



# Forest Stewardship: Legislative Changes and Effects

CALIFORNIA BOARD OF FORESTRY AND FIRE PROTECTION & SB 901

# Board of Forestry and Fire Protection

- ▶ 9 member Board appointed by the governor, subject to senate confirmation
- ▶ Representatives from Forest Products Industry, Range Livestock Industry, and the General Public.
- ▶ Responsible for implementation and interpretation of the Forest Practice Act, Professional Forester Act and various fire-safety and forest and land management statutes related to SRA
- ▶ Eric Hedge – Regulations Coordinator, RPF #3010



# SB 901 (Chaptered 2018)

- ▶ Exemptions
  - ▶ Forest Fire Prevention Exemption
  - ▶ Small Landowner Exemption
- ▶ Working Forest Management Plan
- ▶ Non-industrial Timber Management Plan
- ▶ Other Forest Practice Act Changes
- ▶ Non-Forest Practice Act Statutes

# Exemptions (PRC 4584, 4584.1, 4584.2)

- ▶ The statutory structure of exemptions has been re-arranged
- ▶ The Board now has broad discretion in adoption of regulations related to many fuel treatment, operational, mapping, and reporting requirements for exemptions.
- ▶ Attempt to standardize many of the requirements of various exemptions.



# Small Timberland Owner Exemption

- ▶ Exempts harvesting for the purpose of reducing flammable materials and maintaining a fuelbreak.
- ▶ Benefits
  - ▶ Ministerial Permitting
- ▶ Requirements
  - ▶ Must be prepared by an RPF
  - ▶ Utilize uneven-aged management
  - ▶ Must increase QMD
  - ▶ No trees >32" stump height, 6 largest trees/ac must be retained
  - ▶ 60 ac limit on Coast District, 100 ac in Northern & Southern Districts
  - ▶ May submit once every 10 years

# Forest Fire Prevention Exemption

- ▶ Exempts harvesting for the purpose of eliminating fuel continuity, and reduction in the rate of spread, duration & intensity, ignitability, or ignition of tree crowns.
- ▶ Benefits
  - ▶ Ministerial Permitting
  - ▶ Allows for the conditional construction or reconstruction of Temporary Roads of up to 600 ft in length per exemption
- ▶ Requirements
  - ▶ Must be prepared by an RPF
  - ▶ Must increase QMD
  - ▶ Limit of 200 acres
  - ▶ No trees >30" stump height may be harvested (36" in Temp Roads)



# Working Forest Management Plan

- ▶ “Working Forest Landowner” redefined as a non-industrial owner of less than 10,000 acres (reduced from 15,000)
- ▶ “Working Forest Management Plan” redefined to include multiple landowners, and a harvest area for a WFMP must be contained within a single hydrological area.

# Nonindustrial Timber Management Plan

- ▶ Redefined to include multiple ownerships
- ▶ A single NTMP may not cover more than 2,500 acres

# Board Rulemaking Challenges & Progress

- ▶ Amendments to Exemptions and WFMP will be adopted as emergency regulation (PRC 4584 & Sec. 46 SB 901)
- ▶ Regulatory Workshops
  - ▶ 5 have been conducted
  - ▶ Potential revisions will be discussed at upcoming Board and Committee meetings (January 22 & 23, Sacramento)
  - ▶ Board encourages Agency and stakeholder participation throughout the regulatory development process
- ▶ Timeline – Goal of Q1 2019



# Other Forest Practice Act Changes

- ▶ Trees <16" DBH which are removed under certain conditions within a fuelbreak may now be processed into logs or lumber as long as the work is conducted under a grant from CAL FIRE for vegetation management or fuel reduction and includes public agency or non-profit involvement. (PRC 4527)
- ▶ Reporting requirement of the Forest Management Task Force (PRC 4556)



# Non-FPA Statutory Changes-SB 901

- ▶ Adoption of 815.11.
- ▶ **For any conservation easement purchased with state funds** on or after January 1, 2019, wherein land subject to the easement includes some forest lands, or consists completely of forest lands, to the extent not in conflict with federal law, the terms of any applicable bond, or the requirements of any other funding source, the **landowner shall agree**, as part of the easement management plan, **to maintain and improve forest health** through promotion of a more natural tree density, species composition, structure, and habitat function, to make improvements that increase the land's ability to provide resilient, long-term carbon sequestration and net carbon stores as well as watershed functions, to provide for the retention of larger trees and a natural range of age classes, and to ensure the growth and retention of these larger trees over time.



# Non-FPA Statutory Changes

- ▶ PRC 4123.5 –Establishes Wildfire Resiliency Program
- ▶ Requires CAL FIRE to provide guidance and technical assistance to non-industrial landowners for:
  - ▶ help navigate the permitting process, fuels reduction, fuelbreaks, forest health, and reforestation, for purposes of reducing wildfire risks while maintaining or enhancing habitat, watershed values, and carbon sequestration
    - ▶ (1) A list of permits needed from state entities to conduct various types of fuel removal projects.
    - ▶ (2) Concise information detailing research and current best practices for wildfire resilience.
    - ▶ (3) A list of the grant opportunities statewide which allow for wildfire resilience activities.
    - ▶ (4) The details of grants made by the department relating to wildfire resilience activities.
    - ▶ (e) The department shall provide technical assistance to nonindustrial timberland owners on how to maintain the benefits of fuel reduction projects.



# Conclusion

- ▶ Exemptions
  - ▶ Forest Fire Prevention Exemption
  - ▶ Small Landowner Exemption
- ▶ Working Forest Management Plan
- ▶ Non-industrial Timber Management Plan

Eric Hedge

Regulations Coordinator

Board of Forestry and Fire Protection

[Eric.hedge@bof.ca.gov](mailto:Eric.hedge@bof.ca.gov)

916.653.9633

