**Board of Forestry and Fire Protection**

**Approved Watercourse Crossings Amendment, 2023**

**Title 14 of the California Code of Regulations**

**Division 1.5, Chapter 4,**

**Subchapter 4, 5, 6**

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**§ 916.9, 936.9, 956.9 Protection and Restoration of the Beneficial Functions of the Riparian Zone in Watersheds with Listed Anadromous Salmonids. [All Districts]**

In addition to all other Rules, the following requirements shall apply in any watershed with listed anadromous salmonids. Requirements of 14 CCR §§ 916.9, 936.9, 956.9

precede other sections of the FPRs.

**Geographic scope** - Requirements for watersheds with listed anadromous salmonids differ depending on the geographic location of the watershed and geomorphic characteristics of the Watercourse. Unique requirements for watersheds with listed anadromous salmonids are set forth for 1) Watercourses in the coastal anadromy zone with confined channels, 2) Watercourses with flood prone areas or Channel Migration

Zones, and 3) Watercourses with confined channels located outside the coastal anadromy zone.

Watersheds which do not meet the definition of “watersheds with listed anadromous salmonids” are not subject to this section except as follows: The provisions of 14 CCR §§ 916.9 [936.9, 956.9], subsections (k)- (q) also apply to planning watersheds immediately upstream of, and contiguous to, any watershed with listed anadromous salmonids for purposes of reducing significant adverse Impacts from transported fine sediment.

Projects in other watersheds further upstream that flow into watersheds with listed anadromous salmonids, not otherwise designated above, may be subject to these provisions based on an assessment consistent with cumulative Impacts assessment requirements in 14 CCR §§ 898 and 912.9 [932.9, 952.9] and Technical Rule Addendum No. 2, Cumulative Impacts Assessment. These requirements do not apply to upstream watersheds where permanent dams attenuate the transport of fine sediment to downstream Watercourses with listed anadromous salmonids

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**(s) Exemption notices** - No Timber Operations are allowed in a WLPZ, or within any ELZ or EEZ designated for Watercourse or lake protection, under exemption notices except for:

(1) Hauling on existing roads.

(2) Road maintenance.

(3) Operations conducted for public safety.

(4) Construction or reconstruction of ~~approved~~ Watercourse crossings where notification under Fish and Game Code §1600 et seq is required.

(5) Temporary crossings of dry Class III Watercourses that do not require notification under Fish and Game Code §1600 et seq.

(6) Harvesting recommended in writing by CDFW to address specifically identified forest conditions.

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(5) Temporary crossings of dry Class III Watercourses that do not require notification under Fish and Game Code §1600 et seq.

(6) Harvesting recommended in writing by CDFW to address specifically identified forest conditions.

(7) The harvest of dead or dying conifer trees subject to the following conditions:

(A) Retention of all trees in the core zone of Class I and Class II-L Watercourses.

(B) Within any WLPZ, ELZ, or EEZ designated for Class II or III Watercourse protection, a minimum of two dead, dying, or diseased conifer trees per acre at least sixteen (16) inches d.b.h. and fifty (50) feet tall shall be retained within fifty (50) feet of the Watercourse transition line.

(C) Trees to be harvested or retained shall be marked by, or under the supervision of, an RPF prior to Timber Operations within the WLPZ or ELZ/EEZ.

(D) Within the WLPZ or ELZ/EEZ, if the stocking standards of 14 CCR § 912 [932, 952].7 are not met upon completion of Timber Operations, unless the area meets the definition of substantially damaged Timberlands, at least ten (10) trees shall be planted for each tree harvested but need not exceed the point count standards contained in 14 CCR § 912.7(b)(1) [932.7(b)(1), 952.7(b)(1)], as appropriate.

(8) The harvest of trees or vegetation designated for removal pursuant to 14 CCR § 1052.5 to address Sudden Oak Death that are:

(A) symptomatic of the pathogen that causes Sudden Oak Death and confirmed infected by a certified lab; or

(B) host hardwood trees that could spread the pathogen.