

PREHARVEST INSPECTION

5448

(No. 3 June 1991)

The department is responsible for determining whether a preharvest inspection (PHI) is necessary. In broad terms, a PHI is necessary when there is a question as to whether a THP or substantial deviation conforms to the rules and regulations of the board or when the plan is likely to be sensitive to public concern. The PHI must be made within 10 calendar days from the date of filing the THP or within an extended period of time mutually agreed upon by the submitter or his agent and the department. If a PHI cannot be reasonably conducted within the 10 calendar days from the date of filing and the submitter or agent will not grant an extension, the THP should not be found in conformance because the Director cannot make the proper determinations under 14 CCR §898.1. Excessive workload normally should not be used as a reason for inability to conduct a preharvest inspection within the 10-calendar day period.

The submitter shall be formally advised of the need for a PHI. This may be accomplished in writing or by a telephone call, if the call is documented. Also notify the plan submitter (or the RPF) of any particular concerns the review team has which will be addressed during the PHI. Notification Three (not available in e-format) provides the format for formal notification of the need for a PHI.

A PHI will normally be required under the following circumstances unless a recent inspection has supplied the information needed by the review team:

- The THP is within environmentally or politically sensitive areas such as the Redwood Creek drainage or Tahoe Basin.
- The THP is within a Coastal Commission Special Treatment Area. (A PHI for this area is mandated by regulation.)
- Alternative prescriptions or in-lieu practices are proposed. For example:
 - (1) An exception (reduction in the heavy equipment limitations around watercourses) is proposed.
 - (2) An exception to the acreage limitations for a particular regeneration method, intermediate treatment, or alternative prescription is proposed.
- A special treatment area is involved with a plan.
- The other members of the review team have significant concerns which can be addressed only by an inspection.
- Questionable regeneration method, intermediate treatment, or alternative prescription is proposed.

- The harvest is proposed for a sensitive area or an area of heavy public use.
- The harvest is in a county with special rules adopted by the board.

Members of the review team shall be encouraged to participate in all PHIs. The general public must secure permission from the timberland owner for access to the property before they can accompany the department's representative on a PHI.

PREHARVEST INSPECTION REPORT

5448.1

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The results of a preharvest inspection must be documented in writing. This report is an important part of the official record. It is important in any evaluation of the plan that occurs after the preharvest inspection and in explaining the department's actions at a later date. Consequently, the report should be brief, clear, accurate, and of professional caliber. The PHI report shall contain, as a minimum, the information outlined below:

- The date the preharvest inspection was made.
- The total hours spent by all CDF personnel to perform the inspection and prepare the report.
- The names of any persons present during the inspection and the agencies represented.
- Brief statements of the team's observations concerning the following:
 - (1) Problems associated with the intermediate treatments or regeneration methods designated. A stand description may be necessary to illustrate concerns associated with the treatments or methods.
 - (2) Watercourse classification (and description of the watercourse as needed).
 - (3) Erosion problems, slides, or unstable areas.
 - (4) Road, tractor road, or landing construction impacts and problems.

Any responses to questions or concerns noted by the review team or public. The questions or concerns should be identified in the report.

Any recommendations or suggestions of the forest practice officer who made the preharvest inspection.

Attach any maps required to identify the location of special problems or conditions noted in the report.

A statement as to whether significant adverse cumulative effects are reasonably expected to occur from the timber operation, based upon use of the "Guide for Evaluating Forest Practice Cumulative Effects" and information appropriate to support the statement.

The report normally should be typed, but it may be handwritten if the report is legible and can be photocopied.

Personal opinions or views of the forest practice officer should not be included in the PHI report. For example, a statement such as, "This plan is terrible" should not be included.

Any department forester who conducts a PHI is expected to evaluate the total plan, as well as evaluate the questions or concerns that determined the need for the inspection. To evaluate the total plan means that the inspector, while making the preharvest inspection, shall make his/her own analysis of the plan to determine whether there are feasible alternatives that will have less impact on the environment. (See [Sections 5455](#) and [5456](#). These sections apply to all department foresters, whether they are conducting PHI, chairing a review team, or determining whether a plan is in conformance.)

A copy of each PHI report shall be sent to the submitter or his/her agent and to the resource management section of the Director's office.

STOPPING PREHARVEST INSPECTIONS

5448.2

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A decision to terminate a preharvest inspection will be based on the significance of the situation. There are no "by-the-book" criteria for determining significance, and each plan will have to be evaluated on its own merits. However, a difference of opinion between professionals on measures to address an issue is not a reason for terminating an inspection.

Department foresters should consider terminating a preharvest inspection and recommending a plan for withdrawal or denial when the following situations are found.

1. **PUBLIC INFORMATION.** A PHI should be terminated when it becomes obvious that changes are needed in a plan due to omissions or incompleteness in the description of the timber operation that would significantly mislead the public about how the operation is to be done, or if adjacent ownerships were not notified of the proposal.

2. ENVIRONMENTAL IMPACTS. PHIs should be terminated if significant environmental consequences of the timber operation are found due to omissions, inaccuracies, or incompleteness of a plan.
3. RULE COMPLIANCE. Inspections should be terminated where significant noncompliance with forest practice rules is found.

In terminating PHIs, Department staff should indicate in a PHI report the reason the inspection was stopped, and include a recommendation of withdrawal or denial of the plan. The report should also indicate the deficiencies and code sections that need to be addressed by the RPF. Identification of the deficiencies does not mean providing detailed descriptions of how to correct the plan, but should address end-result requirements.

There may be situations where, because of a significant commitment of agency staff time to make a PHI, it may be desirable to complete a PHI, and then recommend that the plan be withdrawn or denied. This should only be done when it is reasonable to expect that another inspection will not be needed to evaluate the changes.

FORMS AND/OR FORMS SAMPLES: RETURN TO ISSUANCE HOME PAGE FOR FORMS/FORMS SAMPLES SITE LINK.

[\(See next section\)](#)

[\(See Table of Contents\)](#)