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**AB-1160 Forestry: timber operations: sustained yield plans.** (2019-2020)

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**Assembly Bill No. 1160**

**CHAPTER 108**

An act to amend Section 4551.3 of the Public Resources Code, relating to forestry.

[ Approved by Governor July 12, 2019. Filed with Secretary of State July 12, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1160, Dahle. Forestry: timber operations: sustained yield plans.

The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and approved by, the Department of Forestry and Fire Protection. The act requires the State Board of Forestry and Fire Protection to adopt district forest practice rules and regulations, as provided, and requires a sustained yield plan that is prepared and approved in accordance with these rules and regulations to be effective for a period of no more than 10 years.

This bill would instead require the sustained yield plan to be effective for a period of no more than 20 years.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 4551.3 of the Public Resources Code is amended to read:

**4551.3.** (a) A sustained yield plan that is prepared and approved in accordance with rules and regulations adopted by the board pursuant to Section 4551, including Article 6.75 (commencing with Section 1091.1) of Subchapter 7 of Chapter 4 of Division 1.5 of Title 14 of the California Code of Regulations, shall be effective for a period of no more than 20 years.

(b) As part of the continuing monitoring process for an approved sustained yield plan, as described in subdivision (a), the department shall hold a public hearing on the plan if requested by an interested party who submits, in writing, a request based on substantial evidence of potential noncompliance with any of the following:

- (1) The terms and conditions of the original sustained yield plan approval.
- (2) The applicable rules or regulations adopted by the board that were in effect on the date the sustained yield plan was originally approved.
- (3) Other requirements that have been imposed on the sustained yield plan by operation of law.

(c) The request shall identify specific issues in the sustained yield plan to be addressed at the public hearing. To be considered, a request shall be made to the department within six months after the midpoint of the effective term of a sustained yield plan

described in subdivision (a). The department shall hold the public hearing within 120 days after the date of the close of the six-month request period. A sustained yield plan shall be effective for the remainder of its term unless the director makes written findings, based on a preponderance of evidence, that implementation of the sustained yield plan is not in compliance with any material provision of paragraph (1), (2), or (3) of subdivision (b).

(d) If a public hearing is required, the director shall provide at least 30 days' notice to the sustained yield plan submitter and the public and shall provide for a record of the hearing, pursuant to regulations adopted by the board.