In re: NOTICE OF APPROVAL OF REGULATORY  
Board of Forestry and Fire Protection  
ACTION

Regulatory Action:

Title 14, California Code of Regulations

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

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

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

Date: July 29, 2022

Ashita Mohandas
Attorney

For: Kenneth J. Pogue
Director

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

State of California
Office of Administrative Law
§895.1. Definitions.

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For the Northern Forest District:

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

For the Southern Forest District:

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

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"Wet Meadows and Other Wet Areas" mean those natural areas except cutover timberland which are moist on the surface throughout most of the year and support aquatic vegetation, grasses and forbs as their principal vegetative cover.

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
§ 906. Forest Districts.

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


§ 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.

§ 913.4 Special Prescriptions.

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

(1) The RPF shall state in the Plan each Project type(s) that is being proposed (aspen; or Meadows and/or Wet Areas restoration).

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

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

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

(A) For aspen stands, the condition description shall include, but is not limited to, the determination of whether the aspen stands are upland aspen stands mixed with conifer or Riparian/Wet-meadow aspen stands; spatial extent, Species composition, and stand structure (including Overstory/Understory coverage and whether a stand is pure aspen or mixed with conifer) of the Project area; and the relationship of the Project area to other known aspen stands in the Planning Watershed or biological assessment area.
(B) For Meadows and Wet Areas, the condition description shall include spatial extent, Species composition, and stand structure (including Overstory/Understory coverage) of the Project area; relevant Watercourse condition factors stated in Board Technical Rule Addendum #2; and other factors indicative of Meadow and Wet Areas geomorphic and hydrological functions.

(5) The RPF shall state the Project goals and the measures of success for the proposed aspen, Meadow, and Wet Areas restoration Project. For purposes of this subsection, measures of success means criteria related to a physical condition that can be measured using conventional forestry equipment or readily available technology to indicate the level of accomplishment of the Project goals.

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

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

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

[note: no further changes to this section]

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

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

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

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

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

(b) Accidental depositions of soil or other debris in Lakes or below the Watercourse or Lake
Transition Line in waters classed I, II, and IV shall be removed immediately after the deposition
or as approved by the Director.
(c) The Timber Operator shall not construct or use Tractor Roads in Class I, II, III or IV Watercourses, in the WLPZ, marshes, and Wet Meadows; and Other Wet Areas unless explained and justified in the Plan by the RPF, and approved by the Director, except as follows:

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

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

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

[note: no further changes to this section]

Note: Authority cited: Sections 4551, 4562.7 and 21000(g), Public Resources Code. Reference: Sections 4512, 4513, 4551.5 and 21001(f), Public Resources Code; 40 CFR 35.4605; and 33 USC Section 1288(b)(2)(F).

§ 921.4 Stocking Requirements.

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

(a) Basal Area. The average residual basal area, measured in stems 1 inch (2.5 cm) or larger in Diameter at least 125 square feet per acre (28.69 m² per ha) on Site I lands, at least 100 square feet per acre (22.96 m² per ha) on Site II and Site III lands and at least 75 square feet per acre (17.22 m² per ha) on Site IV and V lands, or

(b) Point Count. The area contains an average point count as specified below:
(1) On Site I and II lands, the area contains an average point count of 450 per acre (1111.9 per ha) to be computed as follows:

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

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

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

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

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

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

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

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

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

Rock outcroppings, Meadows, and Wet Areas, or other areas not normally bearing timber shall not be considered as requiring Stocking and are exempt from such provisions.
§ 923.1 Planning for Logging Roads and Landings.

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

(a) Logging Roads and Landings shall be planned and located to minimize the following:
   (1) Duplicative roads and total road mileage.
   (2) The number of Logging Road Watercourse crossings.
   (3) Construction and reconstruction near Watercourses, Lakes, marshes, and Wet Meadows and Other Wet Areas.

(b) No Logging Roads or Landings shall be planned for construction (i) within 150 feet of the Class I Watercourse Transition Line, (ii) within 100 feet of the Class II Watercourse Transition Line on slopes greater than 30%, (iii) within Class I, II, III, or IV Watercourses or Lakes, (iv) within a WLPZ, or (v) in marshes, or Wet Meadows and Other Wet Areas, except as follows:
   (1) At existing Logging Road Watercourse crossings.
   (2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are approved as part of the Fish and Game Code process (F&GC § 1600 et seq.).
   (3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of use.

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

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

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


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

(1) At existing Logging Road Watercourse crossings.

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

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

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

(1) At existing Logging Road Watercourse crossings.

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

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

[note: no further changes to this section]

Note: Authority cited: Sections 4551, 4551.5 and 4553, Public Resources Code. Reference: Sections 4512, 4513, 4551, 4551.5, 4562.5, 4562.7 and 4597, Public Resources Code; 33 USC
§ 932.7 Resource Conservation Standards for Minimum Stocking.

The following resource conservation standards constitute minimum acceptable stocking in the Northern 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.

[note: no further changes to this section]

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


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§ 933.4 Special Prescriptions.

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e) Aspen, Meadows and Wet Areas restoration. All trees within aspen stands (defined as a location with the presence of living aspen (Populus tremuloides Populus tremuloides)), Meadows and Wet Areas may be harvested or otherwise treated in order to restore, retain, or enhance these areas for ecological or range values. A primary goal of aspen restoration Projects is the successful regeneration of aspen and recruitment into larger size classes. Projects using this prescription shall be designed to balance the protection and regeneration of aspen stands, and Meadows and Wet Areas habitats in California's forest ecosystems with the other goals of forest management as specified in 14 CCR § 897 and meet the following requirements:
(1) The RPF shall state in the Plan each Project type(s) that is being proposed (aspen, or

Meadows, and/or Wet Areas restoration).

(2) Each Project type shall be shown on the Plan map, consistent with 14 CCR § 1034(x), and

at a scale that shows the locations of planned operations.

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

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

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

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

(5) The RPF shall state the Project goals and the measures of success for the proposed aspen;
or Meadows, and/or Wet Areas restoration Project. For purposes of this subsection,
measures of success means criteria related to a physical condition that can be measured using
conventional forestry equipment or readily available technology to indicate the level of
accomplishment of the Project goals.

(A) Aspen, or Meadows, and/or Wet Areas Project goals and measures of success shall be
based on the condition assessment required in 14 CCR §§ 913.4, 933.4, and 953.4, subsection
(e)(4), and identification of problematic aspen, meadows, and wet areas conditions and their agents/causes. Information shall include a description of factors that may be putting aspen stands, meadows, and wet areas at risk, and presence of any unique physical conditions. Projects shall be designed to contribute to rectifying factors that are limiting restoration, to the extent feasible.

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

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

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[Note: no further changes to this section]


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

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

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

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

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

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

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

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

[Note: no further changes to this section]
§ 943.1 Planning for Logging Roads and Landings.

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

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

(1) Duplicative roads and total road mileage.

(2) The number of Logging Road Watercourse crossings.

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

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

(1) At existing Logging Road Watercourse crossings.

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

(3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of use.
(c) No Logging Roads or Landings shall be planned for reconstruction (i) within Class I, II, III, or IV Watercourses or Lakes, (ii) within a WLPZ, or (iii) in marshes, or Wet Meadows and Other Wet Areas, except as follows:

(1) At existing Logging Road Watercourse crossings.

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

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

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[note: no further changes to this section]


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§ 943.4 Construction and Reconstruction of Logging Roads and Landings.

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

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

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

(1) At existing Logging Road Watercourse crossings.

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

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

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

(1) At existing Logging Road Watercourse crossings.

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

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

[note: no further changes to this section]
§ 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.

(a) Rock outcappings, 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.

Note: no further changes to this section

§ 953.4 Special Prescriptions.

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

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

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

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

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

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

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

5. The RPF shall state the Project goals and the measures of success for the proposed aspen, or Wet Areas, or Wet Areas restoration Project. For purposes of this subsection, measures of success means criteria related to a physical condition that can be measured using conventional forestry equipment or readily available technology to indicate the level of accomplishment of the Project goals.
(A) Aspen, or Meadows and wet Areas Project goals and measures of success shall be
based on the condition assessment required in 14 CCR §§ 913.4, 933.4, and 953.4, subsection
(e)(4), and identification of problematic aspen, Meadows, or wet Areas conditions and
their agents/causes. Information shall include a description of factors that may be putting aspen
stands, Meadows, or wet Areas at risk, and presence of any unique physical
conditions. Projects shall be designed to contribute to rectifying factors that are limiting
restoration, to the extent Feasible.

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

(7) The Department shall review post-harvest field conditions of the portions of Plans using the
aspen, Meadows and wet Areas restoration silvicultural prescription and prepare a
monitoring report every five (5) years for the Board. The monitoring report shall summarize
information on use of the prescription including:
(i) the level of achievement of the measures of success as stated in the Plan per 14 CCR §§
913.4, 933.4, and 953.4, subsection (e)(5);
(ii) any post harvest adverse environmental impacts resulting from use of the prescription;
(iii) any regulatory compliance issues, and;
(iv) any other significant findings resulting from the review. The review shall include photo point
records.

[note: no further changes to this section]
§ 953.12: High Use Subdistrict.

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

§ 956.3 General Limitations Near Watercourses, Lakes, Marshes, Wet Meadows and Other Wet Areas.
The quality and Beneficial Uses of water shall not be unreasonably degraded by Timber
Operations. During Timber Operations, the Timber Operator shall not place, discharge, or
dispose of or deposit in such a manner as to permit to pass into the water of this state, any
substances or materials, including, but not limited to, soil, silt, bark, Slash, sawdust, or
petroleum, in quantities deleterious to fish, wildlife, or the quality and Beneficial Uses of water.

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

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

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

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

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

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

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

[note: no further changes to this section]
§ 963.1 Planning for Logging Roads and Landings.

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

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

(1) Duplicative roads and total road mileage.

(2) The number of Logging Road Watercourse crossings.

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

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

(1) At existing Logging Road Watercourse crossings.

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

(3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of use.
(c) No Logging Roads or Landings shall be planned for reconstruction (i) within Class I, II, III, or IV Watercourses or Lakes, (ii) within a WLPZ, or (iii) in marshes, or Wet Meadows and Other Wet Areas, except as follows:

(1) At existing Logging Road Watercourse crossings.

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

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

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[Note: no further changes to this section]

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


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

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

(a) Logging Roads and Landings shall be hydrologically disconnected from Watercourses and Lakes to the extent Feasible to minimize sediment delivery from road runoff to a Watercourse, and reduce the potential for hydrologic changes that alter the magnitude and frequency of runoff.
delivery to a Watercourse. Guidance on methods for Hydrologic Disconnection may be found in
“Board of Forestry Technical Rule Addendum Number 5: Guidance on Hydrologic
Disconnection, Road Drainage, Minimization of Diversion Potential, and High Risk Crossings”

(b) No Logging Roads or Landings shall be constructed (i) within 150 feet of the Class I
Watercourse Transition Line, (ii) within 100 feet of the Class II Watercourse Transition Line on
slopes greater than 30%, (iii) within Class I, II, III, or IV Watercourses or Lakes, (iv) within a
WLPZ, or (v) in marshes, Wet Meadows and Other Wet Areas, except as follows:
(1) At existing Logging Road Watercourse crossings.
(2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are
approved as part of the Fish and Game Code process (F&GC § 1600 et seq.)
(3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of
use.

(c) No Logging Roads or Landings shall be Reconstructed (i) within Class I, II, III, or IV
Watercourses or Lakes, (ii) within a WLPZ, or (iii) in marshes and Wet Meadows and Other Wet
Areas, except as follows:
(1) At existing Logging Road Watercourse crossings.
(2) At Logging Road Watercourse crossings to be constructed or Reconstructed that are
approved as part of the Fish and Game Code process (F&GC § 1600 et seq.)
(3) At Logging Road Watercourse crossings of Class III Watercourses that are dry at the time of
use.

[note: no further changes to this section]
§ 1027.1: Basis of Denial.

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


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§ 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:

***
(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
referred 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.

(4) Location of all roads to be used for, or potentially impacted by, Timber Operations. This shall
include:
(A) The classification of all roads as permanent, seasonal, temporary, deactivated, or proposed
for Abandonment.
(B) Roads and Landings located in Watercourses, Lakes, WLPZs, marshes, and Wet Meadows;
and Other Wet Areas, other than at road Watercourse crossings.

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

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

[Note: No further changes to this section]

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.

(a) Boundaries of the Logging Area.

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

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

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

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

[note: no further changes to this section]


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§ 1051. Modified Timber Harvest Plan.

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

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

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

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

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[note: no further changes to this section]

Note: Authority cited: Sections 4551, 4551.5, 4593, 21082 and 21086, Public Resources Code.
Reference: Sections 4512, 4513, 4551, 4551.5, 4552, 4593, 21082, 21084 and 21086, Public Resources Code.

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

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

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

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

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[Note: no further changes to this section]


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§ 1072.4. Exclusions.

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

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

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


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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:

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

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

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

4. Location of all roads to be used for, or potentially impacted by, timber operations. This shall include:
   
   (A) The classification of all roads as permanent, seasonal, temporary, or deactivated.
   
   (B) Roads and Landings located in Watercourses, Lakes, WLPZs, Wet Meadows; or Other Wet Areas other than at road Watercourse crossings.

   ***

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

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19. (cc) Explanation and justification for use of Landings, Logging Roads and skid trails in the protection zones of Watercourses, Lakes, Wet Meadows; or and Other Wet Areas.

20. [note: no further changes to this section]
§ 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.

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

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

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

(4) Location of all roads to be used for, or potentially impacted by, timber operations. This shall include:
(A) The classification of all roads as permanent, seasonal, temporary, or deactivated.

(B) Roads and landings located in watercourses, lakes, WLPZs, and wet meadows; or other wet areas, other than at road watercourse crossings.

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

Reference: Section 4597.11, Public Resources Code.