

THE PEOPLE OF THE COUNTY OF HUMBOLDT ORDAIN AS FOLLOWS:

Section 1.—Title

This ordinance shall be known as the Humboldt County People’s Forestry Ordinance (hereafter “Ordinance”).

Section 2.—Findings and Purpose

The People of the County of Humboldt find and declare

(a) The Ordinance is necessary to ensure the protection of soil, air, water, fish, scenic and wildlife resources.

(1) Clearcutting and other evenaged management releases more greenhouse gas emissions than other forms of forest management. Furthermore, clearcutting and other evenaged management reduces in-forest carbon stocks, turning our forests from carbon sinks to carbon sources.

(2) Clearcutting and other evenaged management negatively affects water quality. Many rivers in Humboldt County suffer from sediment pollution, one frequent byproduct of evenaged management.

(3) Clearcutting and other evenaged management results in decreased native species and increased invasive species and is heavily reliant upon herbicide application.

(4) Clearcutting and other evenaged management is detrimental to many species as it degrades, removes, or prevents the creation of suitable habitat.

(5) The Ordinance will improve conditions by prohibiting evenaged management and by directing forestry towards less impactful forms of forestry.

(6) The Ordinance will improve the habitat quality of Humboldt’s forests by requiring the retention of important habitat elements that take many decades to develop, such as large trees, snags, and trees with complex features, such as cavities.

(b) The Ordinance is necessary to ensure the continued production of high-quality timber products as well as the long-term viability of our timber industry and its benefits to local economy, employment, infrastructure, and the unique social fabric of our county.

(1) Clearcutting and other evenaged management relies upon short rotations between harvests. These short rotations do not allow forests to grow longer enough to develop high-quality wood characteristics, such as heartwood.

(2) Through prohibiting clearcutting and other evenaged management, the Ordinance will help Humboldt move away from the “liquidation” forestry model and ensure greater stability of timber supply. As a result of the ordinance, local mills will benefit from a more stable long-term supply of timber.

(3) The Ordinance will help promote rural job creation.

(c) The Ordinance is consistent with the intent and purposes of the Z’berg-Negedly California Forest Practice Act of 1973 as it provides county-specific consideration of Humboldt’s unique needs, conditions, and values relating to the sequestration of

carbon dioxide, recreation, watershed, wildlife, range and forage, fisheries, regional economic vitality, employment, and aesthetic enjoyment.

Section 3.—Definitions

Unless otherwise expressly specified, all words and terms contained in the Ordinance are defined by 14 CCR 895.1.

Section 4.—Prohibition on Clearcutting and Other Evenaged Management

Evenaged Management is not authorized for the county. Evenaged management is defined by 14 CCR 913.1 to include clearcutting, shelterwood, and seed tree methods.

Section 5.—Silvicultural Methods and Intermediate Treatments

The objective of this section is to prescribe silvicultural methods and treatments that will protect the long-term productivity of soils and timberlands and protect the natural and scenic qualities of the County. The following silvicultural methods and treatments as prescribed below will be applied in the County. 14 CCR 913.2 through 913.6 defines these methods and treatments.

(a) Commercial Thinning Intermediate Treatment or the Selection Method: When the commercial thinning treatment or the selection silvicultural method is used, the following standards are required:

(1) Leave a well distributed timber stand after timber operations have been completed on the cut area. Leave at least 40% by number of those trees 18 in. or more d.b.h. which were present prior to commencement of current timber operations and at least 50% by number of those over 12 in. d.b.h. but less than 18 in. or more d.b.h.. Leave trees 18 in. or more d.b.h. shall be dominant or codominant in crown class prior to timber harvesting or have crowns typical of such dominant or codominant trees. All leave trees shall be thrifty coniferous trees which are free from substantial damage caused by timber operations. No conifer tree shall be cut which is more than 75 ft. from a leave tree 12 inches d.b.h. or larger located within the logging area. Average top stump diameter, outside bark, shall be considered 1 in. greater than d.b.h.

(2) Immediately following completion of timber operations, stocking must meet or exceed stocking standards of Section 6.

(3) A report of stocking as described in Public Resource Code § 4587 shall be filed within six months following completion of work as described in the plan.

(b) Sanitation-Salvage Treatment: When the sanitation-salvage treatment is used, the following practices are required:

(1) The timberland owner shall be made to regenerate any cut area during the first planting season following log removal. Necessary site preparation, planting, or seeding shall be completed within the first planting season following timber operations, except where unusual or adverse weather conditions require extending site preparation and planting into the following planting season. Deficiencies in

stocking shall be corrected by planting annually at least three times if necessary to meet the stocking standards in Section 6.

(f) Reentry of Logging Areas: Timber operations for removal of trees may only be repeated on a logging area within less than ten years after completion of a previous timber operation if minimum standards have been met, the reasons for the operation are justified and explained in the plan and the scenic and/or natural qualities of a stand would be enhanced by lighter or more frequent tree removal. In no instance shall stocking be reduced below the standards provided in Section 6 nor shall more than 60% by numbers of those trees 18 in. and more d.b.h. and no more than 50% by numbers of those trees over 12 in. d.b.h. but less than 18 in. d.b.h. be removed within any one 10-year period.

On timber operations in which cutting has occurred within 10 years preceding the current operations, stumps which are the result of cutting trees within the preceding 10 years shall be counted as trees cut during the current operation in determining percent of trees cut. Timber operations conducted under the Sanitation-Salvage Treatment, and the harvesting of minor forest products and incidental vegetation are exempt from the above provision of this section.

Section 6.—Stocking Requirements

After completion of timber operations one of the following stocking standards must be met:

(a) Basal Area: The average residual basal area, measured in stems 1 in. or larger in diameter shall be at least 125 sq. ft. per acre on Site I lands, at least 100 sq. ft. per acre on Site II and Site III lands and at least 75 sq. ft. per acre on Site IV and V lands, or

(b) Point Count: The area contains an average point count as specified below:

(1) On Site I and II lands, the area contains an average point count of 450 per acre to be computed as follows:

(A) 450 countable trees per acre not more than 4 inches d.b.h.; each tree to count as one towards meeting stocking requirements.

(B) 150 countable trees per acre over 4 in. d.b.h. and not more than 12 in. d.b.h.; each tree to count as three toward meeting stocking requirements.

(C) 75 countable trees per acre over 12 in. d.b.h.; each tree to count as six toward meeting stocking requirements.

(2) On Site III, IV and V lands the area contains an average point count of 300 per acre to be computed as follows:

(A) 300 countable trees per acre not more than 4 inches d.b.h.; each tree to count as one toward meeting stocking requirements.

(B) 100 countable trees per acre over 4 inches d.b.h. and not more than 12 inches d.b.h.; each tree to count as 3 towards meeting stocking requirements.

(C) 50 countable trees per acre over 12 in. d.b.h.; each tree to count as six toward meeting stocking requirements.

Redwood root crown sprouts will be counted using the average stump diameter 1 ft. above average ground level of the original stump from which the redwood root

crown sprouts originate, counting one sprout for each 1 ft. of stump diameter to a maximum of six per stump. Site classification shall be determined by the RPF who prepared the plan. Rock outcroppings, meadows, wet areas, or other areas not normally bearing timber shall not be considered as requiring stocking and are exempt from such provisions.

Section 7.—Large Tree Retention

No tree, live or dead, measuring above 45” d.b.h. shall be felled except where the tree presents an immediate safety hazard. If felled, the tree shall be left on site.

Section 8.—Snag Retention

With the exception of sanitation salvage treatment, no snag greater than 14” d.b.h. shall be felled

Section 9.—Wildlife Tree Retention

Within the logging area, at least four wildlife trees per acre shall be retained, where they exist, except where the tree presents an immediate safety hazard. If felled, the tree shall be left on site. For the purposes of this section, a wildlife tree is one is over 30” d.b.h. and contains a complex feature that typically takes many years to develop, such as split or broken top, heavy decadent branching, hollows, cavities, and other deformities.

Section 10.—Hardwood Retention

All live hardwood trees over 30” d.b.h. shall be retained except where the tree presents an immediate safety hazard. If felled, the tree shall be left on site.

Section 11.—Tractor Operations

In addition to 14 CCR 914.2, heavy machines shall be prohibited on slopes greater than 40%. All tractor and skid trails on slopes greater than 20% shall be covered with slash or mulch prior to the winter period. Skid trails, landings and work areas shall be reseeded, mulched or protected by compacting slash and debris from harvest operation.

Section 12.—Preharvest Inspection Review Team

In addition to 14 CCR 1037.5, any review team member and any qualified technical expert designated by a review team member may, on request, accompany the County as an advisor to the County on any field review the County conducts prior to approval of the plan.

Section 13.—Delivery to Board of Forestry and Fire Protection

The Humboldt County Board of Supervisors shall make recommendations consistent with the provisions of this ordinance to the California Board of Forestry and Fire Protection for the adoption of rules and regulations for Humboldt County, pursuant to Public Resource Code § 4516.5(a).

Section 14.—Effective Date and Transitional Period

The rules and regulations recommended by this ordinance shall take effect upon adoption by the California Board of Forestry and Fire Protection and approval by the Office of Administrative Law, pursuant to Public Resource Code § 4554.5.

Section 15.—Severability

The provisions of this ordinance are severable. If any provision of this Ordinance or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.