

1 **Board of Forestry and Fire Protection**

2 **“WORKING FOREST MANAGEMENT PLAN”**

3 **Title 14 of the California Code of Regulations (14 CCR),**

4 **Division 1.5, Chapter 4, Subchapter 7, Article 6.95**

5 **Adopt: 1094.16(d)(6)**

6 Key to formatting:

7 existing CCR Text (approved June 2, 2017) ----- No underline or strikethrough

8 45-Day Noticed rule text (published 06/10/16) ----- single underline

9 deletions of 45-Day Noticed rule text proposed in this 15-Day Notice ----- ~~double strikethrough~~

10 additional rule text proposed in this 15-Day Notice ----- double underline

11 **BEGIN RULE TEXT**

12 **1094.15 Notice of WFMP Filing**

13 (a) The Director shall prepare a Notice of Filing which shall contain the basic information
14 contained in the Notice of Preparation pursuant to 14 CCR § 1094.3, plus the assigned WFMP
15 number.

16 (b) Within two (2) working days of the date the Plan is filed, the Director shall transmit copies of
17 the Notice of Filing to:

18 (1) The person submitting the Plan.

19 (2) The office of the County Clerk of the county(s) in which the operations are proposed.

20 The Notice of Filing shall be posted at the normal place for posting environmental notices.

21 (3) The local CAL FIRE Unit headquarters for posting.

22 (4) At such other locations as the Director may deem desirable and feasible to provide

1 adequate public notice.

2 (5) All public agencies having custodial responsibility for lands within 300 ft. of the
3 WFMP boundary.

4 (6) The Department's Internet Web site.

5 (7) To any person who requests notifications in writing.

6 (c) Notice of Filing may be transmitted through internet based email.

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8 Note: Authority cited: Sections 4551, 4551.5, 4552 and 4553, Public Resources Code.

9 Reference: Sections 4597.3 and 4597.4, Public Resources Code.

10
11 **1094.16 Agency and Public Review for the WFMP**

12 (a) Upon receipt of the proposed WFMP, the Department shall place the proposed Plan, or a
13 true copy of the proposed Plan, in a location available for public inspection in the county in
14 which timber operations are proposed under the Plan or on the Department's Internet Web site.

15 For the purpose of interdisciplinary review, the Department shall also transmit a copy to the
16 Department of Conservation, the Department of Fish and Wildlife, the appropriate California
17 Regional Water Quality Control Board, the county planning agency, and all other agencies
18 having jurisdiction by law over natural resources affected by the Plan. The Department shall
19 invite, consider, and respond in writing to comments received from public agencies to which the
20 Plan has been transmitted and shall consult with those agencies at their request.

21 (b) The Director shall also transmit a copy of any specific Plan to any person who has made a
22 written request therefore.

23 (c) The Department shall bill such persons for the cost of providing such copies and such
24 monies shall be paid to the Department.

25 (d) The Director shall take the following steps when Significant New Information, as defined in

1 14 CCR § 895.1, is added to the Plan during the course of Plan review or during the Director's
2 determination period.

3 (1) When Significant New Information are limited to a few sections or portions of the
4 Plan, the Department need only recirculate the sections or portions that have been modified.

5 (2) When Significant New Information are not limited to a few sections of the Plan, the
6 Department shall recirculate the entire Plan.

7 (3) The Department shall prepare a Letter of Recirculation which shall include:

8 (A) A brief description of the proposed project and its location. Such information
9 shall include:

- 10 1. The Plan number and county(s).
- 11 2. The names of the timberland owner(s) and the plan submitter(s).
- 12 3. The location of the Plan area by county, section, township, and range.
- 13 4. The name of the nearest major watercourse or CALWATER v2.2 ID.
- 14 5. The acres proposed to be harvested.
- 15 6. The silvicultural systems to be used.

16 (B) A summary of changes made to the Plan and a brief description of significant
17 new information contained in the Plan.

18 (C) Clarification as to whether the entire Plan, or only those recirculated portions
19 of the Plan, are open for public comment.

20 (D) The starting and ending dates for the review period during which public
21 comments will be received. The public comment period shall be a minimum of thirty (30) days.

22 (E) The date, time, and place of any scheduled public meetings when known by
23 the lead agency at the time of notice.

24 (F) The address where copies of the Plan record are available for public review.

25 (4) The Letter of Recirculation shall be sent to: all review team members; any agency,

1 person, or organization that commented on the Plan; and all landowners who received a Notice
2 of Preparation.

3 (5) The Department need only respond to:

4 (A) Comments received during the initial circulation period that relate to sections
5 or portions of the Plan that were not revised and recirculated, and

6 (B) Comments received during the recirculation period that relate to the sections
7 or portions of the Plan that were revised and recirculated.

8 ~~(6) The Department shall prepare and distribute include with the Notice of Filing, a~~
9 ~~Notice of Recirculation pursuant to 14 CCR § 1032.9 equivalent to a Notice of Filing as~~
10 ~~described in 14 CCR § 1094.15.~~

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12 Note: Authority cited: Sections 4551, 4551.5, 4552 and 4553, Public Resources Code.

13 Reference: Sections 4597.3, 4597.5 and 4597.6, Public Resources Code; and *Joy Road Area*

14 *Forest and Watershed Association v. California Department of Forestry & Fire Protection,*

15 Sonoma County Superior Court No. SCV 229850.

16 END RULE TEXT