

BOARD OF FORESTRY

**PROFESSIONAL FORESTERS REGISTRATION**

P.O. BOX 944246

SACRAMENTO, CA. 94244-2460

TELEPHONE (916) 653-8031



# LICENSING NEWS

Vol. 12 No. 1

June 1993



**COVER: CDF S-2 Air Tanker drops 800 gallons of retardant.**

# LICENSING NEWS

## Table of Contents

	<u>Page</u>
<b>I. What's New with The Board of Forestry</b>	<b>2</b>
A. New Board Membership	
B. Board Actions in 1st Quarter of 1993	
C. Board Lays out 1993 Priorities; Extends North Sierra Zone of Infestation	
D. Board Deals with Hardwood Loss	
E. Monitoring Study Group Update	
<b>II. Update on CDF Activities</b>	<b>6</b>
A. Department Reorganization	
B. Stewardship Incentive Program	
C. California Forest Improvement Program	
D. Arch Site Procedures to be revised	
E. CDF donates Redwoods to Spain	
G. Current THP Submittal	
<b>III. What's New with Foresters Licensing</b>	<b>12</b>
A. RPF Exam Results	
B. Lost in Woods	
C. Condolences	
<b>IV. What's New with the PFEC</b>	<b>13</b>
A. Next PFEC Meeting	
B. New PFEC Membership	
C. Rejection of THP's for Filing	
D. Summary of RPF Licensing Actions	
<b>V. Update on Legislation</b>	<b>22</b>
<b>VI. Update on National Forest Activities</b>	<b>23</b>
A. Forest Service Adopts Interim Scientific Recommendations for California Spotted Owl	
B. Update on Northern Spotted Owl	
C. Timber Program Profit in California	
<b>VII. Continuing Education</b>	<b>27</b>
A. SAF Continuing Education Certification	
B. Course Schedule	
<b>IX. Other Points of Interest</b>	<b>28</b>
A. Francis H. Raymond Award	
B. Two Foresters Receive CDF Archeology Award	
C. Northern Spotted Owl Referral Consultation Process	
D. Survey Methods for Marbled Murrelets	
E. The Northern Goshawk and Forest Planning	
F. California Clearcutting Dramatically Reduced	
G. Wanted: Wildlife Consultants and Consulting Firms	
H. CLFA Releases THP Checklist	
I. SAF Announces California Stewardship Hotline	

# I. What's New With The Board of Forestry

## A. NEW BOARD MEMBERSHIP

On June 7, 1993, Governor Wilson announced that Terry Gorton will resign her position as the Board of Forestry Chairman to become the Assistant Secretary of the Resources Agency for forestry and rural economic development.

Gorton has served the past two years as chairman of the State Board of Forestry. She will resign that position to assume her new post. As assistant secretary, Gorton will advise Governor Wilson and Resources Secretary Doug Wheeler on job creation measures and environmental policies affecting rural areas, including Northern California.

"Terry has provided two years of outstanding service as chairman of the Board of Forestry," commented Wilson. "Now, she'll bring that same 'can-do spirit' to the mission of creating jobs for the one-fifth of all Californians who live in rural communities.

Also on June 7, Governor Pete Wilson also announced the appointments of the following members to the State Board of Forestry:

**Bonnie Neely**, 43, of Eureka, is a member of the Humboldt County Board of Supervisors, a position she has held since 1986. She also has served as a member of the California Coastal Commission since 1988. she is a representative of the public.

Neely was an administrative assistant for the Humboldt County Board of Supervisors from 1979-86. She was a legal secretary for the firm Corbett, Roberts, and Hill from 1975-79.

Neely is a member of the Humboldt Arts Council and the Redwood Empire Association. She is also active in the Redwood Region Economic Development Commission, the Eureka/Humboldt County Library Committee and the Humboldt County Court Needs Assessment Committee.

A Republican, Neely attended the College of the Redwoods, Chingford School of Music in London, England, and California State University, Humboldt.

**Tharon E. O'Dell**, 50, of Arcata, has worked more than 18 years with forestry issues in the North Coast of California. He is currently Timberlands Resources Manager for Simpson Timber Company. He is a representative of the industry.

From 1981-84, he worked for Champion International Corporation. He was involved in forest inventory for the U.S. Forest Service's R-6 Office from 1979-81 and from 1971-79, was an assistant Professor of Forestry at California State University, Humboldt.

O'Dell is a Member of the California Licensed Foresters Association and the Board's Professional Foresters Examining Committee. He earned his Professional Foresters License in 1973.

A Republican, he earned a bachelor of science degree in forestry from Southern Illinois University. He then earned a masters degree in forestry ecology from Oregon State University. O'Dell continued his graduate studies at Oregon State University until he became assistant professor at Humboldt State in 1971.

These appointments require Senate confirmation.



Former Chairman Terry Gorton and future forester Alexander

## **B. BOARD OF FORESTRY ACTIVITIES IN THE 1st QUARTER OF 1993**

At its January, February, and March meetings, the Board took testimony from the public on the continued hearing to identify regulatory relief for non-industrial private landowners.

At the conclusion of one and a half days of testimony, the Board agreed on modified language that provides relief from submittal of Technical Rule Addendum #2 (cumulative effects analysis) for non-industrial forestland ownerships of less than 100 acres where certain additional prescriptive standards are met. The Board provided the modified language to the public for 15 day review with adoption at its April meeting. The Board does not believe these regulations completely address the landowners concerns. They will continue discussion on how to streamline the current THP process.

At its January meeting, the Board adopted findings for the three regulatory adoptions at the October, 1992 meeting. That was the adoption of silvicultural/sustained yield, sensitive watershed, and late successional forest stand regulations. Copies of the findings may be obtained from the Board office for the cost of providing the documents.

In addition, the Board held a hearing to adopt emergency regulations to provide consideration of the Pacific Yew. The Board adopted emergency regulations which would require that notice be provided to pharmaceutical companies federally licensed to produce taxol and provide them 60 days for harvesting Yew bark before timber operation impacting the Yew may commence. The Board also directed staff to notice the emergency regulations for permanent adoption. The hearing for permanent adoption of these rules will be held at the April Board meeting.

The Board also discussed the California Spotted Owl Report with the U.S. Forest Service Regional Forester Mr. Ron Stewart. The Board expressed concern about the recommendations contained in the CASPO report and the management actions which would be taken by the U.S. Forest Service. This mainly being an

additional reduction in timber harvest from federal land. Mr. Stewart noted that the guidelines contained in the report could not be implemented until the proposed actions were evaluated through the National Environmental Policy Act (NEPA). Mr. Stewart agreed to provide the Board with a review of that upcoming process and the time lines involved.

In February, the Board adopted a regulatory proposal which would change the use of the THP exemption in Santa Cruz County. The modified regulation would delay the start of timber operations under an exemption from the date of filing. Timber operations would not be able to begin until 10 days after the exemption was filed with the Director and the exemption is deemed complete as filed.

The Board also began an extended discussion evaluating the THP process. The intent is to determine if there are ways the process can be streamlined while still providing the mandated consideration of forest related natural resources.

The Board also requested that the PFEC review the twenty-five THPs returned by the Director in 1993 as not filed. The Board was concerned with the large percentage of non-filings and wished to determine causes and possible means to reduce that percentage. This is further discussed under "What's new with the PFEC."

In March, the Board adopted an amendment to the exemption process which would allow for the biomass harvesting of dead trees from substantially damaged timberlands within the exemption category.

The Board also considered draft language which would establish a Range Managers Specialty Certificate under Foresters Licensing. The Board noticed language and began a public hearing to address the regulations for the Certificate at its June meeting.

## **C. BOARD OF FORESTRY LAYS OUT 1993 PRIORITIES**

The California State Board of Forestry released its plans to deal with forestry issues in 1993. The Board's agenda is focusing on four

major priorities: issues related to fire protection and prevention; review of effectiveness of the current regulatory process; defining and implementing landscape forestry approaches; and review of the status of the hardwood resources.

"Any one of these areas probably would be enough for a year," said Terry Gorton, Board Chairman, "but the public has placed so many demands on our forests that we must try to address all of these issues this year."

Gorton cited fire protection as an example: "Urbanization is seriously complicating our ability to fight wildfires; years of drought have killed many millions of acres of brush and trees and dead vegetation is a severe fire threat. Also, the state's budget crunch has reduced our ability to fund new engines and personnel. The Board must find new, more efficient ways of doing business."

The Board, which oversees the California Department of Forestry and Fire Protection, will be revising the State Fire Plan which guides CDF's fire fighting efforts. Chairman Gorton believes that will be a challenge, "We face some very difficult questions, like do we offer less wildland fire protection or ask the public to pay more?"

"Hardwoods are also a priority." stated Gorton. "The Board has received a number of letters complaining about heavy harvest of oak trees and demanding that the Board take regulatory action to stop this harvesting."

In another action, the Board added 8.6 million acres to the Northern Sierra Zone of Infestation and renamed the zone the Sierra Cascade Zone. "The Board took this action because heavy drought stress has led to insects killing huge numbers of white fir, red fir, and pine trees in Siskiyou, Modoc, Shasta, and Lassen counties," said Gorton, "we have to do everything we can to facilitate control of insects." According to CDF sources, in areas of heaviest damage, it is not uncommon to see 50 percent or more of the true fir stands dead or dying.

By declaring a zone of infestation, the Board facilitates direct control efforts and pest evaluations as necessary. It also serves to tell

the public that the forests in these areas are in very bad shape.

Copies of the Board's priorities and of the Sierra Cascade Zone of Infestation are available from the Board office in Sacramento.

#### **D. BOARD DEALS WITH HARDWOOD LOSS**

Citing continued loss of hardwoods and related wildlife habitat to urban development and localized firewood cutting, the State Board of Forestry announced a progressive and comprehensive three-year program to strengthen habitat protection in the state.

The Board, at the conclusion of a day-and-a-half hearing in May, decided on a three-tiered approach. "First, we are going to work with local governments to include protection of hardwood habitat in their general planning process," explained Terry Gorton, Board Chairman. "If that doesn't work, the Board will seek legislation to give it the power to set minimum standards in hardwoods with the ability for local government to adapt the standards regionally," Gorton continued, "and if that fails, we will implement full state regulations under existing law."

At the hearing the Department of Fish and Game testified that hardwoods provide rich wildlife habitat. Urban development destroys most of the hardwood habitat, so according to Gorton, "it is a matter best dealt with by planning at the local level with state intervention only if local efforts cannot solve the problem." Gorton cited Tuolumne and Yolo counties as examples of local governments with innovative local approaches. "We can build on the willingness of counties like this to fashion creative, integrated approaches that meet local needs," she said, "it is a great opportunity to avoid the controversies that have engulfed our conifer forests."

The Board previously considered the matter in 1987 and opted for a cooperative program of information, education, and research run by the Department of Forestry and Fire Protection, the Department of Fish and Game, University of California Cooperative Extension,

and representatives of the range-livestock community. "We know a lot more about hardwoods now," said Gorton, "but if we want to protect habitat, we have to do a better job in getting the information out and providing a scientific basis for special interest groups to urge local planning and decisions made that fit regional needs."

The Board will soon send a letter to local governments regarding the loss of hardwoods and to provide additional information on hardwoods needed by the counties. It will follow this up with an extensive public information effort in cooperation with the California Oak Foundation, landowner groups such as the California Cattlemen, and environmental groups, such as the National Audubon Society and others.

Several witnesses at the hearing had urged the Board to declare hardwoods to be commercial species under the Forest Practice Act, thus invoking a state permit and regulation on process.

Ranchers objected to the expense and red tape. "This would be a very heavy club, especially since many ranchers already are managing their oaks well, and the biggest single threat over the next decade is urban development in oak habitat which firewood cutting regulations would not necessarily reduce," stated Gorton.

## **E. MONITORING STUDY GROUP UPDATE**

In 1988, pursuant to Section 208 of the Federal Clean Water Act, the State Water Board certified a Water Quality Management (WQM) plan for Timber Operations on Nonfederal Lands. The WQM Plan consists of: (1) those Forest Practice Rules which the State Board certified as Best Management Practice (BMPs); (2) the procedures used by the Agency and the California Department of Forestry and Fire Protection (CDF) to implement the rules; and (3) a Management Agency Agreement (MAA) between the State Water Board, Board of Forestry, CDF, and agencies responsible for implement portions of the WQM Plan in accordance with the MAA. The MAA requires further assessment of CDF performance in BMP

implementation and the effectiveness of the rules and implementation process.

In 1989 the Board of Forestry ("Board") established an Interagency Monitoring Task Force (later known as the Monitoring Study Group) to develop a program for assessing the effectiveness of Forest Practice rules in protecting beneficial uses. Recognizing the importance of public involvement, in the group recommended that the Board appoint a citizen's advisory committee to solicit public comment on program design. In 1991 the "Best Management Practices Effectiveness Assessment Committee" (BEAC) conducted a public outreach program through a series of workshops in the timbered regions of the state, and reported their recommendations to the Board.

One of the most significant conclusions of the BEAC and the Monitoring Study Group was that a one-to-two year pilot program should be conducted to test the practicality of monitoring methods before commitments we made to a long-term program. As of this writing (November 1992), the Monitoring Study Group is finalizing their recommendations concerning the objectives and design of the pilot. Under consideration are the selection of parameters to be measured, research design, sampling protocols, field techniques and data analysis. It is expressly not the purpose of the pilot to generate conclusions on BMP effectiveness, but rather to test the field methods and recommend design of a long-term program. The Study Group is at the same time preparing the basic contents of either a contract proposal or an interagency agreement for the conduct of the pilot program.

In 1992, the Board of Forestry also embarked upon a new rule-making program, resulting in adoption of rules concerning long-term forest management planning, designation of sensitive watersheds, and limitations on clearcut size. The Board also required an evaluation, by December 1994, of the Watercourse and Lake Protection Zone (WLPZ) rules which had become effective in October, 1991.

## **II. Update on CDF's Activities**

### **A. DEPARTMENT REORGANIZATION**

The Director of the California Department of Forestry and Fire Protection (CDF) has announced reorganization plans aimed at increasing the department's initial attack and fire prevention capability and reducing emergency fire fighting costs--without increasing the department's current General Fund budget level.

"Public safety is our highest priority," stated Richard Wilson, CDF Director. "This restructuring will enable us to maximize our initial attack fire fighting capability by moving resources from administrative offices to the fire line.

CDF began an internal strategic planning exercise last September with the objective of identifying ways in which the Department could improve efficiency and effectiveness. The reorganization announced this spring includes endorsement of the recommendations produced as a result of the project.

Wilson said that a number of actions will be taken to free up funds that can be reinvested in priority programs within the department:

- \* The Department will downsize from four to two regions. CDF currently expends approximately \$10 million in operating its four region offices, which provide largely an administrative function.
- \* Resources within programs in the Sacramento Headquarters will be identified for potential redirection and reinvestment within the organization.
- \* Establish an expanded audit function within the accountability and improve emergency fund management.
- \* The current configuration of 22 Ranger Units throughout the state will be reviewed to determine if consolidation is feasible.

CDF is responsible for providing fire protection and other emergency services on over 30 million acres of private lands in the state's watershed areas. The department works closely with the federal and local governments in providing service to these areas.

"Today's difficult fiscal times demand that we look at new and innovative ways of doing business," Wilson said. "Redirection and reinvestment are essential if we are to meet the ever-increasing service demands in the areas protected by CDF."

Director Wilson pointed out that the escalating costs of providing emergency services, excessive fuels and increased population in the state's watershed areas create a dangerous situation. Larger, more costly fires result when the initial attack system is unable to control fires in the early stages. This past fire season, over \$70 million was spent in emergency fire fighting funds on fires not controlled by initial attack efforts.

The most defined aspect of that reorganization is the consolidation from four regions, to two areas. The COASTAL-NORTH AREA, headquartered in Santa Rosa, is under the direction of DEPUTY DIRECTOR FOR OPERATIONS, LLOYD KEEFER. Region II headquarters is now known as the Northern Area Office and it is overseen by Assistant Deputy Director for Operations, Jack White.

The SIERRA-SOUTH AREA is headquartered in Fresno, and is under the direction of DEPUTY DIRECTOR FOR OPERATIONS, JIM OWEN. Region III headquarters is now the Southern Area Office and is handled by Assistant Deputy Director for Operations, Glen Newman.

The new "Areas" encompass the same geographic area and ranger units as the former Region I and Region II Combined (North), and Region III and Region IV combined (South), with the following changes: the Nevada-Yuba-Placer Ranger Unit now falls in the Sierra-South Area; and the San Benito-Monterey Ranger Unit falls under the Coastal-North Area. Below is the Departments new organization:

## CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

<u>Administrative Unit</u>	<u>Executive Officer</u>	<u>Title</u>	<u>Street Address</u>	<u>City &amp; Zone</u>	<u>Telephone</u>	<u>P.O. Box</u>
<b>STATE HEADQUARTERS</b>			1416 9th Street	Sacramento 94244-2460	916-653-5121	Box 94424
	Richard A Wilson	Director			916-653-7772	
	Jim Dykes	Chief Deputy Director			916-653-7078	
	Elaine Vann	Deputy Director, Management Services			916-653-7709	
	Kenneth L. Delfino	Deputy Director, Resource Management			916-653-4298	
	William Harrington	(Acting) Deputy Director, Fire Protection			916-653-9424	
	Jim Branham	Deputy Director, Planning, Public Affairs and Legislation			916-653-1586	
	Shelley Mateo	Assistant Deputy Director, Management Services			916-653-6630	
	William Harrington	Assistant Deputy Director, Fire Control Operations			916-653-7370	
<b>CDF Academy</b>	Dan Francis	Administrator	4501 State Highway 104	lone 95640	209-274-2426	
<b>COASTAL-NORTH AREA</b>						
	Lloyd Keefer	Deputy Director, Operations	135 Ridgway Ave.	Santa Rosa 95402	707-576-2275	Box 670
	Byron Camiglia	Asst. Deputy Director, Operations	135 Ridgway Ave.	Santa Rosa 95402	707-576-2275	Box 670
	Dean Lucke	Asst. Deputy Director, Operations	135 Ridgway Ave.	Santa Rosa 95402	707-576-2275	Box 670
Humboldt-Del Norte	J.R. McCollister	Ranger Unit Chief	118 So. Fortuna Blvd.	Fortuna 95540	707-725-4413	
Lake-Napa	Vacant	Ranger Unit Chief	1572 Railroad Ave.	St. Helena 94574	707-963-3601	
Mendocino	Raymond Hebrard	Ranger Unit Chief	17501 N. Highway 101	Willits 95490	707-459-7414	
San Mateo-Santa Cruz	Steve Wert	Ranger Unit Chief	6059 Highway 9	Felton 95018	408-335-5353	Drawer F-2
San Benito-Monterey	Craig Anthony	Ranger Unit Chief	401 Canal Street	King City 93930	408-385-5412	
Santa Clara	Richard Clanton	Ranger Unit Chief	15670 Monterey Street	Morgan Hill 95037	408-779-2121	
Sonoma	Bill Imboden	Ranger Unit Chief	2210 W. College Ave.	Santa Rosa 95401	707-576-2285	
<b>Northern Area Office</b>						
Butte	Jack White	Asst. Deputy Director, Operations	6105 Airport Rd.	Redding 96002	916-224-2445	
Lassen-Modoc	Steve Brown	Ranger Unit Chief	176 Nelson Ave.	Oroville 95965	916-538-7111	
Shasta-Trinity	Robert Taylor	Ranger Unit Chief	697-345 Highway 36	Susanville 96136	916-257-4171	
Siskiyou	Roy Stewart	Ranger Unit Chief	1000 Cypress Ave.	Redding 96001	916-225-2418	
Tehama-Glenn	Ken Stanley	Ranger Unit Chief	1809 Fair Lane Rd.	Yreka 96097	916-842-3516	Box 128
	William Hoehman	Ranger Unit Chief	604 Antelope Blvd.	Red Bluff 96080	916-529-8548	
<b>SIERRA-SOUTH AREA</b>						
	Jim Owen	Deputy Director, Operations	1234 East Shaw Ave.	Fresno 93710	209-222-3714	
	Gary W. Gilbert	Asst. Deputy Director, Operations	1234 East Shaw Ave.	Fresno 93710	209-222-3714	
Nevada-Yuba-Placer	Hank Weston	Ranger Unit Chief	13760 Lincoln Way	Auburn 95603	916-823-4904	
Amador-El Dorado	James Simmons	Ranger Unit Chief	2840 Mt. Danaher Rd.	Camino 95709	916-644-2345	
Fresno-Kings	Frederick Batchelor	Ranger Unit Chief	210 So. Academy Ave.	Sanger 93657	209-485-7500	
Madera-Mariposa-Merced	Vacant	Ranger Unit Chief	5366 Highway 49 North	Mariposa 95338	209-966-3622	
Tulare	Ed Wristen	Ranger Unit Chief	1968 So. Lovers Lane	Visalia 93277	209-732-5954	
Tuolumne-Calaveras	Jerry Geisler	Ranger Unit Chief	785 Mountain Ranch Rd.	San Andreas 95249	209-754-3831	Star Rt. 1
<b>Southern Area Office</b>						
Riverside	Glen Newman	Asst. Deputy Director, Operations	2524 Mulberry Street	Riverside 92501	909-782-4140	
San Bernardino	Mike Harris	Ranger Unit Chief	210 W. San Jacinto	Perris 92570	909-657-3183	
San Diego	Dave Driscoll	Ranger Unit Chief	3800 Sierra Way	San Bernardino 92405	909-881-6900	
San Luis Obispo	Tim Turner	Ranger Unit Chief	2249 Jamacha Rd.	El Cajon 92020	619-588-0364	
	James McFadden	Ranger Unit Chief	635 No. Santa Rosa	San Luis Obispo 93401	805-543-4244	

This part of the reorganization is effective now, however no major changes in operations or movement of personnel will occur until after the fire season.

There are other aspects of reorganization that are currently being developed. A task force, under the guidance of Chief Deputy Director, Jim Dykes, is exploring a number of alternatives aimed at streamlining and redirecting programs here at Sacramento Headquarters, as well as the possibility of consolidating ranger units. The recommendations of this task force are expected some time this summer.

## **B. STEWARDSHIP INCENTIVE PROGRAM (SIP)**

SIP is a U.S. Forest Service funded cost-share program administered by the California Department of Forestry and Fire Protection (CDF) through a cooperative effort with the Forest Service and the Agricultural Stabilization and Conservation Service (ASCS).

To be eligible, a landowner must own generally between 10 and 1,000 acres of "forestland" as defined by the program. If a public benefit can be shown by the landowner's participation, ownership can go below 10 acres or up to a maximum of 5,000 acres. Forestland, as defined by this program, is land with an existing 10% tree canopy cover or other land capable of growing at least 10 cubic feet of wood per acre per year under natural conditions where a SIP practice is planned. Temporary irrigation is allowed to assist with establishment of the trees. Many marginal lands in California, along with oak woodland and riparian areas can meet this criteria.

SIP may cost-share up to 75% of the cost of practices up to a maximum amount. Landowners are eligible to receive up to \$10,000 in reimbursement per federal fiscal year. There are nine general practices which can be cost-shared: 1) Landowner Forest Stewardship Plan (required before applying for other practices); 2) Reforestation and Afforestation; 3) Forest and Agroforest Improvement; 4) Windbreak and Hedgerow Establishment; 5) Maintenance and Renovation; 6) Soil and Water Protection and Improvement; 7) Riparian and Wetland Protection and Improvement; 8) Fisheries Habitat Enhancement; and 9) Forest Recreation Enhancement.

Funding for the program runs about \$316,000 per federal fiscal year. This year's money is just about spent. The 1994 money will become available next January; however, preliminary application can be made anytime.

The 1993 One Year SIP Plan is available upon request. This booklet provides an introduction and overview of the program, components and rates, practices eligible for cost-share, component specifications, standards and conditions, administrative information, and preliminary application forms. It describes the standards and format for a stewardship plan, which is different than other programs.

To receive further information on the program, or to be placed on a list of consulting resource professionals who landowners can hire to assist them with SIP, please call the CDF Stewardship Coordinator at (916) 653-9505, or the CDF manager for the Forest Improvement Program, Don Banghart at (916) 653-9447.

### **C. CALIFORNIA FOREST IMPROVEMENT PROGRAM (CFIP)**

The Board of Forestry at its March meeting approved the following changes to CFIP policies and higher rates for planning:

- o New guideline rates for the preparation of Management Plans, Management Plan Addendums and Project Descriptions;
- o New maximum cap for annual payments to landowners of \$50,000;
- o New user friendly "CFIP User's Guide" has been prepared to explain CFIP and how to apply for the program. The orientation of the guide is to RPF's and landowners, so that interested parties may learn about the program and apply with the same brochure. The brochure is similar to the new SIP booklet.

The new rates are formula derived for simplicity and no longer merely empirical. The rates are for Low, Medium, and High levels of plans corresponding to CFIP Mini Plans, SIP Plans, and the standard CFIP Management Plan.

- o The Low level plan is for the minimum effort desired by the landowner or for substantially damaged lands. The rate is \$1000 base plus \$0.20 per acre.
- o The medium level plan is for landowners requesting the average level of effort in planning including meeting SIP and CFIP minimum guidelines. The rate is \$1400 base plus \$0.60 per acre.
- o The High level of plan is to meet a fairly comprehensive level of planning as required by CFIP, which may also help meet the planning needs for timber harvesting and NTMP's. The rate is \$3500 base plus \$1.40 per acre.

Contact the CFIP Coordinator or the Forest Improvement Program Secretary for copies of the "CFIP User's Guide" at (916) 653-9446. It is available for distribution in bound hard copy or disk format.

The entire Forest Improvement Program, including CFIP, is service oriented. If you have any suggestions for improvements or the service delivery does not meet your expectations please contact the CFIP Coordinator or the CDF manager for the Forest Improvement Program, Don Banghart at (916) 653-9447.

## D. ARCHEOLOGICAL SITE RECORDING PROCEDURES TO BE REVISED

The State Office of Historic Preservation (SHPO) is considering major revisions to the existing procedures for recording archeological and historical resources. One of the most significant of the revisions, the establishment of a "Level 1" recording process, will provide needed relief to RPF's preparing THP's. Level 1 recording is an abbreviation process involving the completion of a one-page Primary Record Form, and the attachment of a quad map depicting the site's location. No site sketch map, nor detailed drawings or measurements will be required for a level 1 record. The CDF has determined that Level 1 Recording procedures will be sufficient to satisfy 14 ccr 929.5 in most cases. These changes will significantly decrease the time required to record sites on THP's.

The revised recording procedures are currently being reviewed by SHPO and will soon be released for public comment. RPF's may obtain a copy of the draft document by contacting SHPO at, P.O. Box 942896, Sacramento, CA 94296-0001.

The revised recording procedures must be adopted as state policy by the State Historical Resource Commission, before they supersede the present recording policy document. It is tentatively scheduled on the November, 1993 Commission meeting. RPF's are encouraged to get involved in this process as it effects THP predation. For more information, contact CDF Archeologist Dan Foster at (916) 653-0839 or SHPO Archeologist Bill Seidel at (916) 653-9125.

## E. CDF DONATES REDWOODS TO SPAIN

The Department of Forestry and Fire Protection has donated 500 Redwood seedlings to the people of Spain in commemoration of the 500th anniversary of the expedition of Christopher Columbus in 1492.

In late November, 24 American 4-H teenagers travelled to the town of Poio in the state of Galicia to formally present the seedlings. They were paired with 24 Spanish teenagers to plant the trees in the new Columbus Grove. While in the country, the Americans also were the guests of King Juan Carlos and Duke Cristobel Colon, a direct descendent of Columbus, who entertained the group in his home.

At present, California is the only place in the world where Redwoods exist. However, the soil and weather conditions in the northwest part of Spain are very similar to those in northern California. It is hoped that the newly-planted grove of trees will still be there 2,000 years from now.



*CDF Forester III John Rea (on the right) listens as King Juan Carlos inquires about the redwood seedlings.*

## G. CURRENT THP SUBMITTALS

CALENDAR YEAR 1993

### TIMBER HARVESTING INFORMATION FOR MAY

NOTE: This is information for THPs, Exemptions, and Emergencies submitted to the Department during a calendar year (the Department number given to the plan or notice has the year designator 93). The numbers are the cumulative totals for the calendar year. The information is submitted by the Regions to Sacramento on the first of each month.

	REGION I		REGION II		REGION III		REGION IV		TOTAL	
	93	92	93	92	93	92	93	92	93	92
YEAR COMPARISON										
THPS RECEIVED	204	140	133	151	0	0	46	39	383	330
PREHARVEST INSPECTIONS	177	125	119	137	0	0	39	36	335	298
THPS NOT FILED (RETURNED)	121	79	39	36	0	0	16	26	176	141
THPS WITH NON-CONCURRENCES	4	0	3	1	0	0	0	0	7	1
THPS APPROVED	156	92	84	97	0	0	36	19	276	208
THPS DENIED	1	0	0	0	0	0	0	0	1	0
ACREAGE IN APPROVED THPS	25,140	16,570	18,113	60,457	0	0	10,465	6,094	53,718	83,121
EMERGENCY NOTICES	20	15	365	41	0	0	201	127	586	183
EXEMPTION NOTICES	625	349	997	534	0	4	835	352	2,457	1,239
NONINDUSTRIAL TIMBER MGMT PLANS RECEIVED	6	4	1	2	0	0	3	0	10	6

### III. What's New with Foresters Licensing

#### A. RPF EXAM RESULTS

New RPFs - Welcome to the profession!!! - The following are those who passed the October 23, 1992 RPF examination. C O N G R A T U L A T I O N S !!!!!!!!!

Mike Duguay	RPF# 2453	Konrad D. Pehl	RPF# 2454
Richard Thompson	RPF# 2455	Hugh Scanlon	RPF# 2456
Carl Anderson	RPF# 2457	Scott Gray	RPF# 2458
Daniel Opalach	RPF# 2459	Andy Elsbree	RPF# 2460

#### B. LOST IN THE WOODS

The RPFs noted below have moved and not notified us of their new addresses as required by Section 1606, Title 14, California Code of Regulation (14 CCR). If you know their whereabouts, contact Foresters Licensing or have them contact us at (916) 653-8031.

William Sandeen, RPF# 1788	Thomas Francis, RPF# 2046	Leon Manic, RPF 1970
David Wickwire, RPF# 1231	Ted Stubblefield, RPF# 25	Douglas Stout, RPF# 1817
Richard Chase, RPF# 1444		

#### C. CONDOLENCES

For those of you who have not heard, some of our fellow RPF's have passed away since the last issue of "Licensing News." Our sympathy to the families and friends of each.

**L. Neil Gilliam**, RPF 186, passed away November 20, 1991. Mr. Gilliam was a self-employed consulting forester in Ukiah, California.

**Larry Blackman**, RPF 1810, passed away December 19, 1992. Mr. Blackman worked for the California Department of Forestry in Redding, California.

**Robert Dasmann**, RPF 232, passed away December 21, 1992. Mr. Dasmann was an RPF exam grader for many years.

**Larry Foxworthy**, RPF 785 passed away January 27, 1993. Mr. Foxworthy was a self-employed consulting forester in Diamond Springs, California.

**Alfred Rueger**, RPF 17, passed away March 26, 1993. Mr. Rueger had practiced in the San Francisco, California area.

**David Barrows**, RPF 1531, passed away May 25, 1993. Mr. Barrows was employed by Simpson Timber Company in Korbek, California.

**Ralph DeMoisey**, RPF 475, passed away August 5, 1992. Mr. DeMoisey was a retired forester residing in Winchester, Oregon.

**Robert Gates**, RPF 1603, passed away. Mr. Gates was a self-employed consulting forester in Grass Valley, California.

**Theodore Niehaus**, RPF 8, passed away June 20, 1992. Mr. Niehaus was a self-employed consulting forester in Grass Valley, California.

**Roy Saarni**, RPF 988, passed away in September of 1989. Mr. Saarni practiced forestry in the San Diego, California area.

## **IV. What's New With the PFEC**

### **A. UPCOMING PFEC MEETING**

The next Professional Foresters Examining Committee (PFEC) meeting will be held on Thursday, July 1, 1993, at 10 am. It will be a closed session meeting of the PFEC. Location of the meeting will be in the Resources Building at 1416 Ninth Street, Room 1501, Sacramento, CA 95814

### **B. NEW PFEC MEMBERSHIP**

On January 15, 1993, the terms of PFEC members Robert Kerstiens, Janice Carthew, and Helen Libeu expired. Mr. Kerstiens requested that he not be considered for reappointment due to his expanded Board role representing the Range Industry. Ms. Carthew is the longest serving current member, and also requested not to be considered for reappointment due to a move from Sacramento to Redding. Ms. Libeu expressed interest in reappointment as the Public member.

At its February 2, 1993 meeting, the Board reviewed the nominations for these positions and made the following appointments. In addition, because of the recently executed MOU with the US Forest Service, the Board decided to add an additional member to the PFEC representing the US Forest Service.

The Board made the Following appointments:

David Bakke Expires: 1/15/97	USFS Silviculturalist, El Dorado NF - Pollock Pines, CA
Kathleen Schori Expires: 1/15/97	CDF, Region II THP Review Team Chair Redding, CA
Helen Libeu Expires: 1/15/97	Timberland owner, Teacher credential review committee, current PFEC member - Santa Rosa, CA
Bob Heald Expires: 1/15/97	Forest Manager for the UC Blodgett Forest and Board of Forestry representative.

**NOTE:** Members serve until reappointed or replaced.

The Board is looking forward to working with the new Committee members, and extends its gratitude to out going members, **Robert Kerstiens and Janice Carthew**, for their dedication and contribution to a strong and effective Professional Foresters Law.

### C. REJECTION OF THP'S FOR FILING

The Board of Forestry conducted discussions at its February 3, 1993 meeting concerning the significant amount of THPs that are currently being rejected for filing by the Department (46% in the month of January). The Board directed the PFEC to take public input into this issue at its February meeting to identify the significant issues contributing to the problem, and recommended solutions.

As such, the PFEC's open session on February 24, 1993 was focused on this issue (see attached agenda). The Department of Forestry, CLFA representatives, RPFs, and the general public participated in the discussion.

The PFEC reviewed 25 Timber Harvesting Plans (THP) that were rejected for filing during January 1993. The following list of suggestions should help to decrease the number of THPs being rejected for filing, and may also help with the communication between the Department, RPFs, and the public. These were only suggestions which can be implemented by the Board, the PFEC, or the Department. The Board subsequently asked the PFEC Chairman to establish an Ad hoc committee to develop an action plan to address the points raised during the PFEC hearing. The following points and action items represent the direction from these committees:

1. Having available to RPFs an accurate set of rules in a timely manner. Make sure the Barclay's revisions are up-to-date in a timely manner.
  - A. The Board has written a letter to the Office of Administrative Law (OAL) expressing its concern regarding the untimely receipt of revisions from Barclay's.
  - B. The CDF will do a mass mailing within 30 days of effective date and include inserts for the Blue Rule Book.
  - C. Immediately upon approval by OAL, advanced copies of the final approved rules are available on computer directly from OAL.
2. Develop checklists;
  - A. one for CDF to use during their review process, and
  - B. one for the RPF to insure THPs are complete and accurate pursuant to CCR 1037.
    - A. The new CDF THP form will include a new set of instructions on how to prepare THPs as a part of their current THP revision process. The draft has been developed and is available for comment.
    - B. As an interim provision to help RPFs prepare THPs, the Sub-Committee recommended that CLFA develop a THP checklist for all RPFs. This checklist will utilize information provided by CDF, RPFs, and the PFEC, and is attached at the end of this newsletter.
3. PFEC is in support of CDF's enforcement policy as stated in 5502.3, CDF Manual. All citations issued for failures in RPF responsibility should be mailed to Foresters Licensing at the time of issue. Pursuant to the CDF manual, citations will be issued if errors or omissions are glaring or flagrant, or when the RPF displays a documented pattern of inaccurate and incomplete plans. The PFEC and the Executive Officer of Foresters Licensing will determine whether or not to pursue disciplinary action, pursuant to PRC 778.
4. Standardize a time frame when rules go into effect to allow sufficient notice and training of RPFs. It was suggested that the time frame may be 90 days after release from OAL, except for emergencies or other issues of urgency.

- A. The Board agreed to establish an appropriate time frame of implementation for each rule package prior to forwarding the rules to OAL.
- B. For the rule package passed in October, 1992, the Board decided to make new rules effective no sooner than October 1 of this year or thirty days after approval by OAL if that should occur later.

- 5. Retain the plan number for THPs which have been rejected for filing when resubmitted.
- 6. CDF has developed a new THP form and instructions, per item 2A above.
- 7. Expand RPF training for THP preparation. Where feasible, combine training for Department employees and RPFs, so interpretations of the law and regulations would be consistent.

The CDF has held an initial training session on May 26-28, to evaluate the program. The CDF is planning to conduct five training sessions, two to be located in the Eureka/Santa Rosa area and two to be located in the Redding/Sacramento area, and one located in Fresno.

- 8. Develop a mandatory continuing education program for RPFs.

The PFEC supports continuing education and solicited recommendations concerning continuing education programs from CDF, CLFA, ACF, and SAF.

- 9. Complete a mass mailing by the Director to identify a standardized Notice of Intent form.

The mass mailing has been sent.

- 10. Clarification of what is "a current assessor's tax roll."

For purposes of accepting THP's for filing, the "latest equalized assessment role" is that role prepared annually by the county Assessor, and becomes official each July 1. The counties also have an unofficial "Role being prepared" which has more current information. RPF's are encouraged to use this information where possible.

- 11. Clarification of what is a perennial and major stream for the purposes of identifying the distance required under the Notice of Intent.

Provide the name and shortest distance shown on the most current USGS quadrangle map to the closest watercourse flowing through or downstream from the plan site. Since the intent of the notice is to notify the public of possible impacts to major watercourses, all named watercourses flowing through the plan should be listed.

- 12. Clarification of the difference between "explanation" and "justification" in the "Licensing News":

Many of the Forest Practice rules provide a Registered Professional Forester (RPF) with the option of proposing exceptions to the requirements found in the rules. In proposing an exception, a RPF must "explain and justify" the exception. The Department is still receiving a number of Timber Harvesting Plans where the required "explain and justify" is not complete. The exceptions are generally well described but the reasons for the exceptions are weak.

Incomplete explanations and justifications of proposed exceptions to the requirements of a rule can cause unnecessary work for RPFs and the Department and delays in getting plans approved. A proposed exception should contain sufficient information to answer the following:

- Describe the proposed exception in enough detail so that the Department reviewers, the timber operator, and others will be able to understand the proposal.
- Explain the reason for the proposed exception. A description of the proposal will not justify the reason for the exception.

13. Make available THP history information at the Ranger Unit level for cumulative effects analysis.

The CDF shall have this information available at six designated Information Centers. The Board encouraged CDF to computerize this information at all of their offices.

14. Clarification of grey area on cumulative effects analysis - what is content vs. accuracy.

RPFs shall provide supporting justification for conclusionary statements. The CDF will not reject plans solely on the basis of differences in professional judgment of adequacy of such justifications. In such cases, CDF shall request additional information during the plan review process after the plan has been accepted for filing.

15. Clearly restate the language in 14 CCR, Section 1037 with an explanation in the "Licensing News."

Section 1037 states that "When the Director finds a plan inaccurate, incomplete or otherwise not in proper order, the plan shall be returned to the submitter with written specifications of the deficiencies. Section 1035.1 holds the RPF responsible for the accuracy and completeness of the THP, upon submission. Section 5446.3 of the CDF Manual of Instructions allows the Director's designee to hold plans with minor information missing and contact the submitter with a request to supply the information. For purposes of this section, minor information should be interpreted as information missing or incorrect that if it was the only thing missing or incorrect, CDF would not return the plan. If a plan contains more than one minor flaw, they still may be considered minor, but as the number increases, consideration must be given to returning the plan on the basis of number alone. The supply of information by the submitter should be accomplished within the 10 days available prior to filing or the date of filing must be extended by the submitter.

16. When CDF notifies RPFs of THP rejection for filing, highlight those reasons for rejection pursuant to 14 CCR 1037, and separately identify those points wherein additional information would expedite THP review but do not constitute grounds for rejection.
17. CDF will make available a binder at the Regional and Ranger Unit levels that would include the THP review process documents, including mass mailings to RPFs and direction to regional offices.
18. Have the Review Team Chairs periodically meet to discuss consistency in THP review.
19. Encourage RPFs to provide cross references of related issues within the THP and to develop cross reference lists to assist in THP preparation and review.

## D. REPORT OF DISCIPLINARY ACTION

### 1992-93 DISCIPLINARY ACTIONS BY THE BOARD OF FORESTRY

Pursuant to its authority defined in the Public Resources Code (PRC) Sections 753, 775, 777, and 778, the Board has taken the following actions:

**CASE NUMBER: 106**

#### **ALLEGATION:**

This case centered around an ongoing series of failures of professional responsibility by the RPF over a five year period. Most failures involved errors, omissions, and misstatements on THP's submitted for CDF review, and some cases of failure to properly analyze cumulative effects and project feasibility.

In addition, the allegations included misstatement of fact and misrepresentation concerning a CFIP project by inaccurate statements of acreage, which resulted in consecutive requests for overpayment of state funds. Incompetence was also alleged as a result of the RPF's subsequent failure to properly supervise planting operations, resulting in containerized stocking being planted in the containers, and failure of the project to meet the minimum acceptable reforestation standards. This led to the final rejection by CDF to fund any site preparation, RPF supervision, or tree planting. This was also a significant failure to protect the client's interests through proper discharge of professional duties, resulting in nonreimbursable project expenses and the probable failure of the entire reforestation effort.

The RPF was also alleged to have failed to conduct a proper stocking survey and submittal of an incorrect Stocking Report by doing the following:

- a. Utilizing point count when the THP called for basal area only.
- b. Identifying the area as stocked while showing 7 contiguous unstocked plots.
- c. Resubmitting a revised Stocking Report which misrepresented 3 of the unstocked plots as being site IV, thus meeting stocking; actual field measurement of two of the plots verified that they were both in fact site III as originally stated.

#### **DISCIPLINE:**

The RPF voluntarily and permanently relinquished his license to practice professional forestry, and the Board of Forestry agreed to accept this relinquishment as the final disposition of the matter without an actual hearing on the merits.

**CASE NUMBER: 109**

#### **ALLEGATION:**

This case consisted of an allegation of material misstatement of fact and misrepresentation as a result of the RPF's declaration before Superior Court which relates to a lawsuit served by a neighboring land owner.

The RPF is alleged to have not complying with professional standards in following ways:

a) The RPF provided an incorrect representation of stocking standards required by the Z'berg-Nejedly Forest Practice Act of 1973 and related regulations pertaining to the conduct of commercial timber harvesting operations. Stocking rules and stocking sampling procedures which govern the establishment of new trees to replace those harvested have been in effect in their present form for many years.

b) The RPF did not provide a prudent field inspection to warrant his evaluation and conclusion regarding the site conditions on 1,200 acres.

#### **DISCIPLINE:**

Although the RPF's declaration statements seriously misled the plaintiff and counsel, and could have misled the court in its trial if his errors were not clearly refuted by expert witnesses testifying for the defense, the Board chose not to pursue a formal accusation for suspension of the RPF's license through an Administrative Hearing because of the following legal issue:

The California Civil Code, Section 47, provides a "Privileged" status for individuals providing evidentiary information as a part of a judicial proceeding, wherein there is a question regarding the RPF's rights to provide opinion without third party liability.

Upon review of the Civil Code by Legal Counsel, it was their opinion that the RPF's statements made in his declaration were privileged under Section 47, as such the Board limited its actions to a **Private Board Reprimand**.

**CASE NUMBER:** 121

**RPF:** Mr. Warren D. Shaw, RPF #746  
Santa Rosa, CA

**ALLEGATION:**

Mr. Shaw is alleged to have committed acts of material misstatement of fact, incompetence, and gross negligence in his practice as a Registered Professional Forester by failure to submit Timber Harvesting Plans that were accurate and complete pursuant to 14 CCR 1035.1. Mr. Shaw is alleged to have failed to conduct an adequate field examination of all watercourses and thereafter failed to map numerous classified watercourses as required by 14 CCR, Section 916.4(a), and Section 1034(x)9, and failed to provide protection at least equal to that provided by the standard rules in violation of 14 CCR, Section 916.5(c). In addition, Mr. Shaw is alleged to have proposed tractor operations on slopes greater than 65 percent in violation of 14 CCR, Section 914.2(f)(1) and without approved alternatives as required by 14 CCR, Section 914.9. Mr. Shaw is also alleged to have failed to map unstable areas (debris slides) as required by Section 1034(x)10, 14 CCR, and is alleged to have failed to explain and justify silvicultural prescriptions in the Coastal Commission Special Treatment Area which did not meet the standards provided in 14 CCR, Section 921.3(e) and Section 921.4.

**DISCIPLINE:**

For purposes of Disciplinary action only, Mr. Shaw and the Board of Forestry have entered into a stipulated agreement wherein Mr. Shaw has admitted to failures of RPF responsibility regarding the submission of Timber Harvesting Plans. Mr. Shaw admits only to material misstatement of fact and misrepresentation as it relates to the preparation of three plans in Sonoma County in 1989.

Based on the foregoing, Mr. Shaw's license to practice forestry as a profession is suspended for a period of ninety (90) days, with fifteen (15) days actual suspension and remaining seventy-five (75) days stayed (probation) for twelve (12) months after the actual suspension. During the total period of the Board's order, Mr. Shaw agrees to comply with all laws and regulations relating to the professional practice of forestry. In addition, Mr. Shaw shall implement a continuing education program leading to the successful completion of thirty (30) hours of Category 1 Continuing Forestry Education as certified by the Society of American Foresters prior to full reinstatement.

The Board's investigation and evaluation sustained the allegations pertaining to the failure to submit accurate

THPs. The Board felt this was the appropriate level of discipline because there were significant deficiencies in these plans, but there was no actual environmental damage, the allegations involved three THPs submitted in 1989 which were subsequently modified, approved, and operated upon, and the RPF has not been involved in any disciplinary actions since that time.

**CASE NUMBER:** 130

**ALLEGATION:**

This case centered around three separate alleged failures of professional responsibility by the RPF over a four year period. The first allegation involves misrepresentation, material misstatement of fact, and gross negligence with implication of fraud and deceit wherein the RPF filed emergency notices representing himself as the timber owners' agent when in fact the timber owners were unaware that the RPF was arranging for the harvest of their timber. This resulted in a timber trespass and criminal action taken against the RPF.

The second allegation involves a failure to properly conduct and report stocking surveys wherein the RPF erroneously reported lands as meeting minimum stocking standards when they clearly did not.

The final alleged failure involved errors, omissions, and misstatements on two THP's submitted for CDF review. The RPF allegedly chose silvicultural methods which were not representative of current or anticipated stand conditions, failed to properly estimate surface soil erosion potential, proposing tractor logging in areas where such use is prohibited by the rules, did not mark the protection zone for watercourses and did not mark trees within this zone, improperly classified logging (skid) trails and roads, and failed to provide sufficient supervision to an unregistered assistant carrying out professional forestry work.

**DISCIPLINE:**

The RPF voluntarily and permanently relinquished his license to practice professional forestry, and the Board of Forestry agreed to accept this relinquishment as the final disposition of the matter without an actual hearing on the merits.

**CASE NUMBER: 136**

**ALLEGATION:**

The RPF is alleged to have committed acts of material misstatement of fact and misrepresentation in his practice as a Registered Professional Forester by failure to mark the Watercourse and Lake Protection Zone prior to operations, resulting in equipment being operated in the exclusion zone. Pursuant to 14 CCR Sections 936.4, 936.5, and 1035.2, it is the RPF's responsibility to flag all Class I WLPZs prior to start of operations, and to insure that this information is properly conveyed to the LTO.

**DISCIPLINE:**

Upon the recommendation of the PFEC, the Board of Forestry issued a **Private Letter of Reprimand**, pursuant to its authority defined in PRC, Section 777. This case centered around an emergency notice filed by the RPF, involving the harvest of snow damaged and insect infested timber adjacent to a lake. The RPF's failure to mark the Watercourse and Lake Protection Zone bordering the Class I lake prior to timber operations resulted in equipment being operated within 15 feet of the lake. It is the RPF's responsibility to flag all Class I WLPZs prior to start of operations, and to insure that this information is properly conveyed to the Licensed Timber Operator (LTO) on the site. This is especially important in the case of emergency harvests because there is no preharvest review of the operation by California Department of Forestry under an emergency notice. The Board has determined this to be a clear failure of professional responsibility, but warrants a lesser level of discipline than suspension due to the fact that actual environmental damage was limited to one incursion into the WLPZ with no immediate impact on water quality.

**CASE NUMBER: 142**

**ALLEGATION:**

The complaint alleged misrepresentation and material misstatement of fact as it relates to the filing of a THP, and the RPF's alleged misrepresentation of timber and timberland ownership, and the subsequent failure to amend said Plan to identify new timber and timberland ownership information.

**DISCIPLINE:**

Although the PFEC sustained the failures of professional responsibility, it also determined there were mitigating

factors which warrant a lesser level of discipline. As such, the PFEC issued a **Confidential Letter of Concern**.

Failure to identify the true timber and timberland owner in a THP can be a serious misrepresentation when there is intent to defraud an individual of his rights. The fact that the RPF had an ownership interest in the property by virtue of opening an escrow and having a signed purchase agreement prior to submitting the Plan mitigated this significant issue to one of lesser concern. The PFEC also expressed its concern about the RPF's failure to submit a minor amendment identifying another subsequent ownership change.

**CASE NUMBER: 151**

**RPF: Mr. Kenneth E. Wood, RPF #920  
Ukiah, CA**

**ALLEGATION:**

Mr. Wood is alleged to have committed acts of material misstatement of fact and misrepresentation in his practice as a Registered Professional Forester by failure to submit a Timber Harvesting Plan that was accurate and complete, pursuant to 14 CCR 1035.1, by failure to submit a THP amendment for a substantial deviation from planned timber operations as required by 14 CCR 1036, and allegedly allowing road construction to occur without an approved THP in violation of PRC 4581.

**DISCIPLINE:**

For purposes of Disciplinary action only, Mr. Wood and the Board of Forestry have entered into a stipulated agreement wherein Mr. Wood admits only to material misstatement of fact and misrepresentation as it relates to the following failures of RPF responsibility:

As RPF and agent for the Plan Submitter pursuant to item #63 of the THP, Mr. Wood allowed construction of over 1,000 ft. of new road to occur without an approved THP.

As RPF pursuant to Item #63 of the THP, and responsible person pursuant to item #5 of the THP, Mr. Wood failed to submit a substantial deviation to the THP identifying the harvest of hardwoods for chips as a product with an evaluation of, and mitigations for, potential impacts; and subsequently allowed harvest of hardwoods for chips in violation of the Plan.

Based on the foregoing, Mr. Wood's license to practice forestry as a profession is suspended for a period of six (6) months, with thirty (30) days actual suspension and remaining five (5) months stayed (probation) for twelve (12) months after the actual suspension. During the total period of the Board's order, Mr. Wood agrees to comply with all laws and regulations relating to the professional practice of forestry. In addition, Mr. Wood shall implement a continuing education program leading to the successful completion of forty (40) hours of Category 1 Continuing Forestry Education as certified by the Society of American Foresters prior to full reinstatement.

**CASE NUMBER:** 153

**ALLEGATION:**

The complaint alleged misrepresentation and material misstatement of fact as it relates to a stump cruise undertaken by the RPF to determine the amount of a timber trespass on a forest property, and possible conflicts of interest. The PFEC completed its review of the case, and sustained a portion of the alleged failures identified in the complaint. The PFEC felt that the RPF used sloppy field procedures, which in this case resulted in volume estimates that were over 50% greater than the other forester's estimate.

Although the PFEC sustained a portion of the failures of professional responsibility, it also determined that the minor nature of the failure warrants a lesser level of discipline. As such, the PFEC issued a **Confidential Letter of Concern**. The PFEC also expressed their concern about the possibility for conflict of interest when an RPF concurrently acts in the capacity of a client's forester and a log broker, as in the case of several of the RPFs "Consulting Forester Agreements". This situation always requires full disclosure of any relationship an RPF may have or previously had with another party of interest, and should be avoided except with the RPF's client's informed written consent.

**CASE NUMBER:** 154

**RPF:** Mr. Norman Stoneman, RPF #418  
Eureka, CA

**ALLEGATION:**

Mr. Stoneman is alleged to have committed acts of misrepresentation, material misstatement of fact, gross negligence, and incompetence in his practice as a

Registered Professional Forester by failure to submit a Timber Harvesting Plan that was accurate and complete, and whose contents included information that was incorrect, incomplete, misleading in a material way, or insufficient to properly evaluate significant environmental effects pursuant to 14 CCR 1035.1 & 1034 by failure to conduct a proper evaluation, identification and mapping of the harvest unit boundaries for the THP, resulting in a substantial timber trespass.

**DISCIPLINE:**

For purposes of Disciplinary action only, Mr. Stoneman and the Board of Forestry have entered into a stipulated agreement wherein Mr. Stoneman admits only to material misstatement of fact and misrepresentation as it relates to the submittal of a THP whose contents included information that was incorrect, incomplete, misleading in a material way pursuant to 14 CCR 1035.1 & 1034,

In the opinion of the Board, Mr. Stoneman did not protect the public interest by not complying with prudent professional standards in the following ways:

The RPF's reliance on a USFS recreation map with a scale of 1/2 inch to the mile and hearsay from the new property owner to justify a boundary modification of over 1,000 ft. to a USGS quad for THP mapping purposes was inappropriate.

The RPF's procedures for gathering and evaluating existing survey information appears to be significantly flawed. At no time did the RPF contact the county surveyor, who is the appropriate official for survey information and could easily have directed the RPF to recent records of survey.

The RPF's field procedures for evaluating and establishing harvest boundaries were significantly flawed. The RPF established a property/harvest boundary only on the basis of finding some existing flagging. The RPF made no attempt to identify the known recorded corner in the field (which investigators easily identified), nor did the RPF establish a harvest boundary from this true corner, from which an existing blazed line would have been clearly visible.

Based on the foregoing, Mr. Stoneman's license to practice forestry as a profession is suspended for a period of six (6) months, with sixty (60) days actual suspension and remaining four (4) months stayed (probation) for twelve (12) months after the actual suspension. During the total period of the Board's order, Mr. Stoneman agrees to comply with all laws and regulations relating to the professional practice of forestry. In addition, Mr.

Stoneman shall implement a continuing education program leading to the successful completion of forty (40) hours of Category 1 Continuing Forestry Education as certified by the Society of American Foresters prior to full reinstatement.

**CASE NUMBER: 155**

**ALLEGATION:**

The RPF is alleged to have committed acts of misrepresentation, material misstatement of fact, gross negligence, deceit, fraud, and incompetence in his practice as a Registered Professional Forester through participation in laying out and building roads without an approved THP, by failure to submit a Timber Harvesting Plan that was accurate and complete, and whose contents included information that was incorrect, incomplete, misleading in a material way, or insufficient to properly evaluate significant environmental effects pursuant to 14 CCR 1035.1 & 1034, by failure to conduct a proper evaluation of road construction and provide adequate protection measures, and by misclassification of watercourses.

**DISCIPLINE:**

The Board investigation and evaluation sustained only that portion of the allegations pertaining to the alleged failure to submit an accurate and complete THP. As such, the Board voted unanimously to issue a **Private Letter of Reprimand**. In the opinion of the Board, the RPF did not protect the public interest in his THP submittal by not complying with professional standards in the following ways:

1. The cumulative impact analysis prepared as part of this THP and the site specific analysis of watercourse protection measures necessary to prevent the degradation of downstream beneficial uses of water was clearly inadequate pursuant to Title 14, CCR 897, 898, 912.9, 916.4, and 963. The existing and potential problems created by the recent construction of the new road system were not adequately discussed in this analysis. Due to the magnitude of these existing and potential problems, the North Coast Regional Water Quality Control Board issued a Cleanup and Abatement order to the landowner. These problems should have been addressed in the THP feasibility and cumulative effects analysis, with proposed mitigations.

2. The "Notice of Intent to Harvest Timber" was not posted prior to the submission of this THP as required by CCR 1032.7(g).
3. For timber to be harvested in the sanitation/salvage area, the RPF indicated tree selection would be left to the Licensed Timber Operator. Although not all trees observed showed signs of disease, as the prescription was written all trees could be removed thereby creating the equivalent of a clear cut with evaluating all of the relevant impacts (including clear cut size limitations).

The Board chose not to pursue suspension of the RPF's license because the actual environmental damage was the result of the landowner's independent action and because the Cumulative Effects Technical Rule Addendum analysis requirements had just previously been implemented.

## **V. Update on Legislation**

Two bills that would have significant affect on the RPF license have been proposed in the legislature. They are AB 1185 (Cortese) and SB 1094 (Killea). A third licensing bill, SB 646 has been sponsored by CLFA.

AB 1185 exempts anyone conducting scientific or regulatory investigations, determinations or reviews for specified purposes from required professional licensing or regulatory certification in order to conduct fish and wildlife management activities required for the conservation, protection, enhancement, and restoration of natural resources, including fish and wildlife and their habitat. The Board is opposed because when a forestry activity has a "natural resource enhancement" objective, AB 1185 would put non-licensed individuals, who are not trained in forestry and who would not be held accountable under professional licensing, in the position of possibly dictating management prescriptions that are not sound forestry. The Bill's language would thereby defeat the intent of the legislature's mandate for licensing accountability, and weakening environmental protection as well as eliminate the protection afforded the public. This bill has passed out of the Assembly on a 42-28 vote.

SB 1094 limits the activities requiring an RPF to only THP preparation, timber appraisals, timber inventories, timber damage assessments, fuels management and prescribed burning, and site preparation and reforestation associated with timber operations. If this bill became law, the following forestry activities would no longer benefit from the professional qualifications, accountability, and public protection provided by licensed forestry professionals: the preparation of long-term forest management plans and the proper evaluation of sustainable growth and harvest levels on private and state forests, forest health and salvage evaluations, evaluation of environmental impacts from forestry operations exempt from Timber Harvesting Plan (THP)

submittal, responsibility for proper evaluation of special treatment areas, proper evaluation of impacts and supervision of site preparation and reforestation activities not associated with THPs, service forestry activities designed to protect and enhance small forest land ownerships. In addition, publicly employed foresters and "forest officers" who evaluate forest impacts and enforce forest protection would no longer need to be licensed, nor be professionally accountable for their actions. This bill has passed out of the Senate on a 24-12 vote.

SB 646, which originally dealt with THP filing, has been amended by CLFA into a licensing bill. It is similar to SB 1094, except that it further defines the practice of forestry and includes more activities requiring licensing. This bill is in the Senate Natural Resources and Wildlife Committee and will be held over as a two-year bill.

Those wishing to express their views on these proposed limitations can write to their appropriate Assemblyman and Senator, and to the following committee chairs:

On AB 1185, write prior to July 9, 1993 to:

Honorable Mike Thompson, Chairman  
Senate Natural Resources and Wildlife  
Committee  
State Capitol, Room 2205  
P.O. Box 942848  
Sacramento, CA 94248-0001

On SB 1094, write to:

Honorable Byron Sher, Chairman  
Assembly Natural Resources Committee  
State Capitol, Room 2136  
P.O. Box 942849  
Sacramento, CA 94249-0001

## **VI. Update On National Forest Activities**

### **FOREST SERVICE ADOPTS INTERIM SCIENTIFIC RECOMMENDATIONS FOR CALIFORNIA SPOTTED OWL**

San Francisco--The USDA Forest Service (FS) has announced the adoption of the findings of a technical team of wildlife biologists for interim management of California spotted owl habitat on national forests in the Sierra Nevada mountain range.

For the next several years, while additional data are gathered and analyzed, FS will protect large, older trees in areas that provide suitable owl habitat, and protect areas containing known owl nests, said Ron Stewart, FS's Pacific Southwest Regional Forester. Work will also begin on reducing the threat of major habitat-destroying fires by removing smaller trees that fuel such fires, as urged by the scientists. The decision, which applies only to ten national forests in the Sierra Nevada mountain range of California, does not apply to private land.

The interim guidelines adopted were recommended in May of 1992 by the technical team, which was formed at the request of the State of California and FS and included members from FS's Pacific Southwest Forest and Range Experiment Station, the California Department of Fish and Game, and Humboldt State University (Arcata, California). In June, 1992, Stewart announced that FS would prepare an environmental analysis of various alternatives, including the May report's recommendations, for managing California spotted owl habitat. Other alternatives considered were judged to either inadequately protect owl habitat or to have greater adverse social and economic impacts than the selected alternative. Also, other alternatives are to be studied in more detail for consideration in longer-term management strategy.

Stewart noted that the California spotted owl is not Federally listed as a threatened or endangered species, unlike the Northern California, Washington and Oregon. However, FS has designated the California spotted owl a "sensitive species" warranting particular attention, he said. Under the National Forest Management Act, FS is required to ensure that viable populations of species are maintained, so that future listing is not required.

"We adopted these guidelines because this and other studies indicated that our current management did not reflect the latest scientific thinking on how to adequately protect the species and keep it from becoming listed as threatened with extinction," Stewart said. "We are estimating that this decision will result in 73 percent of the timber that would be produced under current owl management strategy on the affected national forests. I realize that this will have some effect on the timber industry, dependent communities and consumers. However, the interim nature of this decision will make it a short-term impact. My long-term goal is a steady, dependable supply of timber from the national forests."

The new guidelines will apply to all timber sale project decisions made on or after March 1, 1993. The guidelines do not apply to owl habitat on national forests in southern California, where commercial timber harvest does not occur. The technical team recommended no change in national forest management there.

The decision amends the regional guide and land management plans for the El Dorado, Inyo, Lassen, Modoc, Plumas, Sequoia, Sierra, Stanislaus and Tahoe National Forest, as well as the Lake Tahoe Basin Management Unit. The intent is to preserve elements of the ecosystems, primarily large, older trees, that studies may indicate are needed, Stewart said.

While further studies are underway, additional environmental analysis will be conducted to evaluate the recommendations of a state/federal Policy Implementation Planning (PIP) Team, which is

scheduled to issue its report this spring. That team has been looking at alternative ways of implementing recommendations from the May 1992 scientific report, that would minimize social and economic costs.

The PIP team's report will be used to develop longer-term habitat guidelines for 5-7 years after the interim guidelines end in 1995. Those longer-term guidelines will result in further amendments to the regional guide and forest plans. Beyond that, an interagency long-term strategy will incorporate monitoring and new research.

## **B. UPDATE ON NORTHERN SPOTTED OWL**

### **INTRODUCTION**

The chief of the Forest Service organized the Scientific Analysis Team (SAT) to respond to three questions that were raised by U.S. District Court Judge William L. Dwyer. Judge Dwyer raised these questions after reviewing a lawsuit over the adequacy of the Final EIS for the Northern Spotted Owl. The questions are:

1. Does the May 15, 1992 decision by the endangered species committee (God squad) to permit harvest of 13 timber sales on BLM lands change the viability assessment in the EIS?
2. Does any of the new information about spotted owls that has become available since the EIS indicate a need for changing the standards and guidelines in the GIS?
3. Would implementation of the preferred alternative lead to the extirpation of any of the 32 other species that were identified as being closely associated with late-succession and old-growth forests?

The SAT was comprised of nine Forest Service wildlife scientists and biologists, and one university scientist. The team was headed by Jack Ward Thomas. A number of other experts provided consultation to the team. The draft report was peer-reviewed by six professional societies (AFS, TWS, SAF, SCB, ESA, and AOU).

### **RESULTS**

The SAT considered each of Judge Dwyer's questions individually and reported their findings as follows:

1. **Do the 13 sales exempted from the Endangered Species Act necessitate changes in the viability assessment in the EIS?**

The team evaluated three scenarios relating to the 13 timber sales.

First, the SAT evaluated a scenario that the exemption was a onetime action that would not be repeated. All provisions of the ESA would be followed thereafter. This scenario was regarded as a slight increase in risk to spotted owl viability and no mitigations were recommended.

Second, the team examined a scenario that assumes that the 13 sales will be exempt and the BLM would continue to manage their lands under existing management plans. The team concluded that this scenario would result in a considerable risk to the owl. Addition of over 1.3 million acres to the Forest Service's HCA system in the preferred alternative.

Third, the SAT evaluate the effectiveness of the preferred alternative in the BLM's draft Resource Management Plans for the areas within the range of the northern spotted owl. The team concluded that this alternative would change the likelihood of persistent of the owl described in the EIS from "high" to "medium". Accordingly, the team recommended that mitigation measures be developed on Forest Service Lands to offset the impacts that would result from the draft BLM management plans.

**2. Does new information about northern spotted owls necessitate changes in the management proposed in the EIS?**

The team evaluated a considerable body of information about spotted owls that became available during or after the preparation of the EIS. The evaluation included a review of new information regarding demographics, population densities, metapopulation thresholds, hybridization with barred owls, and new information did not warrant a alternative in the EIS. These measures were the recommendations of the interagency Scientific Committee in their report on the northern spotted owl.

**3. What are the risks to the other species from adopting the measures in the preferred alternative in the EIS?**

The team broadened the scope of this question beyond the 32 species from Judge Dwyer's question. A total of 667 species were judged to have a high likelihood of being closely associated with old growth forests. The team later concluded that 518 species were associated with old forests.

The team concluded that a management strategy that included the HCA system from the EIS and prevailing direction in forest land management plans would provide a high probability for long-term viability for 280 species. The team also concluded that adoption of the riparian habitat conservation areas proposed by the Pacific Salmon Working group would provide protection for an additional 112 species of fish and 19 other species. The SAT recommended a habitat management strategy for the marbled murrelet that include: 1) reserving all existing habitat within 50 miles from the coast in Washington and most of Oregon; 2) reserving all existing habitats within 35 miles from the coast in California and southern Oregon; and 3) recruitment of 50% of the extant habitat in both areas. This action was judged adequate to protect an additional 24 species. Seventeen species were found to be deserving of individual site-specific protection and seven more can be conserved in the areas between stands of old-growth. In total, the measures recommended by the team were thought to be sufficient for maintaining the viability of 93% of the pool of species associated with old forests. Information was insufficient for assessing the rest.

The team also developed a step-wise process for protecting habitats for species associated with old-growth forests as follows:

1. Maintain existing standards and guidelines for the species associated with old forests.
2. Implement the recommendations in the ISC Report or the Recovery Plan for the Northern Spotted Owl.
3. Immediately implement the recommendations of the SAT for species associated with old forests.
4. Review ongoing contracted on a case-by-case basis to determine their compatibility with standards and guidelines.
5. Modify proposed or planned activities to conform to the standards and guidelines.
6. Develop a policy for responding to catastrophic events.
7. Establish a formal oversight process (similar to that in place for the northern spotted owl).
8. Develop an adaptive management process for guiding research and monitoring.
9. Seek full interagency cooperation in development of interagency strategies for addressing this issue.

## C. Timber Program Profit in California

Forest Service revenues from timber sales on national forests in California exceeded costs by almost \$79 million in fiscal year 1992, based on \$211.4 million in gross revenues.

On all national forests nationwide, total net revenues were \$255 million, with gross revenues of \$1.077 billion.

"The revenues in California were generated from the harvest of 1.149 billion board feet (BBF) of timber from the 18 national forests in the state, down from 1.3 BBF the previous year," stated Regional Forester Ron Stewart. Despite that drop in harvest levels from FY 1991, the region's net revenues were up about \$7 million because of increased timber prices.

Nationally, 7.3 BBF were harvested, down from 8.5 BBF the previous year. The figures were released in the 1992 Timber Sale Program Annual Report, compiled through the Timber Sale Program Information Reporting System (TSPIRS).

The Forest Service made revenue sharing payments of \$305.5 million to states and counties nationwide last year for use by local school systems and highway departments. California counties received \$55.7 million.

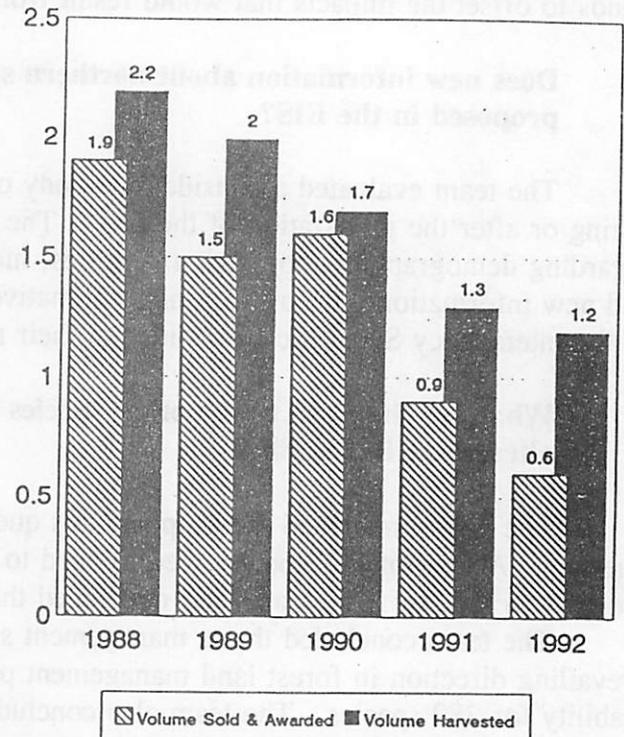
Thirteen of the 18 national forests in California are considered to be timber-producing forests, and 1992 revenues exceeded costs on 12 of

those 13. The Mendocino National Forest's revenues did not exceed its costs, nor did revenues on the four non-timber forests in southern California and the Lake Tahoe Basin Management Unit.

In California during fiscal year 1992, 97% of the total timber harvest from the national forests came from forests where revenues exceeded expenditures, compared to 72% nationally.

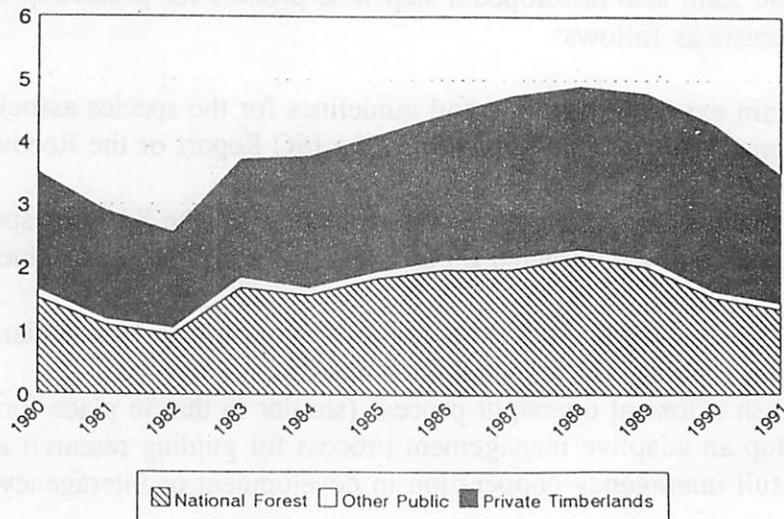
The Forest Service estimates the long-term economic value of the FY 1992 harvest in California at \$147.4 million. In recent years, the harvest of National Forest timber in California has provided the raw material for about 40% of the softwood lumber and plywood produced in the state.

Annual Timber Volume Sold, Awarded, and Harvested  
1988-1992 Billion Board Feet (BBF)



Source: USDA Forest Service, Timber Cut and Sold on National Forests Under Sales and Land Exchanges

California Timber Harvest by Ownership  
1988-1992 Billion Board Feet (BBF)



Source: Warren, Debra D. Production, Prices, Employment and Trade in Northwest Forest Industries, on National Forests Under Sales and Land Exchanges  
NOTE: 1992 Data Not Available; 1992 BIA data not available

## VIII. Continuing Education

### A. SAF CONTINUING EDUCATION CERTIFICATION: CONGRATULATIONS FOR THE FORMAL RECOGNITION OF YOUR ACHIEVEMENTS.

Donald Fullmer, RPF# 2403    Christopher Hipkin, RPF# 2300    Don Perkins, RPF# 266  
Glen Pinoli, RPF# 2002    Stephen Rae, RPF# 2445    Gerald Ranger, RPF# 333  
Brian Rueger, RPF# 2162    William Stone, RPF# 2301

If you have questions regarding the SAF Continuing Forestry Education Program, contact David Bakke, at (916) 644-2340.

### C. COURSE SCHEDULE

#### 1. CALIFORNIA COURSES

Archeological Training Sessions for Resources Professionals	Redding - Oct 6-8 Ukiah - Sept 15-17	CLFA/CDF
THP Preparation Training Session	Redding - Contact CDF for dates Eureka - " " " " Sacramento - " " " " Santa Rosa - " " " "	CLFA/CDF

The following are contacts for the above courses:

- \* CLFA/CDF course, contact: Hazel Jackson, P.O. Box 1516, Pioneer, CA 95666, phone: (209) 293-7323. For CDF Training, contact Jon Rae at (916) 653-9420.

#### 2. OREGON COURSES

Creating a Forest for the 21st Century	Aug 23-26	UW
Integrating Timber and Wildlife on Forested Lands	Sept 13-14	WFCA
Modern Analytical Photogrammetry	Sept 13-16 & Mar 21-24, 1994	OSU
Forest Health Field Workshop	Sept (tba)	OSU
Forest Autecology: Silviculture Institute Module 1	Sept 22-23	SI
Minority Participation in Forestry and Forestry-Related Sciences (MINFORS II)	Oct 24-26	OSU

The following are contacts for the above courses:

- \* SI courses, contact: Dr. Ed Jensen with the Silviculture Institute, College of Forestry, Oregon State University, Corvallis, OR 97331, phone: (503) 737-2519.
- \* OSU courses, contact: College of Forestry, Conference Office, Oregon State University, Corvallis, Oregon 97331-5707. Phone: (503) 737-2004.
- \* UW courses, contact: College of Forest Resources, AR-10, Continuing Education, University of Washington, Seattle, WA 98195, phone: (206) 543-0867.
- \* WFCA course, contact: Western Forestry and Conservation Association, 4033 SW Canyon Road, Portland, OR 97221, phone: (503) 226-4562.

## X. Other Points of Interest

### A. FRANCIS H. RAYMOND AWARD

The Francis H. Raymond Award, for extraordinary contribution to forestry, was presented to Gary Nakamura, of the University of California, in recognition of his outstanding contributions to forestry in California in the areas of public awareness, education, research, and management.

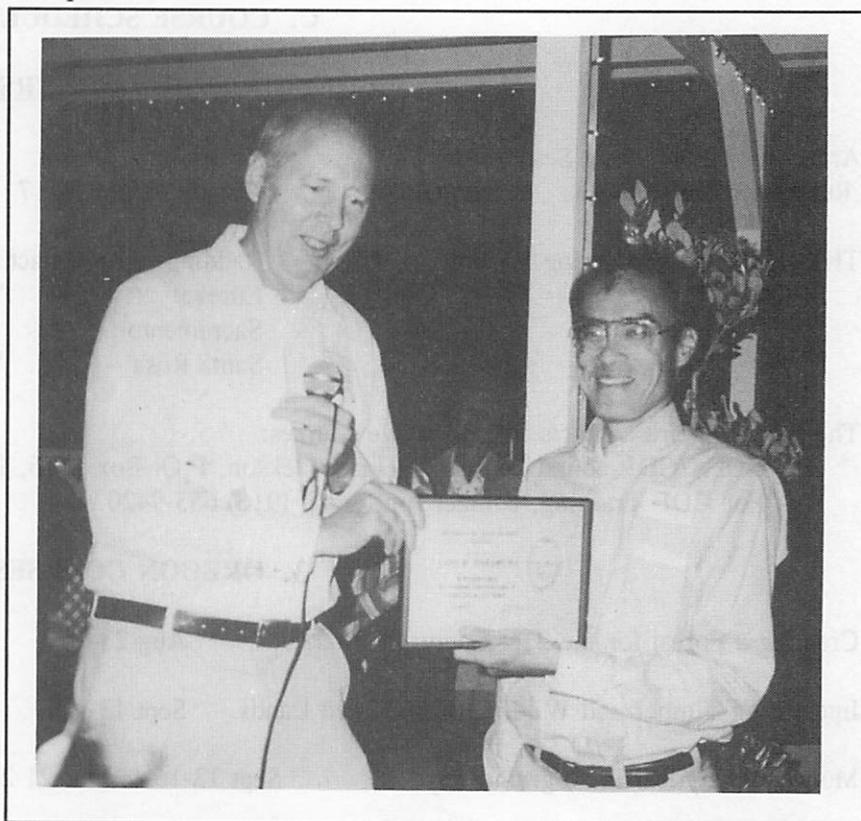
Gary has been active in a leadership role in the Northern California Society of American Foresters for a number of years. As the current chair, he has instilled a sense of renewed enthusiasm and proactiveness into the NorCal SAF membership.

As the area forest specialist for U.C. Cooperative Extension in Shasta County he provided exemplary outreach to forest landowners, and recently did an outstanding job informing landowners, devastated by the Fountain Fire, of the opportunities to rehabilitate and reforest their land. His continuing forestry education outreach, updating resource managers on the latest techniques and technologies is equally impressive.

Research efforts organized by Gary, studying the opportunities of short rotation fiber crops, nutrient cycling with regard to biomass harvesting, soil compaction studies and application of new harvesting equipment are just a few of the ongoing projects which provide a consistent stream of information for field foresters and landowners. Gary's applied research efforts allow California to continue to grow wood fiber on a sustainable basis. In addition, he has found time to be active in community projects such as the alliance of Redding Museums and the Forest Museum.

The award was established in 1986 in honor of the late Francis H. Raymond, former State Forester and Father of the Foresters Licensing Legislation. It is given annually in recognition of outstanding contributions to the protection and wise use of Forest Resources in California during the prior five years.

The award was presented at an outdoor dinner gathering at the Riverside Resort in Anderson on June 7, 1993.



*Acting Chairman Woody Barnes presents the "Francis H. Raymond Award" to Gary Nakamura.*

## B. TWO FORESTERS RECEIVE CDF ARCHEOLOGY AWARD

The California Department of Forestry and Fire Protection (CDF) Archeology Office presents an award each year to an individual in recognition of a distinctive, significant effort made towards the protection of California's archeological resources. Foresters, rangers, loggers, and landowners are all eligible to receive such recognition. Named "The Annual Trowel Award", since it features a Marshalltown trowel mounted onto an engraved black wooden plaque, it has been previously given to CDF Ranger Bill Johnson, CDF Forester Dan Ward and CDF Forester Leonard Gwinn. This year, CDF presented the award to two Registered Professional Foresters (RPFs), Brian Bishop and Larrie Mason.

The outstanding contribution to cultural resource management and to California Archeology made by Brian Bishop was his discovery and recording of an important late prehistoric/early historic Coast Yuki village site on Lincoln Ridge, near Westport, California, while preparing a Timber Harvesting Plan. His efforts to serve as an intermediary between San Jose State University and Louisiana-Pacific Corporation made possible a SJSU field school excavation at the site during the summer of 1992. His enthusiastic support and willingness to provide

valuable assistance with the logistics of a major archeological project greatly contributed to the success of the research. By providing project personnel with relevant articles and scientific literature related to forest ecology and logging history, he assisted greatly in the interpretation of the archeological evidence which proved crucial to demonstrate local significance. His vigilance saved an important archeological site, and his persistence made possible a major data recovery effort which has led to a more complete picture of prehistory and history on the Mendocino Coast.



*CDF Forester III John Teie (Mendocino Ranger Unit) presents Annual Trowel Award to RPF Brian Bishop*

Larrie Mason, an RPF from Burney, California, has made an equally impressive contribution to California Archeology and cultural resource management. The Northeast Information Center has notified CDF that the archeological survey reports and site records submitted to the Inventory by Larrie are consistently some of the best they see from any forester working in Northeastern California. His recent discovery of a major prehistoric village site containing housepit depressions, rock rings, midden, and abundant surface artifacts in a



*CDF Archeologist Rich Jenkins presents the Annual Trowel Award to RPF Larrie Mason*

location previously surveyed (but missed) by a USFS archeologist indicates the effort Larry makes during his diligent search for archeological sites which may be located within his Timber Harvesting Plans. The fact that he routinely records and provides complete protection for most of these sites is another example of the excellent stewardship he practices in California.

The excellent archeological survey work conducted by these two RPFs is also an indication of the success of CDFs Archeological Training Program, which has provided thirty 3-day courses for RPFs during the past 11 years.

### **C. NORTHERN SPOTTED OWL REFERRAL CONSULTATION PROCESS**

Effective March 15, 1993, Field Research Specialist John Hummel, in Redding, has assumed responsibility for coordinating the northern spotted owl referral consultation process within the northern end of California for the Department of Fish and Game. Most of the consultation reviews will continue to be performed by Pacific Northwestern Biological, supervised by Mr. Dave Nielsen in Trinidad. Registered Professional Foresters (RPF) should continue as before to request consultation referrals by contacting CDF in Fortuna, Redding, or Santa Rosa. Questions concerning the process may be directed to Mr. Nielsen (707) 839-4643 (phone/FAX) or Mr. Hummel (916) 221-3588 (phone/FAX). RPFs interested in the status of a specific referral should first contact Mr. Nielsen.

#### **D. SURVEY METHODS FOR MARBLED MURRELETS.**

In March 1993, the Pacific Seabird Group issued revised protocols describing survey methods for Marbled Murrelets. This notice summarizes the significant revisions to the protocol that are included in the publication cited below. Several definitions have been added or refined, such as: survey area, survey sites, survey station, occupied site, retention habitat, and detection. Beginning in 1993, the California survey period starts on 15 April and ends on 5 August. Peak bird activity is considered to extend to the last three weeks in July.

Survey intervals must be a minimum of six (6) and a maximum of thirty (30) days. The publication includes revised graphic examples to indicate the 65 acres of potential habitat that is further than 1/4 mile from the sale boundary. In evaluating observations at a stand, detections from a stationary location should be considered "stationary" when three or more calls are heard at less than 100 meters. Intensive surveys should be conducted for two consecutive years visiting each survey station at least once per year, or conducting a minimum of four visits per year to each survey area or site.

The Marbled Murrelet Forest Survey Form has been moderately revised in format. References have been expanded. Persons wishing to obtain the new protocol should request "Methods for Surveying Marbled Murrelets in Forests", Technical Paper #1, March 1993, by the Pacific Seabird Group Marbled Murrelet Technical Committee, compiled by Ralph, Nelson, Shaughnessy, and Miller, from USDA Forest Service, Pacific Southwest Experiment Station, Redwood Sciences Laboratory, 1700 Bayview Drive, Arcata, CA 95521.

#### **E. THE NORTHERN GOSHAWK AND FOREST PLANNING**

The California Department of Fish and Game's Nongame Bird and Mammal Section (Wildlife Management Division) is currently gathering information on the northern goshawk.

In California, the northern goshawk is generally known to inhabit mature forest types (wildlife Habitat Relationship (WHR) tree classification four or greater) with dense canopy closure and an open understory. Nest location is highly variable, as goshawks may use alternative sites from year to year. Therefore, it is appropriate to consider a stratified search of all potentially suitable habitats when planning goshawk surveys.

While numerous studies have improved our understanding of this species in recent years, management level information on goshawk habitat requirements and distribution in all of California's forest types is still lacking, particularly with respect to extensive areas which have historically been under private ownership. Consequently, currently referenced reports and distribution maps (i.e., California Department of Fish and Game's WHR and Natural Diversity Data Base systems), although based on the best available information, should still be considered indeterminate and subject to revision as new information is acquired.

Northern goshawks are reputed to be highly aggressive, vocal birds which will sometimes attack humans; however, this behavior is only exhibited when the birds are threatened by intrusion into their territory during the nesting period. Even then, response to intrusion varies widely among individual birds; some goshawks will respond by retreating to a safe distance and vocalizing and others by silently leaving the area. Therefore, it is important to understand that if goshawks are present, they will not always respond to the intrusion with an obvious display of aggression or raucous behavior.

Studies have shown that the most effective method for determining goshawk presence is to systematically survey an area, following the proposed U.S. Forest Service protocol (Woodbridge 1992) which utilizes taped northern goshawk vocalizations. Goshawk response to the taped calls is highest during the nestling period (late May through early July) and the post-fledgling dependency period (early July through late August). In general, nesting activity occurs between March 1 and July 15, but surveyors are cautioned not to enter potential nest stands prior to June 1, as this may cause nest

abandonment or clutch mortality. Throughout the remainder of the year, goshawks would probably not be detected in an area except by a chance encounter.

For information on goshawk territory records in the vicinity of your project, contact Ms. Burkett at (916) 654-4273. Please send all active territory locations (including historical sites) to:

California Department of Fish and Game  
Wildlife Management Division  
Attention: Ms. Esther Burkett  
1416 Ninth Street  
Sacramento, CA 95814

## **F. CALIFORNIA CLEARCUTTING DRAMATICALLY REDUCED**

The California Forestry Association recently summarized figures released for the last three years by the California Department of Forestry and the U.S. Forest Service show comparative trends between private and Forest Service timber management practices in California.

Selection harvest is the major silvicultural prescription for both private and Forest Service management practices. Private managers treat between 70 and 80 percent of the harvested acres using selection, compared to the Forest Service managers' 40 to 50 percent. Thinning ranks second in harvest methods on industrial lands, but ranks third on Forest Service lands behind selection and clearcutting.

Significantly, industry has reduced clearcutting to near insignificant levels, harvests a much greater percentage of its lands by selection harvest, and even more significantly, over the last three years has commercially-thinned the same percentage as the Forest Service, based on total acres cut.

These figures do not include acres salvaged, because salvage is not a primary silvicultural harvest system. They also do not include what the Forest Service refers to as "special harvest" which consists of, harvest for projects such as powerline clearing, reservoirs and administrative site construction. (source: Jim Craine)

## **G. WANTED: WILDLIFE CONSULTANTS AND CONSULTING FIRMS**

University of California Wildlife Extension is developing a new list of consultants and consulting firms providing services in wildlife subject areas in California. The list, which will include information on personnel expertise, examples of past and present projects, and services offered, will be made available to public agencies, private businesses and individuals as an aid in selecting an appropriate consulting firm. To be included on the list, request a questionnaire from Dr. E. Lee Fitzhugh, Wildlife Extension, University of California, Davis, CA 95616.

## **H. CLFA RELEASES THP CHECKLIST**

The CLFA has been working with members of the PFEC and CDF in developing a THP checklist. This checklist may be used by RPFs to review the contents of the THP they are preparing to insure that all necessary items have been addressed, and the required data is included in the THP prior to submission. This checklist is not intended to be a "cookbook" approach to THP preparation, but has been developed to assist the RPF in the development of a THP to insure that the THP contains all of the items required by the rules. This checklist has been made available to the Foresters Licensing Office and is attached at the end of this newsletter to be detached for your use and comments.

# California Licensed Foresters Association

## THP FILING CHECKLIST

June 21, 1993

- \_\_\_ THP Item #1 - Timber Owner  
If operations involve more than one timber owner than all names/addresses must be provided.
- \_\_\_ THP Item #2 - Timberland Owner  
If operations will occur on more than one timberland owner then all names/addresses must be provided(e.g. multiple owners, adjacent owners if using their skid trail or landing, etc.)
- \_\_\_ THP Item #3 - Timber Operator  
If LTO is listed, must have a valid license. A LTO does not have to be listed prior to THP approval.
- \_\_\_ THP Item #4 - Plan Submitter  
A plan submitter's address/phone must be listed. If name different than items 1, 2, or 3 must provide explanation of authority.
- \_\_\_ THP Item #5 - On-site Contact  
An on-site contact must be listed even if LTO is unknown.
- \_\_\_ THP Item #6 -RPF  
The RPF name/address/phone and RPF number must be listed.
- \_\_\_ THP Item #7 - Expected Commencement Date  
Commencement date must not be before expected approval date.
- \_\_\_ THP Item 8 - Expected Completion Date  
Completion date not more than 3 years from date of approval.
- \_\_\_ THP Item 9 - Forest products to be removed  
All forest products to be removed must be listed.  
(e.g. sawlogs, chiplogs, hogfuel, split products, firewood, etc.)
- \_\_\_ THP Item 10 - Forest District  
Must mark appropriate Forest District.
- \_\_\_ THP Item 11 - Legal Description
  - \_\_\_ Correct base and meridian marked.
  - \_\_\_ Correct legal description listed - must be consistent with THP map and Notice of Intent.
  - \_\_\_ Total acreage addition must be correct and match approximate acreage on THP map.

\_\_\_ THP Item 12 - Conversion Permit

If a conversion permit is in effect, must list permit number and expiration date. If exemption from permit for approved subdivision, then still check yes, and attach copy of CDF exemption letter.

\_\_\_ THP Item 13 - Satisfactory Stocking

If any portion of the plan area has not met stocking from a previous THP, the THP number must be identified.

\_\_\_ THP Item 14 - Special Treatment Areas (STAs)

Identify any STAs as defined by 895.1 (i.e. within 200 feet of: public parks, desig. wild & scenic rivers, scenic highways/corridors; within key habitat for T&E species or Coastal Commission designated STA)

\_\_\_ THP Item 15 - Silvicultural: The proposed silvicultural prescription(s) must meet the intent of 14 CCR 897.

- \_\_\_ 1. Box(es) checked must match addendum (if provided), Notice of Intent and THP map.
- \_\_\_ 2. Clear-cut
  - \_\_\_ A. Exceptions to acreage limitations must be explained and justified.
  - \_\_\_ B. Exceptions to clear-cut adjacency and other restrictions(adjacent stocking/timing restrictions from past clear cuts,adjacent silviculture restrictions, etc.) must be explained and justified.
  - \_\_\_ C. If site preparation is necessary, than a site preparation plan must be included.
- \_\_\_ 3. Shelterwood
  - \_\_\_ A. Preparatory Step -
    - \_\_\_ RPF must indicate natural or artificial regeneration for the stand.
  - B. Seed Step-
    - \_\_\_ If site prep needed, then must provide site prep plan.
    - \_\_\_ If extent and intensity equals clear cut then c.c. limitations shall apply and must be addressed accordingly.
  - C. Removal Step-
    - \_\_\_ If area( or portions of) will not meet stocking standards immediately following completion then RPF must address 913.1/933.1/953.1(b)(6)
- \_\_\_ 4. Seed Tree
  - \_\_\_ 1. Seed tree species and site preparation measures must be specified by RPF in plan.
  - \_\_\_ 2. If extent and intensity equals clear cut then c.c. limitations shall apply and must be addressed accordingly.
- \_\_\_ 5. Selection - Uneven-aged stand
  - \_\_\_ A. Any exceptions to the stocking standards must be explained and justified.\*

- 6. Intermediate Treatments
  - A. Commercial Thinning
    - 1. Exceptions to the stocking standards must be explained and justified.
  - B. Sanitation-salvage
    - 1. If stocking standards will not be met within 6 months then must explain and justify.\*
    - 2. If site prep needed then must provide site prep plan.
  - C. Transition
- 7. Special Harvesting Methods
  - A. Special Treatment Areas (STAs)
    - Must specify specific silvicultural and logging practices compatible w/ STA.
  - B. Rehabilitation of Understocked Areas.
    - Must include regeneration plan in Northern & Southern Districts.
- 8. Alternative Prescriptions
  - Must contain the information outlined in 14CCR 913.6/936.6/956.6.
- 9. Pursuant to 897(b)(3), provide additional information to the extent necessary for a particular plan which shows how the intent of 14 CCR 897 is being met. Specific information which may assist in determining rule compliance is listed below.

- Estimate of current growth - productive capacity of the site.
- Estimate of the pre and post volume per acre or general DBH class distribution.
- Estimate of average pre and post harvest basal area/acre
- Estimate of pre and post harvest basal area composition of each species.
- Prediction of the effect of harvest on growth.
- Projected future entry.
- Estimated stand age class distribution [stand structure].
- Quality(including genetic) and level of residual stocking to produce a future stand.

THP Item #16.a. - Silvicultural exceptions  
 Must mark YES if proposing exception(s) to standard silvicultural method restriction(s) and must explain and justify.\*

THP Item #17 - Hardwood Management Proposed  
 If yes, then list species.

THP Item #18 - Hardwood Stocking Standards.  
 If yes to #17& #18, then the species to be managed should be listed and preharvest basal area percentages of group A and group B species should be provided. If group B species will be used for stocking in excess of preharvest levels then must explain and justify\* as per 912.7/932.7/952.7 (2)(c).

THP Item #19 - Yarding Systems.  
 The box(s) checked must match the THP map and addendum (if provided).

\_\_\_ THP Item #20 - Layouts

\_\_\_ THP Item #21 - Tree Pulling

\_\_\_ THP Item #22 - #25 - Restricted use of tractors

\_\_\_ If yes to any must explain and justify.

\_\_\_ THP Item #26 - Erosion Hazard Rating

\_\_\_ 1. Box(s) checked must match EHR worksheet calculations.

\_\_\_ 2. If more than one, must be delineated on THP map down to 20 acres in size (10 acres for high and extreme EHRs in the Coast District)

\_\_\_ THP Item #27 - Soil Stabilization

\_\_\_ 1. WLPZ present

\_\_\_ A. When timber operations will cause 800 sq. ft. of exposed mineral soil must explain and describe treatment to be used for reducing soil loss.

\_\_\_ B. Timing - prior to October 15 or 10 days after creation, if disturbed after October 15.

\_\_\_ 2. Road Construction with a WLPZ present.

\_\_\_ A. Provide for sidecast or fill material extending more than 20 feet which has access to a WLPZ be treated to adequately reduce soil erosion.

\_\_\_ B. Specify treatment to be used and timing.

\_\_\_ 3. Landing construction with a watercourse (does not specify a WLPZ).

\_\_\_ A. Provide for sidecast or fill material extending more than 20 feet which has access to a watercourse be treated to adequately reduce soil erosion.

\_\_\_ THP Item #28 - Alternative erosion control practices.

\_\_\_ 1. If proposed, must be adequately explained and justified.

\_\_\_ THP Item #29 - Winter Operations

\_\_\_ 1. Mechanical site preparation and timber harvesting during winter period.

\_\_\_ A. Must provide a winter period operating plan according to 914.7 (b) or specify in lieu measures found in 914.7 (c)(1,2,&3).

\_\_\_ THP Item #30 - Roads and landing construction or reconstruction.

NOTE: Reconstruction does not include routine or annual maintenance or rehabilitation that does not require substantial change in the original prism of the road.

\_\_\_ Where roads, landings or watercourse crossings will be abandoned, the method for abandonment shall be described.

NOTE: Location of areas to be abandoned shall be shown on the THP map.

\_\_\_ THP Item #31 - Will any roads be wider than single lane with turnouts?

\_\_\_ THP Item #32 - Will any landings exceed the maximum size?

\_\_\_ 1. If larger than one-half acre must explain and justify.\*

\_\_\_ 2. Landings larger than one-quarter acre shall be shown on the THP map.

\_\_\_ THP Item #33 - Are roads or landings proposed in areas of unstable or slide areas.

- \_\_\_ 1. If YES must explain\* why it is not feasible to avoid the area.
- \_\_\_ 2. Describe and justify site specific measures provided to minimize slope instability due to construction.
- \_\_\_ 3. Known location of any unstable areas or slides must be shown on the THP map.

\_\_\_ THP Item #34 - Will new roads exceed a grade of 15% or pitches of 20% for distances greater than 500 feet?

- \_\_\_ 1. If YES explain and justify.\*  
NOTE: It must be shown in the THP that there is no other feasible way to access for harvesting of timber or where (in Northern and Southern Districts) exceeding 20% will serve to reduce soil disturbance.

\_\_\_ THP Item #35 - Are roads to be constructed in the WLPZ of Class I or II watercourse?

- \_\_\_ 1. Exceptions must be explained and justified.\*

\_\_\_ THP Item #36 - If roads longer than 100 feet will be located on slopes over 65%, or on slopes over 50% which are within 100 feet of the boundary of a WLPZ, then:

- \_\_\_ 1. Measures to minimize soil movement must be incorporated in THP.
- \_\_\_ 2. Measures to minimize concentrated surface runoff must be incorporated in THP.
- \_\_\_ 3. If feasible maintenance provisions for drainage structures are required to keep road beds and fills stable then they shall be stated in the THP.

\_\_\_ THP Item #37 - Are exceptions proposed for flagging location of roads to be constructed?

- \_\_\_ 1. Exceptions may be explained and justified if flagging is unnecessary.\*

\_\_\_ THP Item #38 - If there is any additional information concerning the construction and or maintenance of roads or landings, provide the information in an addendum.

\_\_\_ THP Item #39 - Watercourses

- \_\_\_ 1. Marked "yes" for watercourses within or adjacent to plan area.

\_\_\_ THP Item #40 - In-lieu and/or alternative practices

- \_\_\_ 1. If proposed, must follow all provisions of 916.1/936.1/956.1 or 916.6/936.6/956.6

NOTE: Exceptions are allowed within the standard rule and do not constitute an in-lieu or alternative practice.

\_\_\_ THP Item #41 - Exception to use of wet areas, etc.

- \_\_\_ 1. If yes must explain and justify.\*  
NOTE: An exception for equipment use within a WLPZ (THP Item #46) is not considered using the actual watercourse channel and would not apply here.

\_\_\_ THP Item #42 - Exception to retention of vegetation bordering or covering a meadow or wet area.

- \_\_\_ 1. Adequately explain and justify.\*

- \_\_\_ THP Item #43 - Exception to felling away from a watercourse.
  - \_\_\_ 1. Adequately explain and justify.\*
  
- \_\_\_ THP Item #44 - Exception to standard WLPZ width.
  - \_\_\_ 1. Adequately explain and justify.\*
  - \_\_\_ 2. A decrease can not exceed 25 percent of standard width.
  - \_\_\_ 3. A decrease can not be less then 50 feet wide for a Class I or II watercourse.
  - \_\_\_ 4. If soil surface roads exist within the WLPZ then NO decrease is allowed.
  
- \_\_\_ THP Item #45 - Protection to Class IV watercourses.
  - \_\_\_ 1. Exception allowed when protection is inconsistent with the management objectives of the owner of the man made watercourse.
  - \_\_\_ 2. Must be made clear in the plan.
  
- \_\_\_ THP Item #46 - Exception to exclusion of heavy equipment within a WLPZ.
  - \_\_\_ 1. Adequately explain and justify.\*
  - \_\_\_ 2. Class I watercourse - location of exception must be flagged prior to the PHI or must be clearly described.
  
- \_\_\_ THP Item #47 - Exception to 50% overstory in the WLPZ.
  - \_\_\_ 1. explain and justify.\*
  
- \_\_\_ THP Item #48 - Exception to 50% understory in the WLPZ.
  - \_\_\_ 1. explain and justify.\*
  
- \_\_\_ THP Item #49 - Marking trees within the WLPZ.
  - \_\_\_ 1. If "NO", must be explained and justified.\*
  - \_\_\_ 2. Sample marking is allowed prior to PHI for Class I watercourse.
  - \_\_\_ 3. Class IIs must be marked prior to timber operations begin.
  
- \_\_\_ THP Item #50 - WLPZ protection measures.
  - \_\_\_ 1. Minimum protection measures from 916.5/936.5/956.5 or 916.4 (c) et al or additional proposed measures must be stated within the THP as follows:
    - \_\_\_ A. Class I watercourse.
      - \_\_\_ 1. WLPZ widths per 916.5 et al.
      - \_\_\_ 2. Retention of 50% of the overstory and 50% of the understory.
      - \_\_\_ 3. Retention of 25% of the overstory conifers.
    - \_\_\_ B. Class II watercourse.
      - \_\_\_ 1. WLPZ widths per 916.5 et al.
      - \_\_\_ 2. Retention of 50% of the canopy covering the WLPZ.
      - \_\_\_ 3. Retention of 25% of the overstory conifers.
    - \_\_\_ C. Class III watercourses.
      - \_\_\_ 1. Minimum: Soil deposited within a Class III must be removed and debris must be removed or stabilized prior to October 15.

\_\_\_ THP Item #51 - Are any rare, endangered or species of special concern, **including key habitat**, associated with this THP.

- \_\_\_ 1. Identify the provisions to be taken for protection of the species and or the habitat.
- \_\_\_ 2. No take for the northern spotted owl if appropriate.
- \_\_\_ 3. Marbled murrelet survey if appropriate.
- \_\_\_ 4. Provide any evidence of consultation with DF&G on T & E species if appropriate.
- \_\_\_ 5. List sources of information (databases, surveys, inspection, etc..)

\_\_\_ THP Item #52 - Snag retention, describe which type of snags are going to be felled.

\_\_\_ THP Item #53 - Other provisions for wildlife protection.

- \_\_\_ 1. Protection of identified nest trees.
- \_\_\_ 2. Buffer zone around all active nest trees.
- \_\_\_ 3. DF&G consultation for the configuration of the buffer zone and nest trees.
- \_\_\_ 4. If any significant adverse impacts to non-listed species identified, include feasible practices to reduce impacts.
- \_\_\_ 5. Must show on THP map meadow areas proposed to be cut for wildlife and exempted from stocking (as per 939.15 and 959.15).

Pursuant to 897(b)(1) (B) & (C) additional information may be necessary for a particular plan to show how the intent of 14CCR 897 is being met. Specific information which can be included, where appropriate, is listed below:

- 1. Seral stage amount and distribution
- 2. Methods used to determine the presence or absence of listed species.
- 3. Functional wildlife habitat information.
- 4. Harvest stand characteristics as they relate to habitat of listed species.

\_\_\_ THP Item #54 - #55 - Cultural Resources

- \_\_\_ 1. Boxes checked according to confidential Archaeological Addendum.
- \_\_\_ 2. Separate and confidential Archaeological Addendum must be attached.
  - \_\_\_ A. Archaeological check made with state archaeological information center and date and file number attached.
  - \_\_\_ B. Records check with federal archaeologist if THP is adjacent to federal land.
  - \_\_\_ C. Appropriate local tribes have been contacted (preferably by letter) to request information on existence of archaeological sites and inform them of opportunity to participate in THP review process.
  - \_\_\_ D. Field survey conducted by a person with approved training taken within the last 5 years.
  - \_\_\_ E. Results of letters sent to local tribes.
  - \_\_\_ F. Results of pre-field research.
  - \_\_\_ G. Description of the training and experience of the surveyor.
  - \_\_\_ H. Methods and procedures of the survey including ground visibility and survey intensity.
  - \_\_\_ I. A survey coverage map.

- \_\_\_ J. If archaeological or historic site present include:
  - \_\_\_ 1. Archaeological or historic site identified and displayed on survey coverage map.
  - \_\_\_ 2. Brief description of site.
  - \_\_\_ 3. Protection measures to be implemented within site boundaries and within 100 feet of site boundaries.
  - \_\_\_ 4. Initial assessment of significance of site.
  - \_\_\_ 5. A determination of the significance is required for any site for which significant disturbance can not be avoided.

\_\_\_ THP Item #56 - Slash treatment in the fire protection zone.

- \_\_\_ 1. Identify the method for treating slash within the fire protection zone.
- \_\_\_ 2. Alternatives to treating slash along roads and within 200 feet of structures must be explained and justified.\*
  - \_\_\_ A. Explain how equal fire protection will be provided.
  - \_\_\_ B. Description of the alternate treatment.
  - \_\_\_ C. Consider the estimated amount and distribution of slash created, type of remaining vegetation, topography, climate, fire history and degree of public exposure.

\_\_\_ THP Item #57 - Will broadcast burning be used for site preparation?

\_\_\_ THP Item #58 - If piling and burning is to be used for hazard reduction, who will be responsible for compliance.

- \_\_\_ 1. Timber owner
- \_\_\_ 2. Timberland owner
- \_\_\_ 3. Timber operator

\_\_\_ THP Item #59 - Adjacent ownerships within 300 feet of plan boundary. (For purposes of accepting THP's for filing, the "latest equalized assessment role" is that role prepared annually by the county Assessor, and becomes official each July 1. The counties also have an unofficial "Role being prepared" which has more current information. RPFs are encouraged to use this information where possible.

- \_\_\_ 1. List of names and address of adjacent property owners.
- \_\_\_ 2. Is the Notice of Intent provided in the Plan.
  - \_\_\_ A. Name of timberland owner, plan submitter and RPF who prepared the plan.
  - \_\_\_ B. Location of the plan area.
    - \_\_\_ Section, township and range
    - \_\_\_ County
    - \_\_\_ Direction and distance from nearest community or landmark.
  - \_\_\_ C. Name of and distance from nearest perennial stream and major watercourse. (Provide the name and shortest distance shown on the most current USGS quadrangle map to the closest named watercourse flowing through or downstream from the plan site.)
  - \_\_\_ D. Acres proposed to be harvested.

- E. The regeneration method(s) and/or intermediate treatment(s) to be used.
- F. The estimated earliest date (specific date needed) that the Director may approve the plan. (Earliest possible is 15 days from receipt of the THP by CDF.)
- G. A statement that the public may review the plan.
- H. A map which provides the approximate boundary of the THP area, a legend and scale.
- I. A statement that questions or concerns regarding the plan should be directed to CDF Regional office.

THP Item #60 - Are any adverse insect, disease or pest problems in the plan area.

- 1. If yes, include mitigation measures which will be used to improve the health and productivity of the stand. (Technical Rule Addendum #3 specifically applies for Bark beetle infestations as per 917.9, 937.9, 957.9.)

THP Item #61 - Cumulative Impact Assessment, Tech. Rule Add.#2.

The information included in the cumulative impacts assessment checklist 14 CCR 912.9/932.9/952.9 must be provided:

- 1. Past, present, and future projects must be listed and affected resource subjects must be stated. **[Locations of projects must be described (or mapped).]**
- 2. Any significant impacts from past land use activities must be listed.
- 3. Any cumulative potential significant effects must be listed for the 6 subject areas.
  - A. If column "A" is marked, there must be a description of why the impacts can't be mitigated and what mitigation measures were considered to reach this determination.
  - B. If column "B" is marked, there must be a description of the mitigations measures selected which will avoid a significant cumulative impact.
- 4. Brief description of the assessment area (and/or map) must be provided for each resource subject along with the rationale used for selection of area.
- 5. A list of individuals, organizations, and records consulted used in the assessment must be included. Name, affiliation, address and phone number must be included for individuals contacted.

In evaluating cumulative impacts, the RPF must consider the factors listed below and include a discussion of these factors to the extent necessary to explain and justify responses to 3(A) and 3(B) above and to comply with CCR 14 897(b)(3). For purposes of accepting THP's for filing, RPFs should provide site specific supporting justification for conclusionary statements. CDF will not reject plans solely on the basis of differences in professional judgment of adequacy of such justifications. According to technical rule addendum No. 2 "RPFs are expected to submit sufficient information to support their findings if significant issues are raised during the Department's review of the THP". Although information used in the assessment of cumulative impacts "may be supplemented during the THP review period", providing a more complete discussion of these factors initially will facilitate THP review, might reduce review time, as well as provide documentation for the RPFs analysis and conclusions.

- \_\_\_ A. **Watershed Resources:**
  - \_\_\_ 1. Sediment.
  - \_\_\_ 2. Water temperature.
  - \_\_\_ 3. Organic debris.
  - \_\_\_ 4. Chemical contamination.
  - \_\_\_ 5. Peak flow.
  
- \_\_\_ B. **Soil Productivity.**
  - \_\_\_ 1. Organic matter loss.
  - \_\_\_ 2. Surface soil loss.
  - \_\_\_ 3. Soil compaction.
  - \_\_\_ 4. Growing space loss.
  
- \_\_\_ C. **Biological Resources.**
  - \_\_\_ 1. Impact on rare, threatened, endangered species, and species of special concern.
  - \_\_\_ 2. Any significant wildlife or fisheries (non-listed species) resource concerns within the project or assessment area.
  - \_\_\_ 3. The aquatic and near-water habitat conditions on the THP and immediate surrounding area should include:
    - \_\_\_ A. Pools and riffles.
    - \_\_\_ B. Large woody material in the stream.
    - \_\_\_ C. Near-water vegetation.
  - \_\_\_ 4. The biological habitat condition of the THP and immediate surrounding area should include:
    - \_\_\_ A. Snags/den trees.
    - \_\_\_ B. Downed, large woody debris.
    - \_\_\_ C. Multistory canopy.
    - \_\_\_ D. Road density.
    - \_\_\_ E. Hardwood cover.
    - \_\_\_ F. Late seral (mature) forest characteristics.
    - \_\_\_ G. Late seral habitat continuity.
  
- \_\_\_ D. **Recreation Resources.**
  - \_\_\_ 1. The recreational activities used by significant number of people in and within 300 feet of the logging area.
  - \_\_\_ 2. Any recreational special treatment areas on the plan area or contiguous to the area.
  
- \_\_\_ E. **Visual Resources.**
  - \_\_\_ 1. Any special treatment areas designated because of their visual values.
  - \_\_\_ 2. How far (more or less than 300 feet) the proposed timber operation is from the nearest viewing point seen by a significant number of people.

- \_\_\_ F. Vehicular Traffic Resources.
  - \_\_\_ 1. Identification of public roads used for hauling.
  - \_\_\_ 2. Identification of public roads not used recently for hauling.
  - \_\_\_ 3. Identification of public roads with traffic or maintenance problems.
  - \_\_\_ 4. Identification of how hauling will change amount of traffic on public roads.

\_\_\_ THP Item #62 - Attachments and Addendums

- \_\_\_ 1. Erosion hazard rating worksheet.
- \_\_\_ 2. Any additional information that is submitted on separate pages shall be clearly marked "plan addendum" and bear the date on which it was prepared.
- \_\_\_ 3. Written notice of plan to the LTO, timber or timberland owners that did not sign the plan.

\_\_\_ THP Item #63 - Outline RPF authority, responsibilities and limitations for preparation of the THP and timber operation.

\_\_\_ THP Item #64 - Timber owner and timberland owner noticed, in writing, of their responsibilities.

- \_\_\_ 1. Stocking requirements of the rules.
- \_\_\_ 2. Erosion control maintenance.
- \_\_\_ 3. Marking requirements contained in the rules.

\_\_\_ THP Item #65 - Check the appropriate box.

\_\_\_ THP Item #66 - Check the appropriate box and provide addendum if required.

Additional THP items:

\_\_\_ Must include site preparation addendum where site preparation will occur on the logging area.

- \_\_\_ 1. Whether site preparation will be required to meet stocking.
- \_\_\_ 2. General method of site preparation to be used.
- \_\_\_ 3. The type of equipment to be used for mechanical site preparation and firebreak construction.
- \_\_\_ 4. The method used to protect residual trees.
- \_\_\_ 5. Explanations and justifications for any exceptions.
- \_\_\_ 6. A map identifying the site preparation areas.
- \_\_\_ 7. The name of the person responsible for site preparation activity.
- \_\_\_ 8. The estimated timing of site preparation operations.

\_\_\_ Must include description of plan site per 1034 (jj) should include:

- \_\_\_ 1. General soils.
- \_\_\_ 2. Topography
- \_\_\_ 3. Vegetation and stand conditions.
- \_\_\_ 4. Watershed and stream conditions.

If stand(s) of *Taxus brevifolia*(Pacific Yew) will be harvested or burned then must:

1. On a separate map indicate known locations of any stands of Pacific Yew.
2. Must provide a statement on planned disposition or use of any stand(s) unless taxol producing material was previously collected pursuant to 921.10/932.10/952.10

THP Map should be included.

1. Use topographical map of a scale not less than 2" to the mile.
2. Legend showing the meaning of the symbols used.
3. Boundary of the logging area.
4. Boundaries of silvicultural methods.
5. Boundaries of more than one yarding method.
6. Location of public roads within the plan area.
7. Private roads appurtenant to the timber operations.
8. Classification of all proposed and existing logging roads as permanent, seasonal, or temporary.
9. Proposed or existing landings if:
  - A. Within a WLPZ.
  - B. Greater than 1/4 acres in size.
  - C. Construction involves substantial excavation.
10. Road failures on existing roads to be reconstructed.
11. Location of all permanent watercourse crossings and culvert size.
12. Location of all temporary logging road crossings on Class I and II watercourses.
13. Location of high or extreme EHR, if more than one.
14. Location of all watercourses.
15. Location of known unstable areas or slides.
16. Location of understocked areas prior to timber operations to at least a 20 acre minimum.
17. Location of main ridge tops suitable for fire suppression efforts.
18. Location of special treatment areas (STA).

THP Items #67, #68 must have signature of RPF and at least one of the following: timber owner, timberland owner and timber operator. (must indicate that written notice of plan has been sent to timber and/or timberland owner(s) who did not sign)

\* "Explain and justify" means to provide sufficient evidence in the record for the Director to reasonably conclude the alternative is acceptable. A mere assertion of need is not sufficient.