Policy challenges to restoration

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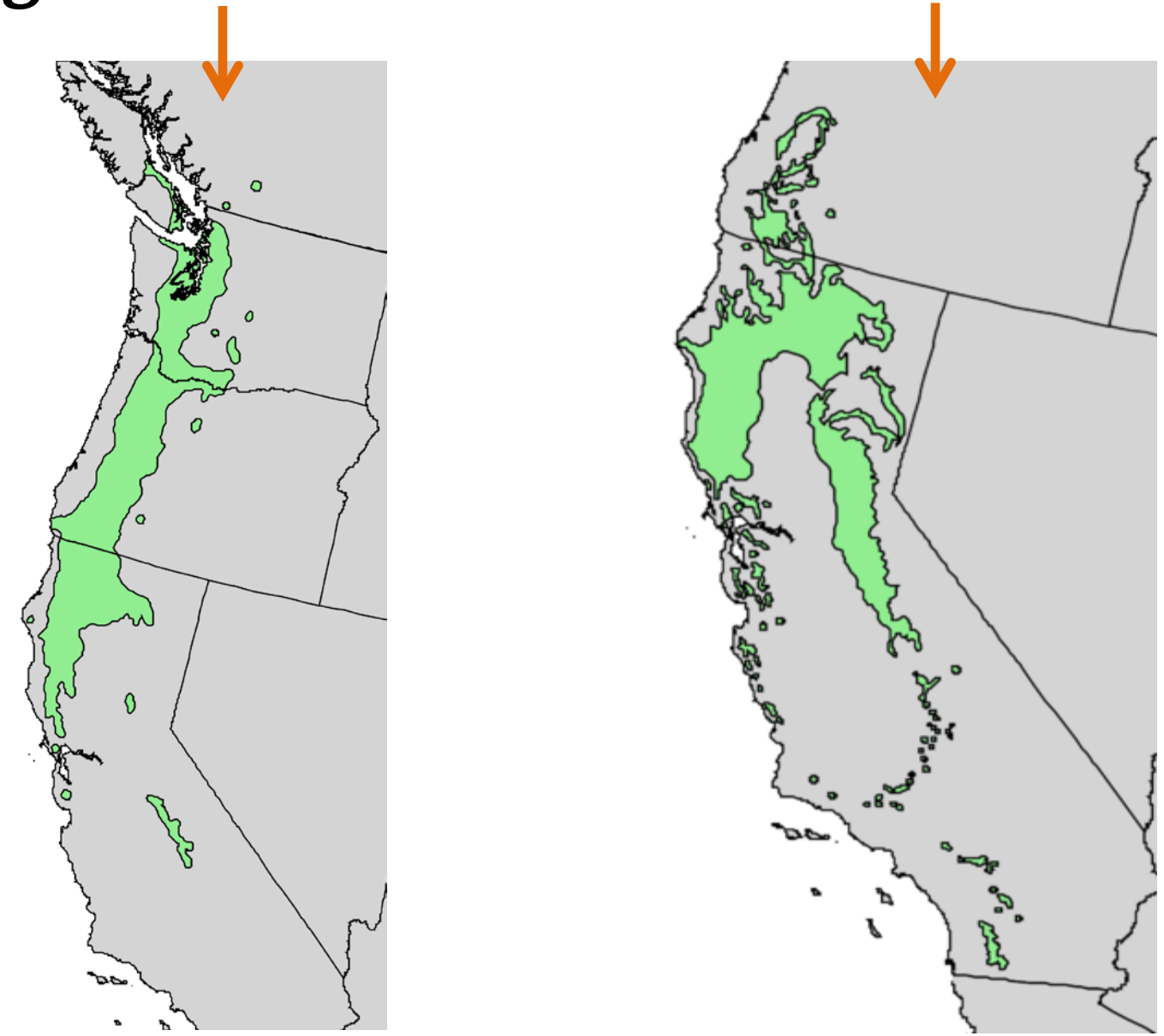
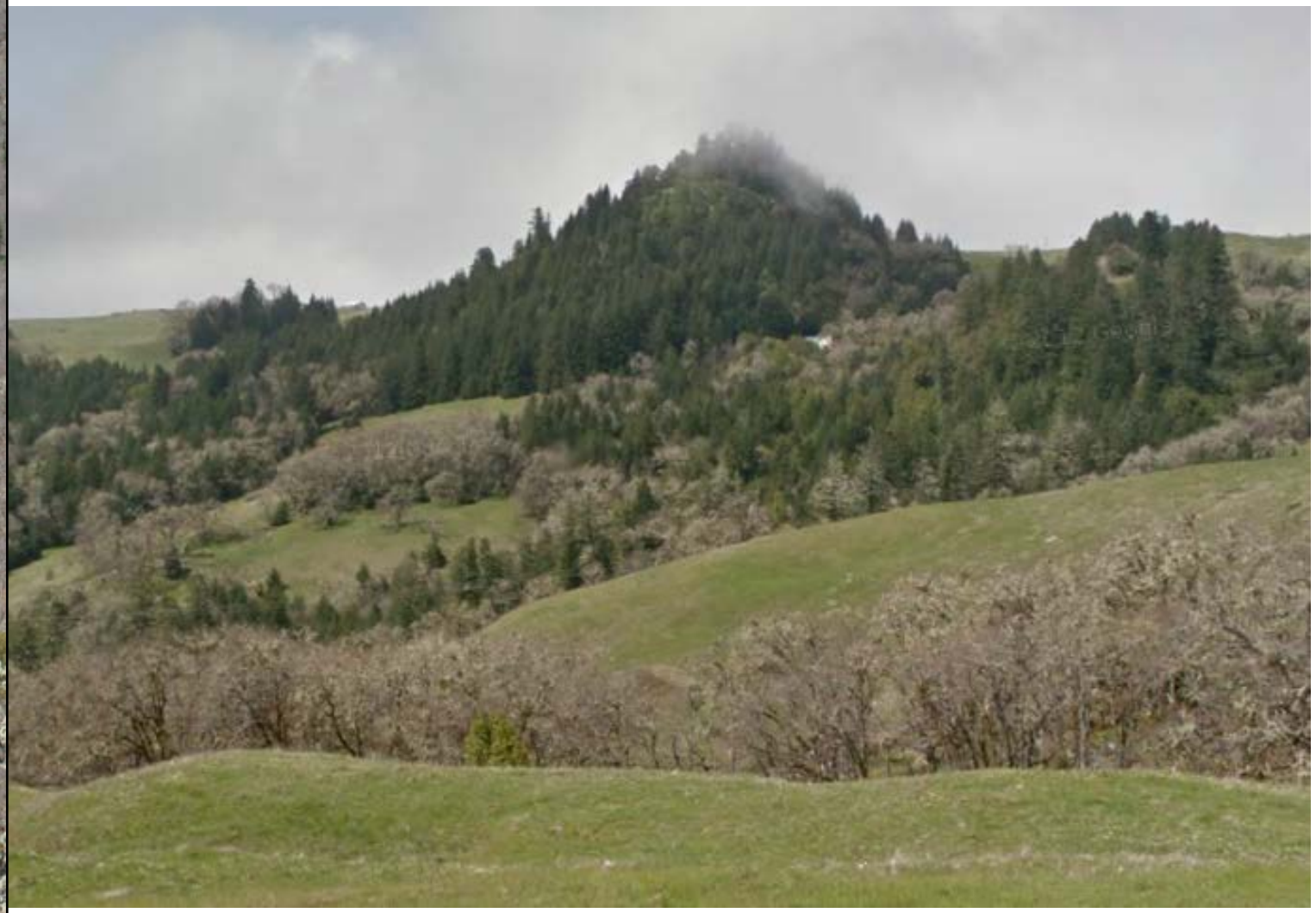
Today's presentation

- History of forest policy in California (on private lands)
- What issues were the rules designed to address?
- Barriers in the Forest Practices Rules
- Possible solutions

Oregon White Oak and California Black Oak



Landscape of mosaics



Forest policy history

- First California Board of Forestry 1885
- First set of forest practice rules 1945
  - minimum retention diameter of 18 inches
  - Selection harvest was common until the 1960's
- Z'Berg Nejedly Forest Practices Act 1973
  - A post-harvest restocking survey, five years to achieve a fully stocked stand following timber harvest
- New taxation policy 1976
  - Yield tax instead of property tax on standing timber

What were the 1970's issues?

- Ensuring a future productive forest
- Preventing high-grading
- Minimizing impacts to watersheds, wildlife populations, soil, etc
- Creating accountability
- Creating independence from the industry

1970 Clear cut, Juan Creek, Rockport

Rules designed to prevent high grading

Barriers to Oak Woodland Mgmt

- **Timberland Productivity, MSP of High Quality Timber Products, Existing Silvicultural Methods (PRC 4512, 4513; 14CCR 913, 913.11)**
  - All favor Commercial Group A Species (conifers)
  - But also recognize other forest and timberland values… fisheries and wildlife, watershed, recreation, and aesthetics
- **Minimum Stocking Standards (PRC 4561; 14CCR 912.7)**
  - Too high for some natural oak stand conditions
  - Favors Commercial Group A Species (conifers)
  - Black oak not recognized as commercial species in Northern District
- **Operational Costs**
  - Low volume, high permitting and operational costs (commercial)

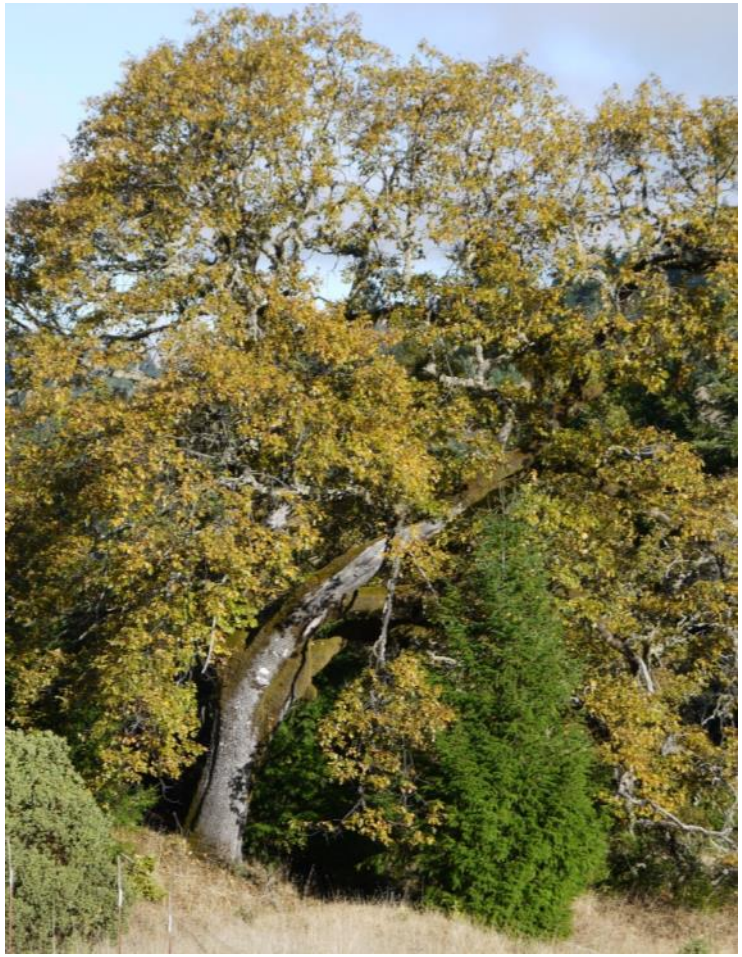
Barriers to Oak Woodland Mgmt

- Legalistic Concerns re: what constitutes Conversion of 'Timberland' (895.1, PRC 4527, PRC 4621)
  - Timberland, pursuant to PRC 4526, means land… which is available for, and capable of, growing a crop of trees of a *commercial species* used to produce lumber and other forest products, including Christmas Trees. *Commercial species, developed on a District Basis*…(895.1)
  - Any person who owns timberlands which are to be *devoted to uses other than the growing of timber* shall file an application for conversion with the board (PRC 4621[a])

Barriers to Oak Woodland Mgmt

- Legalistic Concerns re: what constitutes Conversion of 'Timberland' (895.1, PRC 4527, PRC 4621)
  - **Even non-commercial conifer removal *can be* interpreted as 'timber operations', and therefore subject to the Forest Practices Act (FPA):**
  - PRC 4521(a)(2)(B) - the cutting or removal of trees or other forest products during the conversion of timberlands to land uses other than the growing of timber that are subject to the provisions of Section 4621, including, but not limited to, residential or commercial developments, production of other agricultural crops, recreational developments, ski developments, water development projects, and transportation projects.
  - **BUT again, *kelloggii* and *garryana* are commerical species… so conversion concern is not applicable**

Group A versus Group B (coast district)



Group A

- Coast redwood
- Douglas-fir
- Grand fir
- Western hemlock
- Western red cedar
- Bishop pine
- Sitka spruce
- Western white pine
- Incense cedar
- Port Orford cedar
- California red fir
- Jeffrey pine
- Ponderosa pine
- Sugar pine

Group B

- Tanoak
- Red alder
- White alder
- California black oak
- Monterey pine
- Golden chinkapin
- Pepperwood
- Oregon white oak
- Pacific madrone

Solutions

- Board of Forestry
  - Special Oak Woodland Management Prescription
  - Update Joint BOF/DFG Commission Policy on Oak Woodlands
    - Recognize oak woodland loss due to conifer encroachment
    - Clarify oak woodland management is not timberland conversion
- Legislative
  - AB 417 (2014) Stocking bill
  - Ministerial permitting for oak woodland management (low volume commercial harvest)

Special Prescription

- Considerations for Special Rx allowing for oak woodland management
  - Site conditions to be eligible (oak woodland or montane hardwood- using CA Wildlife Habitat Relations definitions)
  - Must have 10% canopy of black or white oak
  - Maintain at least 25 ft^2 of basal area (too low or high?)
  - Post project slash treatment standards?
  - Just for coast and northern district?

Ministerial permit for oak woodland management

- Legislative exemption for low impact commercial harvest
  - Develop eligibility criteria in legislature and let the BOF determine exact allowable standards?
  - Road development allowed?
  - Upper basal area limit on Douglas-fir? Tie to stages of encroachment and focus on early- and mid-stage?
  - Need legislative sponsors and environmental group support