

BILL ANALYSIS - SENATE COMMITTEE ON NATURAL RESOURCES AND WATER

PROPOSED LAW AB 2082 (2014)

This bill would authorize the board to develop alternative stocking standards when necessary to address the variables in forest characteristics. The bill would also delete the ability of the board to develop district-specific stocking standards.

ARGUMENTS IN SUPPORT

According to the author, new stocking standards need to be created on a species- and site-specific basis to ensure that California is maintaining and growing forests that can adapt to our rapidly changing climate and environmental conditions.

The author points out that the Sierra Nevada region historically had 20-50 trees per acre. Today, the author states that the average is 266 trees per acre. The result is greater fire risk, and less space and nutrients per tree. He also points out the current statute was adopted at a time when the survival rate of seedlings was 55% while today the survival rate is above 90%.

COMMENTS

1. The bill currently deletes the district-based stocking option. That is not necessary to achieve the authors' objective. In conversation with the author, he agreed with an approach that would retain the language in Section 4561.1 and re-number the proposed new language as section 4561.2.

2. The bill is silent on any limitations on "alternative stocking standards." The board would have maximum flexibility to establish such standards on any basis it so chooses including based on species-type, watershed, or other criteria.

3. The author expressed an interest in limiting the application of the "alternative stocking standards" provision to just subdivision (a) of Sec. 4561. This approach would apply to the average point count approach to comply with stocking standards but not the basal area approach.

PROPOSED LAW AB 417 (2015)

This bill expands the authority of the Board to develop alternative stocking standards, when necessary, if those alternative standards reasonably address the variables in forest characteristics and achieve suitable resource conservation.

ARGUMENTS IN SUPPORT

The author and supporters point out that AB 2082 (Dahle) in 2012 authorized the Board to adopt alternative stocking standards related to the point count but did not include the same flexibility with regard to the average residual basal area. AB 417 would provide the Board with the flexibility to adopt alternative stocking standards on any basis it chooses that achieve specific conservation goals and objectives.

Other supporters point out that the flexibility provided by the bill would help deal with the variability of climate change in forestlands.

COMMENTS

The author's intent was to make sure that the flexibility given to the Board, provided in this measure, would require a rulemaking procedure to define specific forest health and ecological goals. The technical amendment would accomplish that objective.

AMENDMENT 1

4561.2. Notwithstanding Section 4561.1 or the resource conservation standards relating to stocking pursuant to Section 4561, the board may adopt alternative stocking standards that meet the purposes of Section 4561 if those alternative standards reasonably address the variables in forest characteristics and achieve suitable resource conservation provided such standards contribute to specific forest health and ecological goals as defined by the Board.