

BOARD OF FORESTRY 2024 CALL FOR REGULATORY REVIEW

Requesting Entity	Topics for Board Consideration	Committee	Priority (scale 1-3)
ACL	1) Review of PRC Sec. 4428 defining "operating Area" specific to the term "at a point accessible in the event of a fire" Licensed Timber Operators are unclear of the distance requirements of "operating area" PRC 4428 address the need for fire fighting equipment when industrial operation are located on or near any forest, brush, or grass-covered land between April 1 and December 1 of any year, or at any other time when ground litter and vegetation will sustain combustion permitting the spread of fire.A1:D33		
CAL FIRE	1) Work Completion reports on Notice of Emergency Timber Operations (Emergency Notices) 2) Changes to mapping standards for the Notice of Exemption and Emergencies 3) Evaluation of MSP Requirements under the Rules. Department would like to discuss the limited use of "Option (b)" for Sustained Yield Plans (SYPs), and the lack of Rule specificity guiding the Department's evaluation of MSP "Option (a)" demonstrations as described in § 913.11(a). 4) Review the roles and responsibilities of Licensed Timber Operators. Department receives harvest documents with multiple LTOs listed, however the specific area of responsibility for each LTO is not specified in many instances. This leads to confusion and difficulty in ascertaining the responsible parties if Forest Practice Act and Rule violations are observed. 5) Consider a requirement that an LTO be designated on every harvest document as specifically responsible for road maintenance. 6) Review and consider an amendment to Article 3.2 Administrative Penalty Hearing Procedures to include a section allowing for a default Board judgement in the event a Respondent does not appear at a hearing.		

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	7) Review the need for a rule requirement for the public noticing of harvest documents. Public noticing requirements have not been reviewed in the context of contemporary technology, and there may be opportunities for greater clarity, efficiency, and consistency across Forest Districts. The Department does not have specific proposed Rule language to consider and would instead prefer a comprehensive review and comparison of the various public noticing requirements in the various Forest Districts and Special Rule Counties.		
	8) Consider defining the term "plan area" to correspond with either the Logging Area or Harverst Area definition; or conversely remove plan area from the Rules and replace it with Harvrst or Logging Area as appropriate.		
	9) Consider rule amendments to distinguish between non-confidential and confidential portions of archaeological docuemtns associated with harvesting permits.		
	10) CAL FIRE is developing a list of what they hope will be minor corrections to the rules with these changes to be considered administrative. a) 1052.1 Remove language specific to form revisions from regulatory language.		
CFA	1) Landowner Notification (Noticing Issues) 2 parts a) Per 14 CCR 1032.7; RPF preparing the Plan shall furnish to the Department at the time of submission of the Plan, the names and mailing addresses of all property owners within three-hundred (300) feet of the Plan boundary. Either a list compiled from the latest equalized assessment roll or a list provided by a title company doing business in California compiled within sixty (60) days of submission of the Plan. There is a descrepancy with the list used by RPFs and between list Review entities utilize causing filling issues. b) Timing & Physical posting of the notification requirements (prior to submission and/or concurrently with submission. Is it within two days of receipt of the Plan? What if the Plan is returned? Is it truly a Plan until it is filed? Is filing date a better timing for notification?		

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	Physical posting of the property may need to be done multiple times- which is not only time consuming and costly, by may also be ultimately confusing to the public. In general, if mailed notifications are done, should the physical posting be limited to such time as when the plan is filed, and review is beginning?		
	2) MSP under Options “A” and “B” could be well served by further discussion. The Department and the landowners providing the information would benefit from discussions on the procedures and requirements necessary to facilitate efficient review.		
	3) Requesting clarity on the criteria used in devloping the Native American Contact List made avaiable by CAL FIRE. The list of tribal contacts continues to expand to areas outside the geographic area of the plan. Additionally, there appears to be multiple contacts for various tribes which is can be confusing and can lead to miscommunication between tribal concersn adn teh RPF preparing the plan.		
	4) Requesting the Department to discuss the new THP form to illuminate potential issues for plan preparers, sicne the iteration has new data requests and formating compared to previous forms. Potetnial guidance document for form completion.		
	5) Board consider emeregency regualtions related to AB 2276. (NOT YET APPRVOED but approval is expected for 2025)		
	6) Silvicultural rules, Southern Subdistrict existing rule results in a high stem count due to retention of smaller trees. As the stem counts increased and fire conditions have worsened, fuel management has become a much greater objective.		
	7) Considere the inclusion of Silvicultural options Fuelbreak/Defensible Space, Aspen, Meadow and Wet Area Restoration & White and Black Oak Woodland Management in the Southern Subdistrict and Santa Coutry rules.		

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	In both cases, certain Special Prescriptions under 913.4, which did not exist when those rules were originally adopted, have been developed by the Board which practitioners feel would be useful in the current post-CZU fire environment.		
Citizen #1 Appleton 1)	<p>Tighter rules for timber slash treatment associated with timber harvest plans.</p> <p>Lop & scatter as typically implemented leaves too much fuel on the ground. Regulations could recommend removal, chipping, pile burning or have the forester propose a treatment.</p> <p>If lop and scatter is appropriate in certain areas, contact with ground should be required with spacing of materials away from trunks of leave trees, slash no higher than 12" (unless a large log), should be able to see the ground between slash - or something similar.</p>		
Citizen #2 Teachout 1)	<p>Advocating biochar for forest management</p> <p>The Biochar Coalition urges the Board of Forestry to recognize biochar production as a critical practice in forest management. Biochar enhances carbon sequestration, soil health, and wildfire mitigation, aligning with existing regulations and priorities. Incorporating biochar supports forest resilience, reduces emissions, and strengthens California’s carbon sequestration strategy.</p>		
Cal-Pac 1)	<p>Cal-Pac SRM Panel seeks flexible certification</p> <p>1) More flexible Board qualifications for Associate Range Managers (ARMs) and Certified Range Managers (CRMs);</p> <p>2) The proper role of CRMs in State Lands Grazing Licenses and Land Management;</p> <p>and</p> <p>3) Diversifying educational opportunities for ARMs and CRMs.</p>		
Citizen #3 Angel 1)	<p>Supports urgent action against megafires and climate change.</p> <p>Prioritize forest protection policies.</p> <p>Address the climate impact of megafires.</p> <p>Lead efforts to mitigate climate change through forestry.</p> <p>Engage with public support for sustainable forest management.</p>		

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Citizen #4 Nemir	<p>1) Revise Numbering System: Change to a unified system (e.g., 910 (all), 910C (Coast), 910N (Northern), 910S (Southern) for consistency and clarity.</p> <p>2) Simplify Archaeological Survey Requirements: Allow updates to past surveys older than 5 years without requiring a new full survey.</p> <p>3) Extend THP Terms: Make THPs effective for 7 years or provide a 2-year automatic extension without requiring minor commencement activities.</p> <p>4) Reduce Rulebook Complexity: Hire language consultants to simplify and clarify the Rulebook.</p>		
Placer Co	<p>1) Requesting clarification on FRRCL grant prioritization and insurance rate-setting impacts. Placer County requests clarification from the Board of Forestry on how Fire Risk Reduction Community (FRRCL) designation affects grant prioritization and insurance rate-setting. They seek details on the grant prioritization process and how insurance companies must reflect FRRCL status in their rate-setting practices, as required by regulations.</p>		
VESTRA	<p>1) The Requirement of a Timberland Conversion Permit and Preparation of the Timber Harvest Plan for sites covered by a Surface Mining and Reclamation Act (SMARA) Mining and Reclamation Plan Approved by a County that has undergone CEQA review. They are asking for the elimination of the THP and TCP requirements.</p>		
Pending Legislative Bills	<p><u>SB 2276: This was bill was mentioned in the CFA Comments as emergency regulations</u> This bill would (1) repeal the Small Timberland Owner Exemption, (2) rename the Forest Fire Prevention Exemption the Forest Resilience Exemption, revise the standards and criteria for qualifying for that exemption, and extend that exemption until January 1, 2031, and (3) extend until January 1, 2031, the other exemption described above. The bill would also make conforming changes.</p>		

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	<p><u>SB 504</u>: The bill makes changes to the defensible space requirements in both the State Responsibility Area (SRA) and the very high fire hazard severity zone (VHFHSZ) area in local jurisdictions. Currently, the defensible space regulations adopted by the Board apply only in the SRA. This Bill appears (it is unclear from the statutory language) to either expand the existing regulations to apply to the VHFHSZ, or require the Board to adopt regulations that would apply to the VHFHSZ. The Bill would require a person who owns, leases, controls, operates, or maintains an occupied dwelling or occupied structure in the VHFHSZ to maintain defensible space of 100 feet from each side. (The defensible space requirements in the SRA apply to all buildings or structures, not just occupied buildings or structures.) The bill would authorize regulations to alter the fuel reduction required between 5 and 30 feet to integrate the ember-resistant zone, and would provide that the requirement for the ember-resistant zone shall instead take effect for existing structures 3 years after the effective date for new structures, as specified. By expanding the scope of a crime, this bill would impose a state-mandated local program.</p>		
	<p><u>SB 571</u>: This bill would require the Office of Planning and Research, on or before January 1, 2027, to create, and provide to the Legislature, a report relating to standards for ingress and egress routes in new development, as provided. The bill would require the office to do certain things when creating the report, including provide opportunities for input from the public, as specified, and include the Board of Forestry and Fire Protection in a working group to inform the development of the report.</p>		
	<p><u>AB 2330</u>: The bill would require the department to provide the local agency, in its notification, a description of the candidate, endangered, and threatened species within the plan area and reasonable measures to avoid, minimize, and fully mitigate the take of the candidate, threatened, and endangered species, as provided. The bill would require the Department of Fish and Wildlife to consult the State Board of Forestry and Fire Protection if technical assistance is necessary.</p>		

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	<p><u>SB 675</u>: Existing law requires the State Board of Forestry and Fire Protection to appoint a Range Management Advisory Committee (RMAC) and to consult with RMAC on rangeland resource issues under consideration by the board. The bill would require, on or before July 1, 2025, RMAC in consultation with specified entities, to develop guidance for local or regional prescribed grazing plans, as provided. The bill would require the Department of Forestry and Fire Protection (department) and the Department of Conservation to consider and incorporate, where appropriate, this guidance in specified grant programs, as provided.</p> <p>This bill would require the task force, on or before June 30, 2025, in consultation with the advisory committee, to develop a strategic action plan to expand the use of prescribed grazing, as provided. The bill would require the task force to consider incorporating prescribed grazing in the January 1, 2026, update to the “Wildfire and Forest Resilience Action Plan.”</p>		

NOTE: Legislative Bills have not been signed at this time, however, currently have been presented to the Governor