

AMENDED IN ASSEMBLY APRIL 7, 2016  
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 amend Sections 4584 and 4621 of the Public Resources Code, relating to forestry.

LEGISLATIVE COUNSEL'S DIGEST

AB 1958, as amended, Wood. 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~~ *also, until 7 years after the effective date of regulations adopted by the board implementing the provisions of the bill,* authorize the board to exempt a person cutting or removing ~~trees,~~ *trees in specified areas,* including through commercial harvest, to restore and conserve California black or Oregon white oak ~~woodlands,~~ *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.

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, as a  
21 member of a partnership, or as an officer or employee of a  
22 corporation or other legal entity, shall not obtain more than one  
23 exemption pursuant to this subdivision in a five-year period. If a  
24 partnership has as a member, or if a corporation or other legal  
25 entity has as an officer or employee, a person who has received  
26 this exemption within the past five years, whether as an individual,  
27 as a member of a partnership, or as an officer or employee of a

1 corporation or other legal entity, then that partnership, corporation,  
2 or other legal entity is not eligible for this exemption. “Person,”  
3 for purposes of this subdivision, means an individual, partnership,  
4 corporation, or other legal entity.

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

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

10 (ii) Authorize the department to inspect the sites approved in  
11 conversion applications that have been approved on or after January  
12 1, 2002, in order to determine that the conversion was completed  
13 within the two-year period described in subparagraph (B) of  
14 paragraph (2) of subdivision (a) of Section 1104.1 of Title 14 of  
15 the California Code of Regulations.

16 (iii) Require the exemption pursuant to this subdivision to expire  
17 if there is a change in timberland ownership. The person who  
18 originally submitted an application for an exemption pursuant to  
19 this subdivision shall notify the department of a change in  
20 timberland ownership on or before five calendar days after a change  
21 in ownership.

22 (iv) The board may adopt regulations allowing a waiver of the  
23 five-year limitation described in paragraph (1) upon finding that  
24 the imposition of the five-year limitation would impose an undue  
25 hardship on the applicant for the exemption. The board may adopt  
26 a process for an appeal of a denial of a waiver.

27 (B) The application form for the exemption pursuant to  
28 paragraph (1) shall prominently advise the public that a violation  
29 of the conversion exemption, including a conversion applied for  
30 in the name of someone other than the person or entity  
31 implementing the conversion in bona fide good faith, is a violation  
32 of this chapter and penalties may accrue up to ten thousand dollars  
33 (\$10,000) for each violation pursuant to Article 8 (commencing  
34 with Section 4601).

35 (h) An easement granted by a right-of-way construction  
36 agreement administered by the federal government if timber sales  
37 and operations within or affecting the area are reviewed and  
38 conducted pursuant to the National Environmental Policy Act of  
39 1969 (42 U.S.C. Sec. 4321 et seq.).

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

13 (2) (A) The cutting or removal of trees pursuant to this  
14 subdivision is limited to cutting or removal that will result in a  
15 reduction in the rate of fire spread, fire duration and intensity, fuel  
16 ignitability, or ignition of the tree crowns and shall be in  
17 accordance with any regulations adopted by the board pursuant to  
18 this section.

19 (B) Trees shall not be cut or removed pursuant to this  
20 subdivision by the clearcutting regeneration method, by the seed  
21 tree removal step of the seed tree regeneration method, or by the  
22 shelterwood removal step of the shelterwood regeneration method.

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

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

33 (ii) The costs incurred by the department, city, or county, as the  
34 case may be, to abate the nuisance upon a parcel of land subject  
35 to the timber operations, including, but not limited to, investigation,  
36 boundary determination, measurement, and other related costs,  
37 may be recovered by special assessment and lien against the parcel  
38 of land by the department, city, or county. The assessment may  
39 be collected at the same time and in the same manner as ordinary  
40 ad valorem taxes, and shall be subject to the same penalties and

1 the same procedure and sale in case of delinquency as is provided  
2 for ad valorem taxes.

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

10 (5) (A) The board shall adopt regulations, initially as emergency  
11 regulations in accordance with subparagraph (B), that the board  
12 considers necessary to implement and to obtain compliance with  
13 this subdivision.

14 (B) The emergency regulations adopted pursuant to  
15 subparagraph (A) shall be adopted in accordance with the  
16 Administrative Procedure Act (Chapter 3.5 (commencing with  
17 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
18 Code). The adoption of emergency regulations shall be deemed to  
19 be an emergency and necessary for the immediate preservation of  
20 the public peace, health, and safety, or general welfare.

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

32 (i) The notice of exemption is prepared, signed, and submitted  
33 by a registered professional forester to the department.

34 (ii) For the areas between 150 and 300 feet from the habitable  
35 structure, the operations meet all of the following provisions:

36 (I) The residual stocking standards are consistent with Sections  
37 913.2, 933.2, and 953.2 of Title 14 of the California Code of  
38 Regulations, as appropriate.

39 (II) Activities within this area will increase the quadratic mean  
40 diameter of the stand.

1 (III) The residual stand consists primarily of healthy and  
2 vigorous dominant and codominant trees from the preharvest stand,  
3 well distributed though the harvested area.

4 (IV) Postharvest slash treatment and stand conditions will lead  
5 to more moderate fire behavior in the professional judgment of  
6 the registered professional forester who submits the notice of  
7 exemption.

8 (V) Any additional guidance for slash treatment and postharvest  
9 stand conditions and any other issues deemed necessary that are  
10 consistent with this section, as established by the board.

11 (B) For purposes of this paragraph, “habitable structure” means  
12 a building that contains one or more dwelling units or that can be  
13 occupied for residential use. Buildings occupied for residential  
14 use include single family homes, multidwelling structures, mobile  
15 and manufactured homes, and condominiums. For purposes of this  
16 paragraph “habitable structure” does not include commercial,  
17 industrial, or incidental buildings such as detached garages, barns,  
18 outdoor sanitation facilities, and sheds.

19 (C) The department shall evaluate the effects of this paragraph  
20 and shall report its recommendations, before the paragraph becomes  
21 inoperative, to the Legislature based on that evaluation. The report  
22 shall be submitted in compliance with Section 9795 of the  
23 Government Code.

24 (D) The board shall adopt regulations to implement this  
25 paragraph no later than January 1, 2016.

26 (E) This paragraph shall become inoperative three years after  
27 the effective date of regulations adopted by the board pursuant to  
28 subparagraph (D) but no later than January 1, 2019.

29 (j) (1) The harvesting of trees, limited to those trees that  
30 eliminate the vertical continuity of vegetative fuels and the  
31 horizontal continuity of tree crowns, for the purpose of reducing  
32 the rate of fire spread, duration and intensity, fuel ignitability, or  
33 ignition of tree crowns.

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

38 (3) Except as provided in paragraph (11), the notice of  
39 exemption, which shall be known as the Forest Fire Prevention

1 Exemption, may be authorized only if all of the conditions specified  
2 in paragraphs (4) to (10), inclusive, are met.

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

9 (5) (A) The registered professional forester who submits the  
10 notice of exemption shall include a description of the preharvest  
11 stand structure and a statement of the postharvest stand stocking  
12 levels.

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

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

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

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

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

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

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

8 (7) (A) The registered professional forester submitting the  
9 notice, upon submission of the notice, shall provide a confidential  
10 archaeology letter that includes all the information required by  
11 any of the following provisions that apply to the exemption at  
12 issue:

13 (i) Paragraphs (2) and (7) to (11), inclusive, of subdivision (c)  
14 of Section 929.1 of Title 14 of the California Code of Regulations,  
15 and include site records if required pursuant to subdivision (g) of  
16 that section or pursuant to Section 929.5 of Title 14 of the  
17 California Code of Regulations.

18 (ii) Paragraphs (2) and (7) to (11), inclusive, of subdivision (c)  
19 of Section 949.1 of Title 14 of the California Code of Regulations,  
20 and include site records if required pursuant to subdivision (g) of  
21 that section or pursuant to Section 949.5 of Title 14 of the  
22 California Code of Regulations.

23 (iii) Paragraphs (2) and (7) to (11), inclusive, of subdivision (c)  
24 of Section 969.1 of Title 14 of the California Code of Regulations,  
25 and include site records if required pursuant to subdivision (g) of  
26 that section or pursuant to Section 969.5 of Title 14 of the  
27 California Code of Regulations.

28 (B) The director shall submit a complete copy of the confidential  
29 archaeological letter and two copies of all required archaeological  
30 or historical site records to the appropriate Information Center of  
31 the California Historical Resource Information System within 30  
32 days from the date of notice submittal to the director. Before  
33 submitting the notice to the director, the registered professional  
34 forester shall send a copy of the notice to Native Americans, as  
35 defined in Section 895.1 of Title 14 of the California Code of  
36 Regulations.

37 (8) Only trees less than 18 inches in stump diameter, measured  
38 at eight inches above ground level, may be removed. However,  
39 within 500 feet of a legally permitted structure, or in an area  
40 prioritized as a shaded fuel break in a community wildfire

1 protection plan approved by a public fire agency, if the goal of  
2 fuel reduction cannot be achieved by removing trees less than 18  
3 inches in stump diameter, trees less than 24 inches in stump  
4 diameter may be removed if that removal complies with this section  
5 and is necessary to achieve the goal of fuel reduction. A fuel  
6 reduction effort shall not violate the canopy closure regulations  
7 adopted by the board on June 10, 2004, and as those regulations  
8 may be amended.

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

22 (i) Ladder and surface fuels shall be spaced to achieve a vertical  
23 clearance distance of eight feet or three times the height of the  
24 postharvest fuels, whichever is the greater distance, measured from  
25 the base of the live crown of the postharvest dominant and  
26 codominant trees to the top of the surface fuels.

27 (ii) Horizontal spacing shall achieve a minimum separation of  
28 two to six times the height of the postharvest fuels, increasing  
29 spacing with increasing slope, measured from the outside branch  
30 edges of the fuels.

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

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

36 (B) This subparagraph applies to all areas not described in  
37 subparagraph (A).

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

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

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

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

17 (10) Timber operations shall comply with the requirements of  
18 paragraphs (1) to (10), inclusive, of subdivision (b) of Section  
19 1038 of Title 14 of the California Code of Regulations. Timber  
20 operations in the Lake Tahoe region shall comply instead with the  
21 requirements of paragraphs (1) to (16), inclusive, of subdivision  
22 (f) of Section 1038 of Title 14 of the California Code of  
23 Regulations.

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

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

29 (B) Only trees less than 24 inches in stump diameter, measured  
30 at eight inches above ground level, may be removed. A fuel  
31 reduction effort shall not violate the canopy closure regulations  
32 adopted by the board on June 10, 2004, and as those regulations  
33 may be amended.

34 (C) (i) The registered professional forester who submits the  
35 notice of exemption shall include a description of the preharvest  
36 stand structure and a statement of the postharvest stand stocking  
37 levels.

38 (ii) The level of residual stocking shall be consistent with  
39 maximum sustained production of high-quality timber products.  
40 The residual stand shall consist primarily of healthy and vigorous

1 dominant and codominant trees from the preharvest stand. Where  
2 present prior to operations, the overstory canopy closure for trees  
3 greater than 12 inches in diameter at breast height shall not be  
4 reduced below 50 percent. Stocking shall be met with the largest  
5 trees available prior to harvest and shall not be reduced below the  
6 standards required by any of the following provisions that apply  
7 to the exemption at issue:

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

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

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

17 (iii) If the preharvest dominant and codominant crown canopy  
18 is occupied by trees less than 14 inches in diameter at breast height,  
19 a minimum of 100 trees over four inches in diameter at breast  
20 height shall be retained per acre for Site I, II, and III lands, and a  
21 minimum of 75 trees over four inches in diameter at breast height  
22 shall be retained per acre for Site IV and V lands. The retained  
23 trees shall be the largest trees available prior to harvest.

24 (D) The activities conducted pursuant to this paragraph occur  
25 in the Sierra Nevada Region as defined in subdivision (f) of Section  
26 33302, in Modoc, Siskiyou, or Trinity Counties, or in any  
27 combination of these areas.

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

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

36 (G) This paragraph shall become inoperative three years after  
37 the effective date of regulations adopted by the board implementing  
38 this paragraph.

39 (12) After the timber operations are complete, the department  
40 shall conduct an onsite inspection to determine compliance with

1 this subdivision and whether appropriate enforcement action should  
2 be initiated.

3 (k) The cutting or removal of trees, including through  
4 commercial harvest, to restore and conserve California black or  
5 Oregon white oak—~~woodlands~~, *woodlands* and associated  
6 grasslands, if all of the following requirements are met:

7 (1) A registered professional forester shall prepare the notice  
8 of exemption and submit it to the director. The notice shall include  
9 all of the following:

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

14 (B) A certification signed by the registered professional forester  
15 that the timber operation is designed to restore and conserve  
16 California black and Oregon white oak woodlands and associated  
17 grasslands.

18 (C) A description of the preharvest stand structure and a  
19 statement of the postharvest stand stocking levels.

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

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

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

27 (5) The registered professional forester submitting the notice,  
28 upon submission of the notice, shall provide a confidential  
29 archaeology letter that includes all the information required by  
30 paragraphs (2) and (7) to (11), inclusive, of subdivision (c) of  
31 Section 929.1 of Title 14 of the California Code of Regulations,  
32 and site records if required pursuant to subdivision (g) of that  
33 section or pursuant to Section 929.5 of Title 14 of the California  
34 Code of Regulations.

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

1 (7) Timber operations shall comply with the requirements of  
2 paragraphs (1) to (10), inclusive, of subdivision (b) of Section  
3 1038 of Title 14 of the California Code of Regulations.

4 (8) *On or before January 1, 2018, the board shall adopt*  
5 *regulations to implement this subdivision.*

6 (9) *This subdivision shall not apply to the Southern Subdistrict*  
7 *of the Coast Forest District, as defined in Section 895.1 of Title*  
8 *14 of the California Code of Regulations, or the Southern Forest*  
9 *District, as defined in Section 909 of Title 14 of the California*  
10 *Code of Regulations.*

11 (10) *This subdivision shall become inoperative seven years after*  
12 *the effective date of the regulations adopted by the board pursuant*  
13 *to paragraph (8).*

14 SEC. 2. Section 4621 of the Public Resources Code is amended  
15 to read:

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

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

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

O