

1 destroyed by wildfire in the Counties of Lake, Siskiyou, Mendocino, Shasta, Trinity, and Napa during
2 2018. The provisions of a Notice notice of Exemption exemption submitted pursuant to this subsection
3 supersede the provisions of any other Notices notices of Exemption exemption that are submitted in the
4 same Harvest Area. In addition to compliance with 14 CCR ~~§§ 1038(b)(1)-(10)~~ and 1038.1 (c)(5) through
5 (12) inclusive, the following apply:

6 (1) Only trees within three-hundred (300) feet from any point of an Approved and Legally
7 Permitted Structure that was damaged or destroyed by wildfire may be harvested.

8 (2) The Notice notice of Exemption exemption shall include:

9 (A) the requirements of 14 CCR § 1038.2(a)-(c);

10 (B) the total acreage of the Harvest Area;

11 (C) an enlarged seven-and-one-half (7½) minute USGS quadrangle map, or its
12 equivalent, that is not less than one (1) inch equals one-thousand (1,000) feet showing
13 the location of the boundaries of the Harvest Area;

14 (D) a certification of ownership signed by the timberland owner and;

15 (E) the tentative commencement date of Timber Operations.

16 (3) Timber Operations conducted under this subsection shall conform to applicable city or county
17 general plans, city or county implementing ordinances, and city or county zoning ordinances
18 within which the Harvest Area is located. The Timber Operator or timberland owner shall certify
19 that the city or county has been contacted and the Timber Operations conducted under the
20 Notice notice of Exemption exemption conforms with all city or county regulatory requirements.

21 (4) All Slash and Woody debris greater than one (1) inch but less than eight (8) inches in
22 Diameter within one-hundred-fifty (150) feet of an Approved and Legally Permitted Structure that
23 was damaged or destroyed by wildfire shall be removed, chipped or piled and burned.

24 (5) All Slash created between one-hundred-fifty (150) feet and three-hundred (300) feet of an
25 Approved and Legally Permitted Structure that was damaged or destroyed by wildfire shall be

1 treated by Lopping for Fire Hazard Reduction, removed, chipped or piled and burned within
2 forty-five (45) days from the start of Timber Operations; except for the burning of piles, which
3 shall be accomplished not later than April 1 of the year following their creation; or for piles
4 created on or after September 1, not later than April 1 of the second year following creation.

5 (6) Except where necessary for safety, retain an average for the Harvest Area of not less than
6 one (1) Decadent and Deformed Tree of Value to Wildlife, Snag, or Dying Tree per acre that is
7 greater than sixteen (16) inches ~~dbh~~DBH and twenty (20) feet tall. This provision does not apply
8 within one-hundred-fifty (150) feet of Approved and Legally Permitted Structures, roads, fire
9 suppression ridges and infrastructure facilities such as transmission lines and towers, or water
10 conveyance and storage facilities.

11 (7) The Director shall notify the submitter of the date of the Director's receipt of the ~~Notice~~ notice
12 of ~~Exemption~~ exemption. Timber Operations pursuant to the ~~Notice~~ notice of ~~Exemption~~
13 exemption may not commence for five (5) working days from the date of the Director's receipt of
14 the ~~Notice~~ notice of ~~Exemption~~ exemption unless this delay is waived by the Director. If the
15 ~~Notice~~ notice of ~~Exemption~~ exemption is not complete and accurate, the Director shall notify the
16 submitter within five (5) working days from the date of the Director's receipt, and the Timber
17 Operations may not commence. The Director shall determine whether the ~~Notice~~ notice of
18 ~~Exemption~~ exemption is complete, and if so, shall send a copy of a notice of acceptance to the
19 submitter; provided, however, if the Director does not act within five (5) working days of receipt
20 of the ~~Notice~~ notice of ~~Exemption~~ exemption, Timber Operations may commence.

21 (A) Timber Operations may not be conducted without a copy of the accepted ~~Notice~~
22 notice of ~~Exemption~~ exemption at the operating site, except where the Director has
23 failed to act within the five (5) working day review period.
24
25