

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

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September 13, 2023

Re: Timber Harvesting Plan Filing Checklist and California Timber Regulation and Environmental Evaluation System (CaITREES).

Dear Registered Professional Foresters:

The California Department of Forestry and Fire Protection (CAL FIRE) has developed the attached "Timber Harvesting Plan Filing Checklist" to assist Registered Professional Foresters (RPFs) in their preparation and submission of a timber harvesting plan (Timber Harvesting Plan, Modified Timber Harvest Plan, Nonindustrial Timber Management Plan and Working Forest Management Plan, collectively "Plan") as required by the Forest Practice Act, Public Resources Code Section 4592.5. Use of this Checklist by RPFs is intended to result in greater first-time Plan filing and reduced Plan return rates. The Checklist includes highlighted emphasis on common errors that can result in a Plan not being filed by CAL FIRE.

In addition to the Checklist, another resource currently available to assist RPFs in their development of harvesting plans is the online California Timber Regulation and Environmental Evaluation System (CaITREES). RPFs can use CaITREES to view examples of Plans that were filed and the reasons for which Plans were returned not filed. Through consistent use of CaITREES, RPFs can maintain awareness of the common return issues and make corrections prior to Plan submission.

Questions or comments regarding the Checklist or CaITREES can be directed to Shawn Headley, Forester III, Forest Practice Administration Program at 707-608-8017 or by email to shawn.headley@fire.ca.gov.

Respectfully,

DocuSigned by:

Eric Huff

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Timber Harvesting Plan Filing Checklist

Assembly Bill 2889 [Caballero, Ch. 640, Stats. 2018] requires the Department of Forestry and Fire Protection (CAL FIRE) to provide clearly written guidance documents and assistance with the goal of, among other things, reducing errors in the submission of timber harvesting plans and overall review time. As indicated in the Forest Practice Act excerpt below, CAL FIRE is directed to provide guidance on the timber harvesting plan review process including the following:

(1) a list of all information required in a plan, (2) a checklist that, if properly followed, would show the plan is acceptable for filing, and (3) guidance to responsible agencies that rely on the timber harvesting plan for their analysis under the California Environmental Quality Act.

Article 7. Timber Harvesting.

PRC § 4592.5. Timber harvesting plans; guidance and assistance

(a) The department shall provide guidance and assistance to ensure the uniform and efficient implementation of processes and procedures regulating the filing, review, approval, required modification, completion, and appeal of decisions relating to timber harvesting plans. The guidance and assistance shall comply with all of the following requirements:

(1) A plan submitter has the expectation of a timely determination under Section 4582.7 and any relevant administrative regulations.

(2) The department shall provide clearly written guidance documents that explain the regulatory process. In this context, the department shall publish a list of all information required in a plan, using the rules of the board, and an explanation of the criteria that will be used by the department to determine whether the information contained in a plan at the time of submission is adequate.

(3) The department, using the rules of the board, shall provide a checklist that if properly followed by the registered professional forester, should result in a plan that complies with Section 4582 for the purposes of filing. The department, in the implementation of an electronic plan submission program, shall incorporate procedures that address this information.

(b) In addition to the requirements in subdivision (a), the department shall issue guidance to achieve greater timber harvesting plan review accuracy and efficiency and to avoid duplication of efforts. The guidance shall include guidance to responsible agencies that rely on the timber harvesting plan for their analysis under the California Environmental Quality Act (Division 13 (commencing with Section 21000)) when the agencies are issuing a permit to enable implementation of all or part of the project. This guidance shall assist the responsible agencies to avoid duplication in information requests for the responsible agencies' permits.

Responsible agencies are encouraged to include mitigation measures prior to the close of public comment to ensure they are examined at a sufficient level of detail prior to the close of public comment.

(c) This section does not preclude the department or other public agencies from imposing post-approval compliance requirements as the result of newly discovered or unforeseen conditions.

(d) For purposes of this section, “plan” or “timber harvesting plan” includes all forms or documents required to be submitted to the department for review, including, but not limited to, timber harvesting plan documents, program timberland environmental Impact reports, program timber harvest plans, modified timber harvesting plans, nonindustrial timber management plans, sustained yield plans, and working forest management plans.

(1) Required Information

Any Plan that is found to be accurate, complete, and in proper order by the Director, through the Review Team, shall be filed by the Department. A Plan that is not found to be accurate, complete, or in proper order will be returned to the submitter with written specifications of the deficiencies and recommendations for resolving those deficiencies.

Plans submitted to the Department must comply with the content requirements contained in the Forest Practice Rules, Title 14 California Code of Regulations (14 CCR) §§ 1034, 1051.1, 1090.5, 1092.09, and 1094.6. Where submitted Plans contain inaccurate or incomplete information that is required by the Forest Practice Rules this may result in a Plan’s return for correction and resubmission. The Department has ten days from the receipt of a Plan (or twenty days for submittals with an appended Road Management Plan), for filing determination. This is commonly referred to as “First Review”. The most common return reasons revolve around public notification errors and concerns with the confidential archeological addendum. These common return reasons are indicated in **yellow highlight** in this checklist to emphasize their importance.

(2) Checklist for Plan Filing

Public Notifications

- A Notice of Intent (NOI) / Notice of Preparation (NOP) has been provided according to the requirements of 14 CCR §§ 1032.7, 1090.2, 1094.3, 1092.04.
- The current version of the NOI/NOP form can be downloaded from:
<https://www.fire.ca.gov/what-we-do/natural-resource-management/forest-practice/caltrees/timber-harvesting-forms>

Below is a list of common errors that can occur in the NOI/NOP, which can result in a Plan being returned. The list is not inclusive of all potential errors.

- The Silvicultural Systems to be used, including Regeneration Methods, Intermediate Treatments, Special Prescriptions, and Alternative Prescriptions are missing or not correctly identified on the NOI/NOP.
- The special county rules for the Southern Subdistrict of the Coast Forest District (Coast SSD 14 CCR § 907) not properly addressed per 14 CCR §§ 924.1, 925.2, and 926.3.
- The NOI/NOP listed acres do not match those listed in the Plan.
- All timberland owners on whose land timber operations will occur are not listed.

- The legal description is either incomplete, does not show the location of all proposed timber operations, or is incorrect - it does not specify the correct location of operations.
 - Not including the county or referencing an incorrect county on the NOI/NOP.
 - The direction, distance, or both, of the timber operations from the nearest community or well-known landmark, are incorrect or not provided.
 - The name of, or the distance from the nearest perennial stream or major watercourse flowing through or downstream from operations, or both, are incorrect or not provided.
 - The adjacent landowner list is not included with the NOI/NOP.
 - A substantial deviation proposes a Plan boundary change, where the new boundary lies within 300 feet of property not owned by the timberland owner or proposes to change the silvicultural method where an NOI was required with the original Plan, but the amendment did not include an NOI, adjacent landowner list, or map.
 - The NOI/NOP map does not clearly show the Plan or amendment boundary or has inconsistent information contradicting the NOI/NOP.
 - The NOI/NOP map for a substantial deviation (major amendment) is not consistent with the original Plan map.
 - The statement of whether there is a known overhead electric power line in, or within 200 feet of, the proposed Plan area is inaccurate or missing.
 - The names and mailing addresses of the utilities that operate overhead electrical power lines within the Plan boundary or within two hundred (200) feet outside the Plan boundary are not included with the NOI/NOP.
- Domestic Water Supply Request for Information has been completed per 14 CCR § 1032.10 or 1092.07.
- The ten-day notification and response period have been satisfied prior to submittal.
 - The proof of publication is provided in the Plan with the correct corresponding dates.
 - A copy of the downstream landowner letter is provided in the Plan (Section V).

Below is a list of common errors that can occur in the Domestic Water Supply Notification, which can result in a Plan being returned. The following list is not inclusive of all potential errors.

- The Plan indicates that no Class I, II, or IV watercourses on or adjacent to other ownerships within 1,000 feet of the Plan boundary receive surface drainage, but the Plan description or Plan map indicates there are Class I, II, or IV watercourses on adjacent ownerships within 1,000 feet of the Plan boundary that could receive drainage.
- Proof of notification by either letter or newspaper publication is not included in the Plan and there is no request for an exemption from the notification requirements.
- The legal description provided in the domestic water supply notification letters, the newspaper publication, or both, is incorrect.
- Notification does not identify the name of the watercourse the proposed timber operations may affect.
- Notification lacks a request for a response by the property owner within ten days of the post-marked date on the letter or the date of newspaper publication.
- An exemption from the notification requirements is requested; however, no explanation or justification is contained in the Plan.
- The RPF has requested an exemption from the newspaper notification requirements; however, CAL FIRE has determined based upon publicly available information sources that downstream water users may be affected by proposed timber operations and therefore, does not grant the exemption request.
- Proposed construction or reconstruction of roads or watercourse crossings on a logging road or any significant work on appurtenant roads, and the downstream landowners within 1,000 feet of the operations have not been notified.

- The legal description on the Request for Information Map is incorrect or inconsistent with Request for Information Letter or Plan or amendment.
- Adjoining landowner(s) capable of receiving surface drainage from timber operations within 1,000 feet of the logging area were not notified or missed in scoping.

Confidential Archeological Addendum (CAA)

- An archaeological record check at the appropriate Information Center has been conducted per 14 CCR § 929.1 [949.1, 969.1](a)(1).
- The Native American Notification Letter has been completed per 14 CCR § 929.1 [949.1, 969.1](a)(2).
 - Sample copies of the written notifications sent to Native Americans, including copies of the maps, that accompanied the written notifications are included.
 - The ten-day notification and response period is satisfied prior to Plan submittal.
- All required corresponding documentation has been attached to the CAA per 14 CCR § 929.1 [949.1, 969.1](c)(1) through (15).
 - An archeological coverage map has been included.
- Documentation of the archaeological surveyor's current CAL FIRE-provided archaeological site recognition training is included per 14 CCR § 929.1 [949.1, 969.1](c)(6)(A)(B).
- Description of each archaeological and/or historical site known to exist within the site survey area is included per 14 CCR § 929.1 [949.1, 969.1](c)(8).
- A description of attempts to relocate archaeological sites recorded within the Plan area identified in the records check response from the Information Center is included.
- Completed historical resource records ("site records") for each significant site identified within the site survey area are included.

Below is a list of common errors that can occur in the CAA, which can result in a Plan being returned. The following list is not inclusive of all potential errors.

- The archaeological records check does not cover the entire Plan area.
- The archaeological records check was not conducted at the appropriate info center.
- Native American contact letters do not contain all the information required by 14 CCR § 929.1[949.1, 969.1](a)(2).
- No Archaeological Survey Coverage Map was submitted for inclusion in the CAA, or the map submitted 1) does not accurately display the features, 2) does not contain a map scale, or 3) is not of the scale required by 14 CCR § 895.1.
- The CAA does not contain an example of the notification letter and maps submitted to the Native American contacts.

❖ **Additional guidance information regarding the submission of the Confidential Archeological Addendum (CAA) can be reviewed at: <https://www.fire.ca.gov/what-we-do/natural-resource-management/environmental-protection-program/cultural-resource-management>**

Timber Harvest Plan Contents

Section I (General Information)

- The General Information Signature Page form has been completed with the required signatures and contains accurate information pertaining to the Registered Professional Forester (RPF), Licensed Timber Operator (LTO), Plan Submitter (PS), Timber Owner (TO), Timberland Owner (TLO), and on-site contact.

- Note: The on-site contact and LTO may be amended later if unknown at the time of submission. This must be provided prior to the start of timber operations.
- The General Information form has been completed containing accurate information required in Items #7 through # 13
- Item 7. The legal description location of timber operations and total acreage are accurately stated and match Item 14 (or are clearly explained if not), and Item 4 of the NOI/NOP (if required per 14 CCR §§ 1032.7, 1090.2, 1094.3, 1092.04).
- Item 8. MTHP / Conversion / MSP / Easements / HCP. Sub-items (a) through (e) have been addressed.
 - (a) Indicate if filing a Modified THP. The check box indicating Modified THP has been checked on the Signature Page Form and Item #8 of the General Information Form.
 - (b) Timberland conversion submission has been addressed.
 - (c) Demonstration of Maximum Sustained Production (MSP) per 14 CCR § 913.11 (933.11, 953.11) has been indicated.
 - (d) The existence of conservation easements or landowner assistance programs has been addressed.
 - (e) The existence of Habitat Conservation Plans (HCP) or Natural Communities Conservation Plans (NCCP) has been addressed.
- Item 9. All sub-items (a) through (d) in the Prescribed Maintenance Period have been addressed.
- Item 10, Stocking and Adjacent Plans. Sub-items (a) and (b) have been addressed.
- Item 11. The Responsibilities and Notifications sub-items (a) through (f) have been addressed.
- Item 12. A Notice of Intent (NOI) / Notice of Preparation (NOP) has been provided according to the requirements of 14 CCR §§ 1032.7, 1090.2, 1094.3, 1092.04.
- Item 13. The statement of Environmental Impact has been addressed.
- Items AA (BB for Fuel Hazard Reduction Modified THP) are addressed and completed if filing a Modified THP.

Section II (Plan of Operations)

- Item 14, Silviculture. All proposed methods or treatments allowed by the Forest Practice Rules have been indicated along with acreages for each method identified.
 - If more than one method or treatment is proposed, the boundaries have been mapped per 14 CCR § 1034(x)(2) or 1090.5(w)(2).
 - The selected methods or treatments match those listed on the NOI or NOP (if required per 14 CCR §§ 1032.7, 1090.2, 1094.3, 1092.04).
- Item 15, Pests. Plan area has been evaluated for areas that may encompass a Board of Forestry declared zone of infestation or infection and significant insect or disease problems have been addressed.
- Item 16, Harvesting Practices. The proposed yarding systems and equipment have been identified.
- Item 17, Erosion Hazard Rating (EHR). The EHR has been accurately addressed and recorded. The indicated ratings match those of the EHR worksheet and any discrepancies are clarified.
- Item 18, Soil Stabilization. Sub-items (a) through (k) have been addressed.
- Item 19. Tractor or skidder constructed layouts are addressed.
- Item 20. Tractor operations in areas designated for cable yarding sub-items (a) and (b) are addressed.
- Item 21. Ground-based equipment. Sub-items (a) through (g) are addressed.

- Item 23. Winter Operations. all sub-items (a) through (w) are accurately addressed.
 - Note: If any of the items (a) through (p) are answered “Yes”, then a Winter Period Operating Plan (WPOP) is required.
- Item FF. If preparing a WPOP, all items (1) through (12) are addressed in table FF.
- Item 24, Roads and Landings. All sub-items (a) through (v) have been addressed.
- Item 24, Operational instructions to the LTO, in accordance with the respective rule requirement(s) have been provided in Section II of the THP, and any required explanation and justification have been included in Section III of the Plan.
- Item 25, Anadromous Salmonid Protection (ASP) Watersheds. If the Plan area is within an ASP watershed or immediately upstream and contiguous to any watershed with listed anadromous salmonids, sub-item (a) and (1) through (4) have been addressed.
- Item 26, Watercourse and Lake Protection Zone (WLPZ) measures. Sub-items (a) through (r) have been addressed.
- Item 27, WLPZ In-Lieu or Alternative Practices. Sub-items (a) through (j) have been addressed, and any items answered “Yes”, the explanation and justification have been provided in Section III of the Plan.
- Item 28, Domestic Water Notifications. Domestic Water Supply Request for Information has been completed per 14 CCR § 1032.10 or 1092.07.
- Item 29, Sensitive Watersheds. Information on whether the Plan lies within a sensitive watershed has been addressed.
- Item 30, Hazard Reduction. Sub-items (a) through (f) have been addressed.
- Item 31, Piling and Burning. Sub-items (a) and (b) have been addressed.
- Item 32, Biological Resources. Sub-items (a) through (c) have been addressed.
- Item 33, Snags. Sub-items (a) through (g) have been addressed.
- Item 34, Late Successional Forest Stands. The existence of late-successional stands in the Plan area has been addressed.
- Item 35, Other Wildlife Protection Required by the Forest Practice Rules. Sub-items (a) through (c) have been addressed.
- Item 36, Archaeological and Historical Cultural Resources. Sub-items (a) through (c) have been addressed.
- Item 37, Growth and Yield Information. Sub-item (a) has been addressed.
- Item 38, Special Instructions or Constraints. Any special instructions or constraints relating to the Plan have been included.

Section III (Addendum)

- Site description, justifications, and referenced Plan addendums are included and attached per 14 CCR §§ 1034(y)(gg), 1051.1, 1090.5(x)(ff).

Section IV (Cumulative Impacts Assessment)

- If filing a Modified THP, see 14 CCR § 1051.1(d) – cumulative impacts alternative.
- The Feasibility Alternatives are addressed per 14 CCR § 898.
- The cumulative Impacts Assessment Checklist is complete and included per 14 CCR § 912.9 [932.9,952.9].
 - Note: Discussion on greenhouse gas assessments should include the most recent and relevant information. Resources can be reviewed at <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan>
- Past activities are included in the cumulative impacts assessment with corresponding Plan numbers and mapped per Technical Rule Addendum No. 2.

Section V (Supporting Documentation)

- All referenced (Section V) attachments are incorporated, including public notification documentation.

Section VI (Confidential Information)

- The Confidential Archeological Addendum (CAA) is complete per 14 CCR § 929.1.
 - Any referenced growth and yield documents considered a trade secret are included and are labeled as confidential.
- All required sections of the Plan are included. The Plan is accurate, complete, and in the proper order (14 CCR §§ 1034, 1051.1, 1090.5, 1092.09, and 1094.6)**

(3) Guidance to Responsible Agencies

14 CCR § 1037.5(g) Review of Plans by Review Teams: Before the Director makes a determination on a plan, a review team shall review the plan. The review team shall do the following:

- (1) Before the Director accepts a plan for filing or before the fifth working day after filing, a review team shall review the plan. The purpose of this review is to assist this Department in determining whether a preharvest inspection (initial inspection) is necessary and what areas of concern are to be examined during the inspection if it is to be made. If a preharvest inspection is determined by the Department to be unnecessary, the review team shall make its recommendation to the Director no later than five working days after a plan is filed.
- (2) After the preharvest inspection and before the Director's determination on a plan, the review team shall meet to review all the information on the plan and develop a recommendation for the Director.
- (3) Requests, if any, for additional information, from the plan submitter during the review period shall be as prescribed by Section 1034 and other conditions in the Rules. Such requests shall be supported by reasons for the request. During the review period, the Director shall be responsible for determining whether requests for information not contained in the plan as filed or developed in preharvest inspection by review team members, reviewing agencies and members of the public, are consistent with the Forest Practice Rules, are reasonably necessary and should be requested from plan submitters. The Director's determination of additional information to be provided by plan submitters shall be guided by standards of practicality and reasonableness, recognizing the statutory review period of the FPA, the requirements of 14 CCR 1034 and the availability of information from alternative sources.