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**Board of Forestry and Fire Protection**

**DRAFT MSP Amendments**

**Title 14 of the California Code of Regulations (14 CCR),**

**Division 1.5, Chapter 4:**

**Subchapters 4, 5, 6, Article 3**

**Amend:**

**§ 913.11 [933.11, 953.11]. Maximum Sustained Production of High Quality Timber Products.**

The goal of this section is to achieve Maximum Sustained Production of High Quality Timber Products (MSP). MSP is achieved by meeting the requirements of either (a) or (b) or (c) in a THP, SYP, NTMP or WFMP, or as otherwise provided in Article 6.8, Subchapter 7, Chapter 4, Division 1.5, Title 14 of the California Code of Regulations.

(a) Where a Sustained Yield Plan (14 CCR § 1091.1), a NTMP, or a WFMP has not been approved for an ownership, MSP will be achieved by:

(1) Producing the yield of timber products specified by the landowner, taking into account biologic and economic factors, including factors related to fire risk, while accounting for limits on productivity due to constraints imposed from consideration of other forest values, including but not limited to, recreation, watershed, wildlife, fire protection, range and forage, fisheries, regional economic vitality, employment and aesthetic enjoyment.

(2) Balancing growth and harvest over time, as explained in the THP for an ownership, within an assessment area set by the Timber Owner or Timberlands owner and agreed to by the Director. For purposes of this subsection the sufficiency of information necessary to demonstrate the balance of growth and harvest over time for the assessment area shall be guided by the principles of practicality and reasonableness in light of the size of the ownership and the time since adoption of this section using the best information available. The projected inventory resulting from harvesting over time shall be capable of sustaining the average annual yield achieved during the last decade of the planning horizon. The average annual projected yield over any rolling 10-year period, or over appropriately longer time periods for ownerships which Project harvesting at intervals less frequently than once every ten years, shall not exceed the projected long-term Sustained Yield.

(3) Realizing growth potential as measured by Adequate Site Occupancy by Species to be managed and maintained given Silvicultural Methods selected by the landowner.

(4) Maintaining good Stand Vigor.

(5) Making provisions for adequate regeneration. At the Plan submitters option, a THP may demonstrate achievement of MSP pursuant to the criteria established in (b) where an SYP has been submitted but not approved.

(b) Where a SYP, NTMP, or WFMP is submitted for an ownership, an approved SYP, NTMP, or WFMP achieves MSP by providing sustainable harvest yields established by the landowner which will support the production level of those high-quality timber products the landowner selects while at the same time:

(1) meeting minimal Stocking, and basal area standards for the selected Silvicultural Methods as provided in these Rules as described;

(2) protecting the soil, air, fish and wildlife, water resources and any other public trust resources;

(3) giving consideration to fire risk, fire protection, recreation, range and forage, regional economic vitality, employment and aesthetic enjoyment;

(4) balancing growth and harvest over time. The projected inventory resulting from harvesting over time shall be capable of sustaining the average annual yield achieved during the last decade of the planning horizon. The average annual projected yield over any rolling 10-year period, or over appropriately longer time periods for ownerships which Project harvesting at intervals less frequently than once every ten years, shall not exceed the projected long-term Sustained Yield. A THP which relies upon and is found to be consistent with an approved SYP shall be deemed adequate to achieve MSP.

(c) In a THP, NTMP, or WFMP, MSP is achieved by:

(1) for evenaged management, meeting the minimum stand age standards of 14 CCR § 913.1(a)(1), meeting minimum Stocking and basal area standards for the selected Silvicultural Methods as contained in these Rules only with group A Species, and protecting the soil, air, fish and wildlife, water resources and other public trust resources through the application of these Rules; or

(2) for Unevenaged Management, complying with the Seed Tree retention standards pursuant to 14 CCR §§ 913.1(c)(1)(A) or 913.2(b)(6), meeting minimum Stocking and basal area standards for the selected Silvicultural Methods as contained in these Rules only with group A Species, and protecting the soil, air, fish and wildlife, water resources and other public trust resources through the application of these Rules. [*ed: this provision under consideration of revision in “Forest Resilience Amendments, 2022”]*

(3) for Intermediate Treatments and special prescriptions, complying with the Stocking requirements of the individual treatment or prescription.

(4) Timberland ownerships totaling 50,000 acres or less may use subsection (c) to show MSP.

(5) Timberland ownerships of 50,000 acres or more may use subsection (c) through December 31, 1999. Thereafter they may use subsection (c) if an SYP or demonstration of achievement of MSP pursuant to 14 CCR § 913.11(a) has been filed with the Department and has not been returned unfiled or approved.

(6) For Scattered Parcels on Timberlands ownerships of 50,000 acres or more, subsection (c) may be used to show MSP.

NOTE: Authority cited: Sections 4551 and 4554.5, Public Resources Code. Reference: Sections 4513, 4551.5, 4561, 4597 and 21080.5, Public Resources Code.