

1 RECOMMENDED MODIFICATIONS TO THE
2 1999 AMENDMENTS TO THE CALIFORNIA FOREST PRACTICE RULES
3 APPROVED BY THE
4 BOARD OF SUPERVISORS - January 26, 1999
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- 6 ♦ New text is underlined
- 7 ♦ Deletions are shown with ~~strikeout~~
- 8 ♦ All other text is existing language
- 9 ♦ Staff recommended deletions - August 1999 in ~~bold strikeover~~

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12 1. 926.11 Flagging of Property Lines [Santa Cruz County]

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14 ~~In addition to other flagging requirements in Subchapter 3 of Title 14 CCR, the Director, where~~
15 ~~necessary to protect adjoining properties may require flagging of~~ The RPF or his/her supervised
16 designee shall, prior to plan submission to the Department, flag the approximate property lines of the
17 timberland owner's parcel on the site where any truck road, tractor road or harvest area is proposed
18 within 100 ft. of a property line, and the approximate boundaries of all residential buffer zones.
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21 2. 926.15 Road Construction and Maintenance [Santa Cruz County]

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23 ~~In addition to Article ¹³ (14 CCR Sections 923 through 923.8), the following shall apply in~~
24 Santa Cruz County:
25

26 (a) New logging roads, including all temporary, seasonal and permanent roads, shall be
27 subject to the following limitations:

28 (1) New road construction shall be prohibited:

(i) Across slopes steeper than 65%.

~~(ii) Across slopes steeper than 50% where the erosion hazard rating is high or extreme.~~

~~(iii) Across slopes over 50% which lead to a watercourse or lake, without flattening to sufficiently dissipate water flow and trap sediment.~~

~~(2) Any exceptions to these standards granted by the Director shall require review by a Certified Engineering Geologist or Licensed Geotechnical Engineer with experience in forest road construction.~~

~~(3) Any exceptions to these standards granted by the Director for construction of temporary roads shall require the abandonment of the temporary road in compliance with 14 CCR 923.8 immediately following cessation of active logging operations.~~

(4) Whenever new road construction is proposed and the plan submitter owns or controls any property contiguous to the parcel or parcels on which timber operations are proposed, and such contiguous property contains timberland, the RPF shall include a map and explanation of how the new road is integrated into the existing or proposed truck road and associated transportation system for all the contiguous property owned or controlled by the plan submitter on which timberland is found. Such proposed integrated truck road and associated transportation system shall be reviewed in connection with review of the proposed plan, and the plan shall be modified, if necessary, to assure that the approved plan will be compatible and consistent with timber operations on the contiguous property.

~~(5) New road construction or road reconstruction on areas of active mass movement, inner gorge slopes (except at approved stream crossings) or headwater swales shall be reviewed by a Certified Engineering Geologist or~~

Licensed Geotechnical Engineer with experience in forest road construction.

(b) All new seasonal and permanent roads shall be treated to prevent excessive loss of road surface materials by the use of non-erodible surfacing materials meeting the following minimum standards:

(1) Roads with gradients between 0% and 10% require a drain rock surface compacted into a 4 inch sub-base of Class II baserock.

(2) Roads with gradients between 10% and 15% require a 5-inch layer of Class II baserock and oil and screenings seal coat.

(3) Roads with gradients greater than 15% require a 5-inch layer of Class II baserock with 1-1/2 inches of asphaltic concrete overlay.

(4) Existing permanent appurtenant roads used for any purpose during the winter period, as defined by 14 CCR Section 926.18, may be required to be surfaced, as specified above, if, upon the determination of the Director, such surfacing is necessary to prevent excessive loss of road surface materials.

(c) Until abandoned, all new and existing seasonal roads in the plan area shall be regularly maintained pursuant to an erosion and drainage plan approved by the County of Santa Cruz.

(d) All new tractor roads shall be abandoned pursuant to 14 CCR Section 923.8 immediately following cessation of active logging operations. 14 CCR 914.2(f)(3) Coast only shall not apply in Santa Cruz County.

3. 926.16 Flagging [Santa Cruz County]

(a) The location of proposed truck roads, constructed tractor roads, landings, and watercourse crossings proposed to be used or constructed during the timber harvest, as well as residential buffer areas ~~and riparian corridor areas~~ where timber operations are prohibited Pursuant to 14 CCR 926.24 ~~or 14 CCR 926.26,~~ shall be designated on the plan map and shall be located in the field with flagging. Such flagging shall occur prior to the preharvest inspection if one is to be conducted. Flagging for truck roads and constructed tractor roads will be inter-visible along the proposed alignments.

(b) The RPF or supervised designee shall flag the location of all water breaks which are within the WLPZ, on mapped unstable areas or on slopes over 65% regardless of erosion hazard rating.

4. 926.17 Abandonment of Roads and Landings [Santa Cruz County]

When an existing truck road, tractor road, or landing is located within the property of the landowner submitting the plan in an area in which it could not be newly constructed in conformance with ~~these~~ the Forest Practice Rules, rules then; such road or landing shall be abandoned, pursuant to 14 CCR 923.8, stabilized, re-vegetated, and restricted from vehicular use by the installation of gates and/or other devices to prevent access, following cessation of active logging operations. ~~prior to the Work Completion Inspection, unless the use of such road or landing would produce less environmental impact than the use of a new road or landing constructed in accordance with these rules.~~

5. 926.24 Residential Buffer Zone [Santa Cruz County]

Harvesting or other timber operations are prohibited within 300 feet of any occupied legal dwelling used for residential purposes on non-TPZ parcels without unless the residential property owner's written consent in writing is submitted with the plan. This prohibition does not apply to the removal of except for dead, dying and diseased trees which are imminently threatening any occupied legal dwelling; or which constitute an imminent fire hazard. If timber operations do occur within 300 feet of an occupied legal dwelling, all slash shall be lopped to 30.5 cm (12 in.) or less or removed, within 10 working days of log removal operations but no later than 60 days of the felling of trees.

6. 926.25 Special Harvesting; Methods [Santa Cruz County]

In addition to 14 CCR 9 13.8 subsection (a), the harvesting limitation, re-entry period and leave tree standards shall be modified as follows:

(a) The cutting standards for TPZ parcels are as follows:

(1) For areas where the proposed harvest rate is 51-60% of the trees greater than 45.7 cm (18 in.) d.b.h., the minimum re-entry period shall be 14 years.

(2) For areas where the proposed harvest is 50% or less of the trees greater than 45.7 cm (18 in.) d.b.h., a 10 year re-entry period shall apply.

(3) Regardless of re-entry period, no more than 40% of the trees greater than 35.6 cm. (14 in.) and less than 45.7 cm (18 in.) d.b.h. shall be harvested.

(b) The cutting standards for non-TPZ parcels are as follows:

- 1 (1) For areas where the harvest rate is 25% or less of those trees greater than ~~61.0 cm~~ ³⁶⁴ (24
2 in.) d.b.h. present prior to commencement of current timber operations, the re-entry
3 period shall be 10 years.
- 4
- 5 (2) For areas where the harvest rate is 26-3 5% of those trees greater than 61 .0 cm (24
6 in.) d.b.h. present prior to commencement of current timber operations, the re-entry
7 period shall be 14 years.
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- 9 (3) Regardless of re-entry period, no more than 40% of the trees greater than 30.5 cm.
10 (12 in.) and less than 61.0 cm (24 in.) d.b.h. shall be harvested.
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- 12 (4) No conifer shall be cut which is more than 22.9 m (75 ft.) from a leave tree of eaul
13 size class. Equal size class is defined as follows:
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- 15 (a) Over 81.3 cm (32 in.) to 91.4 cm (36 in.) d.b.h.
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- 17 (b) Over 91.4 cm (36 in.) to 106.7 cm (42 in.) d.b.h.
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- 19 (c) Over 106.7 cm (42 in.) to 121.9 cm (48 in.) d.b.h.
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- 21 (d) Any tree over 121.9 cm (48 in.) d.b.h.
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- 23 (5) No old growth conifer shall be harvested in any non-TP zone property. As used herein
24 “old growth conifers” are described as predominant trees that are at least 200 years old.
- 25
- 26 (c) Trees that could have been harvested in ~~a the riparian no cut zone, but for the provisions~~
27 ~~of 14 CCR 926.26 or in~~ the residential buffer zone. but for the provisions of 14 CCR 926.24,
28 ~~and trees that could have been cut in a WLPZ but for the provisions of 14 CCR 926.26~~

shall be counted for the purpose of determining compliance with the cutting standards under 14 CCR 926.25(a) and (b) may be credited one time only, by the allowed harvest of additional trees over 45.7 cm (18 in.) d.b.h. ~~outside the WLPZ~~. At no time can the credit of trees result in a harvest of over 60% of the trees over 45.7 cm (18 in.) d.b.h. on TPZ parcels, or 40% of the trees over 45.7 cm (18 in.) d.b.h. on non-TPZ parcels.

- (d) When a Non-industrial Timber Management Plan (NTMP) or a Sustained Yield Plan (SYP) as provided in Article 6.5 and 6.75, Subchapter 7, is submitted to the Director, an alternative method may be approved if the RPF submits a stratified random sample of the timber resources on the property or harvest area, with growth data that supports a cutting percentage and cutting cycle that can be predicted to achieve a substantially similar yield of timber on each successive harvest with a degree of statistical certainty of +/- 5%. In no event shall the re-entry period be less than 10 years. Before commencement of harvesting operations the property owner shall record with the County Recorder a Declaration of Restrictions which cites the approved cutting percentages and re-entry period as stated in the NTMP or SYP.

7. **926.26 Watercourse and Lake Protection [Santa Cruz County]**

In addition to the requirement of Article 6 (14 CCR Sections 916 to 916.10 the following shall apply in Santa Cruz County:

- (a) **On TPZ parcels, no timber harvesting operations are allowed within riparian corridors. The width of this no cut, no entry zone is defined as follows:**

(1) At least 15.2 m (50 feet) from Class I and II watercourses and wetlands wet meadows and other wet areas.

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~~(2) — At least 3.1 m (10 feet) from Class III watercourses.~~

~~(3) — The width of the riparian corridor shall be measured horizontally out from each side of the watercourse bank.~~

~~(4) — Exceptions are allowed for temporary stream crossings (fords, bridges, culverts) if no other feasible alternative exists as explained and justified in the THP and approved by the Director.~~

~~(b) On non-TPZ parcels, no timber harvesting operations are allowed within non-TPZ riparian corridors. The width of this no cut, no entry zone is defined as follows:~~

~~(1) — At least 38.0 m (125 feet) from Class I and II watercourses and wetlands wet meadows and other wet areas.~~

~~(2) — At least 3.1 m (10 feet) from Class III watercourses.~~

~~(3) — The width of the riparian corridor shall be measured horizontally out from each side of the watercourse bank.~~

~~(4) — Exceptions are allowed for temporary stream crossings (fords, bridges, culverts, cable corridors) if no other feasible alternative exists as explained and justified in the THP and approved by the Director; provided that no cable corridor shall be cut within the riparian corridor. Full suspension yarding across the riparian corridor shall be permitted only if it can be accomplished without falling or harvesting trees inside the riparian corridor.~~

8. 926.27 Non-native Plants [Santa Cruz County]

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Maintenance activities for the eradication of French broom or other invasive, non-native plants as defined by a list provided by the County along harvest roads and landings should occur on the first, third and fifth year after the initial site disturbance occurs. Where seeding is needed for erosion control, the use of appropriate native or non-invasive exotic plants, such as cereal barley, is recommended.

9. 926.28 Helicopter Operations [Santa Cruz County]

Helicopter yarding of timber shall only be permitted for timber harvested from properties zoned TP. Helicopter service and log landing zones must be sited within the THP boundaries on either property zoned TP or on contiguous properties to property zoned TP that is owned by the owner of the TP property. Helicopter flights for log transport between the area where the felling is occurring and the landing must occur only over property contained within the approved THP. No helicopter flight may occur within 1,000 feet horizontally of an occupied legal dwelling, provided that the Director may reduce this requirement to 500 feet with the written concurrence of the residential inhabitant. Helicopter operations are restricted to the hours between 7:00 a.m. and 5:00 p.m. and shall be prohibited on Saturdays, Sundays and nationally designated legal holidays. Within a calendar year, no more than 10 cumulative days of total helicopter yarding shall be allowed within each Resource Conservation District watershed by all possible plan submitters combined. Within a five year period, no more than 10 cumulative days of total helicopter yarding shall be allowed within a two mile radius of any prior helicopter yarding operation occurring within such period. As used herein one day shall be defined as a total of 10 hours of flight time, which may occur on more than one calendar day.

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10. 926.29 Emergency Conditions [Santa Cruz County]

A “financial emergency” as defined in 14 CCR 895.1 (Emergency (b)) and further referred to in 14 CCR 1052.1 (Emergency Conditions) shall only constitute an emergency for the purposes of the Santa Cruz County Rules if the work proposed to be done under the emergency authorization is minor in scope and can be done without any significant adverse impact on any adjoining landowner, including others with the right to use private roads proposed to be used by the plan submitter, or on the environment.

11. 926.30 Entry by County Representative for Inspection [Santa Cruz County]

The County representative who is designated to participate in or who participated in the Review Team may enter and inspect the property that is subject to a timber harvest application during normal business hours at any time after commencement during the conduct of timber harvest plan activities on the land and after 24 hours notice to the landowner, the RPF and the LTO if any of his employees are engaged in activities on the site, for the purpose of reviewing the methods being utilized in the timber harvest plan activities and efforts to comply with the requirements of the Forest Practice Rules. In carrying out such inspection, s/he may utilize any measurement or evaluation tools or apparatus, including temperature measurement equipment, cameras or video equipment. Any photos or videos shall be clearly labeled as to time, date and location and shall remain the property of the County of Santa Cruz but shall constitute public records. If such representative becomes aware of any material lack of compliance with such Rules or any other provisions of the California Forest Practice Rules applicable to such harvest activities, s/he shall promptly notify the Director in writing of such alleged non-compliance.