Staff Overview: AB 2276 Bill Revision for 14 CCR 1038.3 – Forest Fire Prevention Exemption.

# Overview

Assembly Bill 2276 amends 4584 of the Public Resources Code relating to Forestry, timber harvest plan exemptions. There are three parts associated with this bill 1) repeal the Small Landowner Exemption (2 rename and revise the criteria for qualifying for the Forest Fire Prevention Exemption, renamed “The Forest Resilience Exemption” and 3) revise the California black or Oregon white oak woodlands and associated grasslands exemption.

Board staff has reviewed the changes to the statutory language in AB 2276 specific to the Forest Fire Prevention Exemption 14 CCR 1038.3. A draft rule plea has been provided for your review and a copy of the Bill language has been provided for reference. It is important to note the Forest Practice Committee made changes to the canopy standards specific to this exemption in 2024 and those revisions are with the Office of Administrative Law under review, it is anticipated this change will take effect January 1, 2025. The rule plea includes the changes made by the committee this year.

The rule plea has been drafted using the existing language in 14 CCR 1038.3 and the new language provided on the Board of Forestry and Fire Protection web page, proposed rule packages, Drought Mortality and Forest Fire Prevention Exemption Amendments.

Black text represent original rule language, red underlined text identifies statutory text provided in the approved Bill, blue text identifies the Bills language providing the Board authority to adopt regulation on specific topics. Strikethrough text identifies language that has been removed from the rule plea, language stricken from text was determined based on language stricken form the Bill language.

Additionally, comments have been provided in the draft rule plea in the right margin to identify specific actions authorized for the board per AB 2276 and to clarify points within the Bill language.

# Summary of Revisions

The following represents a summary of significant organizational and substantive revisions made to the rule text.

* Revisions are based on statutory language changes within AB 2276. Changes have not been made based on committee meetings or stakeholder input.