CCR § 912.7(b)(2), up to fifteen (15) square feet of basal area of those standards higher than the minimum may be met by counting snags, and decadent or deformed trees of value to wildlife. in the following sizes:
- (A) Thirty (30) inches or greater d.b.h. and fifty (50) feet or greater in height on Site I and II lands;

- (B) Twenty-four (24) inches or greater d.b.h. and thirty (30) feet or greater in height on Site III lands; and
- (C) The minimum size shall be twenty (20) inches or greater d.b.h. and twenty (20) feet or greater in height on Site IV and V lands.

[no changes to the remainder of the section]

NOTE: Authority cited: Sections 4551, 4553, 4561.1 and 4561.2, Public Resources Code. Reference: Sections 4561, 4561.1 and 4561.2, Public Resources Code.

§ 913.2. Regeneration Methods Used in Unevenaged Management.

Unevenaged Management is utilized to establish and maintain an unevenaged stand structure. Unevenaged Management attributes include the establishment and/or maintenance of a multi-aged, balanced stand structure, promotion of growth on leave trees throughout a broad range of Diameter classes, and encouragement of natural Reproduction. i

- (a) Selection. Under the selection Regeneration Method, the trees are removed individually or in Small Groups sized from one-quarter (0.25) acres to two and one-half (2.5) acres.
- (1) Trees to be harvested or trees to be retained shall be Marked by or under the supervision of the RPF prior to felling operations. When openings greater than one-quarter (0.25) acres will be created, the boundaries of the Small Group(s) may be designated in lieu of Marking individual trees within the Small Group areas. A sample area must be Marked prior to a preharvest inspection for evaluation. The sample area shall include at least ten (10) percent of the harvest area up to a maximum of twenty

standards shall be ten (10) years old, and shall be based on the percentage of the Plan area harvested by this method in Small Group clearings as described in the table below:

Percentage of stand harvested as small group clearings	Minimum age of trees utilizing the standards of 14 CCR § 912.7(b)(1)
20.0% or less	10
<u>20.1-22%</u>	11
<u>22.1-24%</u>	12
<u>24.1-26%</u>	4 13 A 4 T 6 A 7 A 8 T 6 T
<u>26.1-28%</u>	14
<u>28.1-30%</u>	15
<u>30.1-32%</u>	16
<u>32.1-33.33%</u>	17

3	. An RPF or Supervised Designee may offset up to a certain
number of eight (8) plo	ots per forty (40) plots where those plot centers are initially placed
within Small Group cle	earings created during the current harvest. The maximum number
of offset plots shall be	based on the percentage of the Plan area harvested by this
method in Small Grou	p clearings as described in the table below. Unless substantially
damaged by fire, the F	RPF or Supervised Designee shall not exclude Small Group
clearings created by p	revious timber harvesting from the Stocking survey.

Percentage of stand harvested as small group clearings	Maximum number of allowable offset plots
20.0% or less	8
<u>20.1-22.9%</u>	9
<u>23.0-24.9%</u>	10
<u>25.0-27.9%</u>	and represent the construction of the state
<u>28.0-29.9%</u>	12
30.0-33.33%	1 13 x 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1

4. Unless the Plan submitter demonstrates how the proposed harvest will achieve MSP pursuant to 14 CCR § 913.11(a) or (b), the residual stand shall contain sufficient trees that to meet at least the basal area, size, and are

(20) acres per stand type which is representative of the range of conditions present in the area.

- (2) Post harvest stand Stocking levels shall be stated in the <u>Plan</u>THP. The level of residual Stocking shall be consistent with maximum sustained production of high quality timber products. In no case shall Stocking be reduced below the following standards:
 - (A) Selection System.
- 1. On Site I lands at least one hundred twenty-five (125) square feet per acre of basal area shall be retained.
- 2. On Site II and III lands at least seventy-five (75) square feet per acre of basal area shall be retained.
- 3. On Site IV and V lands at least fifty (50) square feet per acre of basal area shall be retained.
- 4. Unless the Plan submitter demonstrates how the proposed harvest will achieve MSP pursuant to 14 CCR § 913.11 (a) or (b), the residual stand shall contain sufficient trees that to meet at least the basal area, size, and are representative of the best phenotypic quality of the preharvest stand tree requirement specified under the Seed Tree method.
 - (B) Group Selection.
- 1. At least eighty (80) percent two thirds of the stocked plots must meet the Basal Area Stocking Standards of 14 CCR § 913.2(a)(2)(A).
- 2. Not more than 20% one third of the stocked plots may meet Stocking Standards utilizing the standards of 14 CCR § 912.7(b)(1), with trees that are at least ten (10) years old. The minimum required age of the trees utilized under these

(c) In a THP, NTMP, or WFMP, MSP is achieved by:

- (1) for evenaged management, meeting the minimum stand age standards of 14 CCR § 913.1(a)(1), meeting minimum Stocking and basal area standards for the selected Silvicultural Methods as contained in these Rules only with group A Species, and protecting the soil, air, fish and wildlife, water resources and other public trust resources through the application of these Rules; or
- (2) for Unevenaged Management, complying with the Seed Tree retention standards pursuant to 14 CCR § 913.1(c)(1)(A) or 913.2(b)(6), meeting minimum Stocking and basal area standards for the selected Silvicultural Methods as contained in these Rules only with group A species, and protecting the soil, air, fish and wildlife, water resources and other public trust resources through the application of these Rules.
- (3) for Intermediate Treatments and special prescriptions, complying with the Stocking requirements of the individual treatment or prescription.
- (4) Timberland ownerships totaling 50,000 acres or less may use subsection (c) to show MSP.
- (5) Timberland ownerships of 50,000 acres or more may use subsection (c) through December 31, 1999. Thereafter they may use subsection (c) if an SYP or demonstration of achievement of MSP pursuant to 14 CCR § 913.11(a) has been filed with the Department and has not been returned unfiled or approved.
- (6) For Scattered Parcels on Timberlands ownerships of 50,000 acres or more, subsection (c) may be used to show MSP.

NOTE: Authority cited: Sections 4551 and 4554.5, Public Resources Code. Reference: Sections 4513, 4551.5, 4561, 4597 and 21080.5, Public Resources Code.

NOTE: Authority cited: Sections 4551, 4553, 4561.1 and 4561.2, Public Resources Code. Reference: Sections 4561, 4561.1 and 4561.2, Public Resources Code

§ 933.2. Regeneration Methods Used in Unevenaged Management.

Unevenaged Management is utilized to establish and maintain an unevenaged stand structure. Unevenaged Management attributes include the establishment and/or maintenance of a multi-aged, balanced stand structure, promotion of growth on leave trees throughout a broad range of Diameter classes, and encouragement of natural reproduction.

- (a) Selection. Under the selection Regeneration Method, the trees are removed individually or in Small Groups sized from one-quarter (0.25) acres to two and one-half (2.5) acres.
- (1) Trees to be harvested or trees to be retained shall be marked by or under the supervision of the RPF prior to felling operations. When openings greater than one-quarter (0.25) acres will be created, the boundaries of the Small Group(s) may be designated in lieu of Marking individual trees within the Small Group areas. A sample area must be marked prior to a preharvest inspection for evaluation. The sample area shall include at least ten (10) percent of the Harvest Area up to a maximum of twenty (20) acres per stand type which is representative of the range of conditions present in the area.
- (2) Post harvest stand Stocking levels shall be stated in the <u>PlanTHP</u>. The level of residual Stocking shall be consistent with maximum sustained production of high quality timber products. In no case shall Stocking be reduced below the following standards:
 - (A) Selection System.

1. On Site I lands at least one hundred (100) square feet per acre of basal area shall be retained.

- 2. On Site II and III lands at least seventy-five (75) square feet per acre of basal area shall be retained.
- 3. On Site IV and V lands at least fifty (50) square feet per acre of basal area shall be retained.
- 4. Unless the plan submitter demonstrates how the proposed harvest will achieve MSP pursuant to 14 CCR § 933.11 (a) or (b), the residual stand shall contain sufficient trees that to meet at least the basal area, size, and are representative of the best phenotypic quality of the preharvest stand tree requirement specified under the seed tree method.
 - (B) Group Selection.
- 1. At least eighty (80) percent two thirds of the stocked plots must meet the Basal Area Stocking Standards of 14 CCR § 933.2(a)(2)(A).
- 2. Not more than 20% one third of the stocked plots may meet Stocking Standards utilizing the standards of 14 CCR § 932.7(b)(1) with trees that are at least ten (10) years old. The minimum required age of the trees utilized under these standards shall be ten (10) years old, and shall be based on the percentage of the Plan area harvested by this method in Small Group clearings as described in the table below:

Percentage of stand harvested as small group clearings	Minimum age of trees utilizing the standards of 14 CCR § 932.7(b)(1)
20.0% or less	4 1 1 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4
<u>20.1-22%</u>	11
<u>22.1-24%</u>	12 12 12 12 12 12 12 12 12 12 12 12 12 1
<u>24.1-26%</u>	13
<u>26.1-28%</u>	14
<u>28.1-30%</u>	<u>15</u>

30.1-32%	<u>16</u>
<u>32.1-33.33%</u>	<u>17</u>

 An RPF or Supervised Designee may offset up to a certain
number of eight (8) plots per forty (40) plots where those plot centers are initially placed
within Small Group clearings created during the current harvest. The maximum number
of offset plots shall be based on the percentage of the Plan area harvested by this
method in Small Group clearings as described in the table below. Unless substantially
damaged by fire, the RPF or Supervised Designee shall not exclude Small Group
clearings created by previous timber harvesting from the Stocking survey.

Percentage of stand	
harvested as small	Maximum number of allowable offset
group clearings	<u>plots</u>
20.0% or less	<u>8</u>
20.1-22.9%	9
23.0-24.9%	<u>10</u>
<u>25.0-27.9%</u>	11
28.0-29.9%	12
30.0-33.33%	<u>13</u>

4. Unless the Plan submitter demonstrates how the proposed harvest will achieve MSP pursuant to 14 CCR § 933.11 (a) or (b), the residual stand shall contain sufficient trees that to meet at least the basal area, size, and are representative of the best phenotypic quality of the preharvest stand tree requirement specified under the Seed Tree method.

- (3) Within any <u>Plan</u>THP, Small Group clearings under the selection method shall be separated by a logical Logging Area.
- (4) Following completion of Timber Operations (including Site Preparation) not more than 20% one third of the PlanTHP area harvested by this method shall be covered by Small Group clearings.

(5) Exceptions to Stocking Standards in 14 CCR § 933.2(a)(2) above may be granted only when proposed by the RPF and explained and justified in the Plan, but in no case will the exceptions be less than specified in 14 CCR § 932.7(b)(2). Exceptions may only be granted when the RPF clearly demonstrates that the existing stand will grow substantially less than both the potential site productive capacity and the proposed post-harvest stand.

[no changes to the remainder of the section]

NOTE: Authority cited: Sections 4551 and 4561, Public Resources Code. Reference: Sections 4561, 4582(h) and 4587, Public Resources Code.

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§ 933.11 Maximum Sustained Production of High Quality Timber Products

The goal of this section is to achieve Maximum Sustained Production of High Quality Timber Products (MSP). MSP is achieved by meeting the requirements of either (a) or (b) or (c) in a THP, SYP, NTMP or WFMP, or as otherwise provided in Article 6.8, Subchapter 7, Chapter 4, Division 1.5, Title 14 of the California Code of Regulations.

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(c) In a THP, NTMP, or WFMP, MSP is achieved by:

(1) for evenaged management, meeting the minimum stand age standards of 14 CCR § 933.1(a)(1), meeting minimum Stocking and basal area standards for the selected Silvicultural Methods as contained in these Rules only with group A Species, and protecting the soil, air, fish and wildlife, water resources and other public trust resources through the application of these Rules; or

- (2) for Unevenaged Management, complying with the Seed Tree retention standards pursuant to 14 CCR § 933.1(c)(1)(A) or 933.2(b)(6), meeting minimum Stocking and basal area standards for the selected Silvicultural Methods as contained in these Rules only with group A Species, and protecting the soil, air, fish and wildlife, water resources and other public trust resources through the application of these Rules.
- (3) for Intermediate Treatments and special prescriptions, complying with the Stocking requirements of the individual treatment or prescription.
- (4) Timberland ownerships totaling 50,000 acres or less may use subsection (c) to show MSP.
- (5) Timberland ownerships of 50,000 acres or more may use subsection (c) through December 31, 1999. Thereafter they may use subsection (c) if an SYP or demonstration of achievement of MSP pursuant to 14 CCR § 933.11(a) has been filed with the Department and has not been returned unfiled or approved.
- (6) For Scattered Parcels on Timberland ownerships of 50,000 acres or more, subsection (c) may be used to show MSP.

NOTE: Authority cited: Sections 4551 and 4554.5, Public Resources Code. Reference: Sections 4513, 4551.5, 4561, 4597 and 21080.5, Public Resources Code.

§ 952.7. Resource Conservation Standards for Minimum Stocking.

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

Unevenaged Management is utilized to establish and maintain an unevenaged stand structure. Unevenaged Management attributes include the establishment and/or maintenance of a multi-aged, balanced stand structure, promotion of growth on leave trees throughout a broad range of Diameter classes, and encouragement of natural Reproduction.

- (a) Selection. Under the selection Regeneration Method, the trees are removed individually or in Small Groups sized from one-quarter (0.25) acres to two and one-half (2.5) acres.
- (1) Trees to be harvested or trees to be retained shall be Marked by or under the supervision of the RPF prior to felling operations. When openings greater than one-quarter (0.25) acres will be created, the boundaries of the Small Group(s) may be designated in lieu of Marking individual trees within the Small Group areas. A sample area must be Marked prior to a preharvest inspection for evaluation. The sample area shall include at least ten (10) of the Harvest Area up to a maximum of twenty (20) acres per stand type which is representative of the range of conditions present in the area.
- (2) Post harvest stand Stocking levels shall be stated in the <u>PlanTHP</u>. The level of residual Stocking shall be consistent with maximum sustained production of high quality timber products. In no case shall Stocking be reduced below the following standards:
 - (A) Selection System.
- On Site I lands at least one hundred (100) square feet per acre of basal area shall be retained.
- 2. On Site II and III lands at least seventy-five (75) square feet per acre of basal area shall be retained.

 3. On Site IV and V lands at least fifty (50) square feet per acre of basal area shall be retained.

- 4. Unless the Plan submitter demonstrates how the proposed harvest will achieve MSP pursuant to 14 CCR § 953.11 (a) or (b), the residual stand shall contain sufficient trees that to meet at least the basal area, size, and are representative of the best phenotypic quality of the preharvest stand tree requirement specified under the Seed Tree method.
 - (B) Group Selection.
- 1. At least eighty (80) percent two thirds of the stocked plots must meet the Basal Area Standards of 14 CCR § 953.2(a)(2)(A).
 - 2. Not more than twenty (20) percent one third of the stocked plots may meet stocking standards utilizing the standards of 14 CCR § 952.7(b)(1); with trees that are at least ten (10) years old. The minimum required age of the trees utilized under these standards shall be ten (10) years old, and shall be based on the percentage of the Plan area harvested by this method in Small Group clearings as described in the table below:

Percentage of stand	
harvested as small	Minimum age of trees utilizing the
group clearings	standards of 14 CCR § 952.7(b)(1)
20.0% or less	10
<u>20.1-22%</u>	11
<u>22.1-24%</u>	2
<u>24.1-26%</u>	13
<u>26.1-28%</u>	14
<u>28.1-30%</u>	# 15 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
<u>30.1-32%</u>	16
<u>32.1-33.33%</u>	17

per agency request

number of eight (8) plots per forty (40) plots where those plot centers are initially placed within Small Group clearings created during the current harvest. The maximum number of offset plots shall be based on the percentage of the Plan area harvested by this method in Small Group clearings as described in the table below. Unless substantially damaged by fire, the RPF or Supervised Designee shall not exclude Small Group clearings created by previous timber harvesting from the Stocking survey.

Percentage of stand	and a stallowable offset
harvested as small	Maximum number of allowable offset
group clearings	<u>plots</u>
20.0% or less	<u>8</u>
20.1-22.9%	9
23.0-24.9%	<u>10</u>
25.0-27.9%	11
28.0-29.9%	12
	13
<u>30.0-33.33%</u>	<u> 13</u>

 4. Unless the Plan submitter demonstrates how the proposed harvest will achieve MSP pursuant to 14 CCR § 953.11 (a) or (b), the residual stand shall contain sufficient trees that to meet at least the basal area, size, and are representative of the best phenotypic quality of the preharvest stand tree requirement specified under the Seed Tree method.

(3) Within any <u>Plan</u>THP, Small Group clearings under the selection method shall be separated by a logical Logging Area.

(4) Following completion of Timber Operations (including Site Preparation) not more than twenty(20) percent one third of the PlanTHP area harvested by this method shall be covered by Small Group clearings.

(5) Exceptions to Stocking Standards in 14 CCR § 953.2(a)(2) above may be granted only when proposed by the RPF and explained and justified in the Plan, but in

contained in these Rules enly with group A Species, and protecting the soil, air, fish and wildlife, water resources and other public trust resources through the application of these Rules.

- (3) for Intermediate Treatments and special prescriptions, complying with the Stocking requirements of the individual treatment or prescription.
- (4) Timberland ownerships totaling 50,000 acres or less may use subsection (c) to show MSP.
- (5) Timberland ownerships of 50,000 acres or more may use subsection (c) through December 31, 1999. Thereafter they may use subsection (c) if an SYP or demonstration of achievement of MSP pursuant to 14 CCR § 953.11(a) has been filed with the Department and has not been returned unfiled or approved.
- (6) For Scattered Parcels on Timberlands ownerships of 50,000 acres or more, subsection (c) may be used to show MSP.

NOTE: Authority cited: Sections 4551 and 4554.5, Public Resources Code. Reference: Sections 4513, 4551.5, 4561, 4597 and 21080.5, Public Resources Code.