

AMENDED IN ASSEMBLY MARCH 29, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1958**

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**Introduced by Assembly Member Wood**

February 12, 2016

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~~An act to add Section 4556 to the Public Resources Code, relating to oak woodlands. An act to amend Sections 4584 and 4621 of the Public Resources Code, relating to forestry.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1958, as amended, Wood. ~~Forest practices: oak woodlands. Forestry: timberlands: restoration and conservation forest management activities.~~

*The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to the Department of Forestry and Fire Protection. The act authorizes the State Board of Forestry and Fire Protection to exempt from some or all of those provisions of the act a person engaging in specified forest management activities.*

*This bill would also authorize the board to exempt a person cutting or removing trees, including through commercial harvest, to restore and conserve California black or Oregon white oak woodlands, and associated grasslands, as specified.*

*Existing law also requires a person who owns timberlands that are to be devoted to uses other than the growing of timber to file an application for conversion with the board and requires the board to establish a system of graduated timberland conversion permit fees.*

*This bill would define “growing of timber,” for these purposes, to include restoration and conservation forest management activities, which may include the removal of commercial species, if necessary to achieve specific forest health and ecological goals, that are not conducted in conjunction with the cutting or removal of trees or other forest products during the conversion of timberlands to other uses.*

~~The Z’berg-Nejedly Forest Practice Act of 1973, which regulates timber harvesting, requires the State Board of Forestry and Fire Protection to divide the state into districts, taking into account differing characteristics, and to adopt, and continuously review and revise, district forest practice rules and regulations for each district in accordance with specified policies.~~

~~This bill would require the board, by January 1, 2018, to revise or repeal those rules and regulations that are an impediment to the restoration of oak woodlands.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 4584 of the Public Resources Code is
- 2     amended to read:
- 3     4584. Upon determining that the exemption is consistent with
- 4     the purposes of this chapter, the board may exempt from this
- 5     chapter, or portions of this chapter, a person engaged in forest
- 6     management whose activities are limited to any of the following:
- 7     (a) The cutting or removal of trees for the purpose of
- 8     constructing or maintaining a right-of-way for utility lines.
- 9     (b) The planting, growing, nurturing, shaping, shearing, removal,
- 10    or harvest of immature trees for Christmas trees or other ornamental
- 11    purposes or minor forest products, including fuelwood.
- 12    (c) The cutting or removal of dead, dying, or diseased trees of
- 13    any size.
- 14    (d) Site preparation.
- 15    (e) Maintenance of drainage facilities and soil stabilization
- 16    treatments.
- 17    (f) Timber operations on land managed by the Department of
- 18    Parks and Recreation.
- 19    (g) (1) The one-time conversion of less than three acres to a
- 20    nontimber use. A person, whether acting as an ~~individual or~~

1 *individual*, as a member of a partnership, or as an officer or  
2 employee of a corporation or other legal entity, shall not obtain  
3 more than one exemption pursuant to this subdivision in a five-year  
4 period. If a partnership has as a member, or if a corporation or  
5 other legal entity has as an officer or employee, a person who has  
6 received this exemption within the past five years, whether as an  
7 ~~individual~~ or *individual*, as a member of a partnership, or as an  
8 officer or employee of a corporation or other legal entity, then that  
9 partnership, corporation, or other legal entity is not eligible for  
10 this exemption. "Person," for purposes of this subdivision, means  
11 an individual, partnership, corporation, or other legal entity.

12 (2) (A) Notwithstanding Section 4554.5, the board shall adopt  
13 regulations that do all of the following:

14 (i) Identify the required documentation of a bona fide intent to  
15 complete the conversion that an applicant will need to submit in  
16 order to be eligible for the exemption in paragraph (1).

17 (ii) Authorize the department to inspect the sites approved in  
18 conversion applications that have been approved on or after January  
19 1, 2002, in order to determine that the conversion was completed  
20 within the two-year period described in subparagraph (B) of  
21 paragraph (2) of subdivision (a) of Section 1104.1 of Title 14 of  
22 the California Code of Regulations.

23 (iii) Require the exemption pursuant to this subdivision to expire  
24 if there is a change in timberland ownership. The person who  
25 originally submitted an application for an exemption pursuant to  
26 this subdivision shall notify the department of a change in  
27 timberland ownership on or before five calendar days after a change  
28 in ownership.

29 (iv) The board may adopt regulations allowing a waiver of the  
30 five-year limitation described in paragraph (1) upon finding that  
31 the imposition of the five-year limitation would impose an undue  
32 hardship on the applicant for the exemption. The board may adopt  
33 a process for an appeal of a denial of a waiver.

34 (B) The application form for the exemption pursuant to  
35 paragraph (1) shall prominently advise the public that a violation  
36 of the conversion exemption, including a conversion applied for  
37 in the name of someone other than the person or entity  
38 implementing the conversion in bona fide good faith, is a violation  
39 of this chapter and penalties may accrue up to ten thousand dollars

1 (\$10,000) for each violation pursuant to Article 8 (commencing  
2 with Section 4601).

3 (h) ~~Easements~~—*An easement* granted by a right-of-way  
4 construction agreement administered by the federal government  
5 if timber sales and operations within or affecting ~~these areas~~ *the*  
6 *area* are reviewed and conducted pursuant to the National  
7 Environmental Policy Act of 1969 (42 U.S.C. Sec. 4321 et seq.).

8 (i) (1) The cutting or removal of trees in compliance with  
9 Sections 4290 and 4291 that eliminates the vertical continuity of  
10 vegetative fuels and the horizontal continuity of tree crowns for  
11 the purpose of reducing flammable materials and maintaining a  
12 fuel break for a distance of not more than 150 feet on each side  
13 from an approved and legally permitted structure that complies  
14 with the California Building Standards Code, when that cutting or  
15 removal is conducted in compliance with this subdivision. For  
16 purposes of this subdivision, an “approved and legally permitted  
17 structure” includes only structures that are designed for human  
18 occupancy and garages, barns, stables, and structures used to  
19 enclose fuel tanks.

20 (2) (A) The cutting or removal of trees pursuant to this  
21 subdivision is limited to cutting or removal that will result in a  
22 reduction in the rate of fire spread, fire duration and intensity, fuel  
23 ignitability, or ignition of the tree crowns and shall be in  
24 accordance with any regulations adopted by the board pursuant to  
25 this section.

26 (B) Trees shall not be cut or removed pursuant to this  
27 subdivision by the clearcutting regeneration method, by the seed  
28 tree removal step of the seed tree regeneration method, or by the  
29 shelterwood removal step of the shelterwood regeneration method.

30 (3) (A) Surface fuels, including logging slash and debris, low  
31 brush, and deadwood, that could promote the spread of wildfire  
32 shall be chipped, burned, or otherwise removed from all areas of  
33 timber operations within 45 days from the date of commencement  
34 of timber operations pursuant to this subdivision.

35 (B) (i) All surface fuels that are not chipped, burned, or  
36 otherwise removed from all areas of timber operations within 45  
37 days from the date of commencement of timber operations may  
38 be determined to be a nuisance and subject to abatement by the  
39 department or the city or county having jurisdiction.

1 (ii) The costs incurred by the department, city, or county, as the  
2 case may be, to abate the nuisance upon a parcel of land subject  
3 to the timber operations, including, but not limited to, investigation,  
4 boundary determination, measurement, and other related costs,  
5 may be recovered by special assessment and lien against the parcel  
6 of land by the department, city, or county. The assessment may  
7 be collected at the same time and in the same manner as ordinary  
8 ad valorem taxes, and shall be subject to the same penalties and  
9 the same procedure and sale in case of delinquency as is provided  
10 for ad valorem taxes.

11 (4) All timber operations conducted pursuant to this subdivision  
12 shall conform to applicable city or county general plans, city or  
13 county implementing ordinances, and city or county zoning  
14 ordinances. This paragraph does not authorize the cutting, removal,  
15 or sale of timber or other solid wood forest products within an area  
16 where timber harvesting is prohibited or otherwise restricted  
17 pursuant to the rules or regulations adopted by the board.

18 (5) (A) The board shall adopt regulations, initially as emergency  
19 regulations in accordance with subparagraph (B), that the board  
20 considers necessary to implement and to obtain compliance with  
21 this subdivision.

22 (B) The emergency regulations adopted pursuant to  
23 subparagraph (A) shall be adopted in accordance with the  
24 Administrative Procedure Act (Chapter 3.5 (commencing with  
25 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
26 Code). The adoption of emergency regulations shall be deemed to  
27 be an emergency and necessary for the immediate preservation of  
28 the public peace, health, and safety, or general welfare.

29 (6) (A) Notwithstanding paragraph (1), the board may exempt  
30 from this chapter, or portions of this chapter, a person engaged in  
31 forest management whose activities are limited to the cutting or  
32 removal of trees on the person's property in compliance with  
33 Sections 4290 and 4291 that eliminates the vertical continuity of  
34 vegetative fuels and the horizontal continuity of tree crowns for  
35 the purpose of reducing flammable materials and maintaining a  
36 fuel break for a distance of not more than 300 feet on each side  
37 from an approved and legally permitted habitable structure, when  
38 that cutting or removal is conducted in compliance with this  
39 subdivision and all of the following conditions are met:

- 1 (i) The notice of exemption is prepared, signed, and submitted  
2 by a registered professional forester to the department.
- 3 (ii) For the areas between 150 and 300 feet from the habitable  
4 structure, the operations meet all of the following provisions:
- 5 (I) The residual stocking standards are consistent with Sections  
6 913.2, 933.2, and 953.2 of Title 14 of the California Code of  
7 Regulations, as appropriate.
- 8 (II) Activities within this area will increase the quadratic mean  
9 diameter of the stand.
- 10 (III) The residual stand consists primarily of healthy and  
11 vigorous dominant and codominant trees from the preharvest stand,  
12 well distributed though the harvested area.
- 13 (IV) Postharvest slash treatment and stand conditions will lead  
14 to more moderate fire behavior in the professional judgment of  
15 the registered professional forester who submits the notice of  
16 exemption.
- 17 (V) Any additional guidance for slash treatment and postharvest  
18 stand conditions and any other issues deemed necessary that are  
19 consistent with this section, as established by the board.
- 20 (B) For purposes of this paragraph, “habitable structure” means  
21 a building that contains one or more dwelling units or that can be  
22 occupied for residential use. Buildings occupied for residential  
23 use include single family homes, multidwelling structures, mobile  
24 and manufactured homes, and condominiums. For purposes of this  
25 paragraph “habitable structure” does not include commercial,  
26 industrial, or incidental buildings such as detached garages, barns,  
27 outdoor sanitation facilities, and sheds.
- 28 (C) The department shall evaluate the effects of this paragraph  
29 and shall report its recommendations, before the paragraph becomes  
30 inoperative, to the Legislature based on that evaluation. The report  
31 shall be submitted in compliance with Section 9795 of the  
32 Government Code.
- 33 (D) The board shall adopt regulations to implement this  
34 paragraph no later than January 1, 2016.
- 35 (E) This paragraph shall become inoperative three years after  
36 the effective date of regulations adopted by the board pursuant to  
37 subparagraph (D) but no later than January 1, 2019.
- 38 (j) (1) The harvesting of trees, limited to those trees that  
39 eliminate the vertical continuity of vegetative fuels and the  
40 horizontal continuity of tree crowns, for the purpose of reducing

1 the rate of fire spread, duration and intensity, fuel ignitability, or  
2 ignition of tree crowns.

3 (2) The board may authorize an exemption pursuant to paragraph  
4 (1) only if the tree harvesting will decrease fuel continuity and  
5 increase the quadratic mean diameter of the stand, and the tree  
6 harvesting area will not exceed 300 acres.

7 (3) Except as provided in paragraph (11), the notice of  
8 exemption, which shall be known as the Forest Fire Prevention  
9 Exemption, may be authorized only if all of the conditions specified  
10 in paragraphs (4) to (10), inclusive, are met.

11 (4) A registered professional forester shall prepare the notice  
12 of exemption and submit it to the director, and include a map of  
13 the area of timber operations that complies with the requirements  
14 of paragraphs (1), (3), (4), and (7) to (12), inclusive, of subdivision  
15 (x) of Section 1034 of Title 14 of the California Code of  
16 Regulations.

17 (5) (A) The registered professional forester who submits the  
18 notice of exemption shall include a description of the preharvest  
19 stand structure and a statement of the postharvest stand stocking  
20 levels.

21 (B) The level of residual stocking shall be consistent with  
22 maximum sustained production of high-quality timber products.  
23 The residual stand shall consist primarily of healthy and vigorous  
24 dominant and codominant trees from the preharvest stand. Stocking  
25 shall not be reduced below the standards required by any of the  
26 following provisions that apply to the exemption at issue:

27 (i) Clauses 1 to 4, inclusive, of subparagraph (A) of paragraph  
28 (1) of subdivision (a) of Section 913.3 of Title 14 of the California  
29 Code of Regulations.

30 (ii) Clauses 1 to 4, inclusive, of subparagraph (A) of paragraph  
31 (1) of subdivision (a) of Section 933.3 of Title 14 of the California  
32 Code of Regulations.

33 (iii) Clauses 1 to 4, inclusive, of subparagraph (A) of paragraph  
34 (1) of subdivision (a) of Section 953.3 of Title 14 of the California  
35 Code of Regulations.

36 (C) If the preharvest dominant and codominant crown canopy  
37 is occupied by trees less than 14 inches in diameter at breast height,  
38 a minimum of 100 trees over four inches in diameter at breast  
39 height shall be retained per acre for Site I, II, and III lands, and a

1 minimum of 75 trees over four inches in diameter at breast height  
2 shall be retained per acre for Site IV and V lands.

3 (6) (A) The registered professional forester who submits the  
4 notice shall include selection criteria for the trees to be harvested  
5 or the trees to be retained. In the development of fuel reduction  
6 prescriptions, the registered professional forester should consider  
7 retaining habitat elements, where feasible, including, but not  
8 limited to, ground level cover necessary for the long-term  
9 management of local wildlife populations.

10 (B) All trees that are harvested or all trees that are retained shall  
11 be marked or sample marked by or under the supervision of a  
12 registered professional forester before felling operations begin.  
13 The board shall adopt regulations for sample marking for this  
14 section in Title 14 of the California Code of Regulations. Sample  
15 marking shall be limited to homogenous forest stand conditions  
16 typical of plantations.

17 (7) (A) The registered professional forester submitting the  
18 notice, upon submission of the notice, shall provide a confidential  
19 archaeology letter that includes all the information required by  
20 any of the following provisions that apply to the exemption at  
21 issue:

22 (i) Paragraphs (2) and (7) to (11), inclusive, of subdivision (c)  
23 of Section 929.1 of Title 14 of the California Code of Regulations,  
24 and include site records if required pursuant to subdivision (g) of  
25 that section or pursuant to Section 929.5 of Title 14 of the  
26 California Code of Regulations.

27 (ii) Paragraphs (2) and (7) to (11), inclusive, of subdivision (c)  
28 of Section 949.1 of Title 14 of the California Code of Regulations,  
29 and include site records if required pursuant to subdivision (g) of  
30 that section or pursuant to Section 949.5 of Title 14 of the  
31 California Code of Regulations.

32 (iii) Paragraphs (2) and (7) to (11), inclusive, of subdivision (c)  
33 of Section 969.1 of Title 14 of the California Code of Regulations,  
34 and include site records if required pursuant to subdivision (g) of  
35 that section or pursuant to Section 969.5 of Title 14 of the  
36 California Code of Regulations.

37 (B) The director shall submit a complete copy of the confidential  
38 archaeological letter and two copies of all required archaeological  
39 or historical site records to the appropriate Information Center of  
40 the California Historical Resource Information System within 30

1 days from the date of notice submittal to the director. Before  
2 submitting the notice to the director, the registered professional  
3 forester shall send a copy of the notice to Native Americans, as  
4 defined in Section 895.1 of Title 14 of the California Code of  
5 Regulations.

6 (8) Only trees less than 18 inches in stump diameter, measured  
7 at eight inches above ground level, may be removed. However,  
8 within 500 feet of a legally permitted structure, or in an area  
9 prioritized as a shaded fuel break in a community wildfire  
10 protection plan approved by a public fire agency, if the goal of  
11 fuel reduction cannot be achieved by removing trees less than 18  
12 inches in stump diameter, trees less than 24 inches in stump  
13 diameter may be removed if that removal complies with this section  
14 and is necessary to achieve the goal of fuel reduction. A fuel  
15 reduction effort shall not violate the canopy closure regulations  
16 adopted by the board on June 10, 2004, and as those regulations  
17 may be amended.

18 (9) (A) This subparagraph applies to areas within 500 feet of  
19 a legally permitted structure and in areas prioritized as a shaded  
20 fuel break in a community wildfire protection plan approved by a  
21 public fire agency. The board shall adopt regulations for the  
22 treatment of surface and ladder fuels in the harvest area, including  
23 logging slash and debris, low brush, small trees, and deadwood,  
24 that could promote the spread of wildfire. The regulations adopted  
25 by the board shall be consistent with the standards in the board's  
26 "General Guidelines for Creating Defensible Space" described in  
27 Section 1299.03 of Title 14 of the California Code of Regulations.  
28 Postharvest standards shall include vertical spacing between fuels,  
29 horizontal spacing between fuels, maximum depth of dead ground  
30 surface fuels, and treatment of standing dead fuels, as follows:

31 (i) Ladder and surface fuels shall be spaced to achieve a vertical  
32 clearance distance of eight feet or three times the height of the  
33 postharvest fuels, whichever is the greater distance, measured from  
34 the base of the live crown of the postharvest dominant and  
35 codominant trees to the top of the surface fuels.

36 (ii) Horizontal spacing shall achieve a minimum separation of  
37 two to six times the height of the postharvest fuels, increasing  
38 spacing with increasing slope, measured from the outside branch  
39 edges of the fuels.

40 (iii) Dead surface fuel depth shall be less than nine inches.

1 (iv) Standing dead or dying trees and brush generally shall be  
2 removed. That material, along with live vegetation associated with  
3 the dead vegetation, may be retained for wildlife habitat when  
4 isolated from other vegetation.

5 (B) This subparagraph applies to all areas not described in  
6 subparagraph (A).

7 (i) The postharvest stand shall not contain more than 200 trees  
8 over three inches in diameter per acre.

9 (ii) Vertical spacing shall be achieved by treating dead fuels to  
10 a minimum clearance distance of eight feet measured from the  
11 base of the live crown of the postharvest dominant and codominant  
12 trees to the top of the dead surface fuels.

13 (iii) All logging slash created by the timber operations shall be  
14 treated to achieve a maximum postharvest depth of nine inches  
15 above the ground.

16 (C) The standards required by subparagraphs (A) and (B) shall  
17 be achieved on approximately 80 percent of the treated area. The  
18 treatment shall include chipping, removing, or other methods  
19 necessary to achieve the standards. Ladder and surface fuel  
20 treatments, for any portion of the exemption area where timber  
21 operations have occurred, shall be done within 120 days from the  
22 start of timber operations on that portion of the exemption area or  
23 by April 1 of the year following surface fuel creation on that  
24 portion of the exemption area if the surface fuels are burned.

25 (10) Timber operations shall comply with the requirements of  
26 paragraphs (1) to (10), inclusive, of subdivision (b) of Section  
27 1038 of Title 14 of the California Code of Regulations. Timber  
28 operations in the Lake Tahoe region shall comply instead with the  
29 requirements of paragraphs (1) to (16), inclusive, of subdivision  
30 (f) of Section 1038 of Title 14 of the California Code of  
31 Regulations.

32 (11) A notice of exemption, which shall be known as the Forest  
33 Fire Prevention Pilot Project Exemption, may be authorized if all  
34 of the following conditions are met:

35 (A) The conditions specified in paragraphs (2), (4), (6), (7), and  
36 (10) are met.

37 (B) Only trees less than 24 inches in stump diameter, measured  
38 at eight inches above ground level, may be removed. A fuel  
39 reduction effort shall not violate the canopy closure regulations

1 adopted by the board on June 10, 2004, and as those regulations  
2 may be amended.

3 (C) (i) The registered professional forester who submits the  
4 notice of exemption shall include a description of the preharvest  
5 stand structure and a statement of the postharvest stand stocking  
6 levels.

7 (ii) The level of residual stocking shall be consistent with  
8 maximum sustained production of high-quality timber products.  
9 The residual stand shall consist primarily of healthy and vigorous  
10 dominant and codominant trees from the preharvest stand. Where  
11 present prior to operations, the overstory canopy closure for trees  
12 greater than 12 inches in diameter at breast height shall not be  
13 reduced below 50 percent. Stocking shall be met with the largest  
14 trees available prior to harvest and shall not be reduced below the  
15 standards required by any of the following provisions that apply  
16 to the exemption at issue:

17 (I) Clauses 1 to 4, inclusive, of subparagraph (A) of paragraph  
18 (1) of subdivision (a) of Section 913.3 of Title 14 of the California  
19 Code of Regulations.

20 (II) Clauses 1 to 4, inclusive, of subparagraph (A) of paragraph  
21 (1) of subdivision (a) of Section 933.3 of Title 14 of the California  
22 Code of Regulations.

23 (III) Clauses 1 to 4, inclusive, of subparagraph (A) of paragraph  
24 (1) of subdivision (a) of Section 953.3 of Title 14 of the California  
25 Code of Regulations.

26 (iii) If the preharvest dominant and codominant crown canopy  
27 is occupied by trees less than 14 inches in diameter at breast height,  
28 a minimum of 100 trees over four inches in diameter at breast  
29 height shall be retained per acre for Site I, II, and III lands, and a  
30 minimum of 75 trees over four inches in diameter at breast height  
31 shall be retained per acre for Site IV and V lands. The retained  
32 trees shall be the largest trees available prior to harvest.

33 (D) The activities conducted pursuant to this paragraph occur  
34 in the Sierra Nevada Region as defined in subdivision (f) of Section  
35 33302, in Modoc, Siskiyou, or Trinity Counties, or in any  
36 combination of these areas.

37 (E) All activities conducted pursuant to this paragraph occur  
38 within the most recent version of the department's Fire Hazard  
39 Severity Zone Map in the moderate, high, and very high fire threat  
40 zones.

1 (F) The department shall maintain records regarding the use of  
2 the exemption granted in this paragraph in order to evaluate the  
3 impact of the exemption on fuel reduction and natural resources  
4 in areas where the exemption has been used.

5 (G) This paragraph shall become inoperative three years after  
6 the effective date of regulations adopted by the board implementing  
7 this paragraph.

8 (12) After the timber operations are complete, the department  
9 shall conduct an onsite inspection to determine compliance with  
10 this subdivision and whether appropriate enforcement action should  
11 be initiated.

12 *(k) The cutting or removal of trees, including through*  
13 *commercial harvest, to restore and conserve California black or*  
14 *Oregon white oak woodlands, and associated grasslands, if all of*  
15 *the following requirements are met:*

16 *(1) A registered professional forester shall prepare the notice*  
17 *of exemption and submit it to the director. The notice shall include*  
18 *all of the following:*

19 *(A) A map of the area of timber operations that complies with*  
20 *the requirements of paragraphs (1), (3), (4), and (7) to (11),*  
21 *inclusive, of subdivision (x) of Section 1034 of Title 14 of the*  
22 *California Code of Regulations.*

23 *(B) A certification signed by the registered professional forester*  
24 *that the timber operation is designed to restore and conserve*  
25 *California black and Oregon white oak woodlands and associated*  
26 *grasslands.*

27 *(C) A description of the preharvest stand structure and a*  
28 *statement of the postharvest stand stocking levels.*

29 *(2) No tree 75 years of age or older shall be harvested for*  
30 *commercial purposes, which includes use for saw logs, posts and*  
31 *poles, fuel wood, biomass, or other forest products.*

32 *(3) Conifer shall be reduced to less than 25 percent of the*  
33 *combined hardwood and conifer postharvest stand stocking levels.*

34 *(4) No more than 20 percent of preexisting oak stock shall be*  
35 *cut or removed during harvest.*

36 *(5) The registered professional forester submitting the notice,*  
37 *upon submission of the notice, shall provide a confidential*  
38 *archaeology letter that includes all the information required by*  
39 *paragraphs (2) and (7) to (11), inclusive, of subdivision (c) of*  
40 *Section 929.1 of Title 14 of the California Code of Regulations,*

1 *and site records if required pursuant to subdivision (g) of that*  
2 *section or pursuant to Section 929.5 of Title 14 of the California*  
3 *Code of Regulations.*

4 (6) *All slash created by the timber operations shall be treated*  
5 *to achieve a maximum postharvest depth of 18 inches above the*  
6 *ground within 24 months of the date of the director receiving the*  
7 *notice. Slash shall be configured so as to minimize the risk of fire*  
8 *mortality to the remaining oak trees.*

9 (7) *Timber operations shall comply with the requirements of*  
10 *paragraphs (1) to (10), inclusive, of subdivision (b) of Section*  
11 *1038 of Title 14 of the California Code of Regulations.*

12 SEC. 2. *Section 4621 of the Public Resources Code is amended*  
13 *to read:*

14 4621. (a) ~~Any~~ *A person who owns timberlands which that are*  
15 *to be devoted to uses other than the growing of timber shall file*  
16 *an application for conversion with the board. The board shall, by*  
17 *regulation, prescribe the procedures for, ~~form,~~ and the form and*  
18 *content of, the application. An application for a timberland*  
19 *conversion permit shall be accompanied by an application fee,*  
20 *payable to the department, in an amount determined by the board*  
21 *pursuant to subdivision (b).*

22 (b) *The board shall establish, by regulation, a system of*  
23 *graduated timberland conversion permit fees to finance the cost*  
24 *of administering this article.*

25 (c) *For purposes of this section, “growing of timber” shall*  
26 *include restoration and conservation forest management activities,*  
27 *which may include the removal of commercial species, if necessary*  
28 *to achieve specific forest health and ecological goals, including*  
29 *the restoration and conservation of oak woodlands, grasslands,*  
30 *wet meadows, and other ecologically important or unique habitats,*  
31 *that are not conducted in conjunction with the cutting or removal*  
32 *of trees or other forest products during the conversion of*  
33 *timberlands for other uses, including, but not limited to, residential*  
34 *or commercial developments, production of other agricultural*  
35 *crops, recreational developments, ski developments, water*  
36 *development projects, and transportation projects.*

37 SECTION 1. ~~Section 4556 is added to the Public Resources~~  
38 ~~Code, to read:~~

1     ~~4556. By January 1, 2018, the board shall revise or repeal those~~  
2     ~~rules and regulations that are an impediment to the restoration of~~  
3     ~~oak woodlands.~~

O