Amend 14 CCR § 895.1:

Archaeological Coverage Map * * * * *

**Average Severe Fire Weather Conditions** means atmospheric and fuel conditions where fuel moisture content (dry weight basis) of 1-hour timelag fuels is three percent, 10-hour fuels is four percent and 100-hour fuels is five percent, and live surface fuels is 70 percent. Mid-flame wind speed is seven miles per hour or greater, when measured in a closed forest canopy (40 percent canopy cover or greater). This definition expires on December 31, 2007.

**Average Slope** * * * * *

**Fire Protection Zone** * * * * *

**(Option 1A) Fuel** means vegetative material, live or dead, which is combustible during normal summer weather. **OPTION 1:** This definition expires on January 1, 2013.* * * *

**Functional Foraging Habitat** * * * * *

**Intermediates** * * * * *
(Option 1A) **Ladder Fuels** means vegetative fuels that can spread a fire vertically between or within a fuel type. (OPTION 1) This definition expires on January 1, 2013.

Lake * * * * *

Lopping for Fire Hazard Reduction * * * * *

**Mainline road** means roads on non federal lands that are used as the primary route for the transportation of forest products that are fed by arterial (secondary) haul roads. **OPTION 1:** This definition expires on December 31, 2007 January 1, 2013. (OPTION 1A) This definition expires on December 31, 2007.

**Manmade Watercourse** * * * * *

**Surface Cover** * * * * *

(Option 1A) **Surface Fuel** means loose surface litter on the soil surface normally consisting of fallen leaves or needles, twigs, bark, cones and small branches that have not yet decayed enough to lose their identity. (OPTION 1) This definition expires on January 1, 2013.

**Sustained Yield** * * * * *

Note: Authority cited: Sections 4551, 4551.5, 4553, 4561, 4561.5, 4561.6, 4562, 4562.5, 4562.7 and 4591.1, Public Resources Code.
Amend 14 CCR § 1052 Emergency Notice

(a) * * * * *


Amend 14 CCR § 1052.1 Emergency Conditions

The following are conditions that constitute an emergency pursuant to 14 CCR 895.1:

(a) Trees that are dead or dying as a result of insects, disease, parasites, or animal damage.

(b) Trees that are fallen, damaged, dead or dying as a result of wind, snow, freezing weather, fire, flood, landslide or earthquake.

(c) Trees that are dead or dying as a result of air or water pollution.

(d) Cutting or removing trees required for emergency construction or repair of roads.

(e) Where high, very high or extreme fuel hazard conditions, the combination of combustible fuel quantity, type, condition, configuration and terrain positioning, pose a significant fire threat on private timberlands. Cutting and removal of hazardous fuels, including trees, shrubs and other woody material, is needed to eliminate the vertical and horizontal continuity of understory fuels, surface fuels, and/or crown fuels, for the purpose of reducing the rate of fire spread, fire duration and intensity, fuel ignitability and to achieve a flame length under average severe fire...
weather conditions that is less than 4 feet in the treated areas.

(OPTION 1) 14 CCR § 1052.1 (e) shall expire on December 31, 2007 January 1, 2013. (OPTION 1A) 14 CCR § 1052.1 (e) shall expire on December 31, 2007.

The following are conditions that constitute a financial emergency as defined in 14 CCR 895.1: Potential financial loss of timber previously inoperable or unmerchantable due to one or more of the following factors: access, location, condition, or timber volume that has unexpectedly become feasible to harvest provided that the harvest opportunity will not be economically feasible for more than 120 days and provided that such operations meet the conditions specified in 1038(b)(1)-(10) and meet minimum stocking requirements at the completion of timber operations.


Amend 14 CCR § 1052.4 Emergency Notice for Fuel Hazard Reduction

The RPF preparing the Notice of Emergency Timber Operations for Fuel Hazard Reduction shall describe the nature of the emergency and the need for immediate cutting in sufficient detail so that the reason for the emergency is clear. Emergency timber operations, under the presumed emergency standard of 14 CCR § 1052.1, may be commenced and conducted when in conformance with the following:

(a) RPF develops and documents the vegetative treatments necessary to meet the goals of 14 CCR § 1052.1(e), and ensures post harvest conditions are in accordance with all subsections in § 1052.4. Such documentation shall include the following:

(1) A description of the preharvest stand structure and statement of the postharvest stand stocking levels.

(2) A description of the criteria to designate trees to be harvested or the trees to be retained.

(3) All trees that are harvested or all trees that are retained shall be marked or sample marked by or under the supervision of a Registered Professional Forester before felling operations begin. When trees are sample marked, the designation prescription for unmarked areas shall be in writing and the sample mark area shall include at least 10% of the harvest area to a maximum of 20 acres per stand type which is representative of the range of conditions present in the area.
(4) Post harvest compliance shall be determined by the combination of physical measurements, observations, and comparison to photo series examples in U.S. Forest Service General Technical Report PNW-51 and 52—description codes 1-PP-4-PC, 1-DF-4-PC, 2-DF-PC and 2-LP-3-PC, or other examples on file in the official rulemaking file and incorporated by reference. Post harvest compliance shall be met on at least 80 percent of the project area as calculated excluding WLPZs and other wildlife protection requirements developed in accordance with 14 CCR § 1052.4 (e).

(b) The conditions of subsection 14 CCR § 1038 (b)(1) through (10) are applied or, for operations in the Lake Tahoe Basin, (f)(1) through (14) are applied.

(c) Geographic area: operations are permitted:

(1) Within ¼ mile from approved and legally permitted structures that comply with the California Building Code (legal structure). Such legal structures shall be within or adjacent to a community listed in the “California Fire Alliance list of Communities at Risk” (copyright date 2003 on file in the official rulemaking file and incorporated by reference) and have densities greater than 1 structure per 20 acres.

(2) Within 500 feet of a legal structures outside the area defined in § 1052.4(c)(1);

(3) Within 500 feet of either side of a public or federal road;

(4) Within 500 feet on either side of a private road providing access to legal structures;

(5) **(Option 4 deletes existing text in subsection (5) and adds new text)** Within 500 feet on either side of a mainline haul road identified by a public fire agency as necessary for fire suppression or evacuation and is approved by a public fire agency in a fire prevention plan, or otherwise approved by a public fire agency.
(Option 4A- no deletion or addition of text in subsection(5))

(6) ((Option 4 deletes existing text in subsection (6) and
adds new text)) Within 500 feet on either side of ridges identified by
a public fire agency as suitable for fire suppression and is approved
by a public fire agency in a fire prevention plan, or otherwise
approved by a public fire agency; Within 500 feet on either side of
ridges suitable for fire suppression as identified by or with the
written concurrence of a public fire agency or as accepted by the
Director. (Option 4A- no deletion or addition of text in subsection
(6))

(7) Within 500 feet of infrastructure facilities such as
transmission lines or towers or water conduits.

(d) Vegetation Treatments: Tree removal shall target understory
trees. The residual stand shall consist primarily of healthy and
vigorously dominant and codominant trees from the preharvest stand.
Standards listed shall be met by retaining the largest diameter trees
in the preharvest project area.

(1) The quadratic mean diameter of trees greater than 8
inches dbh in the preharvest project area shall be increased in the
post harvest stand.

(2) Only trees less than 24 inches outside bark stump
diameter may be removed except under the following condition. If the
goal of fuel reduction cannot be achieved by removing trees less than
24 inches outside bark stump diameter, trees less than 30 inches
outside bark stump diameter may be removed if that removal is
necessary to meet the fuel objectives stated in 14 CCR § 1052.1 (e).

(3) (A) Minimum post treatment canopy closure of dominant
and codominant trees shall be 40 percent for east side pine forest
types; 50 percent for coastal redwood and Douglas-fir forest types in
or adjacent to communities and legal structures referenced in
subsection § 1052.4(c)(1) and (2); 60 percent for coastal redwood and
Douglas-fir forest types outside of communities and legal structures
referred in subsection § 1052.4(c)(1) and (2); and 50 percent for mixed conifer and all other forest types.

(B) Post treatment stand shall contain no more than 200 trees per acre over 3 inches in diameter.

(4) Stocking shall meet commercial thinning requirement of 14 CCR § 913.3 [933.3, 953.3] immediately upon completion of operations. (OPTION 2) In the Southern district where preharvest tree stocking does not meet commercial thinning requirement of 14 CCR § 913.3 [933.3, 953.3], the basal area minimum stocking standards for Selection Unevenaged Management in 14 CCR § 913.2[933.2, 953.2] (a)(2)(A)(1.), (2.), and (3.), shall be met following harvesting. (OPTION 2A) In the areas where preharvest tree stocking does not meet commercial thinning requirement of 14 CCR § 913.3 [933.3, 953.3], the basal area minimum stocking standards for Selection Unevenaged Management in 14 CCR § 913.2[933.2, 953.2] (a)(2)(A)(1.), (2.), and (3.), shall be met following harvesting. (OPTION 2B) In the areas where preharvest tree stocking does not meet commercial thinning requirement of 14 CCR § 913.3 [933.3, 953.3], minimum stocking standards for Selection Unevenaged Management in 14 CCR § 913.2[933.2, 953.2] (a)(2)(A)(1.), (2.), (3.) and (4.), shall be met following harvesting.

(5) (OPTION 3) Notwithstanding wildlife habitat requirements of 14 CCR § 1052.4(e) and requirements of Public Resources Code 4291: (A) Understory and Dead surface fuels shall be removed treated to achieve a minimum clearance distance of 8 feet measured
from the base of the live crown of the post harvest dominant and
codominant trees to the top of the dead surface fuels.

(B) All logging slash created by the timber operations
shall be treated to achieve a maximum post harvest depth of 9 inches
above the ground.

(5) (OPTION 3A) Understory and surface fuels shall be removed
to achieve a minimum clearance distance of 8 feet measured from the
base of the live crown of the post harvest dominant and codominant
trees to the top of the surface fuels. Notwithstanding wildlife
habitat requirements of 14 CCR § 1052.4(e), and requirements of Public
Resources Code 4291, and other requirements for dominant and
codominant trees under subsection 14 § CCR 1052.4(d) and (d)(1-4),
surface and ladder fuels in the harvest area, including logging slash
and debris, brush, small trees, and deadwood, that could promote the
spread of wildfire shall be treated to achieve standards for vertical
spacing between fuels, horizontal spacing between fuels, maximum depth
of dead ground surface fuels, and reduction of standing dead fuels, as
follows:

(A) Ladder and surface fuels, excluding residual stand
dominant and codominant trees, shall be spaced to achieve vertical
clearance distance of eight feet or three times the height of the post
harvest fuels, whichever is the greater distance, measured from the
base of the live crown of the post harvest dominant and codominant
trees to the top of the surface fuels.
(B) Ladder and surface fuels, excluding residual stand
dominant and codominant trees, shall be spaced to achieve horizontal
clearance distance of two to six times the height of the post harvest
fuels measured from the outside branch edges of the fuels. On ground
slopes of zero percent to 20 percent horizontal clearance distance
shall be two times the height of post harvest fuels; on ground slopes
of greater than 20 percent to 40 percent horizontal clearance distance
shall be four times the height of post harvest fuels; on ground slopes
of greater than 40 percent horizontal clearance distance shall be six
times the height of post harvest fuels.

(C) Dead surface fuel depth shall be less than 9 inches.

(D) Standing dead or dying trees and brush shall
generally be removed. Such material, along with live vegetation
associated with the dead vegetation, may be retained for wildlife
habitat when isolated from other vegetation.

(5) (OPTION 3B) Understory and surface fuels shall be removed
to achieve a minimum clearance distance of 8 feet measured from the
base of the live crown of the post harvest dominant and codominant
trees to the top of the surface fuels.

(A) This subsection applies to geographic areas listed
in 14 CCR § 1052.4 (c)(1), (2), and (6). Notwithstanding wildlife
habitat requirements of 14 CCR § 1052.4(e), and requirements of Public
Resources Code 4291, and other requirements for dominant and
codominant trees under subsection 14 CCR § 1052.4(d) and (d)(1-4),
surface and ladder fuels in the harvest area, including logging slash
and debris, brush, small trees, and deadwood, that could promote the spread of wildfire shall be treated to achieve standards for vertical spacing between fuels, horizontal spacing between fuels, maximum depth of dead ground surface fuels, and reduction of standing dead fuels, as follows:

(i) Ladder and surface fuels, excluding residual stand dominant and codominant trees, shall be spaced to achieve vertical clearance distance of eight feet or three times the height of the post harvest fuels, whichever is the greater distance, measured from the base of the live crown of the post harvest dominant and codominant trees to the top of the surface fuels.

(ii) Ladder and surface fuels, excluding residual stand dominant and codominant trees, shall be spaced to achieve horizontal clearance distance of two to six times the height of the post harvest fuels measured from the outside branch edges of the fuels. On ground slopes of zero percent to 20 percent horizontal clearance distance shall be two times the height of post harvest fuels; on ground slopes of greater than 20 percent to 40 percent horizontal clearance distance shall be four times the height of post harvest fuels; on ground slopes of greater than 40 percent horizontal clearance distance shall be six times the height of post harvest fuels.

(iii) Dead surface fuel depth shall be less than 9 inches.
(iv) Standing dead or dying trees and brush shall generally be removed. Such material, along with live vegetation associated with the dead vegetation, may be retained for wildlife habitat when isolated from other vegetation.

(B) This subsection applies to geographic areas listed in 14 CCR § 1052.4 (c)(3), (4), (5) and (7). Notwithstanding wildlife habitat requirements of 14 CCR § 1052.4(e):

(i) Dead fuels shall be treated to achieve a minimum clearance distance of 8 feet measured from the base of the live crown of the post harvest dominant and codominant trees to the top of the dead fuels.

(ii) All logging slash created by the timber operations shall be treated to achieve a maximum post harvest depth of 9 inches above the ground.

(5) (OPTION 3C) Understory and surface fuels shall be removed to achieve a minimum clearance distance of 8 feet measured from the base of the live crown of the post harvest dominant and codominant trees to the top of the surface fuels.

(A) This subsection applies to geographic areas listed in 14 CCR § 1052.4 (c) (2), (6), and areas within 500 feet of structures in 14 CCR 1052.4(c). Notwithstanding wildlife habitat requirements of 14 CCR § 1052.4(e), and requirements of Public Resources Code 4291, and other requirements for dominant and codominant trees under subsection 14 CCR § 1052.4(d) and (d)(1-4), surface and ladder fuels in the harvest area, including logging slash
and debris, brush, small trees, and deadwood, that could promote the spread of wildfire shall be treated to achieve standards for vertical spacing between fuels, horizontal spacing between fuels, maximum depth of dead ground surface fuels, and reduction of standing dead fuels, as follows:

(i) Ladder and surface fuels, excluding residual stand dominant and codominant trees, shall be spaced to achieve vertical clearance distance of eight feet or three times the height of the post harvest fuels, whichever is the greater distance, measured from the base of the live crown of the post harvest dominant and codominant trees to the top of the surface fuels.

(ii) Ladder and surface fuels, excluding residual stand dominant and codominant trees, shall be spaced to achieve horizontal clearance distance of two to six times the height of the post harvest fuels measured from the outside branch edges of the fuels. On ground slopes of zero percent to 20 percent horizontal clearance distance shall be two times the height of post harvest fuels; on ground slopes of greater than 20 percent to 40 percent horizontal clearance distance shall be four times the height of post harvest fuels; on ground slopes of greater than 40 percent horizontal clearance distance shall be six times the height of post harvest fuels.

(iii) Dead surface fuel depth shall be less than 9 inches.

(iv) Standing dead or dying trees and brush shall generally be removed. Such material, along with live vegetation
associated with the dead vegetation, may be retained for wildlife
habitat when isolated from other vegetation.

(B) This subsection applies to geographic areas
listed in 14 CCR § 1052.4 (c)(3), (4), (5), (7) and areas between 500
feet to 1320 feet of structures in 14 CCR 1052.4(c). Notwithstanding
wildlife habitat requirements of 14 CCR § 1052.4(e):

(i) Dead fuels shall be treated to achieve a
minimum clearance distance of 8 feet measured from the base of the
live crown of the post harvest dominant and codominant trees to the
top of the dead fuels.

(ii) All logging slash created by the timber
operations shall be treated to achieve a maximum post harvest depth of
9 inches above the ground.

(6) Notwithstanding wildlife habitat requirements of
§ 1052.4(e), surface fuels in the project area, including logging
slash and debris, low brush, and deadwood, that could promote the
spread of wildfire shall be treated to achieve the goal of an average
of 4 foot maximum flame length height under average severe fire
weather conditions. These_Fuel treatments shall include chipping,
removal or other methods necessary to achieve the goal_fuel hazard
reduction standards in this section, and shall be accomplished within
120 days from the start of operations except for burning operations,
which shall be accomplished by April 1 of the year following surface
fuel creation.
(e) As part of the preharvest project design, the RPF shall evaluate and incorporate habitat requirements for fish, wildlife and plant species in accordance with 14 CCR §§ 898.2, 916.9 [936.9,956.9] and 919. Such evaluations shall include use of the California Natural Diversity Database (as referenced by the California Department of Fish and Game, http://www.dfg.ca.gov/whdab/html/cnddb.html) and local knowledge of the planning watershed. Consultation with California Department of Fish and Game personnel is recommended. Examples of habitat requirements to be incorporated into the project include retention of large woody debris and snags congruent with emergency condition goals, and vegetative screening for wildlife cover and visual aesthetics.

(f) Operations conducted concurrently in the same geographic area (ref. 14 CCR § 1052.4(c)) pursuant to 14 CCR § 1038(b) shall not remove diseased trees in excess of the diameter limit required under 14 CCR § 1052.4(d)(2).


(OPTION 1A) 14 CCR § 1052.1 (e) shall expire on December 31, 2007.


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