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2 **Board of Forestry and Fire Protection**

3 **Points of Light: Minor Rule Updates for Clarity and Consistency 2025**

4 **Title 14 of the California Code of Regulations**

5 **Division 1.5, Chapter 4,**

6 **Subchapters 1, 4, 5, 6, and 7**

7
8 **§ 895.1. Definitions.**

9 The definitions contained in the Z'berg-Nejedly Forest Practice Act of 1973 as amended
10 (commencing with PRC § 4511) shall apply to this chapter, as well as the following
11 definitions, unless the context clearly requires otherwise.

12 *****

13 “Community Fuelbreak Area” means a shaded Fuelbreak approved by a Public Fire
14 Agency as part of a fire prevention plan for fire protection, ignition management, prefire
15 management or other fire defense improvements. Within a shaded Fuelbreak,
16 vegetation is managed to reduce the potential for wildfire damage and provides a direct
17 benefit to defensible space as defined in 14 CCR § ~~1270.01(f)~~1274. Community
18 Fuelbreak Areas include defensible space areas within 200 feet of Approved and
19 Legally Permitted Structures, as defined in 14 CCR § 895.1, and those areas
20 comprising systems of Fuelbreaks that are designed or approved by a Public Fire
21 Agency as part of a fire prevention plan.

22 *****

23 “Critical Period” means the time of year when the special Timber Operations practices
24 set forth in these regulations are required to minimize nesting disturbance to a ~~Species~~
25 ~~of special concern~~ Sensitive Species pursuant to 14 CCR § 895.1.

“Danger Tree” means any tree located on or adjacent to a utility right-of- way or facility that could damage utility facilities should it fall where (1) the tree leans toward the right-of-way, or (2) the tree is defective because of any cause, such as: heart or root rot, shallow roots, excavation, bad crotch, dead or with dead top, deformity, cracks or splits, or any other reason that could result in the tree or main lateral of the tree falling. See ~~chapter VII, Hazardous Tree Identification, Powerline Fire Prevention Field Guide—1977, A joint Publication of the California Department of Forestry, U.S. Forest Service, and U.S. Bureau of Land Management.~~ the 2021 California Power Line Fire Prevention Field Guide.

“Listed Species” means a plant or animal Species which is listed as rare, threatened or endangered under federal or state law, or a Sensitive Species by the Board.

“Nest Site” means the geographic area and surrounding habitat that includes the Nest Tree(s), Perch Tree(s), screening tree(s), and Replacement Tree(s) of a bird ~~Species of special concern.~~ Sensitive Species pursuant to 14 CCR § 895.1.

“Perch Tree” means a tree or Snag identified and designated by the RPF or Supervised Designee in consultation with the CDFW as utilized periodically by a ~~Species of special concern~~ Sensitive Species pursuant to 14 CCR § 895.1 for nesting, territorial defense, or as an approach to its nest or feeding area.

“Replacement Tree” means a tree or Snag within the Nest Site of a ~~Species of special concern~~ Sensitive Species pursuant to 14 CCR § 895.1 identified and designated by the

RPF or Supervised Designee in consultation with the CDFW as being suitable as a replacement for a ~~Nest Tree~~ or Perch Tree should the existing tree become unusable.

“Screening Trees” means those trees or Snags identified and designated by the RPF or Supervised Designee in consultation with the CDFW as necessary to protect Nest Trees of ~~Species of special concern~~ Sensitive Species pursuant to 14 CCR § 895.1 from the impacts of human activities and natural elements.

“Sensitive Species” means those Species designated by the Board of Forestry pursuant to 14 CCR §§ ~~898.2(d)~~ 919.12 [939.12, 959.12]. These Species are the Bald eagle, Golden eagle, Great blue heron, Great egret, ~~Northern~~ American goshawk, Osprey, Peregrine falcon, California condor, Great gray owl, Northern Spotted Owl, and Marbled Murrelet.

Authority cited: Sections 4551, 4551.5, 4553, 4561, 4561.5, 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 21084.1, Public Resources Code; CEQA Guidelines Appendix K (printed following Section 15387 of Title 14 Cal. Code of Regulations), Laupheimer v. State (1988) 200 Cal.App.3d 440; 246 Cal. Rptr. 82; and Joy Road Area Forest and Watershed Association v. California Department of Forestry & Fire Protection, Sonoma County Superior Court No. SCV 229850.

§ 915.3. (935.3, 955.3) Protection of Natural Resources.

1 (a) Site Preparation activities shall comply with the Watercourse and Lake protection
2 requirements in 14 CCR Article 6 and § 917.3.

3 (b) Site Preparation activities shall comply with the wildlife and habitat protection
4 provisions of 14 CCR Article 9.

5 (c) Site Preparation shall performed in a manner which does not deleteriously affect
6 Species which are threatened, endangered, or designated by the Board as ~~Species of~~
7 ~~special concern~~ Sensitive Species pursuant to 14 CCR § 895.1. The Director may allow
8 exceptions to this standard in the Plan, after consultation with the CDFW pursuant to
9 the California Endangered Species Act (F&G Code § 2050-2098).

10
11 Note: Authority cited: Sections 4551, 4551.5 and 4551.7, Public Resources Code.
12 Reference: Sections 4512, 4513, 4527, 4551.5, 4551.7, 4562.5 and 4562.7, Public
13 Resources Code.

14
15 **§ 919.3. [939.3, 959.3] Specific Requirements for Protection of Nest Sites.**

16 The following requirements shall apply to Nest Sites containing Active Nests and not to
17 Nest Sites containing only abandoned nests.

18 *****

19 (b) The Size of the Buffer Zone for each Species shall be as follows:

20 *****

21 (4) For the ~~Northern~~ American goshawk, the Buffer Zone shall be a minimum of
22 five acres in size. When explained and justified in writing, the Director may
23 increase the size of the Buffer Zone to a maximum of 20 acres when necessary
24 to protect nesting birds.

25 *****

1 (c) The following year-round restrictions shall apply within the Buffer Zone.

2 *****

3 (4) For the ~~Northern~~ American goshawk, designated Nest Trees, Screening
4 Trees, Perch Trees, and Replacement Trees shall be left standing and
5 unharmed. Only the commercial thinning, sanitation-salvage, and selection
6 Regeneration Methods are permitted in the Buffer Zone.

7 *****

8 (d) Critical Periods are established for each Species and requirements shall apply
9 during these Critical Periods as follows:

10 *****

11 (4) For the ~~Northern~~ American goshawk, the Critical Period is from March 15 until
12 August 15. During this Critical Period, no Timber Operations are permitted;
13 however, new road construction is permitted if the Director determines that there
14 is no Feasible alternative. Exceptions may be approved by the Director after
15 consultation with the CDFW to allow hauling on existing roads that normally
16 receive use within the Buffer Zone during the Critical Period.

17 *****

18 (e) The following requirements shall apply to helicopter logging during the Critical
19 Periods.

20 *****

21 (2) For the Golden eagle and ~~Northern~~ American goshawk, helicopter Yarding
22 within one-quarter mile radius of the nest is prohibited
23

24 Note: Authority cited: Section 4551, Public Resources Code. Reference: Sections 4513
25 and 4551.5, Public Resources Code.

1
2 **§ 929.4.[949.4, 969.4] Archaeological Training Requirements.**

3 To meet the requirement of 14 CCR § 929.1, archaeological surveys of a Plan or
4 Emergency Notice areas for archaeological or historical sites shall be conducted only by
5 a Professional Archaeologist or a Person who has attended a training program
6 approved by the Director within five calendar years prior to submission of the Plan or
7 Emergency Notice. The training program must meet the following standards:

8 (a) The course shall use education materials approved by the Director which address
9 the current regulations and procedures for the identification, recordation, and protection
10 of archaeological and historical resources during Timber Operations.

11 (b) The course may require that the applicant demonstrate, in the field, and in a final
12 written examination, the ability to conduct a record search, perform field identification,
13 complete an archaeological site record, and to identify appropriate mitigation and
14 protection measures for archaeological or historical sites covered in the course.

15 (c) The Director shall issue verification to all students that satisfactorily complete the
16 training course.

17 (d) Following an individual's successful completion of an archaeological training course
18 approved by the Director, he or she may enroll in a refresher training course, approved
19 by the Director, to renew a 5-year archaeological training certification.

20 (e) The Director may conduct the archaeological training courses (in addition to or in-
21 lieu of approving programs conducted by others) at least annually.

22
23 Note: Authority cited: Sections 4551 and 4551.5, Public Resources Code. Reference:
24 Sections 4582(f), 21002 and 21060.5, Public Resources Code.

1 **§ 1034. Contents of Plan.**

2 The Plan shall serve two functions: to provide information the Director needs to
3 determine whether the proposed Timber Operation conforms to the Rules of the Board;
4 and to provide information and direction to Timber Operators so that they comply with
5 the Rules of the Board. For the Plan to serve these functions, it shall, as a minimum,
6 contain the following information:

7 *****

8 (x) On titled USGS (if available) or equivalent topographic maps of a scale not less than
9 2" to the mile, the information in subsections (1)-(3), (4)(A), (B) and (E) ((4)(B) and (E)
10 for sites within the Harvest Area), (8), (9), and (11)-(13) shall be clearly shown.

11 Additional maps, which may be topographic or planimetric, may be used to provide the
12 information required in the other subsections, to show specific details, and to improve
13 map clarity. The Appurtenant Roads referenced in subsections (4)(B), (C), (D), and (E)
14 ((4)(B) and (E) for sites not within the Harvest Area) may be shown on a map which
15 may be planimetric with a scale as small as one-half inch equals one mile. Color coding
16 shall not be used. A legend shall be included indicating the meaning of the symbols
17 used. See the District Rules for the appropriate minimum mapping acreages.

18 *****

19 (9) Location of all Watercourses and Lakes with Class I, II, IIL, IIS, III, or IV
20 waters.

21 (10) location of known Unstable Areas or slides.

22 (11) location of understocked areas prior to Timber Operations, and other areas
23 not normally bearing timber to at least a 20-acre minimum, or as specified in the
24 District Rules.

1 (12) location of boundaries of timber-site classes needed for determination of
2 Stocking Standards to be applied, down to at least a 20-acre minimum or as
3 specified in the District Rules.

4 (13) location of main ridge tops on the Logging Area suitable for fire suppression
5 efforts ~~that will require the felling of Snags~~.

6
7 Note: Authority cited: Sections 4551 and 4552, Public Resources Code. Reference:
8 Sections 4527, 4582 and 4583, Public Resources Code.

9
10 **§ 1090.5. Contents of NTMP.**

11 The Plan shall serve three functions: (1) to provide information the Director needs to
12 determine whether the proposed NTMP conforms to the Rules of the Board; (2) to
13 provide information and direction for timber management so it complies with the Rules
14 of the Board and the management objectives of the landowner; and (3) to disclose the
15 potential Effects of timber management to the public. For the Plan to serve these
16 functions, it shall, as a minimum, contain the following information:

17 *****

18 (w) On a USGS quadrangle or equivalent topographical map of a scale not less than
19 two (2") inches to the mile, the following information shall be clearly provided. Additional
20 maps may be required to show specific details, and may be planimetric. Color coding
21 shall not be used. A legend shall be included indicating the meaning of the symbols
22 used. See the District Rules for the appropriate minimum mapping acreages.

23 *****

24 (15) The location of main ridge tops on the Logging Area suitable for fire suppression
25 efforts ~~that will require felling of Snags~~.

Note: Authority cited: Sections 4551 and 4593.3, Public Resources Code; and Stats. 1989, Ch. 1290, Sec. 13. Reference: Sections 4593 and 4593.3, Public Resources Code.

§ 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:

(17) Location of main ridge tops on the logging area suitable for fire suppression efforts ~~that will require the felling of snags.~~

Note: Authority cited: Sections 4551, 4551.5, 4552 and 4553, Public Resources Code. Reference: Sections 4562.5, 4562.7, 4597.2 and 21000(g), Public Resources Code.

1
2 **§ 1104.1. Conversion Exemptions.**

3 Timber Operations conducted under this section shall be exempt from Conversion
4 Permit and THP requirements of this article. Timber Operations shall comply with all
5 other provisions of the Act, Rules and currently effective provisions of county general
6 plans, zoning ordinances, and any implementing ordinances. The notice of conversion
7 exemption timber operations (notice of conversion exemption) shall be considered
8 synonymous with the term Plan as defined in 14 CCR § 895.1 when applying the
9 operational Rules and regulations of the Board. No tree that existed before 1800 A.D.
10 and is greater than sixty (60) inches in Diameter at stump height for Sierra or Coastal
11 Redwoods, and forty-eight (48) inches in Diameter at stump height for all other tree
12 Species shall be harvested unless done so under the conditions or criteria set forth in
13 subsection 1104.1(i).

14 (a) This subsection's conversion exemption is applicable to a conversion of Timberland
15 to a non-timber use only, of less than three (3) acres, in one contiguous ownership,
16 whether or not it is a portion of a larger land parcel and shall not be part of a Plan.
17 Except as provided in paragraph (12) and (13) of this subsection, this conversion
18 exemption may only be used once per contiguous land ownership. If all or a portion of
19 the contiguous land ownership has been subject to prior, unpermitted timberland
20 conversion under the current owner, a conversion exemption hereunder shall not be
21 accepted unless the Director determines that it would be consistent with the purposes of
22 the Act. No Person, whether acting as an individual, acting as a member of a
23 partnership, or acting as an officer or employee of a corporation or other legal entity,
24 may obtain more than one (1) exemption pursuant to this section in a five (5) year
25 period. If a partnership has as a member, or if a corporation or any other legal entity has

1 as an officer or employee, a Person who has received this exemption within the past
2 five (5) years, whether as an individual or as a member of a partnership, or as an officer
3 or employee of a corporation or other legal entity, then that partnership, corporation, or
4 other legal entity is not eligible for this exemption. "Person," for purposes of this section,
5 means an individual, partnership, corporation, or any other legal entity.

6 (1) A notice of conversion exemption shall be prepared by an RPF on a form
7 prepared by the Department and submitted to the Director prior to the
8 commencement of Timber Operations. The notice of conversion exemption shall
9 contain the following items:

10 (A) The names, addresses, and telephone numbers of all of the Timber
11 Owner(s), all Timberland owner(s), RPF, LTO(s), and the submitter of the
12 notice of conversion exemption.

13 *****

14 Note: Authority cited: Sections 4551, 4553, 4584, 4584.1, 4604, 4611 and 4628, Public
15 Resources Code. Reference: Sections 4512, 4513, 4584, 4597, 4628 and
16 21083.2(b)(3), Public Resources Code.