
CONSENT

Bill No: AB 442
Author: Hadwick (R), et al.
Amended: 6/1/26 in Senate
Vote: 21

SENATE NATURAL RES. & WATER COMMITTEE: 7-0, 6/9/26

AYES: Becker, Seyarto, Allen, Cabaldon, Grove, Laird, Reyes

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 74-0, 1/29/26 - See last page for vote

SUBJECT: Z'berg-Nejedly Forest Practice Act of 1973: working forest
management plans: nonindustrial timber management plans

SOURCE: Author

DIGEST: This bill makes changes to the areas eligible for timber harvest under a Working Forest Management Plan (WFMP) or a Nonindustrial Timber Management Plan (NTMP).

ANALYSIS:

Existing law:

- 1) Defines a “nonindustrial tree farmer” as an owner of timberland with less than 2,500 acres, with an approved NTMP, and who is not primarily engaged in the manufacture of forest products (Public Resources Code (PRC) § 4593.2(b)).
- 2) Defines a “nonindustrial timber management plan” as a management plan for nonindustrial timberlands that may include multiple nonindustrial tree farmers, but covers no more than 2,500 acres (PRC § 4593(e)).
- 3) Defines a “working forest landowner” as an owner of timberland with less than 10,000 acres, with an approved WFMP, who is not primarily engaged in the manufacture of forest products (PRC § 4597.1(i)).

- 4) Defines a “working forest management plan” as a management plan for working forests that may include multiple working forest landowners, but covers no more than 10,000 acres and is contained within a single hydrologic unit (PRC § 4597.1(j)).
- 5) Excludes landowners in the Southern Subdistrict of the Coast Forest District from using a WFMP to manage their forests (PRC § 4597.22).

This bill:

- 1) Increases the allowable acreage owned by a nonindustrial tree farmer from 2,500 to 4,000 acres.
- 2) Increases the allowable acreage managed under a NTMP from 2,500 to 4,000 acres.
- 3) Increases the allowable acreage owned by a working forest landowner from 10,000 to 15,000 acres.
- 4) Increases the allowable acreage managed under a WFMP from 10,000 to 15,000 acres.
- 5) Repeals the requirement that all the land managed under a WFMP be contained in a single hydrological area.
- 6) Repeals the restriction on the use of the WFMP in the Southern Subdistrict of the Coast Forest District.

Background

Nonindustrial Timber Management Plan (NTMP). In the late 1980s, the Legislature declared that “a substantial acreage of timberlands of the state are held by private nonindustrial owners and that it is the policy of the state to increase the productivity of these timberlands under prudent management plans to serve the public’s need for timber and other forest products” (PRC § 4593).

The Legislature also noted that prudent management of nonindustrial timberlands causes minimal environmental, and such prudent and responsible management would be encouraged by approving NTMPs in advance and removing government discretion to disapprove harvest notices that are submitted pursuant to an approved NTMPs (PRC § 4593).

The Legislature defined the terms for what timberland owners are eligible to use a NTMP, which include nonindustrial tree farmers. A “nonindustrial tree farmer” is

an owner of less than 2,500 acres who has an approved NTMP and is not primarily engaged in the manufacture of forest products (PRC § 4593.2).

Working Forest Management Plan (WFMP). For smaller timberland owners who intend to become a working forest landowner, the Legislature implemented an alternative timber harvest plan document that allows them to achieve the long-term objectives of an uneven aged timber stand and sustained yield. The WFMP is a management plan “for working forest timberlands, with objectives of maintaining, restoring, or creating uneven aged managed timber stand conditions, achieving sustained yield, and promoting forestland stewardship that protects watersheds, fisheries and wildlife habitats, and other important values” (PRC § 4597.1).

The Legislature defined a working forest landowner as a timberland owner with less than 10,000 acres, and limited WFMPs to include land that was contained within only one hydrologic area. Additionally, timberland owners in the Southern Subdistrict of the Coast Forest District were excluded from utilizing the WFMP to manage their forests. The Southern Subdistrict is composed of the timberlands in the Counties of Santa Cruz, Santa Clara, San Mateo, San Francisco, and Marin situated within the boundaries of the Coast Forest District.

Increasing Options for Smaller Landowners. Since the NTMP program was initiated in 1989, 75 NTMPs have been filed. A useful tool for smaller landowners who wish to achieve long-term objectives relating to uneven aged timber stands and sustained yield, it can be much more cost-effective for a smaller landowner than filing a full timber harvest plan (THP). Additionally, there are opportunities for cost-share funding under the California Forest Improvement Program (CFIP) that a NTMP could take advantage of. CFIP funding is available for projects up to 5,000 acres, and can fund things like preparation of a forest management plan, forestation, stand improvement, and other forestland conservation practices or fish and wildlife habitat improvement.

By increasing the acreage allowable under an NTMP, additional forest landowners will be able to take advantage of the streamlined NTMP permitting as well as CFIP funds. This provides additional financial incentives to landowners to prudently manage their forests.

Limited uptake of WFMP. According to Department data, only one WFMP has been filed since the program’s inception in 2013. One identified barrier to the use of the WFMP is the requirement that the plan be entirely contained within one hydrologic unit. Parcel lines and ownership patterns typically do not closely follow hydrologic units, preventing landowners who might otherwise qualify for a WFMP to use it for their land.

The State Water Board notes that neither CalWater 2.2.1 nor any of its predecessors is a "pure" watershed map because administrative boundaries such as the state border were used to delineate watershed areas. Some of the boundaries, particularly in developed valley areas, also have legal and administrative purposes other than the representation of actual drainage divides. Further, CalWater is not a legal map document, as it does not represent the Regional Water Quality Control Board jurisdictions.

This restriction poses significant burdens on landowners by forcing them to develop a patchwork of WFPMs, NTMPs, and THPs to accommodate watershed boundaries instead of a single WFPM for a harvest area. For example, cutting a tree down pursuant to a WFPM on the top of a ridgeline would violate existing law. The creation of multiple plans instead of a single plan appears to have no environmental benefit. Further, developing multiple plans costs several hundred thousand dollars that could be better used toward fuels management.

Other changes to law proposed in this bill would also increase availability of the WFMP for landowners, by increasing the acreage allowed to be managed under a WFMP to 15,000 acres and repealing a provision that prevented the use of the WFMP in the Southern Subdistrict of the Coast Foast District.

Related/Prior Legislation

SB 901 (Dodd, Chapter 626, Statutes of 2018) specified that a NTMP may include multiple nonindustrial tree farmers, but shall not cover more than 2,500 acres). SB 901 also reduced the acreage eligible for a WFMP from 15,000 to 10,000 acres, and specified that the WFMP must be contained within a single hydrologic area.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 6/29/26)

Arcata, City of
Bbw & Associates
California Forestry Association
California Licensed Foresters Association
California Rangeland Trust
City of Arcata
Eddie Ranch
Forest Landowners of California
Jefferson Resource Company
Jim Ostrowski Forestry

Mailliard Ranch
 Matt Greene Forestry & Biological Consulting
 North Coast Resource Management
 Rural County Representatives of California
 The Buckeye Conservancy
 Yosemite Mountain Ranch

OPPOSITION: (Verified 6/29/26)

None received

ARGUMENTS IN SUPPORT: According to the author, “California’s forests are one of our most vital natural resources, contributing to the environmental, economic, and cultural health of our state. Poorly managed forests create catastrophic wildfire risk, threatening communities, wildlife, and critical infrastructure. Assembly Bill 442 streamlines Working Forest Management Plans by removing a requirement that they cannot include more than one watershed. This bill promotes long-term, sustainable forestry practices for non-industrial landowners while protecting California’s natural resources.”

ASSEMBLY FLOOR: 74-0, 1/29/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Arambula, Gipson, Jackson, Ransom, Celeste Rodriguez, Valencia

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