

THE CALIFORNIA BOARD OF FORESTRY AND FIRE PROTECTION

Timber Harvest Exemptions *2019*



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Table of Contents

<u>Topic</u>	<u>Page Number</u>
Title 14 § CCR 1038 – Exemptions	1
1038(a) Christmas Trees	1
1038(b) Dead, Dying, Diseased.....	1
1038(c) Structure Protection (0-150ft).....	1
1038(d) Drought Mortality/Substantially Damaged.....	3
1038(e) Oak Woodland Management	4
1038(f) Small Timberland Owner	5
Title 14 § CCR 1038.1 – Additional Requirements	8
Title 14 § CCR 1038.2 – Mapping Standards.....	13
Title 14 § CCR 1038.3 – Forest Fire Prevention Exemption	14
Title 14 § CCR 1038.4 – Forest Fire Prevention Exemption Mapping Standards.....	22
Title 14 § CCR 1038.5 – Post-Fire Recovery Exemption.....	24
Butte County Post-Fire Recovery Exemption Form	29
Oak Woodland Management Exemption Form.....	34
Forest Fire Prevention Exemption Form	40
Small Timberland Owner Exemption Form	50
Post-Fire Recovery Exemption Form	56
Structure Protection (150-300ft) Exemption Form	61
Structure Protection (0-150ft) Exemption Form.....	66
Drought Mortality/Substantially Damaged Exemption Form	71
Christmas Tree Exemption Form	76
10% Dead, Dying or Diseased Exemption Form.....	80

1 **Exemption Emergency Regulations, 2019**

2 **Title 14 California Code of Regulations**

3 **Division 1.5, Chapter 4**

4 **Subchapter 7, Article 2**

5 **§ 1038. Exemption.**

6 Timber Operations conducted pursuant to this section are exempt from the Plan preparation and
7 submission requirements (PRC § 4581) and from the completion report and Stocking report
8 requirements (PRC §§ 4585 and 4587) of the FPA. Timber Operations conducted under any notice of
9 exemption described herein shall be limited to one (1) year from the date of receipt by the Director, and
10 shall comply with all operational provisions of the FPA and District Forest Practices Rules applicable to
11 "Timber Harvest Plan", "THP", and "Plan" definitions per 14 CCR § 895.1. In-lieu practices within WLPZs
12 as specified under Article 6 of these Rules, exceptions to the Rules, and alternative practices are not
13 allowed. The following types of Timber Operations are exempt:
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17 (a) Harvesting Christmas trees.
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19 (b) Harvesting dead trees, Dying Trees, or Diseased Trees of any size, fuelwood or split products in
20 amounts less than ten (10) percent of the average volume per acre, or the removal of Slash and Woody
21 Debris that is not located within a WLPZ. (c) The cutting or removal of trees in compliance with PRC §§
22 4290 and 4291, which eliminates the vertical continuity of vegetative fuels and the horizontal continuity
23 of tree crowns for the purpose of reducing flammable materials and maintaining a fuelbreak to reduce
24 fire spread, duration and intensity. The requirements of this subsection shall not supersede the
25 requirements of PRC § 4291.
26

27 (1) Only trees within one-hundred-fifty (150) feet from any point of an Approved and Legally
28 Permitted Structure that complies with the California Building Standards Code may be
29 harvested, except as specified in 14 CCR § 1038(c)(6).

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2 (2) The following Silvicultural Methods may not be used: clearcutting, Seed Tree removal step,
3 shelterwood removal step.

4 (3) All surface fuels created by Timber Operations, within one-hundred-fifty (150) feet of an
5 Approved and Legally Permitted Structure, that could promote the spread of wildfire, including
6 Slash or Woody Debris, exceeding one (1) inch in diameter, and brush, shall be chipped,
7 burned, or removed within forty-five (45) days from the start of timber operations.

8 (4) In addition to the surface fuel treatment described in 14 CCR § 1038(c)(3), the Harvest Area
9 must meet the vegetation treatment standards in PRC § 4584(i)(1) to (2)(A) illustrated in Board
10 Technical Rule Addendum No.4 within one (1) year from the receipt of issuance of notice of
11 acceptance. This paragraph does not apply to 14 CCR § 1038(c)(6).

12 (5) Timber Operations conducted under this subsection shall conform to the applicable city or
13 county general plans, city or county implementing ordinances, and city or county zoning
14 ordinances within which the notice of exemption is located. The LTO, timberland owner, or if
15 applicable the RPF, shall certify that the city or county has been contacted and the notice of
16 exemption conforms with all city or county regulatory requirements.

17 (6) Trees that are located from one-hundred-fifty (150) feet up to three-hundred (300) feet from
18 any point of an Approved and Legally Permitted Habitable Structure that complies with the
19 California Building Standards Code may also be cut and removed for the purpose of reducing
20 flammable materials and maintaining a fuelbreak provided the following conditions are met:

21 (A) The post-harvest stand shall be primarily comprised of healthy and vigorous
22 dominant and codominant trees well-distributed throughout the treated area and meet
23 the Stocking Standards consistent with 14 CCR § 913.2 [933.2, 953.2].

24 (B) The QMD of trees greater than eight (8) inches dbh in the pre-harvest Harvest Area
25 shall be increased in the post-harvest stand.

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2 (C) All Slash shall be lopped, removed, chipped, piled and burned, or otherwise
3 treated to achieve a maximum post-harvest depth of eighteen (18) inches above the
4 ground within forty-five (45) days from the start of Timber Operations except for the
5 burning of piles, which shall be accomplished not later than April 1 of the year following
6 their creation, or for piles created on or after September 1, not later than April 1 of the
7 second year following creation. Treatment of surface fuels by burning shall be exempt
8 from the one-year time limitations on Timber Operations described under 14 CCR §
9 1038.

10 (D) The notice of exemption shall include site class, an estimate of pre- and post-harvest
11 QMD and certification by the RPF that, in their professional judgment, post-harvest
12 Slash treatment and stand conditions will lead to more moderate fire behavior.

13 (E) 14 CCR § 1038(c)(6) shall expire on January 1, 2022.

14
15 (d) Harvesting dead trees, Dying Trees or Diseased Trees, fuelwood, or split products in response to
16 drought related stress or dead trees which are unmerchantable as sawlog-size timber that are located
17 upon Substantially Damaged Timberland when the following conditions are met:

18 (1) The RPF certifies that the notice of exemption is submitted upon Substantially Damaged
19 Timberland when necessary.

20 (2) Trees eligible for removal when harvesting in response to drought related stress shall meet
21 one (1) or more of the following conditions:

22 (A) Trees that are dead, or,

23 (B) Trees with fifty (50) percent or more of the foliage-bearing crown that is dead or
24 fading in color from a normal green to yellow, sorrel, or brown, excluding normal autumn
25 coloration changes, or with evidence of successful bark beetle attacks, through
26 indications of dead cambium and brood development distributed around the
27 circumference of the bole, or;
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2 (C) The RPF, in writing, within the submitted notice of exemption, certifies that trees are
3 designated, by an RPF or Supervised Designee, with a stump mark, as likely to die due
4 to drought related stress within one (1) year.

5 (e) The cutting or removal of trees to restore and conserve California black (*Quercus kelloggii*) or
6 Oregon white (*Quercus garryana*) oak woodlands and associated grasslands, if all the following
7 requirements are met:

8 (1) The Harvest Area does not cumulatively exceed, during any five (5) year period, three-
9 hundred (300) acres per ownership in a Planning Watershed (CALWATER 2.2), for the
10 timberland owner(s) identified pursuant to 14 CCR § 1038.1(a)(2).

11 (2) Upon submission, the notice of exemption shall include:

12 (A) Total acreage of the exemption Harvest Area per Planning Watershed (CALWATER
13 2.2).
14

15 (B) A description of the pre-harvest and post-harvest stand structure including an
16 estimate, by species, of diameter distribution, and basal area.

17 (C) A certification that states:

- 18 1. That a minimum of thirty-five (35) square feet of basal area per acre of
19 California black or Oregon white oak, or both, occupy the Harvest Area prior to
20 Timber Operations; and
21
22 2. That the proposed Timber Operations are designed to restore and conserve
23 California black oak and Oregon white oak and associated grasslands.

24 (3) No trees larger than twenty-six (26) inches outside bark stump diameter, measured eight (8)
25 inches above ground level may be removed for commercial purposes.

26 (4) The post-harvest stand shall meet, at a minimum, the following criteria:

27 (A) A minimum of eighty (80) percent of the pre-treatment basal area of California black
28 oak or Oregon white oak, or both, shall be retained; and
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2 (B) A minimum of thirty-five (35) square feet of basal area of California black oak or
3 Oregon white oak, or both, shall be retained; and

4 (C) Conifer Stocking, measured in basal area, shall represent less than twenty-five (25)
5 percent of the total onsite Stocking of all trees within the Harvest Area. Decadent and
6 Deformed Trees of Value to Wildlife (excluding hardwoods) shall not count towards this
7 required stocking standard.

8 (D) All harvested conifers shall be within three-hundred (300) feet of a California black
9 oak or Oregon white oak that is a minimum of four (4) inches dbh.

10 (E) As well as compliance with applicable Slash requirements pursuant to Table 1 of 14
11 CCR § 1038.1, all Slash shall be configured in a manner that minimizes risk of fire
12 related mortality to all retained California black oak and Oregon white oak.

13 (5) A notice of exemption pursuant to this subsection is not applicable within the Southern Sub-
14 District of the Coast Forest District or the Southern Forest District.

15 (f) The cutting or removal of trees that eliminates the vertical continuity of vegetative fuels and the
16 horizontal continuity of tree crowns for the purpose of reducing flammable materials and maintaining a
17 Fuelbreak. An exemption pursuant to this subdivision shall be known as the Small Timberland Owner
18 Exemption. The cutting or removal of trees in compliance with this subdivision shall be subject to all of
19 the following conditions:

20 (1) A notice of exemption pursuant to this subsection is limited to small forest landowners who
21 own:

22 (A) Sixty (60) acres or less of timberland within a single Planning Watershed

23 (CALWATER 2.2) within the Coast Forest District, or;

24 (B) One-hundred (100) acres or less of Timberland within a single Planning Watershed

25 (CALWATER 2.2) within the Northern or Southern Forest Districts.

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2 (2) The RPF shall, upon submission of the notice of exemption, include a description of the pre-
3 harvest stand structure and a statement of the minimum expected post-harvest stand Stocking
4 levels. The residual stand shall consist primarily of healthy and vigorous dominant and
5 codominant trees from the pre-harvest stand, well distributed throughout the Harvest Area.
6 Minimum post-harvest Stocking Standards shall be achieved through Unevenaged
7 Management, excluding group selection, and shall be as follows:

8 (A) On Site I lands, a minimum of one-hundred-fifty (150) square feet of basal area shall
9 be retained within the Coast Forest District, while a minimum of one-hundred (100)
10 square feet of basal area shall be retained within the Northern and Southern Forest
11 Districts.

12 (B) On Site II lands, a minimum of one-hundred (100) square feet of basal area shall be
13 retained within the Coast Forest District, while a minimum of seventy-five (75) square
14 feet of basal area shall be retained within the Northern and Southern Forest Districts.

15 (C) On Site III lands, a minimum of seventy-five (75) square feet of basal area shall be
16 retained.

17 (D) On Site IV and V lands, a minimum of fifty (50) square feet of basal area shall be
18 retained.

19 (3) The QMD of trees greater than eight (8) inches dbh in the pre-harvest Harvest Area shall be
20 increased in the post-harvest stand. The submitted notice of exemption shall report the
21 expected post-harvest increase in QMD.

22 (4) Only trees less than thirty-two (32) inches outside bark stump diameter, measured at eight
23 (8) inches above ground level, maybe removed, with the following exception:

24 (A) No trees of the genus *Quercus sp.* that are greater than twenty-six (26) inches
25 outside bark stump diameter, measured at eight (8) inches above ground level, maybe
26 removed.
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2 (5) The six (6) largest trees per acre within the boundaries of the notice of exemption shall be
3 retained.

4 (6) The post-harvest tree species composition shall be representative of the pre-harvest stand
5 condition and demonstrate progression towards climax forest conditions, unless the RPF
6 provides a justification, submitted with the notice of exemption, explaining how modification of
7 the tree species diversity will benefit forest health and resiliency.

8 (7) Vertical spacing in the Harvest Area shall be achieved by treating dead fuels, excluding dead
9 branches on the trees retained for stocking, to a minimum clearance distance of eight (8) feet
10 measured from the base of the live crown of the post-harvest Dominants and Codominants to
11 the top of the dead surface or ladder fuels, whichever is taller.

12 (8) The post-harvest canopy closure for trees which are Dominants and Codominants shall
13 comply with the standards of 14 CCR § 1052.4(d)(3)(A).

14 (9) All trees to be harvested, or all trees to be retained, shall be marked by a RPF, or their
15 Supervised Designee, prior to commencing timber felling.

16 (10) Timber Operations conducted under a notice of exemption pursuant this subdivision shall
17 only occur once over a ten (10) year period on any given acre. During this ten (10) year period,
18 the Director shall not approve a Plan that allows for an even-aged silvicultural prescription(s), or
19 an RPF shall not submit a notice of exemption pursuant to 14 CCR § 1038.4, for acres where
20 Timber Operations occurred under a notice of exemption pursuant to this subsection.

21 (11) The Department shall only accept a maximum of three (3) notices of exemption pursuant to
22 this subsection submitted on behalf of a timberland owner.

23 (12) This subsection will expire five (5) years after February 19, 2019.

24
25 Note: Authority cited: Sections 4551, 4553 and 4584, Public Resources Code. Reference: Sections
26 4290, 4291, 4516, 4527, 4584, 4584.1, and 4597, Public Resources Code; and *EPIC v. California*
27 *Department of Forestry and Fire Protection and Board of Forestry* (1996) 43 Cal. App.4th 1011.(b)

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4 **1038.1. Additional Exceptions or Requirements**

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6 Preparation or submittal of a notice of exemption described in 14 CCR § 1038, or Timber Operation
7 thereunder, shall comply with the additional exceptions or requirements as described.

8 (a) A notice of exemption, pursuant to 14 CCR § 1038, shall be submitted to the Director, on a
9 form provided by the Department, prior to the commencement of Timber Operations. The
10 form shall contain the following information:

- 11 (1) The type of exemption.
12
13 (2) Name(s), address, and telephone number(s) of the Timber Owner(s), timberland
14 owner(s), and Timber Operator.
15 (3) Name, address, and telephone number and license number of the RPF, if applicable.
16
17 (4) Legal description of the location of the Timber Operation.
18
19 (5) The tentative date of commencement of Timber Operations.
20
21 (6) A signature of the landowner certifying that they are the landowner and have read and
22 understand the information contained within the notice of exemption.

23 (b) For notices of exemption pursuant to 14 CCR § 1038, the additional requirements apply:

- 24
25 (1) All Timber Operations conducted in the Lake Tahoe Region must have a valid Tahoe
26 Basin Tree Removal Permit, as defined by TRPA, or shall be conducted under a valid
27 TRPA Memorandum of Understanding, when such a permit is required by TRPA.
28 (2) The Department shall provide the appropriate RWQCB, CDFW, and CGS with copies of
29 the submitted notice of exemption prior to the tentative date of commencement of
30 Timber Operations.
31 (3) No helicopter yarding shall be allowed.

32
33 (c) The following additional exceptions or requirements apply to prepared, submitted, or a
34 Timber Operation conducted under a notice of exemption as provided in Table 1 below.

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Table 1: Additional Exceptions or Requirements

Applicable Exceptions or Requirements	Notice of Exemption Type(s)
14 CCR § 1038.1(c)(1)	14 CCR § 1038(c)(6), (d), (e), and (f)
14 CCR § 1038.1(c)(2)	14 CCR § 1038 (e) and (f)
14 CCR § 1038.1(c)(3)	Applies to all notices of exemption pursuant to 14 CCR § 1038
14 CCR § 1038.1(c)(4)(A)	14 CCR § 1038 (d)
14 CCR § 1038.1 (c)(4)(B)	14 CCR § 1038 (e) and (f)
14 CCR § 1038.1(c)(5) through (14)	14 CCR § 1038 (b), (c), (d), (e), and (f)
14 CCR § 1038.1(c)(15)	14 CCR § 1038 (a), (b), (c), (d), and (e)

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- (1) The notice of exemption shall be prepared, signed, and submitted to the Department by a RPF.
- (2) Upon submission of the notice of exemption, a Confidential Archaeological Letter pursuant to 14 CCR § 929.1 [949.1; 969.1] must be provided to the Director and the RPF shall send a copy of the notice of exemption to Native Americans as defined in 14 CCR § 895.1.
- (3) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a Significant Archaeological or Historical Site (information on some of these sites may be available from the Information Centers of the California Historical Resources Information System within the Department of Parks and Recreation), except under the following conditions:
 - (A) If a Significant Archaeological or Historical Site is identified by the RPF preparing the notice of exemption within the project boundary, the site may be preserved in place by capping or covering with a layer of soil prior to submission.

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(B) If a site has been preserved in place, the RPF preparing the notice of exemption shall obtain written concurrence from a Department archeologist prior to submission indicating operations will not cause damage to a Significant Archaeological or Historical Site.

(C) The written concurrence from a Department archeologist shall be submitted with the notice of exemption.

(4) Fuel treatments as follows:

(A) Slash within the Harvest Area shall be treated to achieve a maximum post-harvest depth of thirty (30) inches above the ground. All Slash shall be lopped, removed, chipped, piled for burning, or otherwise treated, within one (1) year from the date of the Director receiving the notice except for burning. Burning shall be completed within two (2) years from the date of the Director receiving the notice.

(B) Slash shall be treated to achieve a maximum post-harvest depth of eighteen (18) inches above the ground on at least eighty (80) percent of the Harvest Area. All Slash shall be lopped, removed, chipped, piled for burning, or otherwise treated, within one (1) year from the date of the Director receiving the notice except for burning. Burning shall be completed within two (2) years from the date of the Director receiving the notice.

(5) No tractor or heavy equipment operations on slopes greater than fifty (50) percent.

No construction of new tractor roads on slopes greater than forty (40) percent.

(6) Timber Operations within any Special Treatment Area shall comply with the rules associated with that Special Treatment Area.

(7) No tractor or heavy equipment operations on known Unstable Areas.

(8) No new road construction or reconstruction, as defined in 14 CCR §895.1.

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(9) No heavy equipment operations within the standard width of a WLPZ, as defined in 14 CCR § 916.4 [936.4, 956.4] (b), except for maintenance of roads and Drainage Facilities or structures.

(10) No known sites of rare, threatened or endangered plants or animals will be disturbed, threatened or damaged.

(11) No Timber Operations within the buffer zone of a Sensitive Species.

(12) No timber harvesting within the standard width of a WLPZ, as defined in 14 CCR § 916.4 [936.4, 956.4] (b), except sanitation-salvage harvesting, as defined in 14 CCR § 913.3 [933.3, 953.3], where immediately after completion of operations, the area shall meet the Stocking Standards of 14 CCR § 912.7 [932.7, 952.7] (b)(2), or, except the removal of dead or dying trees where consistent with 14 CCR § 916.4 [936.4, 956.4] (b). Trees to be harvested shall be marked by, or under the supervision of, an RPF prior to Timber Operations.

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

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2 (A) Timber Operations maynot be conducted without a copy of the Director's notice of
3 acceptance of the notice of exemption at the operating site, except where the
4 Director has failed to act within the five (5) working-day review period.

5 (14) Before beginning Timber Operations, the LTO, RPF, or person responsible for submittal of
6 the notice of exemption shall notify CAL FIRE of the actual commencement date of
7 operations. The notification, by telephone, mail, or email, shall be directed to the appropriate
8 CAL FIRE Unit Headquarters, Forest Practice Inspector or other designated personnel. If the
9 notification is provided by mail, Timber Operations may not commence until three (3) days
10 after the postmark date of notification. The provisions of this paragraph do not supersede the
11 requirements of paragraph (13) above.

12 (15) No large old trees, defined as a tree that existed before 1800 AD and is greater than sixty
13 (60) inches in diameter at stump height for Sierra or Coast Redwoods, and forty-eight (48)
14 inches in diameter at stump height for all other tree species, or Decadent and Deformed
15 Trees with Value to Wildlife shall be harvested unless the following apply:
16

17 (A) The tree is not critical for the maintenance of a Late Successional Stand.

18 (B) A RPF attached to the submitted notice of exemption a written explanation
19 and justification for the harvest of the tree based on the RPF's finding of any of
20 the following:
21

22 1. The tree is a hazard to safety or property.

23 2. The removal of the tree is necessary for the construction of a building
24 as approved by the appropriate local jurisdiction and shown on the
25 county or city approved site plan, which shall be attached to the
26 submitted notice of exemption.
27

28 3. The tree is dead or likely to die within one (1) year of the date of the
29 proposed removal, as determined by a RPF.

(C) An RPF's written explanation or justification need not be attached to the submitted notice of exemption if an approved Habitat Conservation Plan, Sustained Yield Plan, or Plan addresses large old tree retention for the area in which the large old tree is proposed for removal and the removal is in compliance with the retention standards of that document.

Note: Authority cited: Sections 4551, 4553, and 4584, Public Resources Code. Reference: Sections 4527, 4584, and 4584.1, Public Resources Code.

§ 1038.2. Mapping Standards for Notices of Exemption.

A submitted notice of exemption shall include a seven-and-one-half (7½) minute USGS quadrangle map, or its equivalent, depicting the information as required in Table 1 below. Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show specific details, and to improve map clarity. A larger scale map such as an assessor parcel map showing the location of the Timber Operations shall be included for exemptions conducted under 14 CCR § 1038 (c). The Appurtenant Roads included within the Logging Area pursuant to subsection (b) below may be shown on a map which may be planimetric with a scale as small as one-half inch equals one mile. Color coding shall not be used. A legend shall be included indicating the meaning of the symbols used. The submitted notice of exemption shall indicate if more than one Yarding system is to be used and identify the systems (if more than one is used).

Table 1: Mapping Requirements

Applicable Mapping Requirements	Notice of Exemption Type(s)
14 CCR § 1038.2 (a)	14 CCR § 1038 (a) & (c)
14 CCR § 1038.2 (b), (c), (k)	14 CCR § 1038 (b), (c)(6), (d), (e), and (f)
14 CCR § 1038.2 (d) through (f)	14 CCR § 1038(c)(6) through (f)

14 CCR § 1038.2 (g), (h), and (j)	14 CCR § 1038 (c)(6), (e), and (f)
14 CCR § 1038.2 (i)	14 CCR § 1038 (b) through (f)
14 CCR § 1038.2 (l)	14 CCR § 1038(f)

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- (a) Boundaries of the Harvest Area.
- (b) Boundaries of the Logging Area.
- (c) Location of all Roads to be used for, or potentially impacted by, Timber Operations.
- (d) The classification of all Roads as Permanent Roads, Seasonal Roads, or Temporary Roads.
- (e) Road(s) and Landing(s) located in a Watercourse, Lake, WLPZ, Meadows and Wet Areas other than at road Watercourse crossings.
- (f) Location of water drafting sites.
- (g) Public Roads within one-quarter (¼) mile of the Harvest Area.
- (h) Location of portions of the Harvest Area with an Extreme Erosion Hazard Rating.
- (i) Location of all Watercourses and Lakes with Class I, II, III or IV waters.
- (j) Location of known Unstable Areas.
- (k) Location of any Special Treatment Areas.
- (l) Location of boundaries of timber-site classes needed for determination of Stocking Standards to be applied, down to at least a twenty (20) acre minimum or as specified in District Forest Practice Rules.

Note: Authority cited: Sections 4551, 4553, and 4584, Public Resources Code. Reference: Sections 4527, 4584, and 4584.1, Public Resources Code.

§ 1038.3 Forest Fire Prevention Exemption.

Persons who are engaged in the cutting or removal of trees, limited to those trees that eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of

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2 reducing flammable materials to reduce fire spread, duration and intensity, fuel ignitability, or ignition of
3 tree crowns are exempt from the plan preparation and submission requirements (PRC § 4581) and from
4 the completion report and stocking report requirements (PRC §§ 4585 and 4587) of the FPA. Timber
5 Operations conducted under any notice of exemption described herein shall be limited to one (1) year
6 from the date of receipt by the Director, and shall comply with all operational provisions of the FPA and
7 District Forest Practices Rules applicable to “Timber Harvest Plan”, “THP”, and “Plan” definitions per 14
8 CCR § 895.1. This exemption shall be known as the Forest Fire Prevention Exemption. Preparation and
9 submittal of notices of exemption under this section, or Timber Operations conducted thereunder, shall
10 comply with the following conditions, exceptions, or requirements as described.

11 (a) Comply with the requirements of Title 14 CCR §§ 1038.1 (c)(5), (6), (7), and (9) through (12)
12 inclusive.

13
14
15 (b) This exemption shall only be used on Timberlands that are within the most recent version of
16 the Department’s Fire Hazard Severity Zone Map, which can be found on the Department’s
17 website: <http://www.fire.ca.gov>, that shows the exemption will occur in areas determined to be
18 moderate, high or very high fire threat areas.

19 (c) The Harvest Area shall not exceed three-hundred (300) acres.

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21 (d) (1) Slash and Woody Debris shall be treated to achieve a maximum post-harvest depth of
22 eighteen (18) inches above the ground except within one-hundred-fifty (150) feet from
23 any point of an approved and legally permitted structure that complies with the California
24 Standards Building Code.

25 (2) All surface fuels within one-hundred-fifty (150) feet of an Approved and Legally
26 Permitted Structure, which could promote the spread of wildfire, shall be chipped,
27 burned, or removed within forty-five (45) days from the start of Timber Operations.

1 (3) All fuel treatments shall be completed within one (1) year from the date the Director
2 receives the notice. This requirement does not apply to burning, which instead shall be
3 completed within two (2) years from the date the Director receives the notice.

4 (4) The requirements of this subsection shall not supersede the requirements of PRC §
5 4291.

6 (e) The construction or reconstruction of Temporary Roads on slopes of thirty (30) percent or less
7 shall be allowed if all of the following conditions are met:

8 (1) Temporary Roads or Landings shall not be located on Unstable Areas.

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10 (2) Temporary Roads shall be single lane in width.

11
12 (3) Temporary Roads shall not be located across a Connected Headwall Swale.

13
14 (4) Construction or re-construction of Temporary Roads, Landings or Watercourse
15 crossings shall not occur during the Winter Period.

16 (A) Roads and Landings used for log hauling or other heavy equipment uses
17 during the Winter Period shall occur on a Stable Operating Surface and, if
18 necessary, be surfaced with rock to a depth and quantity sufficient to maintain
19 a Stable Operating Surface. No operation shall be permitted on roads that are
20 not subject to Hydrological Disconnection, or which exhibit Saturated Soil
21 Conditions.

22 (B) Timber Operations during the Winter Period shall comply with the applicable
23 Rule sections under 14 CCR § 923 [943, 963] *et seq.*

24 (C) Use of Temporary Roads shall comply with the operational provisions of 14
25 CCR § 923 [943, 963] *et seq.*,

26 (D) No Logging Road or Landings construction, or reconstruction, activities shall
27 occur within two-hundred (200) feet of Class I and Class II Watercourses, or
28 within fifty (50) feet of a Class III Watercourse.

1 (5) Temporary Road construction or reconstruction, shall be limited to no more than two
2
3 (2) miles of road per ownership within a single Planning Watershed (CALWATER 2.2)
4 per any five (5) year period.

5 (A) For exemptions that are less than forty (40) acres, all Temporary Roads
6 constructed and/or reconstructed shall not exceed a cumulative length of
7 three-hundred (300) feet.

8 (B) For exemptions between forty (40) and eighty (80) acres, this standard shall
9 not exceed three-hundred (300) to six-hundred (600) feet, as determined on a
10 pro rata basis by total acreage affected by the exemption.

11 (C) For exemptions over eighty (80) acres, this standard shall not exceed six-
12 hundred (600) feet.

13 (D) Temporary Roads constructed or reconstructed under this section shall not be
14 connected to other Temporary Roads constructed under previous or
15 subsequent exemptions filed pursuant to this section.

16 (E) Prior to completion of Timber Operations, all Temporary Roads constructed or
17 reconstructed under this section shall undergo Abandonment in a manner
18 which uses protective measures that will effectively remove them from the
19 Permanent Road Network, as defined in 14 CCR § 895.1.

20 (F) No tree larger than thirty-six (36) inches in diameter at stump height, measured
21 eight (8) inches above ground level, shall be removed for the purposes of road
22 construction or reconstruction as it applies to this exemption. Trees between
23 thirty (30) and thirty-six (36) inches in diameter at stump height, measured
24 eight (8) inches above ground level, may be removed for the purposes of road
25 construction or reconstruction when no other feasible option exists for road
26 construction activities.

- 1 (f) The RPF responsible for submission of the notice of exemption shall designate Temporary
2 Road locations, Landing locations, Tractor Road crossings of Class III Watercourses, Unstable
3 Areas, or Connected Headwall Swales on the ground prior to submission of the notice of
4 exemption.
- 5 (g) The QMD of trees greater than eight (8) inches dbh in the Harvest Area shall be increased in
6 the post-harvest stand. The submitted notice of exemption shall report the expected post-
7 harvest increase in QMD.
- 8 (h) Except within constructed or reconstructed road prisms, only trees less than thirty (30) inches
9 in stump diameter, measured eight (8) inches above ground level, maybe removed.
- 10 (i) All trees that are harvested or all trees that are retained shall be marked or sample marked by,
11 or under the supervision of, an RPF before felling operations begin. Sample marking shall be
12 limited to homogeneous forest stand conditions typical of plantations. When trees are sample
13 marked, the prescription for unmarked areas shall be in writing and the sample mark area shall
14 include at least ten (10) percent of the harvest area to a maximum of twenty (20) acres per
15 stand type which is representative of the range of conditions present in the area.
- 16 (j) If the preharvest crown canopy of Dominants and Codominants is occupied by trees less than
17 fourteen (14) inches in dbh, a minimum of one-hundred (100) trees over four inches in dbh
18 shall be retained per acre for Site I, II, and III lands, and a minimum of seventy-five (75) trees
19 over four inches in dbh shall be retained per acre for Site IV and V lands.
- 20 (k) The following canopy, retention, and spacing standards shall be achieved on at least eighty
21 (80) percent of the Harvest Area:
22
23 (1) Minimum post treatment canopy closure shall comply with the standards of 14 CCR §
24 1052.4 (d)(3)(A)
25
26 (2) Post treatment stand shall contain no more than two-hundred (200) trees per acre over
27 three (3) inches in dbh.

1 (3) Vertical spacing shall be achieved by treating dead fuels, excluding dead branches on
2 the trees retained for stocking, to a minimum clearance distance of eight (8) feet
3 measured from the base of the live crown of the post-harvest Dominants and
4 Codominants to the top of the dead surface or ladder fuels, whichever is taller.

5 (l) Helicopter Yarding shall be prohibited.

6
7 (m) The RPF shall comply with Section 1035.2 of Title 14 of the California Code of Regulations,
8 relating to interaction between the LTO and the RPF.

9 (n) All Timber Operations conducted in the Lake Tahoe Region pursuant to 14 CCR § 1038.4, if
10 applicable, must have a valid Tahoe Basin Tree Removal Permit (as defined by the TRPA) or
11 shall be conducted under a valid TRPA Memorandum of Understanding, when such a permit is
12 required by TRPA.

13 (o) Upon submission of the notice of exemption, a Confidential Archaeological Letter pursuant to
14 14 CCR § 929.1 [949.1; 969.1] must be provided to the Director and the RPF shall send a copy
15 of the notice of exemption to Native Americans as defined in 14 CCR § 895.1.

16 (p) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a
17 Significant Archaeological or Historical Site maybe conducted (information on some of these
18 sites may be available from the Information Centers of the California Historical Resources
19 Information System within the Department of Parks and Recreation),

20 (q) If a notice of exemption has been accepted by the Director and will use pesticides or herbicides
21 on the Harvest Area within one (1) calendar year of the date of acceptance, the timberland
22 owner shall notify the appropriate regional water quality control board within ten (10) days prior
23 to application of pesticides or herbicides.

24
25 (r) Subsequent to the completion of Timber Operations operating under this section, the
26 Department shall conduct an onsite inspection to determine compliance with this section. The

1 Department shall notify the appropriate RWQCB, the CDFW, and the CGS seven (7) days prior
2 to conducting the onsite inspection.

3 (s) The notice of exemption shall be prepared, signed, and submitted by an RPF. The RPF shall
4 be retained to oversee all construction or reconstruction of Roads and/or Landings, and provide
5 for necessary mitigation to avoid potential impacts.

6 (1) The notice of exemption shall be submitted to the Director, on a form provided by the
7 Department, prior to the commencement of Timber Operations. The form shall contain
8 the following information:

9 (A) Name(s), address, and telephone number(s) of the Timber Owner(s),
10 timberland owner(s), and Timber Operator.

11 (B) Name, address, and telephone number and license number of the RPF
12 preparing and submitting the notice of exemption.

13 (C) Legal description of the location of the Timber Operations.

14 (D) The tentative date of commencement of Timber Operations.

15 (E) A signature of the landowner certifying that they are the landowner and have
16
17 read and understand the information contained within the notice of exemption.

18
19 (2) The notice of exemption shall include:

20 (A) a description of preharvest stand structure; and

21 (B) an estimate of pre and post-harvest QMD and certification by the RPF that, in
22
23 their professional judgment, post-harvest slash treatment and stand conditions
24
25 will lead to more moderate fire behavior.

26 (3) The RPF shall, upon submission of the notice of exemption:

27 (A) Certify that the level of residual Stocking shall be consistent with maximum
28
29 sustained production of high quality timber products. The residual stand shall
30 consist primarily of healthy and vigorous Dominants and Codominants from the

1 preharvest stand. Trees retained to meet the Basal Area stocking standards
2 shall be selected from the largest trees available on the project area prior to
3 harvest. In no case shall stocking be reduced below the standards found within
4 14 CCR § 913.3 [933.3, 953.3] (a).

5 (B) Affirm that the construction or reconstruction of each Temporary Road is
6 necessary to provide access to Harvest Areas when no other feasible
7 alternative exists. The notice shall include the total number of and cumulative
8 length of Temporary Roads being constructed and/or reconstructed.

9 (C) Provide the selection criteria for the trees to be removed or the trees to be
10 retained. In the development of these criteria, and the fuel reduction
11 prescriptions, the RPF should consider retaining habitat elements, where
12 feasible, including, but not limited to, ground level cover necessary for the
13 long-term management of local wildlife populations. The selection criteria shall
14 specify how the trees to be removed, or how the trees to be retained, will be
15 designated.

16 (4) The Director shall notify the submitter of the date of the Director's receipt of the notice
17 of exemption. Timber Operations pursuant to the notice of exemption may not
18 commence for ten (10) working days from the date of the Director's receipt of the
19 notice of exemption unless the delay is waived by the Director. If the notice of
20 exemption is not complete and accurate, the Director shall notify the submitter within
21 five (5) working days from the date of the Director's receipt, and the Timber Operations
22 may not commence. The Director shall determine whether the notice of exemption is
23 complete, and if so, shall send a copy of a notice of acceptance to the submitter;
24 provided, however, if the Director does not act within ten (10) working days of receipt
25 of the notice of exemption, Timber Operations may commence. Timber Operations

1
2 may not be conducted without a copy of the Director's notice of acceptance of the
3 notice of exemption at the operating site, except where the Director has failed to act
4 within the ten (10) working-day review period.

5 (5) Upon receipt of the submitted notice of exemption, the Director shall place it, or a true
6 copy thereof, in a file available for public inspection, and shall transmit a copy to the
7 CDFW, the appropriate RWQCB, and the CGS.

8 (t) Before beginning Timber Operations, the RPF responsible for submittal of the notice of
9 exemption shall notify the Department, the appropriate RWQCB, the CDFW, and the CGS of
10 the actual commencement date of operations. The notification, by telephone, mail, or email,
11 shall be directed to the appropriate agency personnel and contact information for the
12 appropriate agency personnel shall be provided by the Department on the notice of exemption
13 form. If the notification is provided by mail, Timber Operations may not commence for three (3)
14 days after the postmark date of notification.

15 (u) This subsection will expire five (5) years after February 19, 2019.

16 Note: Authority cited: Sections 4551, 4553, and 4584, Public Resources Code. Reference: Sections 4527,
17 4584, and 4584.2, Public Resources Code.

18
19
20
21 **§ 1038.4. Mapping Standards for the Forest Fire Prevention Exemption.**

22 An exemption pursuant to this 14 CCR § 1038.4 will be mapped on a USGS 7 ½ minute quadrangle map,
23 or equivalent topographic maps, and shall contain all required information stated within this section.

24 Additional maps, which may be topographic or planimetric, may be used to provide the information
25 required in this section, to show specific details, and to improve map clarity. Appurtenant Roads may be
26 shown on a separate map which may be planimetric with a scale as small as one-half inch equals one
27 mile. Color coding may not be used. A legend shall be included indicating the meaning of symbols used.

28
29 (a) Boundaries of the Logging Area

- 1 (b) Boundaries of Yarding (logging) systems, if more than one system is used.
2
- 3 (c) Location of all roads to be used for, or potentially impacted by, Timber Operations. This shall
4 include:
- 5 (1) The classification of all roads as proposed, Permanent, Seasonal, Temporary, Deactivated,
6 or proposed for Abandonment.
- 7 (2) Roads and Landings located in Watercourses, Lakes, WLPZs, marshes, Wet Meadows and
8 other Wet Areas, other than at road Watercourse crossings.
- 9 (3) Logging Roads that provide access to rock pits and water drafting sites, and the location of
10 water drafting sites.
- 11 (4) Public Roads within one-quarter (1/4) mile of the Harvest Area.
12
- 13 (5) The location of Significant or Existing Potential Erosion Sites on all Roads and Landings
14 pursuant to 14 CCR § 923.1 (e).
- 15 (d) For all constructed and reconstructed Logging Roads and Landings, the following shall be
16 mapped:
- 17 (1) Location of Logging Road grades greater than fifteen (15) percent for over two-hundred (200)
18 continuous feet or Logging Road grades exceeding twenty (20) percent.
- 19 (2) Location of Road Failures on existing Logging Roads to be Reconstructed.
20
- 21 (3) Location of Landings, specifying those that require substantial excavation and those in
22 excess of one-quarter acre in size.
- 23 (4) Location of excess material disposal sites on slopes greater than forty (40) percent or on
24 active Unstable Areas.
- 25 (e) Location of all Tractor Road Watercourse crossings of classified Watercourses.
26
- 27 (f) Location of Erosion Hazard Ratings, if more than one rating exists.
28
- 29 (g) Location of Watercourses and Lakes with Class I, II, III, or IV waters.
30
- 31 (h) Location of known Unstable Areas.

- 1 (i) Location of understocked areas prior to Timber Operations, and other areas not normally bearing
2 timber to at least a 20-acre minimum, or as specified in the district rules.
- 3 (j) Location of boundaries of timber-site classes needed for determination of Stocking Standards to
4 be applied, down to at least a twenty (20) acre minimum, or as specified in the District Rules.
- 5 (k) Location of any Special Treatment Areas.

6
7
8
9 Note: Authority cited: Sections 4551, 4553, and 4584, Public Resources Code. Reference: Sections 4527,
10 4584, and 4584.2, Public Resources Code.

11
12
13 **§ 1038.5. Post-Fire Recovery Exemption**

14
15 Persons who conduct the following types of Timber Operations are exempt from the Plan preparation
16 and submission requirements (PRC § 4581) and from the completion report and stocking report
17 requirements (PRC §§ 4585 and 4587) of the FPA with the following exceptions and requirements:

18 (1) no tree that existed before 1800 A.D. and is greater than sixty (60) inches in diameter at
19 stump height for Sierra or Coastal Redwoods, and forty-eight (48) inches in diameter at stump
20 height for all other tree species shall be harvested unless done so under the conditions or
21 criteria set forth in subsection 1038.5 (d).

22 (2) all timber operations conducted in the Lake Tahoe Region pursuant to 14 CCR § 1038.5
23 must have a valid Tahoe Basin Tree Removal Permit (as defined by the Tahoe Regional
24 Planning Agency) or shall be conducted under a valid TRPA Memorandum of Understanding
25 (MOU), when such a permit is required by TRPA.

26 (a) Harvesting dead or Dying Trees of any size to facilitate the removal of hazardous material and the
27 reconstruction or construction of Approved and Legally Permitted Structures that were damaged or
28 destroyed by wildfire in the Counties of Lake, Siskiyou, Mendocino, Shasta, Trinity, and Napa during
29 2018. The provisions of a notice of exemption submitted pursuant to this subsection supersede the

1
2 provisions of any other notices of exemption that are submitted in the same Harvest Area. In addition to
3 compliance with 14 CCR §§1038.1 (c)(5) through (12) inclusive and 1038.3 (p), the following apply:

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

6 (2) The notice of exemption shall include:

7 (A) the total acreage of the Harvest Area;

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

11 (C) a certification of ownership signed by the timberland owner and;

12 (D) the tentative commencement date of Timber Operations.

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

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

21 (5) All Slash created between one-hundred-fifty (150) feet and three-hundred (300) feet of an
22 Approved and Legally Permitted Structure that was damaged or destroyed by wildfire shall be
23 treated by Lopping for Fire Hazard Reduction, removed, chipped or piled and burned within
24 forty-five (45) days from the start of Timber Operations; except for the burning of piles, which
25 shall be accomplished not later than April 1 of the year following their creation; or for piles
26 created on or after September 1, not later than April 1 of the second year following creation.
27
28
29
30

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

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

17 (A) Timber Operations may not be conducted without a copy of the accepted notice of
18 exemption at the operating site, except where the Director has failed to act within the
19 five (5) working day review period.

20 (b) A Person conducting Timber Operations under an exemption as described in this section shall:

21 (1) be limited to one year from the date of receipt by the Department, and;

22 (2) shall comply with all operational provisions of the Forest Practice Act and District
23 Forest Rules applicable to "Timber Harvest Plan", "THP", and "Plan".

24 (3) Before beginning Timber Operations, the Timber Operator shall notify the
25 Department of the actual commencement date of operations. The notification, by
26 telephone, mail, or email, shall be directed to the appropriate CAL FIRE Unit
27
28

1
2 Headquarters, Forest Practice Inspector or other designated personnel. If the notification
3 is provided by mail, Timber Operations may not commence until three (3) days after the
4 postmark date of notification.

5 (c) In-lieu practices of Watercourse and Lake Protection Zones as specified under Article 6 of these
6 Rules, exceptions to Rules, and alternative practices are not allowed.

7 (d) Harvesting of large old trees shall only occur when:

- 8
9 (1) the tree is not critical for the maintenance of a Late Successional Stand and
10
11 (2) an RPF attaches to the exemption an explanation and justification for the removal based on
12 the RPF's finding that one or more of the criteria or conditions listed under subparagraphs (A),
13 (B), (C) are met. This requirement need not be met if an approved management document,
14 including but not limited to a HCP, SYP, NTMP, WFMP, or PTEIR, addresses large old tree
15 retention for the area in which the large old tree(s) are proposed for removal and the removal is
16 in compliance with the retention standards of that document.

17 (A) The tree(s) is a hazard to safety or property. The hazard shall be identified in writing
18 by an RPF or professionally certified arborist;

19 (B) The removal of the tree(s) is necessary for the construction of a building as
20 approved by the appropriate county/city permitting process and as shown on the
21 county/city approved site plan which shall be attached to the Notice of Exemption;

22 (C) The tree is dead or is likely to die within one year of the date of proposed removal,
23 as determined by an RPF or professionally certified arborist.

24 (e) A Person submitting an exemption under 14 CCR § 1038.5 shall submit to the Director a notice of
25 proposed Timber Operations, prior to commencement of Timber Operations, on a form provided by the
26 Department. The form shall contain the following information:

- 27 (1) Type of operation to be conducted.

1
2 (2) Names, address, and telephone numbers of the Timber Owner, Timberland owners, and
3 Timber Operator.

4 (3) Legal description of the location of the Timber Operation.

5
6 (4) A 7 1/2 minute quadrangle map or its equivalent showing the location of the Timber
7 Operation.

8 (5) The tentative commencement date of timber operations
9

10
11
12 Note: Authority cited: Sections 4551, 4553 and 4584, Public Resources Code. Reference: Sections
13 4290, 4291, 4516, 4527, 4584 and 4597, Public Resources Code; and *EPIC v. California Department of*
14 *Forestry and Fire Protection and Board of Forestry* (1996) 43 Cal. App.4th 1011.

BUTTE COUNTY POST-FIRE RECOVERY EXEMPTION

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038.6) (03/2019)

EX. # _____

Date of Receipt _____

Date Validated by CAL FIRE _____

Date Expires _____

VALID FOR ONE YEAR FROM DATE RECEIPT BY CAL FIRE.

Timber Operations pursuant to the notice of exemption may not commence for five (5) working days from the date of the Directors receipt of the notice unless this delay is waived by the director. If the Director does not act within five (5) days working days of receipt of the notice of exemption, Timber Operations may commence. 14 CCR § 1038.6(a)(9)(A)

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1038.6(a), for the harvesting of dead or dying trees of any size within 300 feet from any point of an Approved and Legally permitted structure damaged or destroyed by wildfire to facilitate the removal of hazardous material and the reconstruction or construction of Approved and Legally Permitted Structures that were damaged or destroyed by wildfire in the county of Butte during 2018. Provisions of these notice of exemption supersede the provisions of any other notices of exemption that are submitted in the same Harvest Area.

1. LICENSED TIMBER OPERATOR(S): Name: _____ Lic #: _____ Date: _____
Address _____
City _____ State ____ Zip _____ Phone _____
EMAIL: (optional) _____

2. TIMBERLAND OWNER(S) OF RECORD: Name: _____
Address _____
City ____ State ____ Zip ____ Phone _____
EMAIL: (optional) _____

I certify, under penalty of perjury, that I have read and understand the information on this form and that I am the Timberland Owner of record.

Signature: _____ Date: __

3. TIMBER OWNER(S) OF RECORD: Name _____
Address _____
City ____ State ____ Zip ____ Phone _____
EMAIL: (optional) _____

TIMBER TAX NOTICE: The TIMBER OWNER is responsible for payment of a yield tax.

For timber yield tax information or for assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0060; or see the CDTFA Web Page on the Internet <http://www.cdtfa.ca.gov>.

TIMBER TAX INFORMATION: Some small or low value harvests may be exempt from the timber yield tax (Revenue and Taxation Code sec. 38116)

Timber Owners may be considered exempt if the value of the harvesting operations does not exceed \$3,000 dollars within a quarter, according to CDTFA Harvest Value Schedules, Rule 1024.

IF THE TIMBER OWNER BELIEVES HARVESTING MAY BE EXEMPT (see timber tax exemption language above for low value harvests) PLEASE CHECK BELOW:

FINAL DETERMINATION of tax exempt status will be made by the Timber Tax Section of the California Department of Tax and Fees Administration. If you think you are exempt based on the directions above please complete the below information so the Timber Tax Section can make the final determination.

IF YOU WOULD LIKE CDTFA TIMBER TAX SECTION TO CONSIDER A TAX EXEMPTION BASED ON PROJECTED HARVEST PLEASE COMPLETE THE INFORMATION BELOW.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate what percentage of timber will be removed during this harvest: (percentages provided should equal 100%)

	%		%		%		%
Redwood	_____	Ponderosa/Sugar Pine	_____	Douglas-Fir	_____	Fir	_____
Cedar	_____	Port-Ordford Cedar	_____	Other Conifer	_____	Other Hardwoods	_____

C. Fuelwood over 150 cords? Yes No D. Christmas trees over 3,000 lineal feet? Yes No

4. 14 CCR § 1038.6(a)(1) - Is it anticipated that a tree existing before 1800 A.D. greater than 60 inches' diameter at stump height for Sierra or Coastal Redwoods or 48 inches in diameter at stump height for all other tree species will be harvested? YES NO (required)

NOTE: If "YES" please refer to 14 CCR § 1038.6(a)(12) and have an RPF prepare an explanation and justification described in 14 CCR § 1038.6(a)(12)(A)(B)(1-3) to be included at Submission

5. 14 CCR § 1038.6(a)(3)(l) NO timber harvesting is permitted within the standard width of a Watercourse or Lake Protection Zone (WLPZ) per 14 CCR § 916.4 [936.4, 956.4](b) (exceptions do apply see below) or within a WLPZ of a watershed identified as Anadromous Salmonids Planning watersheds (ASP) per 14 CCR § 916.9 [936.9, 956.9](s), unless the harvesting in an ASP WLPZ is recommended in writing by CDFW to address specifically identified forest conditions, 14 CCR § 916.9(s)(6) (optional)

Two exceptions permitted in WLPZs outside of an ASP watershed:

(Please indicate below if trees meeting the exception identified below are anticipated to be harvested. (If not then leave blank)

- SANITATION-SALVAGE harvesting per 14 CCR § 913.3 [933.3, 953.3] or
- for the removal of DEAD or DYING trees per 14 CCR § 916.4 [936.4, 956.4](b)

Exception in WLPZ of ASP Watersheds

- Will harvesting occur within a WLPZ of an ASP watershed based on written recommendation from CDFW?

If YES then provide a copy of the written recommendation from CDFW identifying the specific reason for the recommended harvesting.

NOTE: Trees to be harvested shall be marked by an RPF or a supervised designee of the RPF PRIOR TO TIMBER OPERATIONS.

6. TENTATIVE COMMENCEMENT DATE OF TIMBER OPERATIONS: (required) _____ 14 CCR § 1038.6(a)(4)(E)

Before beginning Timber Operations, the Timber Operator shall notify the Department of the actual commencement date of operations. The notification, by telephone, mail, or email, shall be directed to the appropriate CAL FIRE Unit Headquarters, Forest Practice Inspector or other designated personnel. If the notification is provided by mail, Timber Operations may not commence until three (3) days after the postmark date of notification. 14 CCR § 1038.6(a)(10)(C)

7. 14 CCR § 1038.6(a)(4)(C) - Designate the legal land description of the location of the timber operation. 14 CCR § 1038.6(a)(4)(D) attach a USGS 7.5-minute quadrangle map or equivalent map not less than 1 inch equals 1,000 (1"=1,000') showing the location of:

- Boundaries of the Harvest Area. 14 CCR § 1038.6(a)(4)(D)

Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. It will be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

Base Meridian	Township	Range	Section	County	Logging area	Assessors Parcel # (optional)
					Acreage (estimated)	

The following are limitations or requirements for timber operations conducted under this Notice of Exemption for the harvesting of dead or dying trees of any size within 300 feet from any point of an Approved and Legally permitted structure damaged or destroyed by wildfire to facilitate the removal of hazardous material and the reconstruction or construction of Approved and Legally Permitted Structures that were damaged or destroyed by wildfire in the county of Butte during 2018.

1. This notice must be submitted to and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations
 - **Coastal Special Treatment areas** and **Marin County** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
2. Timber operations may not commence until five days after the date of receipt of this notice by the appropriate CAL FIRE office listed below. If CAL FIRE does not act within five days of receipt of the notice Timber Operations may commence. 14 CCR § 1038.6(a)(9)
3. A copy of the accepted exemption must be onsite during timber operations, except in the case where the Director has failed to act within the five working-day review period. 14 CCR § 1038.6(a)(9)(A)
 - **Coastal Special Treatment areas** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
4. 14 CCR § 1038.6 places certain limits on the harvesting of trees under this exemption. These limits need to be examined to assure compliance.
5. 14 CCR § 1038.6(a)(10)(B) Timber operations conducted under this notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvesting Plan," "THP," and "plan." Timber operations must conform to applicable city or county general plans, city or county implementing ordinances, and city or county zoning ordinances within which the exemption is located. The requirements to submit a completion and stocking report do not normally apply. 14 CCR § 1038.6(a)(5)
6. 14 CCR § 1038.6(a)(J) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a Significant Archaeological or Historical Site (information on some of these sites may be available from the Information Centers of the California Historical Resources Information System within the Department of Parks and Recreation), except under the following conditions:
7. In-lieu practices within WLPZs as specified under Article 6 of these rules, exception to the rules, and alternative practices are not allowed 14 CCR § 1038.6(a)(11)
8. The Timber Operator must notify the appropriate Forest Practice Program Staff at the appropriate CAL FIRE Unit, by telephone, email, or mail of the actual commencement date timber operations begin. 14 CCR § 1038.6(a)(10)(C)
9. Only trees within three-hundred (300) feet from any point of an Approved and Legally Permitted Structure that was damaged or destroyed by wildfire may be harvested. 14 CCR § 1038.6(a)(3)
10. All slash and woody debris greater than one (1) inch but less than eight (8) inches in diameter within one-hundred-fifty (150) feet of an Approved and Legally Permitted Structure that was damaged or destroyed by wildfire shall be removed or piled and burned. 14 CCR § 1038.6(a)(6)
11. All slash created between one-hundred-fifty (150) feet and three-hundred (300) feet of an Approved and Legally Permitted Structure that was damaged or destroyed by wildfire shall be treated by lopping for Fire Hazard Reduction, removed, chipped or piled and burned with forty-five (45) days from the start of Timber Operations; except for the burning of piles, which shall be accomplished not later than April 1 of the year following their creation; or for piles created on or after September 1, not later than April 1 of the second year following creation. 14 CCR § 1038.6(a)(7)
12. Retain an average for the Harvest Area of not less than one (1) Decadent and Deformed Tree of Value to Wildlife, Snag, or Dying Tree per acre that is greater than sixteen (16) inches DBH and twenty (20) feet tall. Except where necessary to eliminate a striking hazard.
 - This provision does not apply within 150 feet of Approved and Legally Permitted Structures, roads, fire suppression ridges and infrastructure facilities such as transmission lines and towers, or water conveyance and storage facilities. 14 CCR § 1038.5(a)(8)
13. No Tractor or heavy equipment operations on slopes greater than 50%. 14 CCR § 1038.6(a)(3)(A)

14. No construction of new tractor roads on slopes greater than 40%. 14 CCR § 1038.6(a)(3)(B)
15. No Tractor or heavy equipment operations on known slides or Unstable Areas. 14 CCR § 1038.6(a)(3)(D)
16. No NEW road construction or reconstruction, as defined by 14 CCR § 895.1. 14 CCR § 1038.6(a)(3)(E)
17. No heavy equipment operations within the standard width of a WLPZ, as defined in 14 CCR § 916.4[936.4, 956.4](b). Except for maintenance of roads and drainage facilities or structures. 14 CCR § 1038.6(a)(3)(F)
18. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules adopted by the Board of Forestry and Fire Protection. These rules should be reviewed prior to submitting this notice to CAL FIRE. 14 CCR § 1038.6(a)(3)(C)
19. 14 CCR § 1038.6(a)(3)(I) **No timber harvesting within the standard width of a watercourse or lake protection zone**, as defined in 14 CCR § 916.4 [936.4, 956.4](b), except sanitation-salvage harvesting, as defined in 14 CCR § 913.3 [933.3,953.3], where immediately after completion of operations, the area shall meet the stocking standards of 14 CCR § 912.7 [932.7,952.7](b)(2), or, except the removal of dead or dying trees where consistent with 14 CCR § 916.4 [936.4,956.4] (b). **Trees to be harvested within a WLPZ shall be marked by, or under the supervision of, an RPF prior to timber operations.**
20. **ASP watersheds** – No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except (1) Hauling on existing roads (2) Road maintenance (3) Operations conducted for public safety (4) Construction or reconstruction of approved watercourse crossings (5) Temporary crossings of dry Class III watercourses that do not require notification under Fish and Game Code §1600 et seq. (6) **Harvesting recommended in writing by CDFW to address specifically identified forest conditions.**
21. Operations conducted under a notice of exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1. 14 CCR § 1038.6(a)(3)(G-H)
22. If any activities related to timber operations, as defined by PRC 4527, are to include any of the following activities in any river, stream or lake, including episodic and perennial waterways, a notification to the California Department Fish and Wildlife is required pursuant to Fish and Game Code §1602: 1) A substantial alteration of the bed, bank, or channel; 2) A substantial diversion (i.e. water drafting) or obstruction of the natural flow; or 3) Use of material from or deposit of material into the watercourse. Information on the Lake and Streambed Alteration Program, as well as notification forms, may be found at the following link: <https://www.wildlife.ca.gov/conservation/lsa>
23. The requirements to submit a completion and stocking report do not normally apply. **However, Completion and Stocking reports are required for areas when operations occur within COASTAL SPECIAL TREATMENT AREAS.** The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report. Per PRC 4585 and PRC 4587.
24. This Notice of Exemption is valid for one year from the date of receipt by CAL FIRE.
25. A Timber Operator with a valid state license must be designated upon submission of this notice.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

1. Timber Owners, Timberland owners and Timber Operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Exemptions. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.	=> =>	Forest Practice Program Manager CAL FIRE 135 Ridgway Avenue Santa Rosa, CA 95401
Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.	=> =>	Forest Practice Program Manager CAL FIRE 6105 Airport Road Redding, CA 96002
Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.	=> => =>	Forest Practice Program Manager CAL FIRE 1234 East Shaw Avenue Fresno, CA 93710

CERTIFICATION OF COMPLIANCE: Timber operations conducted under this exemption subsection shall conform to the applicable city or county general plans, city or county zoning ordinances within the area the exemption is located. Must be completed by timberland owner or timber operator as listed on page one. *I certify that the city or county within which this exemption is located has been contacted and the exemption is in conformance with all city and county regulatory requirements.* 14 CCR § 1038.6(a)(5)

SIGNATURE OF THE TIMBER OWNER OR AGENT THEREOF: _____ Date: _____

Printed Name: _____ Title: _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

OAK WOODLAND MANAGEMENT
RESTORE AND CONSERVE CALIFORNIA BLACK OAK,
OREGON WHITE OAK WOODLANDS AND ASSOCIATED
GRASSLANDS

FOR ADMIN. USE ONLY

EX. # _____

Date of Receipt _____

Date Validated by CAL FIRE _____

Date Expires _____

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038(e) (03/2019)

VALID FOR ONE YEAR FROM DATE OF VALIDATION BY CAL FIRE

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1038(e) for the cutting or removal of trees to restore and conserve California black oak or Oregon white oak woodlands and associated grasslands.

NOTE: NOT APPLICABLE to timberlands within the Southern Sub-District of the Coast District or the Southern District. 14 CCR § 1038(e)(5)
NO trees larger than twenty-six (26) inches outside bark stump diameter, measured eight (8) inches above ground level may be removed for commercial purposes. 14 CCR § 1038(e)(3)

Timber Operations pursuant to the notice of exemption may not commence for five (5) working days from the date of the Directors receipt of the notice unless this delay is waived by the director. If the Director does not act within five (5) days working days of receipt of the notice of exemption, Timber Operations may commence. 14 CCR § 1038.1(c)(13)

REGISTERED PROFESSIONAL FORESTER (RPF) CERTIFICATION: Per 14 CCR § 1038(e)(2)(C)(1)-(2) – As the RPF preparing this Exemption notice I **CERTIFY** that the harvest area prior to timber operations has a minimum of thirty-five (35) square feet of basal area per acre of California black oak or Oregon white oak, or both. The purpose of Timber Operations per this notice of exemption is to restore and conserve California black oak and Oregon white oak and associated grasslands.

1. REGISTERED PROFESSIONAL FORESTER: Name: _____ RPF #: ____ Date _____
Address _____
City _____ State ____ Zip _____ Phone _____
Signature: _____ Date: _____
EMAIL: (optional) _____

2. LICENSED TIMBER OPERATOR(S): Name: _____ Lic #: _____ Date: _____
Address _____
City _____ State ____ Zip _____ Phone _____
EMAIL: (optional) _____

3. TIMBERLAND OWNER(S) OF RECORD: Name: _____
Address _____
City ____ State ____ Zip _____ Phone _____
EMAIL: (optional) _____

I certify, under penalty of perjury, that I have read and understand the information on this form and that I am the Timberland Owner of record.
Signature: _____ Date: ____

4. TIMBER OWNER(S) OF RECORD: Name _____
Address _____
City ____ State ____ Zip _____ Phone _____
EMAIL: (optional) _____

TIMBER TAX NOTICE: The TIMBER OWNER is responsible for payment of a yield tax.

For timber yield tax information or for assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0060; or see the CDTFA Web Page on the Internet <http://www.cdtfa.ca.gov>.

TIMBER TAX INFORMATION: Some small or low value harvests may be exempt from the timber yield tax (Revenue and Taxation Code sec. 38116)

Timber Owners may be considered exempt if the value of the harvesting operations does not exceed \$3,000 dollars within a quarter, according to CDTFA Harvest Value Schedules, Rule 1024.

IF THE TIMBER OWNER BELIEVES HARVESTING MAY BE EXEMPT (see timber tax exemption language above for low value harvests) PLEASE CHECK BELOW:

FINAL DETERMINATION of tax exempt status will be made by the Timber Tax Section of the California Department of Tax and Fees Administration. If you think you are exempt based on the directions above please complete the below information so the Timber Tax Section can make the final determination.

IF YOU WOULD LIKE CDTFA TIMBER TAX SECTION TO CONSIDER A TAX EXEMPTION BASED ON PROJECTED HARVEST PLEASE COMPLETE THE INFORMATION BELOW.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate what percentage of timber will be removed during this harvest: (percentages provided should equal 100%)

	%		%		%		%
Redwood	_____	Ponderosa/Sugar Pine	_____	Douglas-Fir	_____	Fir	_____
Cedar	_____	Port-Ordford Cedar	_____	Other Conifer	_____	Other Hardwoods	_____

C. Fuelwood over 150 cords? Yes No D. Christmas trees over 3,000 lineal feet? Yes No

5. 14 CCR § 1038.1(c)(15) - Is it anticipated that a tree existing before 1800 A.D. greater than 60 inches' diameter at stump height for Sierra or Coastal Redwoods or 48 inches in diameter at stump height for all other tree species will be harvested? YES NO (required)

NOTE: If "YES" please refer to 14 CCR § 1038.1(c)(15)(A-C). Have an RPF attach to the submitted notice of exemption a written explanation and justification for the harvest of these trees, refer to 14 CCR § 1038.1(c)(15)((B)(1-3)

6. 14 CCR § 1038.1(c)(12) NO timber harvesting is permitted within the standard width of a Watercourse or Lake Protection Zone (WLPZ) per 14 CCR § 916.4 [936.4, 956.4](b) (exceptions do apply see below) or within a WLPZ of a watershed identified as Anadromous Salmonids Planning watersheds (ASP) per 14 CCR § 916.9 [936.9, 956.9](s), unless the harvesting in an ASP WLPZ is recommended in writing by CDFW to address specifically identified forest conditions, 14 CCR § 916.9(s)(6) (optional)

Two exceptions permitted in WLPZs outside of an ASP watershed:

(Please indicate below if trees meeting the exception identified below are anticipated to be harvested. (If not then leave blank)

- SANITATION-SALVAGE harvesting per 14 CCR § 913.3 [933.3, 953.3] or
- for the removal of DEAD or DYING trees per 14 CCR § 916.4 [936.4, 956.4](b)

Exception in WLPZ of ASP Watersheds

- Will harvesting occur within a WLPZ of an ASP watershed based on written recommendation from CDFW?

If YES then provide a copy of the written recommendation from CDFW identifying the specific reason for the recommended harvesting.

NOTE: Trees to be harvested shall be marked by an RPF or a supervised designee of the RPF PRIOR TO TIMBER OPERATIONS.

7. 14 CCR § 1038.1(c)(3)(A-C) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a Significant Archaeological or Historical Site (information on some of these sites may be available from the Information Centers of the California Historical Resources Information System within the Department of Parks and Recreation), except under the following conditions:

- Have significant archaeological sites been identified within the project area? (required) YES NO
- If yes will the site be preserved in place by capping or covering with a layer of soil prior to submission? YES NO
- If yes please provide written concurrence from the Departments Archaeologist at the time of submission.**

8. Per 14 CCR § 1038.1(c)(2) upon submission of the notice of exemption, a Confidential Archaeological Letter pursuant to 14 CCR § 929.1[949.1, 969.1] must be provided to the Director.

Per 14 CCR § 1038.1(c)(2) upon submission of the notice of exemption the RPF shall send a copy of the Notice of Exemption to Native Americans as defined 14 CCR § 895.1.

Has the RPF sent a copy of the Notice of Exemption to Native Americans Contact List defined in 14 CCR § 895.1? (required)

YES NO

DATE Notice of exemption mailed: _____

If "NO" Do not submit Notice of exemption until the notice has been sent to the appropriate Native Americans

9. Will this proposed Notice cumulatively exceed 300 acres per ownership in a planning watershed (CALWATER 2.2)?
 YES NO (required)

NOTE: Per 14 CCR § 1038(e)(2)(A) acreage of the exemption Harvest Area per planning watershed (CALWATER 2.2) shall be provided in the exemption. The planning watershed acreage may be listed in the legal description table below in question #13.

If "YES" then the submitter does not qualify for the use of this exemption OR the acreage per planning watershed must be reduced and the remainder acreage may not be harvest with the use of this exemption type for a minimum of five years.

10. Has an exemption for "Oak Woodland Management" been submitted within the last five (5) years within the ownership and planning watershed (CALWATER 2.2) for which this notice is being submitted which cumulatively exceeds 300 acres? (required)
 YES NO

If "YES" then provide the exemption notice number(s), and acreage per notice:

Exemption Number(s)	Acreage

If "YES" then the submitter does not qualify for the use of this exemption OR the acreage per planning watershed must be reduced and the remainder acreage may not be harvest with the use of this exemption type for a minimum of five years.

PRE-HARVSET STAND STRUCTURE: (required)

11. Description of the preharvest stand structure: (14 CCR § 1038(e)(2)(B): (description shall include an estimate, by species, of diameter distribution and basal area)

Preharvest stand structure estimates:

SPECIES	BASAL AREA	DESCRIPTION OF DIAMETER DISTRIBUTION
Description:		

POST-HARVEST STOCKING LEVELS: (required)

12. Description of the postharvest stand structure: (14 CCR § 1038(e)(2)(B): (description shall include an estimate, by species, of diameter distribution and basal area)

Postharvest stand structure estimates:

SPECIES	BASAL AREA	DESCRIPTION OF DIAMETER DISTRIBUTION
Description:		

Per 14 CCR § 1038(e)(4)(A) a minimum of eighty (80) percent of the pretreatment basal area of California black oak or Oregon white oak, or both, shall be retained:

- What is the pretreatment basal area of California black oak? _____
- What is the pretreatment basal area of Oregon white oak? _____
- What is the pretreatment basal area of the conifers? _____

Per 14 CCR § 1038(e)(4)(B) a minimum of thirty-five (35) square feet of basal area of California black oak or Oregon white oak, or both, shall be retained:

- What is the postharvest square feet of basal area of California black oak? _____
- What is the postharvest square feet of basal area of Oregon white oak? _____

- What is the postharvest square feet of basal area of the conifers? _____

NOTE: Per 14 CCR § 1038(e)(4)(C) Conifer Sticking, measured in basal area, shall represent less than 25% pr the total onsite Stocking of all trees within the Harvest Area. Decadent and Deformed Trees of Value to Wildlife (excluding hardwoods) shall not count towards this required stocking.

All harvested conifers shall be within 300 feet of a California black oak or Oregon white Oak that is a minimum of four (4) inches dbh.

NO TREES LARGER THAN 26 INCHES OUTSIDE BARK STUMP DIAMETER, MEASURED 8 INCHES ABOVE THE GROUND LEVEL MAY BE REMOVED FOR COMMERCIAL PURPOSES.

13. TENTATIVE COMMENCEMENT DATE OF TIMBER OPERATIONS: (required) _____ 14 CCR § 1038.1(a)(5)
 Before beginning Timber Operations, the Timber Operator shall notify the Department of the actual commencement date of operations. The notification, by telephone, mail, or email, shall be directed to the appropriate CAL FIRE Unit Headquarters, Forest Practice Inspector or other designated personnel. If the notification is provided by mail, Timber Operations may not commence until three (3) days after the postmark date of notification. 14 CCR § 1038.1(c)(14)

14. 14 CCR 1038.2 - The submitted notice of exemption shall indicate if more than one Yarding system is to be used and identify the systems. CHECK EACH Yarding method to be utilized: **If more than one method is selected these methods must be identified on the accompanying maps.** (required)

YARDING SYSTEMS			
	Tractor, including end/long lining		Cable, Ground lead
	Rubber tired skidder, Forwarder		Cable, High Lead
	Feller Buncher		Cable, Skyline
	Shovel yarding		Hand thinning and removing
	Other:		

15. 14 CCR § 1038.1(a)(4) - Designate the legal land description of the location of the timber operation. 14 CCR § 1038.2(a) attach a USGS 7.5-minute quadrangle map or equivalent map showing the location of:
- Boundaries of the Logging Area. 14 CCR § 1038.2(b)
 - Location of all Roads to be used for, or potentially impacted by, timber operations. 14 CCR § 1038.2(c) (**Appurtenant Roads included within the logging area pursuant to (b) may be shown on a map which may be planimetric with a scale as small as one-half inch equals one mile**)
 - The classification of all Roads as Permanent Roads, Seasonal Roads, or Temporary Roads. 14 CCR § 1038.2(d)
 - Road(s) and Landing(s) located in a Watercourse, Lake, WLPZ, Meadows and Wet Areas other than at road Watercourse crossings. 14 CCR § 1038.2(e)
 - Location of water drafting sites. 14 CCR § 1038.2(f)
 - Public Roads within one-quarter (1/4) mile of the Harvest Area. 14 CCR § 1038.2(g)
 - Location of portions of the Harvest Area with an Extreme Erosion Hazard Rating. 14 CCR § 1038.2(h)
 - Location of all Watercourses and Lakes with Class I, II, III, or IV waters. 14 CCR § 1038.2(i)
 - Location of known Unstable Areas. 14 CCR § 1038.2(j)
 - Location of any Special Treatment Areas. 14 CCR § 1038.2(k)

Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. **A legend shall be included indicating the meaning of the symbols used.** It will be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

					Logging area	
Base Meridian	Township	Range	Section	County	Acreage (estimated)	Assessors Parcel # (optional)

PLANNING WATERSHED - CALWATER V2.2		
Name	Watershed identification Number	CALWATER Version

The following are limitations or requirements for timber operations conducted under this Notice of Exemption for the removal of trees to restore and conserve California black oak or Oregon white oak woodlands and associated grasslands.

1. Per 14 CCR § 1038(e)(5) THIS EXEMPTION IS NOT APPLICABLE TO TIMBERLANDS WITHIN THE SOUTHERN SUB-DISTRICT OF THE COAST DISTRICT AS DEFINED IN 14 CCR § 895.1 OR THE SOUTHERN DISTRICT DEFINED IN 14 CCR § 909.
2. The Harvest Area shall not exceed three-hundred 300 cumulative acres, during a five-year period, per ownership in a planning watershed (CALWATER 2.2) for the Timberland owner(s) listed above in Items 3 & 4. 14 CCR § 1038(e)(1)
3. This notice of exemption SHALL be prepared, signed, and submitted to the Department by a Registered Professional Forester (RPF) 14 CCR § 1038.1(c)(1) and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations.
 - **Coastal Special Treatment areas and Marin County** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
4. 14 CCR § 1038(c) places certain limits on the harvesting of trees under this exemption. These limits need to be examined to assure compliance.
5. 14 CCR § 1038(c) Timber operations conducted under this notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvest Plan," "THP," and "plan." The requirements to submit a completion and stocking report normally do not apply. **However, Completion and Stocking reports are required for areas when operations occur within COASTAL SPECIAL TREATMENT AREAS and / MARIN COUNTY.** The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report, per PRC 4585 and PRC 4587. The requirements for environmental review under the California Environmental Quality Act (See 14 CCR § 15300.1) also do not apply
6. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules adopted by the Board of Forestry and Fire Protection. These rules should be reviewed prior to submitting this notice to CAL FIRE. 14 CCR § 1038.1(c)(6)
7. All timber operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by TRPA, or shall be conducted under a valid TRPA memorandum of Understanding, when such a permit is required by TRPA, 14 CCR § 1038.1(b)(1)
8. No helicopter yarding shall be allowed 14 CCR § 1038.1(b)(3)
9. Timber Operations may not be conducted without a copy of the Directors notice of acceptance at the operating site, except where the Director has failed to act within the five (5) working day review period. 14 CCR §1038.1(c)(13)(A)
10. In-lieu practices within WLPZs as specified under Article 6 of these rules, exception to the rules, and alternative practices are not allowed 14 CCR § 1038.1
11. No Tractor or heavy equipment operations on slopes greater than 50%. 14 CCR § 1038.1(c)(5)
12. No construction of new tractor roads on slopes greater than 40%. 14 CCR § 1038.1(c)(5)
13. No Tractor or heavy equipment operations on known Unstable Areas. 14 CCR § 1038.1(c)(7)
14. No NEW road construction or reconstruction, as defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(8)
15. No heavy equipment operations within the standard width of a WLPZ, as defined in 14 CCR § 916.4[936.4, 956.4](b). 14 CCR § 1038.1(c)(9)
16. Operations conducted under a notice of exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(10)(11)
17. No trees larger than twenty-six (26) inches outside bark stump diameter, measured eight (8) inches above ground level may be removed for commercial purposes. 14 CCR § 1038(e)(3)
18. ALL conifers to be harvested shall be within three-hundred (300) feet of a California black oak or Oregon white oak that is a minimum of four (4) inches dbh. 14 CCR §1038(e)(4)(D)
19. **Post-harvest stand shall meet, at a minimum, the following criteria:** 14 CCR §1038(e)(4)(A-D)
 - A minimum of eighty (80) percent of the pretreatment basal area of California black oak or Oregon white oak, or both shall be retained; **AND**
 - A minimum of thirty-five (35) square feet of basal area of California black oak or Oregon white oak, or both, shall be retained; **AND**
 - Conifer stocking, measured in basal area, shall represent less than twenty-five (25) percent of the total onsite stocking of all trees within the Harvest Area.
 - Decadent and Deformed Trees of Value to Wildlife (excluding hardwoods) shall not count towards this required stocking standard.
 - All harvested Conifers shall be within three hundred (300) feet of a black oak or Oregon white oak that is a minimum of four (4) inches dbh.

20. 14 CCR § 1038.1(c)(4)(B) Slash shall be treated to achieve a maximum post-harvest depth of eighteen (18) inches above the ground on at least eighty (80) percent of the Harvest Area. All Slash shall be lopped, removed, chopped, piled for burning, or otherwise treated, within one (1) year from the date of the Director receiving the notice except for burning. Burning shall be completed within two (2) years from the date of the Director receiving the notice.
21. **No timber harvesting within the standard width of a watercourse or lake protection zone**, as defined in 14 CCR § 916.4 [936.4, 956.4](b), except sanitation-salvage harvesting, as defined in 14 CCR § 913.3 [933.3,953.3], where immediately after completion of operations, the area shall meet the stocking standards of 14 CCR § 912.7 [932.7,952.7](b)(2), or, except the removal of dead or dying trees where consistent with 14 CCR § 916.4 [936.4,956.4] (b). **Trees to be harvested within a WLPZ shall be marked by, or under the supervision of, an RPF prior to timber operations.** 14 CCR § 1038.1(c)(12)
22. **ASP watersheds** – No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except (1) Hauling on existing roads (2) Road maintenance (3) operations conducted for public safety (4) Construction or reconstruction of approved watercourse crossings (5) Temporary crossings of dry Class III watercourses that do not require notification under Fish and Game Code §1600 et seq. (6) **Harvesting recommended in writing by CDFW to address specifically identified forest conditions.**
23. Operations conducted under a notice of exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1.
24. If any activities related to timber operations, as defined by PRC 4527, are to include any of the following activities in any river, stream or lake, including episodic and perennial waterways, a notification to the California Department Fish and Wildlife is required pursuant to Fish and Game Code §1602: 1) A substantial alteration of the bed, bank, or channel; 2) A substantial diversion (i.e. water drafting) or obstruction of the natural flow; or 3) Use of material from or deposit of material into the watercourse. Information on the Lake and Streambed Alteration Program, as well as notification forms, may be found at the following link: <https://www.wildlife.ca.gov/conservation/lisa>.
25. Timber Operations under this Notice of Exemption are valid for one year from date of acceptance by CAL FIRE.
 - **Marin County** the exemption is valid for the calendar year of acceptance.
26. A licensed Timber Operator must be designated upon submission of this notice.
27. RPF shall include a Confidential Archaeological Letter (CAL) which contains all the information required for plans and Emergency Notices with the exception that the information required in 14 CC§ 929.1(c)(3) [949.1(c)(3), 969.1(c)(3)] shall not be required. RPF before submitting the Notice of Exemption to the Director shall send a copy of the Notice of Emergency to native Americans defined in 14 CCR § 895.1. 14 CCR § 1038(c)(2)
 - The discovery of human remains requires immediate notification to appropriate agencies. 14 CCR § 929.3 [949.3, 969.3] requires notification to CAL FIRE. The area must not be further disturbed, and any area reasonably suspected to overlie adjacent human remains, until an evaluation is completed by the County Coroner pursuant to Health and Safety Code § 7050.5. If the human remains are determined to be Native American, the Native American Heritage Commission must also be notified pursuant to Public Resources Code § 5097.98.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

1. Timber owners, timberland owners and timber operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Exemption. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.	=> =>	Forest Practice Program Manager CAL FIRE 135 Ridgway Avenue Santa Rosa, CA 95401
Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.	=> =>	Forest Practice Program Manager CAL FIRE 6105 Airport Road Redding, CA 96002
Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.	=> => =>	Forest Practice Program Manager CAL FIRE 1234 East Shaw Avenue Fresno, CA 93710

FOREST FIRE PREVENTION

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038.3) (03/2019)

FOR ADMIN. USE ONLY

EX. # _____

Date of Receipt _____

Date Validated by CAL FIRE _____

Date Expires _____

VALID FOR ONE YEAR FROM DATE OF VALIDATION BY CAL FIRE

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1038.3 for the purpose of cutting and removing of trees to eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials to reduce fire spread, duration, and intensity, fuel ignitability, or ignition of tree crowns.

- NOTE:**
- Notice of Exemption SHALL only be used on Timberlands that are within the most recent version of the Departments Fire Hazard Severity Zone Map, located at the Departments website at <http://www.fire.ca.gov> that shows the exemption will occur in areas determined to be moderate, high, or very high fire threat. 14 CCR § 1038.3(b)
 - Harvest Area shall not exceed three-hundred (300) acers. 14 CCR § 1038.3(c)
 - Only trees less than 30 inches outside bark stump diameter 8 inches above ground level may be harvested. 14 CCR § 1038.3(h)
 - Road Construction and Reconstruction:
 - No tree larger than 36 inches in diameter at stump height, measured 8 inches above ground level, may be removed for the purpose of road construction or reconstruction. 14 CCR § 1038.3(e)(5)(F)
 - Trees between 30 and 36 inches in stump diameter at stump height, measured 8 inches above the ground may be removed for the purpose of road construction and reconstruction, WHEN NO OTHER FEASIBLE OPTION EXISTS FOR ROAD ACTIVITIES. 14 CCR § 1038.3(e)(5)(F)

Timber Operations pursuant to the notice of exemption may not commence for ten (10) working days from the date of the Directors receipt of the notice unless this delay is waived by the director. If the Director does not act within ten (10) working days of receipt of the notice of exemption, Timber Operations may commence. 14 CCR § 1038.3(s)(4)

REGISTERED PROFESSIONAL FORESTER (RPF) CERTIFICATION:

- In the professional judgement of the RPF the post-harvest slash treatment and stand conditions will lead to more moderate fire behavior. 14 CCR § 1038.3(s)(2)(B)
- RPF is certifying that the level of residual Stocking SHALL be consistent with maximum sustained production of high quality timber products. 14 CCR § 1038.3(s)(3)(A)
- RPF affirms that the construction or reconstruction of Temporary Roads is necessary to provide access to Harvest Areas when no other feasible alternatives exists. 14 CCR § 1038.3(s)(3)(B)

The Notice of Exemption SHALL be prepared, signed and submitted by an RPF. The RPF SHALL be retained to oversee all construction of Roads and Landings, and provide for necessary mitigation to avoid potential impacts. 14 CCR § 1038.3(s)

1. REGISTERED PROFESSIONAL FORESTER: Name: _____ RPF #: _____ Date _____

Address _____

City _____ State _____ Zip _____ Phone _____

Signature: _____ Date: _____

EMAIL: (optional) _____

Per 14 CCR 1038.3(f) The RPF responsible for submission of the notice of exemption shall designate Temporary Road locations, Landing locations, Tractor Road crossings of Class III Watercourses, Unstable Areas, or Connected Headwall Swales on the ground prior to submission of the notice of exemption.

Per 14 CCR 1038.3(m) the RPF shall comply with 14 CCR 1035.2 relating to the interaction between LTO and RPF. After approval of the Plan preparation process but before commencement of Timber Operations by each LTO assigned to the Plan, the responsible RPF or Supervised Designee, shall meet with either the LTO, or their representative, who will be on the ground and directly responsible for Timber Operation. The purpose of the meeting shall be for the RPF to familiarize the LTO with the Plan, the Plan area, and specific applicable requirements of the Plan. The meeting shall be on-site if requested by either the RPF or LTO. An on-site meeting is required between the RPF or supervised designee familiar with on-site conditions and LTO to discuss protection of any archaeological or historical sites requiring protection if any such sites exist within the Site Survey Area pursuant to Section 929.2[949.2,969.2](b).

2. LICENSED TIMBER OPERATOR(S): Name: _____ Lic #: _____ Date: _____

Address _____

City _____ State ____ Zip _____ Phone _____

EMAIL: (optional) _____

3. TIMBERLAND OWNER(S) OF RECORD: Name: _____

Address _____

City _____ State ____ Zip _____ Phone _____

EMAIL: (optional) _____

I certify, under penalty of perjury, that I have read and understand the information on this form and that I am the Timberland Owner of record.

Signature: _____

Date: ____

4. TIMBER OWNER(S) OF RECORD: Name _____

Address _____

City _____ State ____ Zip _____ Phone _____

EMAIL: (optional) _____

TIMBER TAX NOTICE: The TIMBER OWNER is responsible for payment of a yield tax.

For timber yield tax information or for assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0060; or see the CDTFA Web Page on the Internet <http://www.cdtfa.ca.gov>.

TIMBER TAX INFORMATION: Some small or low value harvests may be exempt from the timber yield tax (Revenue and Taxation Code sec. 38116)

Timber Owners may be considered exempt if the value of the harvesting operations does not exceed \$3,000 dollars within a quarter, according to CDTFA Harvest Value Schedules, Rule 1024.

IF THE TIMBER OWNER BELIEVES HARVESTING MAY BE EXEMPT (see timber tax exemption language above for low value harvests) PLEASE CHECK BELOW:

FINAL DETERMINATION of tax exempt status will be made by the Timber Tax Section of the California Department of Tax and Fees Administration. If you think you are exempt based on the directions above please complete the below information so the Timber Tax Section can make the final determination.

IF YOU WOULD LIKE CDTFA TIMBER TAX SECTION TO CONSIDER A TAX EXEMPTION BASED ON PROJECTED HARVEST PLEASE COMPLETE THE INFORMATION BELOW.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate what percentage of timber will be removed during this harvest: (percentages provided should equal 100%)

	%		%		%		%
Redwood	_____	Ponderosa/Sugar Pine	_____	Douglas-Fir	_____	Fir	_____
Cedar	_____	Port-Ordford Cedar	_____	Other Conifer	_____	Other Hardwoods	_____

C. Fuelwood over 150 cords? Yes No D. Christmas trees over 3,000 lineal feet? Yes No

5. 14 CCR § 1038.1(c)(12) NO timber harvesting is permitted within the standard width of a Watercourse or Lake Protection Zone (WLPZ) per 14 CCR § 916.4 [936.4, 956.4](b) (exceptions do apply see below) or within a WLPZ of a watershed identified as Anadromous Salmonids Planning watersheds (ASP) per 14 CCR § 916.9 [936.9, 956.9](s), unless the harvesting in an ASP WLPZ is recommended in writing by CDFW to address specifically identified forest conditions, 14 CCR § 916.9(s)(6) (optional)

Two exceptions permitted in WLPZs outside of an ASP watershed:

(Please indicate below if trees meeting the exception identified below are anticipated to be harvested. (If not then leave blank)

- SANITATION-SALVAGE harvesting per 14 CCR § 913.3 [933.3, 953.3] or
- for the removal of DEAD or DYING trees per 14 CCR § 916.4 [936.4, 956.4](b)

Exception in WLPZ of ASP Watersheds

- Will harvesting occur within a WLPZ of an ASP watershed based on written recommendation from CDFW?

If YES then provide a copy of the written recommendation from CDFW identifying the specific reason for the recommended harvesting.

NOTE: Trees to be harvested shall be marked by an RPF or a supervised designee of the RPF PRIOR TO TIMBER OPERATIONS.

6. 14 CCR § 1038.3(p) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a Significant Archaeological or Historical Site (information on some of these sites may be available from the Information Centers of the California Historical Resources Information System within the Department of Parks and Recreation), except under the following conditions:

Per 14 CCR § 1038.3(o) upon submission of the notice of exemption, a Confidential Archaeological Letter pursuant to 14 CCR § 929.1[949.1, 969.1] must be provided to the Director and the RPF SHALL send a copy of the notice of exemption to Native Americans as defined in 14 CCR § 895.1

Per 14 CCR § 1038.3(o) upon submission of the notice of exemption the RPF shall send a copy of the Notice of Exemption to Native Americans as defined 14 CCR § 895.1.

Has the RPF sent a copy of the Notice of Exemption to Native Americans Contact List defined in 14 CCR § 895.1? (required)

YES NO

DATE Notice of exemption mailed: _____

If 'NO' Do not submit Notice of Exemption until the notice has been sent to the appropriate Native Americans

PRE-HARVEST STAND STRUCTURE: (required)

7. Description of the preharvest stand structure: (14 CCR § 1038.3(s)(2)(A): (consider in your description species, basal area, and diameter distributions)
Preharvest stand structure estimates:

DESCRIPTION:		
Species	Basal Area	Description of Diameter Distribution

PRE & POST-HARVEST QMD: (required)

8. QMD of trees 8 inches or greater in the pre-harvest stand SHALL be increased in the POST-HARVEST Area. The submitted notice of exemption SHALL report the expected post-harvest increase in QMD: 14 CCR § 1038.3(g)

Pre-harvest QMD: _____ Post-harvest QMD: _____ 14 CCR § 1038.3(s)(2)(B)
 Expected Post-harvest Increase: _____

9. **TIMBER MARKING:** 14 CCR § 1038.3(i) All trees that are harvested or all trees that are retained SHALL be marked or sample marked by, or under the supervision of an RPF before felling operations.

Completed by - RPF Supervised Designee Both

Trees marked - Leave trees Harvest trees Both

Harvest area marked - Entire area

Sample area 10% up to 20 acres per stand type Both

NOTE: Sample marking shall be limited to homogeneous forest stand conditions typical of plantations.

When trees are sample marked, the prescription for unmarked areas SHALL be in writing. 14 CCR 1038.3(i) RPF shall provide written prescription describing how trees will be designated in the unmarked areas: (required)

Prescription for unmarked areas:	
----------------------------------	--

TREE SELECTION CRITERIA: 14 CCR § 1038.3(s)(3)(C) (required)

10. Provide the selection criteria for the trees to be removed or the trees to be retained. The RPF SHALL consider retaining elements, where feasible, including, but not limited to ground level cover necessary for the long-term management of local wildlife populations. Selection criteria shall specify how the trees to be removed, or how the trees to be retained, will be designated.

Describe how trees will be designated: (for removal or retained)	
--	--

POST-HARVEST CANOPY STOCKING LEVELS: 14 CCR § 1038.3(s)(3)(A) (required)

The residual stand shall consist primarily of healthy and vigorous Dominants and Codominants from the preharvest stand. Trees retained to meet the Basal Area stocking standards shall be selected from the largest trees available on the project area prior to harvest. In no case shall stocking be reduced below the standards found within 14 CCR § 913.3 [933.3, 953.3] (a).

11. Will stocking be met where the pre-harvest dominants and codominant crown canopy is occupied primarily by trees?: (optional)

Greater than 14 inches dbh Less than 14 inches dbh

Coastal Forest District Northern Forest District Southern Forest District

12. Site Classification: Site I Site II Site III Site IV Site V (optional)

13. Forest Type: Mixed Conifer Pine East Side Pine Conifer Coast Redwood Douglas Fir (optional)

NOTE: Basal area stocking standard requirements change based on site classification, forest type and forest district per 14 CCR § 913.3 [933.3, 953.3] (a).

POST-HARVEST CANOPY CLOSURE REQUIREMENTS:

14. 14 CCR § 1038.3(j) if the preharvest crown canopy of Dominates and Codominates is occupied by trees less than 14 inches in dbh, a minimum of 100 trees over 4 inches in dbh shall be retained per acre for Site I, II, and III lands and a minimum of 75 trees over 4 inches in dbh shall be retained per acre for Site IV and V lands. 14 CCR § 1038.3(j)

Please select below:

Trees less than 14 inches dbh for SITE I, II, and III lands (100 trees per acre) _

Trees less than 14 inches dbh for Site IV and V lands (75 trees per acre) _

14 CCR § 1038.3(k)(1-2) reference 14 CCR § 1052.4(d)(3)(A) Minimum post treatment canopy closure of dominate and codominate trees shall be:

- 40% east side pine forest types.
- 50 % for Coastal Redwood and Douglas-fir forest types in or adjacent to communities and legal structures per 14 CCR 1052.4(c)(1-2)
- 60% for Coastal Redwood and Douglas-fir types outside of communities and legal structures per 1052.4(c)(1-2)
- 50% for mixed conifer and all forest types.

15. Will operations within coastal redwood and Douglas-fir forest types occur ¼ mile or 500 feet of an approved and legally permitted structure defined by the California Building Code? YES NO

16. Is the legally permitted structure within or adjacent to a "Community at Risk" defined by the "California Fire Alliance List of Communities at Risk".
 YES NO

If yes Identify the name of the Community at risk: _____

17. Is structure density greater than 1 structure per 20 acres? YES NO

- NOTE:**
- Canopy closure requirements change based on forest type and proximity to legally permitted structures within or adjacent to communities at risk identified by the "California Fire Alliance List of Communities at Risk".
 - Post treatment stand shall contain no more than 200 trees per acre over 3 inches in dbh. 14 CCR § 1038.3(k)(2)
 - Vertical spacing shall be achieved by treating dead fuels excluding dead branches on the tree retained for stocking, to a minimum clearance distance of 8 feet measured from the base of the live crown of the post-harvest Dominates and Codominates to the top of the dead surface or ladder fuels, whichever is taller. 14 CCR § 1038.3(k)(3)

FUEL TREATMENT: 14 CCR § 1038.3(d)(1-4)

- All logging slash created by the timber operations shall be treated to achieve a maximum post-harvest depth of **18" inches** above the ground except within 150 feet from any point of a legally permitted structure that complies with the California Standards Building Code. 14 CCR § 1038.3(d)(1)
- All surface fuels within 150 feet of an Approved and Legally Permitted Structure, which could promote the spread of wildfire, SHALL be chipped, burned, or removed within 45 days from the start of Timber Operations. 14 CCR § 1038.3(d)(2)
- All fuel treatments SHALL be completed within 1 year form the date the Director receives the notice. This does not apply to burning, which instead shall be completed within 2 years from the date the Director receives the notice. 14 CCR § 1038.3(d)(3)
- The requirements of this subsection shall not supersede the requirements of PRC § 4291

18. Will any timber operations be within 150 feet of an Approved and Legally Permitted Structure? YES NO
 - Fuel Treatment Method: Chipping Removing Burning Other

OTHER:	
--------	--

CONSTRUCTION or RECONSTRUCTION OF TEMPORARY ROADS ON SLOPES OF 30% OR LESS: 14 CCR § 1038.3(e)

14 CCR § 1038.3(e) The construction or reconstruction of temporary roads on slopes of 30% or less shall be allowed if ALL of the following conditions are meet.

- Temporary Roads or Landings SHALL NOT be located on unstable areas? 14 CCR § 1038.3(e)(1)
- Temporary Roads SHALL BE single lane inwidth? 14 CCR § 1038.3(e)(2)
- Temporary Roads SHALL NOT be located across a Connected Headwall Swale? 14 CCR § 1038.3(e)(3)
- Construction or reconstruction of Temporary Roads, Landings or Watercourse crossings SHALL NOT occur during the winter period? 14 CCR § 1038.3(e)(4)
- NO operations SHALL BE permitted on roads that are not subject to Hydrological Disconnection, or exhibit Saturated Soil Conditions? 14 CCR § 1038.3(e)(4)(A)
- NO Logging Road or Landing construction, or re-construction, activities shall occur within 200 feet of a class I and II watercourse? 14 CCR § 1038.3(e)(4)(D)
- NO Logging Road or Landing Construction, or re-construction, activities shall occur within 50 feet of a class III watercourse? 14 CCR § 1038.3(e)(4)(D)

14 CCR § 1038.3(e)(5) Temporary Road construction or re-construction, shall be limited to no more than two (2) miles of road per ownership within a single Planning Watershed (CALWATER 2.2) per any five (5) year period.

19. YES NO Has temporary road construction or reconstruction within the planning watershed occurred within the last 5 years? 14 CCR § 1038.3(e)(5)
 If YES indicate how many feet/miles:

NOTE: If total is greater than 2 miles then no additional road construction may occur.

Temporary road construction and/or reconstruction shall not exceed:

(please select which criteria below will be applied to this exemption and list the total length of temporary road to be constructed or reconstructed)

14 CCR § 1038.3(e)(5)(A-C)		✓	Feet/ miles
Exemptions Less than 40 acres	Cumulative length of 300 feet		
Exemptions between 40 and 80 acres	NOT exceed 300 to 600 feet determined on a pro rata basis by total acreage affected by exemption.		
Exemptions over 80 acres	Shall not exceed 600 feet		

20. YES NO Will any temporary roads constructed or reconstructed be connected to other temporary roads construction under previous or subsequent exemptions filed pursuant of this section? 14 CCR § 1038.3(e)(5)(D)
 If YES then no additional road construction may occur

NOTE:

- Prior to completion of Timber Operations, all Temporary Roads constructed or reconstructed under this section shall undergo Abandonment in a manner which uses protective measures that will effectively remove them from the Permanent Road Network, as defined in 14 CCR § 895.1. 14 CCR § 1038.3(e)(5)(E)
- The RPF responsible for submission of the notice of exemption shall designate Temporary Road locations, Landing locations, Tractor Road crossings of Class III Watercourses, Unstable Areas, or Connected Headwall Swales on the ground prior to submission of the notice of exemption. 14 CCR § 1038.3(f)

21. TENTATIVE COMMENCEMENT DATE OF TIMBER OPERATIONS: (required) _____ 14 CCR § 1038.3(s)(D)
 Before beginning Timber Operations, the RPF responsible for submittal of the notice of exemption shall notify the Department, the appropriate RWQCB, the CDFW, and the CGS of the actual commencement date of operations. The notification, by telephone, mail, or email, shall be directed to the appropriate agency personnel and contact information for the appropriate agency personnel shall be provided by the Department on the notice of exemption form. If the notification is provided by mail, Timber Operations may not commence for three (3) days after the postmark date of notification.
22. 14 CCR 1038.2 - The submitted notice of exemption shall indicate if more than one Yarding system is to be used and identify the systems. CHECK EACH Yarding method to be utilized: **If more than one method is selected these methods must be identified on the accompanying maps.** (required)

YARDING SYSTEMS	
Tractor, including end/long lining	Cable, Ground lead
Rubber tired skidder, Forwarder	Cable, High Lead
Feller Buncher	Cable, Skyline
Shovel yarding	Hand thinning and removing
Other:	

23. 14 CCR § 1038.3(s)(C) - Designate the legal land description of the location of the timber operation. 14 CCR § 1038.4 attach a USGS 7.5-minute quadrangle map or equivalent map showing the location of:
- Boundaries of logging areas 14 CCR § 1038.4(a)
 - Boundaries of Yarding (logging) systems, if more than one system is used. 14 CCR § 1038.4(b)
 - Location of all roads to be used for, or potentially impacted by, Timber Operations. 14 CCR § 1038.4(c)
 - Classification of ALL roads as proposed, Permanent, Seasonal, Temporary, Deactivated, or proposed. 14 CCR § 1038.4(c)(1)
 - Roads and Landings located in Watercourses, Lakes, WLPZs, marshes, Wet Meadows and other Wet Areas, other than at road Watercourse crossings. 14 CCR § 1038.4(c)(2)
 - Logging Roads that provide access to rock pits and water drafting sites, and the location of water drafting sites. 14 CCR § 1038.4(c)(3)
 - Public Roads within one-quarter (1/4) mile of the Harvest Area. 14 CCR § 1038.4(c)(4)
 - The location of Significant or Existing Potential Erosion Sites on all Roads and Landings pursuant to 14 CCR § 923.1 (e). 14 CCR § 1038.4(c)(5)
 - For all constructed and reconstructed Logging Roads and Landings, the following shall be mapped: 14 CCR § 1038.4(d)
 - Location of Logging Road grades greater than fifteen (15) percent for over two-hundred (200) continuous feet or Logging Roads grades exceeding twenty (20) percent. 14 CCR § 1038.4(d)(1)
 - Location of Road Failures on existing Logging Roads to be Reconstructed. 14 CCR § 1038.4(d)(2)
 - Location of Landings, specifying those that require substantial excavation and those in excess of one-quarter acre in size. 14 CCR § 1038.4(d)(3)
 - Location of excess material disposal sites on slopes greater than forty (40) percent or on active Unstable Areas. 14 CCR § 1038.4(d)(4)
 - Location of all Tractor Road Watercourse crossings of classified Watercourses. 14 CCR § 1038.4(e)
 - Location of Erosion Hazard Ratings, if more than one rating exists. 14 CCR § 1038.4(f)
 - Location of Watercourses and Lakes with Class I, II, III, or IV waters. 14 CCR § 1038.4(g)
 - Location of known Unstable Areas. 14 CCR § 1038.4(h)
 - Location of understocked areas prior to Timber Operations, and other areas not normally bearing timber to at least a 20-acre minimum, or as specified in the district rules. 14 CCR § 1038.4(i)
 - Location of boundaries of timber-site classes needed for determination of Stocking Standards to be applied, down to at least a twenty (20) acre minimum, or as specified in the District Rules. 14 CCR § 1038.4(j)
 - Location of any Special Treatment Areas. 14 CCR § 1038.4(k)
 - Appurtenant Roads may be shown on a separate map which may be planimetric with a scale as small as one-half inch equals one mile. Color coding may not be used. 14 CCR § 1038.4

Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. **A legend shall be included indicating the meaning of the symbols used.** It will be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

Base Meridian	Township	Range	Section	County	Logging area Acreage (estimated)	Assessors Parcel # (optional)

PLANNING WATERSHED - CALWATER V2.2		
Name	Watershed identification Number	CALWATER Version

The following are limitations or requirements for timber operations conducted under a Notice of Exemption for the cutting and removing of trees to eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials to reduce fire spread, duration, and intensity, fuel ignitability, or ignition of tree crowns:

1. This notice of exemption SHALL be prepared, signed, and submitted to the Department by a Registered Professional Forester (RPF) 14 CCR § 1038.3(s) and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations.
 - **Coastal Special Treatment areas and Marin County** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
2. 14 CCR § 1038.3(a-t) places certain limits on the harvesting. These limits need to be reviewed to assure compliance.
3. 14 CCR § 1038.3 Timber operations conducted under this notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvest Plan," "THP," and "plan." The requirements to submit a completion and stocking report normally do not apply. **However, Completion and Stocking reports are required for areas when operations occur within COASTAL SPECIAL TREATMENT AREAS and / MARIN COUNTY.** The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report, per PRC 4585 and PRC 4587. The requirements for environmental review under the California Environmental Quality Act (See 14 CCR § 15300.1) also do not apply
4. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules adopted by the Board of Forestry and Fire Protection. These rules should be reviewed prior to submitting this notice to CAL FIRE. 14 CCR § 1038.1(c)(6)
5. All timber operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by TRPA, or shall be conducted under a valid TRPA memorandum of Understanding, when such a permit is required by TRPA, 14 CCR § 1038.3(n)
6. Harvesting under this Notice of Exemption is limited to those trees that eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns, for the purpose of reducing the rate of fire spread, duration and intensity, fuel ignitability, or ignition of tree crowns. 14 CCR § 1038.3
7. The logging area shall not exceed 300 acres in size. 14 CCR § 1038.3(c) and tree harvesting shall decrease fuel continuity and increase the quadratic mean diameter (QMD) of the stand. 14 CCR § 1038(j)(1)
8. No trees larger than thirty (30) inches outside bark stump diameter, measured eight (8) inches above ground level may be removed for commercial purposes. 14 CCR § 1038.3(h)
9. 14 CCR § 1038.3(s)(3)(A) The residual stand shall consist primarily of healthy and vigorous Dominants and Codominants from the preharvest stand. Trees retained to meet the Basal Area stocking standards shall be selected from the largest trees available on the project area prior to harvest. In no case shall stocking be reduced below the standards found within 14 CCR § 913.3 [933.3, 953.3] (a).
10. Road Construction and Reconstruction:
 - No tree larger than 36 inches in diameter at stump height, measured 8 inches above ground level, may be removed for the purpose of road construction or reconstruction. 14 CCR § 1038.3(e)(5)(F)
 - Trees between 30 and 36 inches in stump diameter at stump height, measured 8 inches above the ground may be removed for the purpose of road construction and reconstruction, WHEN NO OTHER FEASIBLE OPTION EXISTS FOR ROAD ACTIVITIES. 14 CCR § 1038.3(e)(5)(F)
11. Timber Operations during the Winter Period shall comply with the applicable Rule sections under 14 CCR § 923 [943, 963] et seq. 14 CCR § 1038.3(e)(4)(B)
12. Use of Temporary Roads shall comply with the operational provisions of 14 CCR § 923 [943, 963] et seq. 14 CCR § 1038.3(e)(4)(C)
13. Per 14 CCR 1038.3(f) The RPF responsible for submission of the notice of exemption shall designate Temporary Road locations, Landing locations, Tractor Road crossings of Class III Watercourses, Unstable Areas, or Connected Headwall Swales on the ground prior to submission of the notice of exemption.
14. No helicopter yarding shall be allowed 14 CCR § 1038.3(l)
15. 14 CCR § 1038.3(d)(1-3) Slash and Woody Debris shall be treated to achieve a maximum post-harvest depth of eighteen (18) inches above the ground except within one-hundred-fifty (150) feet from any point of an approved and legally permitted structure that complies with the California Standards Building Code.
 - All surface fuels within one-hundred-fifty (150) feet of an Approved and Legally Permitted Structure, which could promote the spread of wildfire, shall be chipped, burned, or removed within forty-five (45) days from the start of Timber Operations.
 - All fuel treatments shall be completed within one (1) year from the date the Director receives the notice. This requirement does not apply to burning, which instead shall be completed within two (2) years from the date the Director receives the notice.
16. No Tractor or heavy equipment operations on slopes greater than 50%. 14 CCR § 1038.1(c)(5)
17. No construction of new tractor roads on slopes greater than 40%. 14 CCR § 1038.1(c)(5)

18. No Tractor or heavy equipment operations on known Unstable Areas. 14 CCR § 1038.1(c)(7)
19. **No timber harvesting within the standard width of a watercourse or lake protection zone**, as defined in 14 CCR § 916.4 [936.4, 956.4](b), except sanitation-salvage harvesting, as defined in 14 CCR § 913.3 [933.3,953.3], where immediately after completion of operations, the area shall meet the stocking standards of 14 CCR § 912.7 [932.7,952.7](b)(2), or, except the removal of dead or dying trees where consistent with 14 CCR § 916.4 [936.4,956.4] (b). **Trees to be harvested within a WLPZ shall be marked by, or under the supervision of, an RPF prior to timber operations.** 14 CCR § 1038.1(c)(12)
20. **ASP watersheds** – No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except **(1) Hauling on existing roads (2) Road maintenance (3) operations conducted for public safety (4) Construction or reconstruction of approved watercourse crossings (5) Temporary crossings of dry Class III watercourses that do not require notification under Fish and Game Code §1600 et seq. (6) Harvesting recommended in writing by CDFW to address specifically identified forest conditions.**
21. If a notice of exemption has been accepted by the Director and will use pesticides or herbicides on the Harvest Area within one (1) calendar year of the date of acceptance, the timberland owner shall notify the appropriate regional water quality control board within ten (10) days prior to application of pesticides or herbicides.
22. Subsequent to the completion of Timber Operations operating under this section, the Department shall conduct an onsite inspection to determine compliance with this section. The Department shall notify the appropriate RWQCB, the CDFW, and the CGS seven (7) days prior to conducting the onsite inspection
23. Operations conducted under a notice of exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(10-11)
24. If any activities related to timber operations, as defined by PRC 4527, are to include any of the following activities in any river, stream or lake, including episodic and perennial waterways, a notification to the California Department Fish and Wildlife is required pursuant to Fish and Game Code §1602: 1) A substantial alteration of the bed, bank, or channel; 2) A substantial diversion (i.e. water drafting) or obstruction of the natural flow; or 3) Use of material from or deposit of material into the watercourse. Information on the Lake and Streambed Alteration Program, as well as notification forms, may be found at the following link: <https://www.wildlife.ca.gov/conservation/lisa>.
25. All activities conducted pursuant to this Notice of Exemption occur within the most recent version of the department's "Fire Hazard Severity Zone Map in moderate, high, and very high fire threat zones. 14 CCR § 1038.3(b)
26. The requirements to submit a completion and stocking report do not normally apply. **However, Completion and Stocking reports are required for areas when operations occur within COAST, SPECIAL TREATMETN AREAS and / MARIN COUNTY.** The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report. Per PRC 4585 and PRC 4587.
27. A licensed Timber Operator must be designated upon submission of this notice.
28. RPF shall include a Confidential Archaeological Letter (CAL) with the emergency notice submitted to the Director. The CAL shall include all information required by 14 CCR § 929.1 [949.1, 969.1](c)(2), (7), (8), (9), (10) and (11), including site records, if required pursuant to 14 CCR §§ 929.1 [949.1, 969.1](g) and 929.5. The discovery of human remains requires immediate notification to appropriate agencies. 14 CCR § 929.3 [949.3, 969.3] requires notification to CAL FIRE. The area must not be further disturbed, and any area reasonably suspected to overlie adjacent human remains, until an evaluation is completed by the County Coroner pursuant to Health and Safety Code § 7050.5. If the human remains are determined to be Native American, the Native American Heritage Commission must also be notified pursuant to Public Resources Code § 5097.98. 14 CCR § 1038(j)(11)

The following suggestions may help ensure your compliance with the Forest Practice Rules:

1. Timber Owners, Timberland owners and Timber Operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Emergency. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.	=> =>	Forest Practice Program Manager CAL FIRE 135 Ridgway Avenue Santa Rosa, CA 95401
Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.	=> =>	Forest Practice Program Manager CAL FIRE 6105 Airport Road Redding, CA 96002
Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.	=> => =>	Forest Practice Program Manager CAL FIRE 1234 East Shaw Avenue Fresno, CA 93710

THE SMALL TIMBERLAND OWNER EXEMPTION

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038f) (03/2019)

EX. # _____

Date of Receipt _____

Date Validated by CAL FIRE _____

Date Expires _____

VALID FOR ONE YEAR FROM DATE OF VALIDATION BY CAL FIRE

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1038(f) for the cutting or removal of trees that eliminates the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials and maintaining a fuelbreak.

NOTE: SMALL FOREST TIMBERLAND OWNERS OWNING:

- COAST FOREST DISTRICT - 60 ACRES or less of timberland within a single Planning Watershed (CALWATER 2.2). 14 CCR § 1038(f)(1)(A)
- NORTHERN / SOUTHERN FOREST DISTRICTS – 100 ACRES or less of timberland within a single Planning Watershed (CALWATER 2.2). 14 CCR § 1038(f)(1)(A)
- Only trees less than 32 inches outside bark stump diameter 8 inches above ground level. 14 CCR § 1038(f)(4)
- No trees of the Quercus Species greater than 26 inches outside bark stump diameter 8 inches above ground level. 14 CCR § 1038(f)(4)(A)
- Timber Operations SHALL only occur once over a 10-year period on any given acre. 14 CCR § 1038(f)(10)
- During the 10-years following the submittal of this Notice of Exemption the Director SHALL not approve a plan allowing for evenaged silvicultural prescriptions. 14 CCR § 1038(f)(10)
- During the 10-years following the submittal of this Notice of Exemption the Timberland Owner shall not submit an exemption per 14 CCR § 1038.3 - Forest Fire Prevention Exemption. 14 CCR § 1038(f)(10)
- Timberland Owner may only submit 3 notices of exemptions pursuant to this section. 14 CCR § 1038(f)(11)

Timber Operations pursuant to the notice of exemption may not commence for five (5) working days from the date of the Directors receipt of the notice unless this delay is waived by the director. If the Director does not act within five (5) days working days of receipt of the notice of exemption, Timber Operations may commence. 14 CCR § 1038.1(c)(13)

1. REGISTERED PROFESSIONAL FORESTER: Name: _____ RPF #: _____ Date _____

Address _____

City _____ State _____ Zip _____ Phone _____

Signature: _____ Date: _____

EMAIL: (optional) _____

2. LICENSED TIMBER OPERATOR(S): Name: _____ Lic #: _____ Date: _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

3. TIMBERLAND OWNER(S) OF RECORD: Name: _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

I certify, under penalty of perjury, that I have read and understand the information on this form and that I am the Timberland Owner of record.

Signature: _____ Date: _____

4. TIMBER OWNER(S) OF RECORD: Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

TIMBER TAX NOTICE: The TIMBER OWNER is responsible for payment of a yield tax.

For timber yield tax information or for assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0060; or see the CDTFA Web Page on the Internet <http://www.cdtfa.ca.gov>.

TIMBER TAX INFORMATION: Some small or low value harvests may be exempt from the timber yield tax (Revenue and Taxation Code sec. 38116)

Timber Owners may be considered exempt if the value of the harvesting operations does not exceed \$3,000 dollars within a quarter, according to CDTFA Harvest Value Schedules, Rule 1024.

IF THE TIMBER OWNER BELIEVES HARVESTING MAY BE EXEMPT (see timber tax exemption language above for low value harvests) PLEASE CHECK BELOW:

FINAL DETERMINATION of tax exempt status will be made by the Timber Tax Section of the California Department of Tax and Fees Administration. If you think you are exempt based on the directions above please complete the below information so the Timber Tax Section can make the final determination.

IF YOU WOULD LIKE CDTFA TIMBER TAX SECTION TO CONSIDER A TAX EXEMPTION BASED ON PROJECTED HARVEST PLEASE COMPLETE THE INFORMATION BELOW.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate what percentage of timber will be removed during this harvest: (percentages provided should equal 100%)

	%		%		%		%
Redwood	_____	Ponderosa/Sugar Pine	_____	Douglas-Fir	_____	Fir	_____
Cedar	_____	Port-Ordford Cedar	_____	Other Conifer	_____	Other Hardwoods	_____

C. Fuelwood over 150 cords? Yes No D. Christmas trees over 3,000 lineal feet? Yes No

5. Have timber operations been conducted on THE SMALL TIMBERLAND OWNER exemption within the last 10-years on any given acres owned by the Timberland Owner?
 YES NO

If YES then this exemption may not be submitted or validated by the Director

6. 14 CCR § 1038.1(c)(12) NO timber harvesting is permitted within the standard width of a Watercourse or Lake Protection Zone (WLPZ) per 14 CCR § 916.4 [936.4, 956.4](b) (exceptions do apply see below) or within a WLPZ of a watershed identified as Anadromous Salmonids Planning watersheds (ASP) per 14 CCR § 916.9 [936.9, 956.9](s), unless the harvesting in an ASP WLPZ is recommended in writing by CDFW to address specifically identified forest conditions, 14 CCR § 916.9(s)(6) (optional)

Two exceptions permitted in WLPZs outside of an ASP watershed:

(Please indicate below if trees meeting the exception identified below are anticipated to be harvested. (If not then leave blank)

- SANITATION-SALVAGE harvesting per 14 CCR § 913.3 [933.3, 953.3] or
- for the removal of DEAD or DYING trees per 14 CCR § 916.4 [936.4, 956.4](b)

Exception in WLPZ of ASP Watersheds

- Will harvesting occur within a WLPZ of an ASP watershed based on written recommendation from CDFW?

If YES then provide a copy of the written recommendation from CDFW identifying the specific reason for the recommended harvesting.

NOTE: Trees to be harvested shall be marked by an RPF or a supervised designee of the RPF PRIOR TO TIMBER OPERATIONS.

7. 14 CCR § 1038.1(c)(3)(A-C) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a Significant Archaeological or Historical Site (information on some of these sites may be available from the Information Centers of the California Historical Resources Information System within the Department of Parks and Recreation), except under the following conditions:

Have significant archaeological sites been identified within the project area? (required) YES NO

- If yes will the site be preserved in place by capping or covering with a layer of soil prior to submission? YES NO

If yes please provide written concurrence from the Departments Archaeologist at the time of submission.

8. Per 14 CCR § 1038.1(c)(2) upon submission of the notice of exemption, a Confidential Archaeological Letter pursuant to 14 CCR § 929.1[949.1, 969.1] must be provided to the Director.

Per 14 CCR § 1038.1(c)(2) upon submission of the notice of exemption the RPF shall send a copy of the Notice of Exemption to Native Americans as defined 14 CCR § 895.1.

Has the RPF sent a copy of the Notice of Exemption to Native Americans Contact List defined in 14 CCR § 895.1? (required)

YES NO

DATE Notice of exemption mailed: _____

If 'NO' Do not submit Notice of Exemption until the notice has been sent to the appropriate Native Americans

PRE-HARVEST STAND STRUCTURE: (required)

9. Description of the preharvest stand structure: (14 CCR § 1038(f)(2): (consider in your description species, basal area, and diameter distributions)

Preharvest stand structure estimates:

DESCRIPTION:		
Species	Basal Area	Description of Diameter Distribution

POST-HARVEST STAND STOCKING LEVELS: (required)

10. Statement of the minimum expected post-harvest stand Stocking levels: (14 CCR § 1038(f)(2):

NOTE: The residual stand SHALL consist primarily of healthy and vigorous dominate and codominant tees from the pre-harvest stand, well distributed throughout the Harvest Area.

Post-Harvest Stocking Standards SHALL be achieved through Unevenaged Management, excluding group selection.

Postharvest stand stocking levels:

DESCRIPTION:	
--------------	--

Stocking shall meet the below standards (please identify the stocking to be meet from the list below)

	Coast Forest District		Northern / Southern Forest Districts		
		Square Feet Basal Area		Square Feet Basal Area	
Site I lands		150		100	14 CCR § 1038(f)(2)(A)
Site II lands		100		75	14 CCR § 1038(f)(2)(B)
Site III lands		75		75	14 CCR § 1038(f)(2)(C)
Site IV & V lands		50		50	14 CCR § 1038(f)(2)(D)

POST-HARVEST TREE SPECIES COMPOSITION: (required)

11. Will POST-HARVEST tree species composition be representative of the pre-harvest stand condition and demonstrate progression towards climax forest conditions? YES NO

If NO the RPF shall provide a justification explaining how modifications of tree species diversity will benefit forest health and resiliency. 14 CCR § 1038(f)(6)

JUSTIFICATION:	
----------------	--

POST-HARVEST QMD: (required)

12. QMD of trees 8 inches or greater in the pre-harvest stand SHALL be increased in the POST-HARVEST Area. The submitted notice of exemption SHALL report the expected post-harvest increase in QMD: 14 CCR § 1038(f)(3)

Pre-harvest QMD: _____ Post-harvest QMD: _____

Expected Post-harvest Increase: _____

13. TENTATIVE COMMENCEMENT DATE OF TIMBER OPERATIONS: (required) _____ 14 CCR § 1038.1(a)(5)
 Before beginning Timber Operations, the Timber Operator shall notify the Department of the actual commencement date of operations. The notification, by telephone, mail, or email, shall be directed to the appropriate CAL FIRE Unit Headquarters, Forest Practice Inspector or other designated personnel. If the notification is provided by mail, Timber Operations may not commence until three (3) days after the postmark date of notification. 14 CCR § 1038.1(c)(14)

14. 14 CCR 1038.2 - The submitted notice of exemption shall indicate if more than one Yarding system is to be used and identify the systems. CHECK EACH Yarding method to be utilized: **If more than one method is selected these methods must be identified on the accompanying maps.** (required)

YARDING SYSTEMS	
Tractor, including end/long lining	Cable, Ground lead
Rubber tired skidder, Forwarder	Cable, High Lead
Feller Buncher	Cable, Skyline
Shovel yarding	Hand thinning and removing
Other:	

15. 14 CCR § 1038.1(a)(4) - Designate the legal land description of the location of the timber operation. 14 CCR § 1038.2(a) attach a USGS 7.5-minute quadrangle map or equivalent map showing the location of:
- Boundaries of the Logging Area. 14 CCR § 1038.2(b)
 - Location of all Roads to be used for, or potentially impacted by, timber operations. 14 CCR § 1038.2(c) (**Appurtenant Roads included within the logging area pursuant to (b) may be shown on a map which may be planimetric with a scale as small as one-half inch equals one mile**)
 - The classification of all Roads as Permanent Roads, Seasonal Roads, or Temporary Roads. 14 CCR § 1038.2(d)
 - Road(s) and Landing(s) located in a Watercourse, Lake, WLPZ, Meadows and Wet Areas other than at road Watercourse crossings. 14 CCR § 1038.2(e)
 - Location of water drafting sites. 14 CCR § 1038.2(f)
 - Public Roads within one-quarter (1/4) mile of the Harvest Area. 14 CCR § 1038.2(g)
 - Location of portions of the Harvest Area with an Extreme Erosion Hazard Rating. 14 CCR § 1038.2(h)
 - Location of all Watercourses and Lakes with Class I, II, III, or IV waters. 14 CCR § 1038.2(i)
 - Location of known Unstable Areas. 14 CCR § 1038.2(j)
 - Location of any Special Treatment Areas. 14 CCR § 1038.2(k)
 - Location of Boundaries of timber-site classes needed for determination of stocking standards to be applied, down to at least twenty (20) acre minimum or as specified in the District Forest Practice Rules. 14 CCR § 1038.2(l)

Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. **A legend shall be included indicating the meaning of the symbols used.** It will be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

					Logging area	
Base Meridian	Township	Range	Section	County	Acreage (estimated)	Assessors Parcel # (optional)

PLANNING WATERSHED - CALWATER V2.2		
Name	Watershed identification Number	CALWATER Version

The following are limitations or requirements for timber operations conducted under this Notice of Exemption for the cutting or removal of trees that eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials and maintaining a fuel break.

1. This notice of exemption SHALL be prepared, signed, and submitted to the Department by a Registered Professional Forester (RPF) 14 CCR § 1038.1(c)(1) and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations.
 - **Coastal Special Treatment areas and Marin County** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
2. 14 CCR § 1038(c) places certain limits on the harvesting of trees under this exemption. These limits need to be examined to assure compliance.
3. 14 CCR § 1038(c) Timber operations conducted under this notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvest Plan," "THP," and "plan." The requirements to submit a completion and stocking report normally do not apply. **However, Completion and Stocking reports are required for areas when operations occur within COASTAL SPECIAL TREATMENT AREAS and / MARIN COUNTY.** The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report, per PRC 4585 and PRC 4587. The requirements for environmental review under the California Environmental Quality Act (See 14 CCR § 15300.1) also do not apply
4. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules adopted by the Board of Forestry and Fire Protection. These rules should be reviewed prior to submitting this notice to CAL FIRE. 14 CCR § 1038.1(c)(6)
5. All timber operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by TRPA, or shall be conducted under a valid TRPA memorandum of Understanding, when such a permit is required by TRPA, 14 CCR § 1038.1(b)(1)
6. The six (6) largest trees per acre within the boundaries of the notice of exemption shall be retained. 14 CCR § 1038(f)(5)
7. Vertical spacing in the Harvest Area shall be achieved by treating dead fuels, excluding dead branches on the tree retained for stocking, to a minimum clearance distance of eight (8) feet measured from the base of the live crown of the post-harvest Dominant and Codominants to the top of the dead surface or ladder fuels, whichever is taller. 14 CCR § 1038(f)(7)
8. Post harvest-canopy closure for trees which are Dominant and Codominants shall comply with the provisions of 14 CCR § 1052.4(d)(3)(A). 14 CCR § 1038(f)(8)
14 CCR § 1052.4(d)(3)(A) - Minimum post treatment canopy closure of dominant and codominant trees shall be:
 - 40 percent for east side pine forest types;
 - 50 percent for coastal redwood and Douglas-fir forest types in or adjacent to communities and legal structures referenced in subsection 1052.4(c)(1) and (2);
 - 60 percent for coastal redwood and Douglas-fir forest types outside of communities and legal structures referenced in subsection 1052.4(c)(1) and (2);
 - 50 percent for mixed conifer and all other forest types.
9. All trees to be harvested, or retained, shall be marked by a RPF, or their Supervised Designee, prior to commencing timber felling. 14 CCR § 1038(f)(9)
10. No helicopter yarding shall be allowed 14 CCR § 1038.1(b)(3)
11. Timber Operations may not be conducted without a copy of the Directors notice of acceptance at the operating site, except where the Director has failed to act within the five (5) working day review period. 14 CCR § 1038.1(c)(13)(A)
12. In-lieu practices within WLPZs as specified under Article 6 of these rules, exception to the rules, and alternative practices are not allowed 14 CCR § 1038.1
13. No Tractor or heavy equipment operations on slopes greater than 50%. 14 CCR § 1038.1(c)(5)
14. No construction of new tractor roads on slopes greater than 40%. 14 CCR § 1038.1(c)(5)
15. No Tractor or heavy equipment operations on known Unstable Areas. 14 CCR § 1038.1(c)(7)
16. No NEW road construction or reconstruction, as defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(8)
17. No heavy equipment operations within the standard width of a WLPZ, as defined in 14 CCR § 916.4[936.4, 956.4](b). 14 CCR § 1038.1(c)(9)
18. Operations conducted under a notice of exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(10)(11)

19. 14 CCR § 1038.1(c)(4)(B) Slash shall be treated to achieve a maximum post-harvest depth of eighteen (18) inches above the ground on at least eighty (80) percent of the Harvest Area. All Slash shall be lopped, removed, chopped, piled for burning, or otherwise treated, within one (1) year from the date of the Director receiving the notice except for burning. Burning shall be completed within two (2) years from the date of the Director receiving the notice.
20. **No timber harvesting within the standard width of a watercourse or lake protection zone**, as defined in 14 CCR § 916.4 [936.4, 956.4](b), except sanitation-salvage harvesting, as defined in 14 CCR § 913.3 [933.3,953.3], where immediately after completion of operations, the area shall meet the stocking standards of 14 CCR § 912.7 [932.7,952.7](b)(2), or, except the removal of dead or dying trees where consistent with 14 CCR § 916.4 [936.4,956.4] (b). **Trees to be harvested within a WLPZ shall be marked by, or under the supervision of, an RPF prior to timber operations.** 14 CCR § 1038.1(c)(12)
21. **ASP watersheds** – No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except (1) Hauling on existing roads (2) Road maintenance (3) operations conducted for public safety (4) Construction or reconstruction of approved watercourse crossings (5) Temporary crossings of dry Class III watercourses that do not require notification under Fish and Game Code §1600 et seq. (6) **Harvesting recommended in writing by CDFW to address specifically identified forest conditions.**
22. Operations conducted under a notice of exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(10)(11)
23. If any activities related to timber operations, as defined by PRC 4527, are to include any of the following activities in any river, stream or lake, including episodic and perennial waterways, a notification to the California Department Fish and Wildlife is required pursuant to Fish and Game Code §1602: 1) A substantial alteration of the bed, bank, or channel; 2) A substantial diversion (i.e. water drafting) or obstruction of the natural flow; or 3) Use of material from or deposit of material into the watercourse. Information on the Lake and Streambed Alteration Program, as well as notification forms, may be found at the following link: <https://www.wildlife.ca.gov/conservation/lisa>.
24. Timber Operations under this Notice of Exemption are valid for one year from date of acceptance by CAL FIRE.
 - **Marin County** the exemption is valid for the calendar year of acceptance.
25. A licensed Timber Operator must be designated upon submission of this notice.
26. RPF shall include a Confidential Archaeological Letter (CAL) which contains all the information required for plans and Emergency Notices with the exception that the information required in 14 CC§ 929.1(c)(3) [949.1(c)(3), 969.1(c)(3)] shall not be required. RPF before submitting the Notice of Exemption to the Director shall send a copy of the Notice of Emergency to native Americans defined in 14 CCR § 895.1. 14 CCR § 1038(c)(2)
 - The discovery of human remains requires immediate notification to appropriate agencies. 14 CCR § 929.3 [949.3, 969.3] requires notification to CAL FIRE. The area must not be further disturbed, and any area reasonably suspected to overlie adjacent human remains, until an evaluation is completed by the County Coroner pursuant to Health and Safety Code § 7050.5. If the human remains are determined to be Native American, the Native American Heritage Commission must also be notified pursuant to Public Resources Code § 5097.98.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

1. Timber owners, timberland owners and timber operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Exemption. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.	=> =>	Forest Practice Program Manager CAL FIRE 135 Ridgway Avenue Santa Rosa, CA 95401
Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.	=> =>	Forest Practice Program Manager CAL FIRE 6105 Airport Road Redding, CA 96002
Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.	=> => =>	Forest Practice Program Manager CAL FIRE 1234 East Shaw Avenue Fresno, CA 93710

FOR ADMIN. USE ONLY

POST-FIRE RECOVERY EXEMPTION
Lake, Siskiyou, Mendocino, Shasta, Trinity, and Napa
STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038.5) (03/2019)

EX. # _____

Date of Receipt _____

Date Validated by CAL FIRE _____

Date Expires _____

VALID FOR ONE YEAR FROM DATE RECEIPT BY CAL FIRE.

Timber Operations pursuant to the notice of exemption may not commence for five (5) working days from the date of the Directors receipt of the notice unless this delay is waived by the director. If the Director does not act within five (5) days working days of receipt of the notice of exemption, Timber Operations may commence. 14 CCR § 1038.5(a)(7)

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1038.5, for the harvesting of dead or dying trees of any size within 300 feet from any point of an Approved and Legally permitted structure damaged or destroyed by wildfire to facilitate the removal of hazardous material and the reconstruction or construction of Approved and Legally Permitted Structures in the counties of **Lake, Siskiyou, Mendocino, Shasta, Trinity, and Napa**. Provisions of these notice of exemption supersede the provisions of any other notices of exemption that are submitted in the same Harvest Area.

1. LICENSED TIMBER OPERATOR(S): Name: _____ Lic #: _____ Date: _____
Address _____
City _____ State ____ Zip _____ Phone _____
EMAIL: (optional) _____

2. TIMBERLAND OWNER(S) OF RECORD: Name: _____
Address _____
City ____ State ____ Zip ____ Phone _____
EMAIL: (optional) _____

I certify, under penalty of perjury, that I have read and understand the information on this form and that I am the Timberland Owner of record.
Signature: _____ Date: __

3. TIMBER OWNER(S) OF RECORD: Name _____
Address _____
City ____ State ____ Zip ____ Phone _____
EMAIL: (optional) _____

TIMBER TAX NOTICE: The TIMBER OWNER is responsible for payment of a yield tax.

For timber yield tax information or for assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0060; or see the CDTFA Web Page on the Internet <http://www.cdtfa.ca.gov>.

TIMBER TAX INFORMATION: Some small or low value harvests may be exempt from the timber yield tax (Revenue and Taxation Code sec. 38116)

Timber Owners may be considered exempt if the value of the harvesting operations does not exceed \$3,000 dollars within a quarter, according to CDTFA Harvest Value Schedules, Rule 1024.

IF THE TIMBER OWNER BELIEVES HARVESTING MAY BE EXEMPT (see timber tax exemption language above for low value harvests) PLEASE CHECK BELOW:

FINAL DETERMINATION of tax exempt status will be made by the Timber Tax Section of the California Department of Tax and Fees Administration. If you think you are exempt based on the directions above please complete the below information so the Timber Tax Section can make the final determination.

IF YOU WOULD LIKE CDTFA TIMBER TAX SECTION TO CONSIDER A TAX EXEMPTION BASED ON PROJECTED HARVEST PLEASE COMPLETE THE INFORMATION BELOW.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate what percentage of timber will be removed during this harvest: (percentages provided should equal 100%)

	%		%		%		%
Redwood	_____	Ponderosa/Sugar Pine	_____	Douglas-Fir	_____	Fir	_____
Cedar	_____	Port-Ordford Cedar	_____	Other Conifer	_____	Other Hardwoods	_____

C. Fuelwood over 150 cords? Yes No D. Christmas trees over 3,000 lineal feet? Yes No

4. 14 CCR § 1038.5(1) - Is it anticipated that a tree existing before 1800 A.D. greater than 60 inches' diameter at stump height for Sierra or Coastal Redwoods or 48 inches in diameter at stump height for all other tree species will be harvested? YES NO (required)

NOTE: If "YES" please refer to 14 CCR § 1038.5(d)(2) and have an RPF prepare an explanation and justification described in 14 CCR § 1038.5(d)(A-C) to be included at Submission

5. 14 CCR § 1038.1(c)(12) NO timber harvesting is permitted within the standard width of a Watercourse or Lake Protection Zone (WLPZ) per 14 CCR § 916.4 [936.4, 956.4](b) (exceptions do apply see below) or within a WLPZ of a watershed identified as Anadromous Salmonids Planning watersheds (ASP) per 14 CCR § 916.9 [936.9, 956.9](s), unless the harvesting in an ASP WLPZ is recommended in writing by CDFW to address specifically identified forest conditions, 14 CCR § 916.9(s)(6) (optional)

Two exceptions permitted in WLPZs outside of an ASP watershed:

(Please indicate below if trees meeting the exception identified below are anticipated to be harvested. (If not then leave blank)

- SANITATION-SALVAGE harvesting per 14 CCR § 913.3 [933.3, 953.3] or
- for the removal of DEAD or DYING trees per 14 CCR § 916.4 [936.4, 956.4](b)

Exception in WLPZ of ASP Watersheds

- Will harvesting occur within a WLPZ of an ASP watershed based on written recommendation from CDFW?

If YES then provide a copy of the written recommendation from CDFW identifying the specific reason for the recommended harvesting.

NOTE: Trees to be harvested shall be marked by an RPF or a supervised designee of the RPF PRIOR TO TIMBER OPERATIONS.

6. TENTATIVE COMMENCEMENT DATE OF TIMBER OPERATIONS: (required) _____ 14 CCR § 1038.5(e)(5)
Before beginning Timber Operations, the Timber Operator shall notify the Department of the actual commencement date of operations. The notification, by telephone, mail, or email, shall be directed to the appropriate CAL FIRE Unit Headquarters, Forest Practice Inspector or other designated personnel. If the notification is provided by mail, Timber Operations may not commence until three (3) days after the postmark date of notification. 14 CCR § 1038.5(b)(3)

7. 14 CCR § 1038.5(e)(3) - Designate the legal land description of the location of the timber operation. 14 CCR § 1038.5(a)(2)(B) attach a USGS 7.5-minute quadrangle map or equivalent map not less than 1 inch equals 1,000 (1"=1,000') showing the location of:
 - Location of the boundaries of the Harvest Area. 14 CCR § 1038.5(a)(2)(B)
 - Timber Operations. 14 CCR § 1038.5(e)(4)

Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. It will be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

					Logging area	
Base Meridian	Township	Range	Section	County	Acreage (estimated)	Assessors Parcel # (optional)

The following are limitations or requirements for timber operations conducted under this Notice of Exemption for the harvesting of dead or dying trees of any size within 300 feet from any point of an Approved and Legally permitted structure damaged or destroyed by wildfire to facilitate the removal of hazardous material and the reconstruction or construction of Approved and Legally Permitted Structures in the counties of Lake, Siskiyou, Mendocino, Shasta, Trinity, and Napa.

1. This notice must be submitted to and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations
 - **Coastal Special Treatment areas and Marin County** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
2. Timber operations may not commence until five days after the date of receipt of this notice by the appropriate CAL FIRE office listed below. If CAL FIRE does not act within five days of receipt of the notice Timber Operations may commence. 14 CCR § 1038.5(a)(7)
3. A copy of the accepted exemption must be onsite during timber operations, except in the case where the Director has failed to act within the five working-day review period. 14 CCR § 1038.5(a)(7)(A)
 - **Coastal Special Treatment areas** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
4. 14 CCR § 1038.5 places certain limits on the harvesting of trees under this exemption. These limits need to be examined to assure compliance.
5. 14 CCR § 1038.5(b)(2) Timber operations conducted under this notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvesting Plan," "THP," and "plan." Timber operations must conform to applicable city or county general plans, city or county implementing ordinances, and city or county zoning ordinances within which the exemption is located. The requirements to submit a completion and stocking report do not normally apply.
6. 14 CCR § 1038.5(a) reference 14 CCR § 1038.3(p) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a Significant Archaeological or Historical Site (information on some of these sites may be available from the Information Centers of the California Historical Resources Information System within the Department of Parks and Recreation), except under the following conditions:
7. In-lieu practices within WLPZs as specified under Article 6 of these rules, exception to the rules, and alternative practices are not allowed 14 CCR § 1038.5(c)
8. All timber operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by TRPA, or shall be conducted under a valid TRPA memorandum of understanding, when such a permit is required by TRPA, 14 CCR § 1038.5(2)
9. The Timber Operator must notify the appropriate Forest Practice Program Staff at the appropriate CAL FIRE Unit, by telephone, email, or mail of the actual commencement date timber operations begin. 14 CCR § 1038.5(b)(3)
10. Only trees within three-hundred (300) feet from any point of an Approved and Legally Permitted Structure that was damaged or destroyed by wildfire may be harvested. 14 CCR § 1038.5(a)(1)
11. All slash and woody debris greater than one (1) inch but less than eight (8) inches in diameter within one-hundred-fifty (150) feet of an Approved and Legally Permitted Structure that was damaged or destroyed by wildfire shall be removed or piled and burned. 14 CCR § 1038.5(a)(4)
12. All slash created between one-hundred-fifty (150) feet and three-hundred (300) feet of an Approved and Legally Permitted Structure that was damaged or destroyed by wildfire shall be treated by lopping for Fire Hazard Reduction, removed, chipped or piled and burned with forty-five (45) days from the start of Timber Operations: except for the burning of piles, which shall be accomplished not later than April 1 of the year following their creation; or for piles created on or after September 1, not later than April 1 of the second year following creation. 14 CCR § 1038.5(a)(5)

13. Retain an average for the Harvest Area of not less than one (1) Decadent and Deformed Tree of Value to Wildlife. Snag, or Dying Tree per acre that is greater than sixteen (16) inches DBH and twenty (20) feet tall.
 - This provision does not apply within 150 feet of Approved and Legally Permitted Structures, roads, fire suppression ridges and infrastructure facilities such as transmission lines and towers, or water conveyance and storage facilities. 14 CCR § 1038.5(a)(6)
14. No Tractor or heavy equipment operations on slopes greater than 50%. 14 CCR § 1038.1(c)(5)
15. No construction of new tractor roads on slopes greater than 40%. 14 CCR § 1038.1(c)(5)
16. No Tractor or heavy equipment operations on known Unstable Areas. 14 CCR § 1038.1(c)(7)
17. No NEW road construction or reconstruction, as defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(8)
18. No heavy equipment operations within the standard width of a WLPZ, as defined in 14 CCR § 916.4[936.4, 956.4](b). 14 CCR § 1038.1(c)(9)
19. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules adopted by the Board of Forestry and Fire Protection. These rules should be reviewed prior to submitting this notice to CAL FIRE. 14 CCR § 1038.1(c)(6)
20. 14 CCR § 1038.1(c)(12) **No timber harvesting within the standard width of a watercourse or lake protection zone**, as defined in 14 CCR § 916.4 [936.4, 956.4](b), except sanitation-salvage harvesting, as defined in 14 CCR § 913.3 [933.3,953.3], where immediately after completion of operations, the area shall meet the stocking standards of 14 CCR § 912.7 [932.7,952.7](b)(2), or, except the removal of dead or dying trees where consistent with 14 CCR § 916.4 [936.4,956.4] (b). **Trees to be harvested within a WLPZ shall be marked by, or under the supervision of, an RPF prior to timber operations.**
21. **ASP watersheds** – No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except **(1) Hauling on existing roads (2) Road maintenance (3) Operations conducted for public safety (4) Construction or reconstruction of approved watercourse crossings (5) Temporary crossings of dry Class III watercourses that do not require notification under Fish and Game Code §1600 et seq. (6) Harvesting recommended in writing by CDFW to address specifically identified forest conditions.**
22. Operations conducted under a notice of exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(10)(11)
23. If any activities related to timber operations, as defined by PRC 4527, are to include any of the following activities in any river, stream or lake, including episodic and perennial waterways, a notification to the California Department Fish and Wildlife is required pursuant to Fish and Game Code §1602: 1) A substantial alteration of the bed, bank, or channel; 2) A substantial diversion (i.e. water drafting) or obstruction of the natural flow; or 3) Use of material from or deposit of material into the watercourse. Information on the Lake and Streambed Alteration Program, as well as notification forms, may be found at the following link: <https://www.wildlife.ca.gov/conservation/lsa>
24. The requirements to submit a completion and stocking report do not normally apply. **However, Completion and Stocking reports are required for areas when operations occur within COASTAL SPECIAL TREATMENT AREAS.** The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report. Per PRC 4585 and PRC 4587.
25. This Notice of Exemption is valid for one year from the date of receipt by CAL FIRE.
26. A Timber Operator with a valid state license must be designated upon submission of this notice.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

1. Timber Owners, Timberland owners and Timber Operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Exemptions. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.	=> =>	Forest Practice Program Manager CAL FIRE 135 Ridgway Avenue Santa Rosa, CA 95401
Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.	=> =>	Forest Practice Program Manager CAL FIRE 6105 Airport Road Redding, CA 96002
Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.	=> => =>	Forest Practice Program Manager CAL FIRE 1234 East Shaw Avenue Fresno, CA 93710

CERTIFICATION OF COMPLIANCE: Timber operations conducted under this exemption subsection shall conform to the applicable city or county general plans, city or county zoning ordinances within the area the exemption is located. Must be completed by timberland owner or timber operator as listed on page one. *I certify that the city or county within which this exemption is located has been contacted and the exemption is in conformance with all city and county regulatory requirements.* 14 CCR § 1038.5(a)(3)

SIGNATURE OF THE TIMBER OWNER OR AGENT THEREOF: _____ Date: _____

Printed Name: _____ Title: _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

STRUCTURE PROTECTION EXEMPTION
Removal of fire hazard trees from 150 to 300 feet of an
Approved and Legally Permitted or (Habitable) Structure

FOR ADMIN. USE ONLY

EX. # _____

Date of Receipt _____

Date Validation by CAL FIRE _____

Date Expires _____

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038c6) (03/2019)

VALID FOR ONE YEAR FROM DATE RECEIPT BY CAL FIRE.

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1038(c)(6) to cut or remove trees for the purpose of reducing flammable materials and maintaining a fuelbreak 150 to 300 feet from any point of an Approved and Legally Permitted Habitable Structure the complies with the California Building Standards Code.

Timber Operations pursuant to the notice of exemption may not commence for five (5) working days from the date of the Directors receipt of the notice unless this delay is waived by the director. If the Director does not act within five (5) days working days of receipt of the notice of exemption, Timber Operations may commence. 14 CCR § 1038.1(c)(13)

REGISTERED PROFESSIONAL FORESTER (RPF) CERTIFICATION: In the professional judgement of the RPF the post-harvest slash treatment and stand conditions will be improved in such a manner which will lead to more moderate fire behaviors in the area which operations occurred. Additionally, by signing the RPF is certifying *that the city or county within which this exemption is located has been contacted and the exemption is in conformance with all city and county regulatory requirements.*

1. REGISTERED PROFESSIONAL FORESTER: Name: _____ RPF #: _____ Date _____
Address _____
City _____ State _____ Zip _____ Phone _____
Signature: _____ Date: _____
EMAIL: (optional) _____

2. LICENSED TIMBER OPERATOR(S): Name: _____ Lic #: _____ Date: _____
Address _____
City _____ State _____ Zip _____ Phone _____
EMAIL: (optional) _____

3. TIMBERLAND OWNER(S) OF RECORD: Name: _____
Address _____
City _____ State _____ Zip _____ Phone _____
EMAIL: (optional) _____

I certify, under penalty of perjury, that I have read and understand the information on this form and that I am the Timberland Owner of record.

Signature: _____ Date: _____

4. TIMBER OWNER(S) OF RECORD: Name _____
Address _____
City _____ State _____ Zip _____ Phone _____
EMAIL: (optional) _____

9. 14 CCR § 1038.1(c)(3)(A-C) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a Significant Archaeological or Historical Site (information on some of these sites may be available from the Information Centers of the California Historical Resources Information System within the Department of Parks and Recreation), except under the following conditions:

Have significant archaeological sites been identified within the project area? (required) YES NO
 - If yes will the site be preserved in place by capping or covering with a layer of soil prior to submission? YES NO
If yes please provide written concurrence from the Departments Archaeologist at the time of submission.

10. TENTATIVE COMMENCEMENT DATE OF TIMBER OPERATIONS: (required) _____ 14 CCR § 1038.1(a)(5)
 Before beginning Timber Operations, the Timber Operator shall notify the Department of the actual commencement date of operations. The notification, by telephone, mail, or email, shall be directed to the appropriate CAL FIRE Unit Headquarters, Forest Practice Inspector or other designated personnel. If the notification is provided by mail, Timber Operations may not commence until three (3) days after the postmark date of notification. 14 CCR § 1038.1(c)(14)
11. 14 CCR 1038.2 - The submitted notice of exemption shall indicate if more than one Yarding system is to be used and identify the systems. CHECK EACH Yarding method to be utilized: **If more than one method is selected these methods must be identified on the accompanying maps.** (required)

YARDING SYSTEMS	
Tractor, including end/long lining	Cable, Ground lead
Rubber tired skidder, Forwarder	Cable, High Lead
Feller Buncher	Cable, Skyline
Shovel yarding	Hand thinning and removing
Other:	

12. 14 CCR § 1038.1(a)(4) - Designate the legal land description of the location of the timber operation. 14 CCR § 1038.2(a) attach a USGS 7.5-minute quadrangle map or equivalent map showing the location of:
- Boundaries of the Logging Area. 14 CCR § 1038.2(b)
 - Location of all Roads to be used for, or potentially impacted by, timber operations. 14 CCR § 1038.2(c) (**Appurtenant Roads included within the logging area pursuant to (b) may be shown on a map which may be planimetric with a scale as small as one-half inch equals one mile**)
 - The classification of all Roads as Permanent Roads, Seasonal Roads, or Temporary Roads. 14 CCR § 1038.2(d)
 - Road(s) and Landing(s) located in a Watercourse, Lake, WLPZ, Meadows and Wet Areas other than at road Watercourse crossings. 14 CCR § 1038.2(e)
 - Location of water drafting sites. 14 CCR § 1038.2(f)
 - Public Roads within one-quarter (1/4) mile of the Harvest Area. 14 CCR § 1038.2(g)
 - Location of portions of the Harvest Area with an Extreme Erosion Hazard Rating. 14 CCR § 1038.2(h)
 - Location of all Watercourses and Lakes with Class I, II, III, or IV waters. 14 CCR § 1038.2(i)
 - Location of known Unstable Areas. 14 CCR § 1038.2(j)
 - Location of any Special Treatment Areas. 14 CCR § 1038.2(k)
 - A larger scale map such as an assessors parcel map showing the location of Timber Operations SHALL be included. 14 CCR § 1038.2
- Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. **A legend shall be included indicating the meaning of the symbols used.** It will be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

					Logging area	
Base Meridian	Township	Range	Section	County	Acreage (estimated)	Assessors Parcel # (optional)

The following are limitations or requirements for timber operations conducted under this Notice of Exemption for Fire Hazard Trees within 150-300 feet of a legally permitted structure that complies with the California Building Code:

1. This notice of exemption SHALL be prepared, signed, and submitted to the Department by a Registered Professional Forester (RPF) 14 CCR § 1038.1(c)(1) and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations.
 - **Coastal Special Treatment areas and Marin County** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
2. 14 CCR § 1038(c) places certain limits on the harvesting of trees under this exemption. These limits need to be examined to assure compliance.
3. 14 CCR § 1038 Timber operations conducted under this notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvesting Plan," "THP," and "plan." Timber operations must conform to applicable city or county general plans, city or county implementing ordinances, and city or county zoning ordinances within which the exemption is located. The requirements to submit a completion and stocking report do not normally apply within the 150 to 300-foot zone.

4. Only Trees within 150 to 300 feet of an approved and legally permitted structure (§ 895.1) that complies with the California Building Code (includes only structures designed for human occupancy, garages, barns, stables and structures used to enclose fuel tanks) may be removed. 14 CCR § 1038(c)(6)
5. An RPF is required to certify in their professional judgment, post-harvest slash treatment and stand conditions will lead to more moderate fire behavior within 150 to 300-foot zone. 14 CCR § 1038(c)(6)(D)
6. The post-harvest stand shall be comprised of healthy and vigorous dominate and codominant trees well distributed throughout the treated area and meet the stocking standards consistent with 14 CCR § 913.2 [933.2, 943.2]. 14 CCR § 1038(c)(6)(A)
7. Quadratic Mean Diameter (QMD) of trees greater than eight (8) inches dbh in the pre-harvest project area shall be increased in the post-harvest stand, see question. 14 CCR § 1038(c)(6)(B)
8. Clearcutting, seed tree removal step or shelterwood removal step are not allowed under this Notice of Exemption. 14 CCR § 1038(c)(2)
9. All slash SHALL be lopped, removed, chipped, piled and burned, or otherwise treated to achieve a maximum post-harvest depth of eighteen (18) inches above the ground within forty-five (45) days from the start of Timber Operations except for the burning of piles, which shall be accomplished not later than April 1 of the year following their creation, or for piles created on or after September 1, not later than April 1 of the second year following creation. Treatment of surface fuels by burning shall be exempt from the one-year time limitations on Timber Operations described under 14 CCR §1038. 14 CCR § 1038(c)(6)(C)
10. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules adopted by the Board of Forestry and Fire Protection. Timber Operations shall comply with the rules associated with the specific Special Treatment Area timber operations are within. 14 CCR § 1038.1(c)(6). These rules should be reviewed prior to submitting this notice to CAL FIRE.
11. All timber operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by TRPA, or shall be conducted under a valid TRPA memorandum of understanding, when such a permit is required by TRPA, 14 CCR § 1038.1(b)(1)
12. Timber Operations may not be conducted without a copy of the Directors notice of acceptance of the notice of exemption at the operating site, except where the Director has failed to act within the five (5) working day review period. 14 CCR § 1038.1(c)(13)(A)
13. No helicopter yarding shall be allowed 14 CCR § 1038.1(b)(3)
14. In-lieu practices within WLPZs as specified under Article 6 of these rules, exception to the rules, and alternative practices are not allowed 14 CCR § 1038.1
15. No Tractor or heavy equipment operations on slopes greater than 50%. 14 CCR § 1038.1(c)(5)
16. No construction of new tractor roads on slopes greater than 40%. 14 CCR § 1038.1(c)(5)
17. No Tractor or heavy equipment operations on known Unstable Areas. 14 CCR § 1038.1(c)(7)
18. No NEW road construction or reconstruction, as defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(8)
19. No heavy equipment operations within the standard width of a WLPZ, as defined in 14 CCR § 916.4[936.4, 956.4](b). 14 CCR § 1038.1(c)(9)
20. **No timber harvesting within the standard width of a watercourse or lake protection zone**, as defined in 14 CCR § 916.4 [936.4, 956.4](b), except sanitation-salvage harvesting, as defined in 14 CCR § 913.3 [933.3,953.3], where immediately after completion of operations, the area shall meet the stocking standards of 14 CCR § 912.7 [932.7,952.7](b)(2), or, except the removal of dead or dying trees where consistent with 14 CCR § 916.4 [936.4,956.4] (b). **Trees to be harvested within a WLPZ shall be marked by, or under the supervision of, an RPF prior to timber operations.** 14 CCR § 1038.1(c)(12)
21. **ASP watersheds** – No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except **(1) Hauling on existing roads (2) Road maintenance (3) operations conducted for public safety (4) Construction or reconstruction of approved watercourse crossings (5) Temporary crossings of dry Class III watercourses that do not require notification under Fish and Game Code §1600 et seq. (6) Harvesting recommended in writing by CDFW to address specifically identified forest conditions.**
22. Operations conducted under a notice of exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(10)(11)
23. If any activities related to timber operations, as defined by PRC 4527, are to include any of the following activities in any river, stream or lake, including episodic and perennial waterways, a notification to the California Department Fish and Wildlife is required pursuant to Fish and Game Code §1602: 1) A substantial alteration of the bed, bank, or channel; 2) A substantial diversion (i.e. water drafting) or obstruction of the natural flow; or 3) Use of material from or deposit of material into the watercourse. Information on the Lake and Streambed Alteration Program, as well as notification forms, may be found at the following link: <https://www.wildlife.ca.gov/conservation/lisa>.

- 24. The requirements to submit a completion and stocking report do not normally apply. **However, Completion and Stocking reports are required for areas when operations occur within COAST, SPECIAL TREATMENT AREAS and / MARIN COUNTY.** The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report. Per PRC 4585 and PRC 4587.
- 25. This Notice of Exemption is valid for one year from the date of receipt by CAL FIRE.
 - **Marin County** the exemption is valid for the calendar year of acceptance.
- 26. A Timber Operator with a valid state license must be designated upon submission of this notice.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

- 1. Timber Owners, Timberland owners and Timber Operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Exemption. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>. The Emergency rules for this exemption can be found on the Board of Forestry and Fire Protection Web page at: The CAL FIRE Web page at: http://calfire.ca.gov/resource_mgt/resource_mgt_forestpractice_pubsmemos_pubs.php
- 2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.	=> =>	Forest Practice Program Manager CAL FIRE 135 Ridgway Avenue Santa Rosa, CA 95401
Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.	=> =>	Forest Practice Program Manager CAL FIRE 6105 Airport Road Redding, CA 96002
Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.	=> => =>	Forest Practice Program Manager CAL FIRE 1234 East Shaw Avenue Fresno, CA 93710

CERTIFICATION OF COMPLIANCE: Timber operations conducted under this exemption subsection shall conform to the applicable city or county general plans, city or county zoning ordinances within the area the exemption is located. Must be completed by timberland owner or timber operator as listed on page one. ***I certify that the city or county within which this exemption is located has been contacted and the exemption is in conformance with all city and county regulatory requirements.*** 14 CCR § 1038(c)(5)

SIGNATURE OF THE TIMBER OWNER OR AGENT THEREOF: _____ Date: _____

Printed Name: _____ Title: _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

STRUCTURE PROTECTION EXEMPTION
Removal of fire hazard trees from **0 to 150 feet** of an
Approved and Legally Permitted or (Habitable) Structure

FOR ADMIN. USE ONLY

EX. # _____

Date of Receipt _____

Date Validation by CAL FIRE _____

Date Expires _____

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038c) (03/2019)

VALID FOR ONE YEAR FROM DATE RECEIPT BY CAL FIRE.

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1038(c) to cut or remove trees in compliance with Public Resources Code (PRC) Sections 4290 and 4291.

Timber Operations pursuant to the notice of exemption may not commence for five (5) working days from the date of the Directors receipt of the notice unless this delay is waived by the director. If the Director does not act within five (5) days working days of receipt of the notice of exemption, Timber Operations may commence. 14 CCR §1038.1(c)(13)

1. LICENSED TIMBER OPERATOR(S): Name: _____ Lic #: _____ Date: _____

Address _____

City _____ State ____ Zip _____ Phone _____

EMAIL: (optional) _____

2. TIMBERLAND OWNER(S) OF RECORD: Name: _____

Address _____

City ____ State ____ Zip _____ Phone _____

EMAIL: (optional) _____

I certify, under penalty of perjury, that I have read and understand the information on this form and that I am the Timberland Owner of record.

Signature: _____

Date: __

3. TIMBER OWNER(S) OF RECORD: Name _____

Address _____

City ____ State ____ Zip _____ Phone _____

EMAIL: (optional) _____

7. TENTATIVE COMMENCEMENT DATE OF TIMBER OPERATIONS: (required) _____ 14 CCR § 1038.1(a)(5)
 Before beginning Timber Operations, the Timber Operator shall notify the Department of the actual commencement date of operations. The notification, by telephone, mail, or email, shall be directed to the appropriate CAL FIRE Unit Headquarters, Forest Practice Inspector or other designated personnel. If the notification is provided by mail, Timber Operations may not commence until three (3) days after the postmark date of notification. 14 CCR § 1038.1(c)(14)
8. 14 CCR 1038.2 - The submitted notice of exemption shall indicate if more than one Yarding system is to be used and identify the systems. CHECK EACH Yarding method to be utilized: **If more than one method is selected these methods must be identified on the accompanying maps.** (required)

YARDING SYSTEMS	
Tractor, including end/long lining	Cable, Ground lead
Rubber tired skidder, Forwarder	Cable, High Lead
Feller Buncher	Cable, Skyline
Shovel yarding	Hand thinning and removing
Other:	

9. 14 CCR § 1038.1(a)(4) - Designate the legal land description of the location of the timber operation. 14 CCR § 1038.2(a) attach a USGS 7.5-minute quadrangle map or equivalent map showing the location of:
- Boundaries of the Logging Area. 14 CCR § 1038.2(b)
 - Location of all Watercourses and Lakes with Class I, II, III, or IV waters. 14 CCR § 1038.2(i)
 - A larger scale map such as an assessors parcel map showing the location of Timber Operations SHALL be included. 14 CCR § 1038.2
- Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. **A legend shall be included indicating the meaning of the symbols used.** It will be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

					Logging area	
Base Meridian	Township	Range	Section	County	Acreage (estimated)	Assessors Parcel # (optional)

The following are limitations or requirements for timber operations conducted under this Notice of Exemption for Fire Hazard Trees within 0-150 feet of a legally permitted structure that complies with the California Building Code:

1. This notice must be submitted to and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations
 - **Coastal Special Treatment areas and Marin County** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
2. 14 CCR § 1038(c) places certain limits on the harvesting of trees under this exemption. These limits need to be examined to assure compliance.
3. 14 CCR § 1038 Timber operations conducted under this notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvesting Plan," "THP," and "plan." Timber operations must conform to applicable city or county general plans, city or county implementing ordinances, and city or county zoning ordinances within which the exemption is located. The requirements to submit a completion and stocking report do not normally apply within the 0 to 150-foot zone.
4. Trees within 150 feet of an approved and legally permitted structure (§ 895.1) that complies with the California Building Code (includes only structures designed for human occupancy, garages, barns, stables and structures used to enclose fuel tanks). 14 CCR § 1038(c)(1)
5. Clearcutting, seed tree removal step or shelterwood removal step are not allowed under this Notice of Exemption. 14 CCR § 1038(c)(2)
6. All surface fuels created by Timber Operations, within 150 feet of an approved or legally permitted structure, that could promote the spread of wildfire, including slash and woody debris, exceeding one (1) inch in diameter, and brush, SHALL be chipped, burned, or removed within 45 days from the start of operations. 14 CCR § 1038(c)(3)
7. In addition to the surface fuel treatment described in 14 CCR § 1038(c)(3), the Harvest Area must meet the vegetation treatment standards in PRC § 4584(i)(1) to (2)(A) illustrated in Board Technical Rule Addendum No.4 within one (1) year from the receipt of issuance of notice of acceptance. 14 CCR § 1038(c)(4)
8. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules adopted by the Board of Forestry and Fire Protection. Timber Operations shall comply with the rules associated with the specific Special Treatment Area timber operations are within. 14 CCR § 1038.1(c)(6). These rules should be reviewed prior to submitting this notice to CAL FIRE.

9. All timber operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by TRPA, or shall be conducted under a valid TRPA memorandum of understanding, when such a permit is required by TRPA, 14 CCR § 1038.1(b)(1)
10. Timber Operations may not be conducted without a copy of the Directors notice of acceptance of the notice of exemption at the operating site, except where the Director has failed to act within the five (5) working day review period. 14 CCR § 1038.1(c)(13)(A)
11. No helicopter yarding shall be allowed 14 CCR § 1038.1(b)(3)
12. In-lieu practices within WLPZs as specified under Article 6 of these rules, exception to the rules, and alternative practices are not allowed 14 CCR § 1038.1
13. No Tractor or heavy equipment operations on slopes greater than 50%. 14 CCR § 1038.1(c)(5)
14. No construction of new tractor roads on slopes greater than 40%. 14 CCR § 1038.1(c)(5)
15. No Tractor or heavy equipment operations on known Unstable Areas. 14 CCR § 1038.1(c)(7)
16. No NEW road construction or reconstruction, as defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(8)
17. No heavy equipment operations within the standard width of a WLPZ, as defined in 14 CCR § 916.4[936.4, 956.4](b). 14 CCR § 1038.1(c)(9)
18. **No timber harvesting within the standard width of a watercourse or lake protection zone**, as defined in 14 CCR § 916.4 [936.4, 956.4](b), except sanitation-salvage harvesting, as defined in 14 CCR § 913.3 [933.3,953.3], where immediately after completion of operations, the area shall meet the stocking standards of 14 CCR § 912.7 [932.7,952.7](b)(2), or, except the removal of dead or dying trees where consistent with 14 CCR § 916.4 [936.4,956.4] (b). **Trees to be harvested within a WLPZ shall be marked by, or under the supervision of, an RPF prior to timber operations.** 14 CCR § 1038.1(c)(12)
19. **ASP watersheds** – No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except **(1)** Hauling on existing roads **(2)** Road maintenance **(3)** operations conducted for public safety **(4)** Construction or reconstruction of approved watercourse crossings **(5)** Temporary crossings of dry Class III watercourses that do not require notification under Fish and Game Code §1600 et seq. **(6) Harvesting recommended in writing by CDFW to address specifically identified forest conditions.**
20. Operations conducted under a notice of exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(10)(11)
21. If any activities related to timber operations, as defined by PRC 4527, are to include any of the following activities in any river, stream or lake, including episodic and perennial waterways, a notification to the California Department Fish and Wildlife is required pursuant to Fish and Game Code §1602: 1) A substantial alteration of the bed, bank, or channel; 2) A substantial diversion (i.e. water drafting) or obstruction of the natural flow; or 3) Use of material from or deposit of material into the watercourse. Information on the Lake and Streambed Alteration Program, as well as notification forms, may be found at the following link: <https://www.wildlife.ca.gov/conservation/lisa>.
22. The requirements to submit a completion and stocking report do not normally apply. **However, Completion and Stocking reports are required for areas when operations occur within COAST, SPECIAL TREATMENT AREAS and / MARIN COUNTY.** The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report. Per PRC 4585 and PRC 4587.
23. This Notice of Exemption is valid for one year from the date of receipt by CAL FIRE.
 - **Marin County** the exemption is valid for the calendar year of acceptance.
24. A Timber Operator with a valid state license must be designated upon submission of this notice.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

1. Timber Owners, Timberland owners and Timber Operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Exemption. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>. The Emergency rules for this exemption can be found on the Board of Forestry and Fire Protection Web page at: The CAL FIRE Web page at: http://calfire.ca.gov/resource_mgt/resource_mgt_forestpractice_pubsmemos_pubs.php
2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.	=>	Forest Practice Program Manager CAL FIRE 135 Ridgway Avenue Santa Rosa, CA 95401
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Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.	=>	Forest Practice Program Manager CAL FIRE 6105 Airport Road Redding, CA 96002
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Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.	=>	Forest Practice Program Manager CAL FIRE 1234 East Shaw Avenue Fresno, CA 93710
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CERTIFICATION OF COMPLIANCE: Timber operations conducted under this exemption subsection shall conform to the applicable city or county general plans, city or county zoning ordinances within the area the exemption is located. Must be completed by timberland owner or timber operator as listed on page one. *I certify that the city or county within which this exemption is located has been contacted and the exemption is in conformance with all city and county regulatory requirements.* 14 CCR § 1038(c)(5)

SIGNATURE OF THE TIMBER OWNER OR AGENT THEREOF: _____ Date: _____

Printed Name: _____ Title: _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

HARVESTING DEAD, DYING OR DISEASED TREES, FUELWOOD, OR
 SPLIT PRODUCTS IN RESPONSE TO DROUGHT RELATED STRESS
 OR
 DEAD TREES WHICH ARE UNMERCHANTABLE AS SAWLOG-SIZE
TIMBER LOCATED UPON SUBSTANTIALLY DAMAGED TIMBERLAND
 EXEMPTION

FOR ADMIN. USE ONLY

EX. # _____

Date of Receipt _____

Date of Validation _____

Date Expires _____

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
 NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
 FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038d) (03/2019)

VALID FOR ONE YEAR FROM DATE RECEIPT BY CAL FIRE.

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1038(d) to cut or remove trees that are dead, dying, or diseased, fuelwood or split products in response to drought related stress or dead trees which are unmerchantable as sawlog-size timber located upon Substantially Damaged Timberlands.

Timber Operations pursuant to the notice of exemption may not commence for five (5) working days from the date of the Directors receipt of the notice unless this delay is waived by the director. If the Director does not act within five (5) days working days of receipt of the notice of exemption, Timber Operations may commence. 14 CCR § 1038.1(c)(13)

Type of timber operations to be conducted:

(If more than one type is selected please indicate approximate acreage. Please verify the total is consistent with total acres listed in Item #10)

- _____AC: DROUGHT MORTALITY remove trees that are dead, dying, or diseased, fuelwood or split products in response to drought related stress.
- _____AC: UNMERCHANTABLE SAWLOG-SIZE timber located UPON SUBSTANTIALLY DAMAGED TIMBERLANDS.

REGISTERED PROFESSIONAL FORESTER (RPF) CERTIFICATION: Per 14 CCR § 1038 (d)(1) the RPF shall certify that the notice of exemption is submitted upon substantially damaged timberland when necessary. OR the RPF is certifying that trees are designated, by an RPF or Supervised Designee, with a stump mark, as likely to die due to drought related stress within one (1) year.

1. REGISTERED PROFESSIONAL FORESTER: Name: _____ RPF #: ____ Date: _____
 Address _____
 City _____ State ____ Zip _____ Phone _____
 Signature: _____ Date: _____
 EMAIL: (optional) _____

2. LICENSED TIMBER OPERATOR(S): Name: _____ Lic #: _____ Date: _____
 Address _____
 City _____ State ____ Zip _____ Phone _____
 EMAIL: (optional) _____

3. TIMBERLAND OWNER(S) OF RECORD: Name: _____
 Address _____
 City ____ State ____ Zip _____ Phone _____
 EMAIL: (optional) _____

I certify, under penalty of perjury, that I have read and understand the information on this form and that I am the Timberland Owner of record.
 Signature: _____ Date: ____

4. TIMBER OWNER(S) OF RECORD: Name _____
 Address _____
 City _____ State _____ Zip _____ Phone _____
 EMAIL: (optional) _____

TIMBER TAX NOTICE: The TIMBER OWNER is responsible for payment of a yield tax.

For timber yield tax information or for assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0060; or see the CDTFA Web Page on the Internet <http://www.cdtfa.ca.gov>.

TIMBER TAX INFORMATION: Some small or low value harvests may be exempt from the timber yield tax (Revenue and Taxation Code sec. 38116)

Timber Owners may be considered exempt if the value of the harvesting operations does not exceed \$3,000 dollars within a quarter, according to CDTFA Harvest Value Schedules, Rule 1024.

IF THE TIMBER OWNER BELIEVES HARVESTING MAY BE EXEMPT (see timber tax exemption language above for low value harvests) PLEASE CHECK BELOW:

FINAL DETERMINATION of tax exempt status will be made by the Timber Tax Section of the California Department of Tax and Fees Administration. If you think you are exempt based on the directions above please complete the below information so the Timber Tax Section can make the final determination.

IF YOU WOULD LIKE CDTFA TIMBER TAX SECTION TO CONSIDER A TAX EXEMPTION BASED ON PROJECTED HARVEST PLEASE COMPLETE THE INFORMATION BELOW.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate what percentage of timber will be removed during this harvest: (percentages provided should equal 100%)

	%		%		%		%
Redwood	_____	Ponderosa/Sugar Pine	_____	Douglas-Fir	_____	Fir	_____
Cedar	_____	Port-Orford Cedar	_____	Other Conifer	_____	Other Hardwoods	_____

C. Fuelwood over 150 cords? Yes No D. Christmas trees over 3,000 lineal feet? Yes No

5. 14 CCR § 1038.1(c)(15) - Is it anticipated that a tree existing before 1800 A.D. greater than 60 inches' diameter at stump height for Sierra or Coastal Redwoods or 48 inches in diameter at stump height for all other tree species will be harvested? YES NO (required)

NOTE: If "YES" please refer to 14 CCR § 1038.1(c)(15)(A-C). Have an RPF attach to the submitted notice of exemption a written explanation and justification for the harvest of these trees, refer to 14 CCR § 1038.1(c)(15)(B)(1-3)

6. 14 CCR § 1038.1(c)(12) NO timber harvesting is permitted within the standard width of a Watercourse or Lake Protection Zone (WLPZ) per 14 CCR § 916.4 [936.4, 956.4](b) (exceptions do apply see below) or within a WLPZ of a watershed identified as Anadromous Salmonids Planning watersheds (ASP) per 14 CCR § 916.9 [936.9, 956.9](s), unless the harvesting in an ASP WLPZ is recommended in writing by CDFW to address specifically identified forest conditions, 14 CCR § 916.9(s)(6) (optional)

Two exceptions permitted in WLPZs outside of an ASP watershed:

(Please indicate below if trees meeting the exception identified below are anticipated to be harvested. (If not then leave blank)

- SANITATION-SALVAGE harvesting per 14 CCR § 913.3 [933.3, 953.3] or
- for the removal of DEAD or DYING trees per 14 CCR § 916.4 [936.4, 956.4](b)

Exception in WLPZ of ASP Watersheds

- Will harvesting occur within a WLPZ of an ASP watershed based on written recommendation from CDFW?

If YES then provide a copy of the written recommendation from CDFW identifying the specific reason for the recommended harvesting.

NOTE: Trees to be harvested shall be marked by an RPF or a supervised designee of the RPF PRIOR TO TIMBER OPERATIONS.

7. 14 CCR § 1038.1(c)(3)(A-C) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a Significant Archaeological or Historical Site (information on some of these sites may be available from the Information Centers of the California Historical Resources Information System within the Department of Parks and Recreation), except under the following conditions:

Have significant archaeological sites been identified within the project area? (required) YES NO
 - If yes will the site be preserved in place by capping or covering with a layer of soil prior to submission? YES NO
If yes please provide written concurrence from the Departments Archaeologist at the time of submission.

8. TENTATIVE COMMENCEMENT DATE OF TIMBER OPERATIONS: (required) _____ 14 CCR § 1038.1(a)(5)
 Before beginning Timber Operations, the Timber Operator shall notify the Department of the actual commencement date of operations. The notification, by telephone, mail, or email, shall be directed to the appropriate CAL FIRE Unit Headquarters, Forest Practice Inspector or other designated personnel. If the notification is provided by mail, Timber Operations may not commence until three (3) days after the postmark date of notification. 14 CCR § 1038.1(c)(14)
9. 14 CCR 1038.2 - The submitted notice of exemption shall indicate if more than one Yarding system is to be used and identify the systems. CHECK EACH Yarding method to be utilized: **If more than one method is selected these methods must be identified on the accompanying maps.** (required)

YARDING SYSTEMS	
Tractor, including end/long lining	Cable, Ground lead
Rubber tired skidder, Forwarder	Cable, High Lead
Feller Buncher	Cable, Skyline
Shovel yarding	Hand thinning and removing
Other:	

10. 14 CCR § 1038.1(a)(4) - Designate the legal land description of the location of the timber operation. 14 CCR § 1038.2(a) attach a USGS 7.5-minute quadrangle map or equivalent map showing the location of:
- Boundaries of the Logging Area. 14 CCR § 1038.2(b)
 - Location of all Roads to be used for, or potentially impacted by, timber operations. 14 CCR § 1038.2(c) (**Appurtenant Roads included within the logging area pursuant to (b) may be shown on a map which may be planimetric with a scale as small as one-half inch equals one mile**)
 - The classification of all Roads as Permanent Roads, Seasonal Roads, or Temporary Roads. 14 CCR § 1038.2(d)
 - Road(s) and Landing(s) located in a Watercourse, Lake, WLPZ, Meadows and Wet Areas other than at road Watercourse crossings. 14 CCR § 1038.2(e)
 - Location of water drafting sites. 14 CCR § 1038.2(f)
 - Location of any Special Treatment Areas. 14 CCR § 1038.2(k)
 - Location of all Watercourses and Lakes with Class I, II, III, or IV waters. 14 CCR § 1038.2(i)

Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. **A legend shall be included indicating the meaning of the symbols used.** It will be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

Base Meridian	Township	Range	Section	County	Logging area Acreage (estimated)	Assessors Parcel # (optional)

The following are limitations or requirements for timber operations conducted under a Notice of Exemption for the cutting or removal of dead, dying, diseased trees, fuelwood, or split products in response to drought related stress or dead trees which are unmerchantable as sawlog-size timber that are located upon substantially Damaged Timberland.

1. This notice of exemption SHALL be prepared, signed, and submitted to the Department by a Registered Professional Forester (RPF) 14 CCR § 1038.1(c)(1) and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations.
 - **Coastal Special Treatment areas and Marin County** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
2. 14 CCR § 1038(c) places certain limits on the harvesting of trees under this exemption. These limits need to be examined to assure compliance.
3. 14 CCR § 1038 Timber operations conducted under this notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvesting Plan," "THP," and "plan." Timber operations must conform to applicable city or county general plans, city or county implementing ordinances, and city or county zoning ordinances within which the exemption is located. The requirements to submit a completion and stocking report do not normally apply.

4. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules adopted by the Board of Forestry and Fire Protection. Timber Operations shall comply with the rules associated with the specific Special Treatment Area timber operations are within. 14 CCR § 1038.1(c)(6). These rules should be reviewed prior to submitting this notice to CAL FIRE.
5. All timber operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by TRPA, or shall be conducted under a valid TRPA memorandum of understanding, when such a permit is required by TRPA, 14 CCR § 1038.1(b)(1)
6. Timber Operations may not be conducted without a copy of the Directors notice of acceptance of the notice of exemption at the operating site, except where the Director has failed to act within the five (5) working day review period. 14 CCR § 1038.1(c)(13)(A)
7. No helicopter yarding shall be allowed 14 CCR § 1038.1(b)(3)
8. In-lieu practices within WLPZs as specified under Article 6 of these rules, exception to the rules, and alternative practices are not allowed 14 CCR § 1038.1
9. 14 CCR § 1038(c)(4)(A) Slash within the Harvest Area shall be treated to achieve a maximum post-harvest depth of thirty (30) inches above the ground. All Slash shall be lopped, removed, chipped, piled for burning, or otherwise treated, within one (1) year from the date of the Director receiving the notice except for burning. Burning shall be completed within two (2) years from the date of the Director Receiving the notice.
10. Trees eligible for removal when harvesting in response to drought related stress shall meet one (1) or more of the following conditions:
 - Trees currently dead.
 - Trees with fifty (50%) percent or more of the foliage-bearing crown that is dead or fading in color from a normal green to yellow, sorrel, or brown, excluding normal autumn coloration changes, or with evidence of successful bark beetle attacks, through indications of dead cambium and brood development distributed around the circumference of the bole.
11. No Tractor or heavy equipment operations on slopes greater than 50%. 14 CCR § 1038.1(c)(5)
12. No construction of new tractor roads on slopes greater than 40%. 14 CCR § 1038.1(c)(5)
13. No Tractor or heavy equipment operations on known Unstable Areas. 14 CCR § 1038.1(c)(7)
14. No NEW road construction or reconstruction, as defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(8)
15. No heavy equipment operations within the standard width of a WLPZ, as defined in 14 CCR § 916.4[936.4, 956.4](b). 14 CCR § 1038.1(c)(9)
16. **No timber harvesting within the standard width of a watercourse or lake protection zone**, as defined in 14 CCR § 916.4 [936.4, 956.4](b), except sanitation-salvage harvesting, as defined in 14 CCR § 913.3 [933.3,953.3], where immediately after completion of operations, the area shall meet the stocking standards of 14 CCR § 912.7 [932.7,952.7](b)(2), or, except the removal of dead or dying trees where consistent with 14 CCR § 916.4 [936.4,956.4] (b). **Trees to be harvested within a WLPZ shall be marked by, or under the supervision of, an RPF prior to timber operations.** 14 CCR § 1038.1(c)(12)
17. **ASP watersheds** – No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except (1) Hauling on existing roads (2) Road maintenance (3) operations conducted for public safety (4) Construction or reconstruction of approved watercourse crossings (5) Temporary crossings of dry Class III watercourses that do not require notification under Fish and Game Code §1600 et seq. (6) **Harvesting recommended in writing by CDFW to address specifically identified forest conditions.**
18. Operations conducted under a notice of exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(10)(11)
19. If any activities related to timber operations, as defined by PRC 4527, are to include any of the following activities in any river, stream or lake, including episodic and perennial waterways, a notification to the California Department Fish and Wildlife is required pursuant to Fish and Game Code §1602: 1) A substantial alteration of the bed, bank, or channel; 2) A substantial diversion (i.e. water drafting) or obstruction of the natural flow; or 3) Use of material from or deposit of material into the watercourse. Information on the Lake and Streambed Alteration Program, as well as notification forms, may be found at the following link: <https://www.wildlife.ca.gov/conservation/lisa>.
20. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas, the Tahoe Regional Planning Agency area, and in counties with special rules adopted by the Board of Forestry and Fire Protection. These rules should be reviewed prior to submitting this notice to CAL FIRE.
21. This Notice of Exemption is valid for one year from the date of receipt by CAL FIRE.
 - **Marin County** the exemption is valid for the calendar year of acceptance.
22. A Timber Operator with a valid state license must be designated upon submission of this notice.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

1. Timber Owners, Timberland owners and Timber Operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Exemption. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.	=> =>	Forest Practice Program Manager CAL FIRE 135 Ridgway Avenue Santa Rosa, CA 95401
Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.	=> =>	Forest Practice Program Manager CAL FIRE 6105 Airport Road Redding, CA 96002
Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.	=> => =>	Forest Practice Program Manager CAL FIRE 1234 East Shaw Avenue Fresno, CA 93710

SIGNATURE OF THE TIMBER OWNER OR AGENT THEREOF: _____ Date: _____

Printed Name: _____ Title: _____

Address _____

City _____ State _____ Zip _____ Phone _____

Email: (optional) _____

FOR ADMIN. USE ONLY

CHRISTMAS TREE EXEMPTION

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038a) (03/2019)

EX. # _____

Date of Receipt _____

Date Validation by CAL FIRE _____

Date Expires _____

VALID FOR ONE YEAR FROM DATE RECEIPT BY CAL FIRE.

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1038(a).

1. LICENSED TIMBER OPERATOR(S): Name: _____ Lic #: _____ Date: _____

Address _____

City _____ State ____ Zip _____ Phone _____

EMAIL: (optional) _____

2. TIMBERLAND OWNER(S) OF RECORD: Name: _____

Address _____

City _____ State ____ Zip _____ Phone _____

EMAIL: (optional) _____

I certify, under penalty of perjury, that I have read and understand the information on this form and that I am the Timberland Owner of record.

Signature: _____

Date: __

3. TIMBER OWNER(S) OF RECORD: Name _____

Address _____

City _____ State ____ Zip _____ Phone _____

EMAIL: (optional) _____

TIMBER TAX NOTICE: The TIMBER OWNER is responsible for payment of a yield tax.

For timber yield tax information or for assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0060; or see the CDTFA Web Page on the Internet <http://www.cdtfa.ca.gov>.

TIMBER TAX INFORMATION: Some small or low value harvests may be exempt from the timber yield tax (Revenue and Taxation Code sec. 38116)

Timber Owners may be considered exempt if the value of the harvesting operations does not exceed \$3,000 dollars within a quarter, according to CDTFA Harvest Value Schedules, Rule 1024.

IF THE TIMBER OWNER BELIEVES HARVESTING MAY BE EXEMPT (see timber tax exemption language above for low value harvests) PLEASE CHECK BELOW:

FINAL DETERMINATION of tax exempt status will be made by the Timber Tax Section of the California Department of Tax and Fee Administration. If you think you are exempt based on the directions above please complete the below information so the Timber Tax Section can make the final determination.

IF YOU WOULD LIKE CDTFA TIMBER TAX SECTION TO CONSIDER A TAX EXEMPTION BASED ON PROJECTED HARVEST PLEASE COMPLETE THE INFORMATION BELOW.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate what percentage of timber will be removed during this harvest: (percentages provided should equal 100%)

	%		%		%		%
Redwood	_____	Ponderosa/Sugar Pine	_____	Douglas-Fir	_____	Fir	_____
Cedar	_____	Port-Ordford Cedar	_____	Other Conifer	_____	Other Hardwoods	_____

C. Fuelwood over 150 cords? Yes No D. Christmas trees over 3,000 lineal feet? Yes No

4. 14 CCR § 1038.1(c)(15) - Is it anticipated that a tree existing before 1800 A.D. greater than 60 inches' diameter at stump height for Sierra or Coastal Redwoods or 48 inches in diameter at stump height for all other tree species will be harvested? YES NO (required)

NOTE: If "YES" please refer to 14 CCR § 1038.1(c)(15)(A-C). Have an RPF attach to the submitted notice of exemption a written explanation and justification for the harvest of these trees, refer to 14 CCR § 1038.1(c)(15)((B)(1-3)

5. 14 CCR § 1038.1(c)(3)(A-C) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a Significant Archaeological or Historical Site (information on some of these sites may be available from the Information Centers of the California Historical Resources Information System within the Department of Parks and Recreation), except under the following conditions:

Have significant archaeological sites been identified within the project area? (required) YES NO
 - If yes will the site be preserved in place by capping or covering with a layer of soil prior to submission? YES NO
If yes please provide written concurrence from the Departments Archaeologist at the time of submission.

6. TENTATIVE COMMENCEMENT DATE OF TIMBER OPERATIONS: (required) _____ 14 CCR § 1038.1(a)(5)
 Before beginning Timber Operations, the Timber Operator shall notify the Department of the actual commencement date of operations. The notification, by telephone, mail, or email, shall be directed to the appropriate CAL FIRE Unit Headquarters, Forest Practice Inspector or other designated personnel. If the notification is provided by mail, Timber Operations may not commence until three (3) days after the postmark date of notification. 14 CCR § 1038.1(c)(14)

7. 14 CCR 1038.2 - The submitted notice of exemption shall indicate if more than one Yarding system is to be used and identify the systems. CHECK EACH Yarding method to be utilized: If more than one method is selected these methods must be identified on the accompanying maps. (required)

YARDING SYSTEMS	
Tractor, including end/long lining	Cable, Ground lead
Rubber tired skidder, Forwarder	Cable, High Lead
Feller Buncher	Cable, Skyline
Shovel yarding	Hand thinning and removing
Other:	

8. 14 CCR § 1038.1(a)(4) - Designate the legal land description of the location of the timber operation. Attach a USGS 7.5-minute quadrangle map or equivalent map showing the location of:
- Boundaries of the harvest area. 14 CCR § 1038.2(a)
- Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. **A legend shall be included indicating the meaning of the symbols used** It will be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

Base Meridian	Township	Range	Section	County	Logging area	
					Acreage (estimated)	Assessors Parcel # (optional)

The following are limitations or requirements for timber operations conducted under a Notice of Exemption for Christmas Trees:

1. This notice must be submitted to and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations.
 - **Coastal Special Treatment areas and Marin County** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
2. 14 CCR §1038.1 places certain limits on the harvesting of Christmas trees these limits need to be examined to assure compliance.
3. Timber operations conducted under this notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvest Plan," "THP," and "plan." The requirements to submit a completion and stocking report normally do not apply. The requirements for environmental review under the California Environmental Quality Act (See 14 CCR § 15300.1) also do not apply. 14 CCR § 1038
4. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules adopted by the Board of Forestry and Fire Protection. These rules should be reviewed prior to submitting this notice to CAL FIRE.
5. All timber operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by TRPA, or shall be conducted under a valid TRPA memorandum of Understanding, when such a permit is required by TRPA, 14 CCR § 1038.1(b)(1)
6. No helicopter yarding shall be allowed 14 CCR § 1038.1(b)(3)
7. In-lieu practices within WLPZs as specified under Article 6 of these rules, exception to the rules, and alternative practices are not allowed 14 CCR § 1038.1
8. Operations conducted under a notice of exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1
9. If any activities related to timber operations, as defined by PRC 4527, are to include any of the following activities in any river, stream or lake, including episodic and perennial waterways, a notification to the California Department Fish and Wildlife is required pursuant to Fish and Game Code §1602: 1) A substantial alteration of the bed, bank, or channel; 2) A substantial diversion (i.e. water drafting) or obstruction of the natural flow; or 3) Use of material from or deposit of material into the watercourse. Information on the Lake and Streambed Alteration Program, as well as notification forms, may be found at the following link: <https://www.wildlife.ca.gov/conservation/lsa>.
10. The requirements to submit a completion and stocking report do not normally apply. **However, Completion and Stocking reports are required for areas when operations occur within COAST, SPECIAL TREATMENT AREAS and / MARIN COUNTY.** The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report. Per PRC 4585 and PRC 4587.
11. This Notice of Exemption is valid for one year from the date of receipt by CAL FIRE.
 - **Santa Cruz County** the exemption is valid for 45 days if over 3 acres.
 - **Marin County** the exemption is valid for the calendar year of acceptance.
12. A Timber Operator with a valid state license must be designated upon submission of this notice.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

1. Timber Owners, Timberland owners and Timber Operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Exemption. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.	=> =>	Forest Practice Program Manager CAL FIRE 135 Ridgway Avenue Santa Rosa, CA 95401
Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.	=> =>	Forest Practice Program Manager CAL FIRE 6105 Airport Road Redding, CA 96002
Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.	=> => =>	Forest Practice Program Manager CAL FIRE 1234 East Shaw Avenue Fresno, CA 93710

SIGNATURE OF THE TIMBER OWNER OR AGENT THEREOF: _____ Date: _____

Printed Name: _____ Title: _____

Address _____

City _____ State _____ Zip _____ Phone _____

Email: (optional) _____

**10% DEAD, DYING OR DISEASED TREES
FUELWOOD OR SPLIT PRODUCTS or REMOVAL OF SLASH
& WOODY DEBRIS NOT LOCATED WITHIN A WLPZ
EXEMPTION**

FOR ADMIN. USE ONLY

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038b) (03/2019)

EX. # _____

Date of Receipt _____

Date Validation by CAL FIRE _____

Date Expires _____

VALID FOR ONE YEAR FROM DATE RECEIPT BY CAL FIRE.

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1038(b) to cut or remove trees that are dead, dying, or diseased, fuelwood or split products in amounts less than 10% of the average volume per acre or remove slash and woody debris not located within a WLPZ.

Timber Operations pursuant to the notice of exemption may not commence for five (5) working days from the date of the Directors receipt of the notice unless this delay is waived by the director. If the Director does not act within five (5) days working days of receipt of the notice of exemption, Timber Operations may commence. 14 CCR § 1038.1(c)(13)

Type of timber operations to be conducted:

(If more than one type is selected please indicate approximate acreage. Please verify the total is consistent with total acres listed in Item #9)

- _____ AC: Harvesting dead, dying or diseased trees of any size in amounts less than 10 percent of the average volume per acre, where timber operations will meet the conditions listed in 14 CCR § 1038(b).
- _____ AC: Harvesting fuelwood or split products in amounts less than 10 percent of the average volume per acre, where timber operations will meet the conditions listed in 14 CCR § 1038(b)
 - Note: for Santa Cruz County harvesting for fuelwood purposes **greater than three acres are limited to 45 days** (14 CCR § 926.8(j))
 - Note: If you are harvesting fuelwood or split products, please be aware that cut wood can be infested with harmful forest pests. Long distance transport of infested firewood can result in the unintentional spread of these pests. Please see www.firewood.ca.gov for more formation.

_____ AC: Removal of Slash and Woody Debris not located within a WLPZ

1. LICENSED TIMBER OPERATOR(S): Name: _____ Lic #: _____ Date: _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

2. TIMBERLAND OWNER(S) OF RECORD: Name: _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

I certify, under penalty of perjury, that I have read and understand the information on this form and that I am the Timberland Owner of record.

Signature: _____

Date: _____

3. TIMBER OWNER(S) OF RECORD: Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

TIMBER TAX NOTICE: The TIMBER OWNER is responsible for payment of a yield tax.

For timber yield tax information or for assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0060; or see the CDTFA Web Page on the Internet <http://www.cdtfa.ca.gov>.

TIMBER TAX INFORMATION: Some small or low value harvests may be exempt from the timber yield tax (Revenue and Taxation Code sec. 38116)

Timber Owners may be considered exempt if the value of the harvesting operations does not exceed \$3,000 dollars within a quarter, according to CDTFA Harvest Value Schedules, Rule 1024.

IF THE TIMBER OWNER BELIEVES HARVESTING MAY BE EXEMPT (see timber tax exemption language above for low value harvests) PLEASE CHECK BELOW:

FINAL DETERMINATION of tax exempt status will be made by the Timber Tax Section of the California Department of Tax and Fee Administration. If you think you are exempt based on the directions above please complete the below information so the Timber Tax Section can make the final determination.

IF YOU WOULD LIKE CDTFA TIMBER TAX SECTION TO CONSIDER A TAX EXEMPTION BASED ON PROJECTED HARVEST PLEASE COMPLETE THE INFORMATION BELOW.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate what percentage of timber will be removed during this harvest: (percentages provided should equal 100%)

	%		%		%		%
Redwood	_____	Ponderosa/Sugar Pine	_____	Douglas-Fir	_____	Fir	_____
Cedar	_____	Port-Ordford Cedar	_____	Other Conifer	_____	Other Hardwoods	_____

C. Fuelwood over 150 cords? Yes No D. Christmas trees over 3,000 lineal feet? Yes No

4. 14 CCR § 1038.1(c)(15) - Is it anticipated that a tree existing before 1800 A.D. greater than 60 inches' diameter at stump height for Sierra or Coastal Redwoods or 48 inches in diameter at stump height for all other tree species will be harvested? YES NO (required)

NOTE: If "YES" please refer to 14 CCR § 1038.1(c)(15)(A-C). Have an RPF attach to the submitted notice of exemption a written explanation and justification for the harvest of these trees, refer to 14 CCR § 1038.1(c)(15)((B)(1-3)

5. 14 CCR § 1038.1(c)(12) NO timber harvesting is permitted within the standard width of a Watercourse or Lake Protection Zone (WLPZ) per 14 CCR § 916.4 [936.4, 956.4](b) (exceptions do apply see below) or within a WLPZ of a watershed identified as Anadromous Salmonids Planning watersheds (ASP) per 14 CCR § 916.9 [936.9, 956.9](s), unless the harvesting in an ASP WLPZ is recommended in writing by CDFW to address specifically identified forest conditions, 14 CCR § 916.9(s)(6) (optional)

Two exceptions permitted in WLPZs outside of an ASP watershed:

(Please indicate below if trees meeting the exception identified below are anticipated to be harvested. (If not then leave blank)

- SANITATION-SALVAGE harvesting per 14 CCR § 913.3 [933.3, 953.3] or
- for the removal of DEAD or DYING trees per 14 CCR § 916.4 [936.4, 956.4](b)

Exception in WLPZ of ASP Watersheds

- Will harvesting occur within a WLPZ of an ASP watershed based on written recommendation from CDFW?

If YES then provide a copy of the written recommendation from CDFW identifying the specific reason for the recommended harvesting.

NOTE: Trees to be harvested shall be marked by an RPF or a supervised designee of the RPF PRIOR TO TIMBER OPERATIONS.

6. 14 CCR § 1038.1(c)(3)(A-C) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a Significant Archaeological or Historical Site (information on some of these sites may be available from the Information Centers of the California Historical Resources Information System within the Department of Parks and Recreation), except under the following conditions:

Have significant archaeological sites been identified within the project area? (required) YES NO

- If yes will the site be preserved in place by capping or covering with a layer of soil prior to submission? YES NO

If yes please provide written concurrence from the Departments Archaeologist at the time of submission.

7. TENTATIVE COMMENCEMENT DATE OF TIMBER OPERATIONS: (required) _____ 14 CCR § 1038.1(a)(5)
 Before beginning Timber Operations, the Timber Operator shall notify the Department of the actual commencement date of operations. The notification, by telephone, mail, or email, shall be directed to the appropriate CAL FIRE Unit Headquarters, Forest Practice Inspector or other designated personnel. If the notification is provided by mail, Timber Operations may not commence until three (3) days after the postmark date of notification. 14 CCR § 1038.1(c)(14)
8. 14 CCR 1038.2 - The submitted notice of exemption shall indicate if more than one Yarding system is to be used and identify the systems. CHECK EACH Yarding method to be utilized: **If more than one method is selected these methods must be identified on the accompanying maps.** (required)

YARDING SYSTEMS	
Tractor, including end/long lining	Cable, Ground lead
Rubber tired skidder, Forwarder	Cable, High Lead
Feller Buncher	Cable, Skyline
Shovel yarding	Hand thinning and removing
Other:	

9. 14 CCR § 1038.1(a)(4) - Designate the legal land description of the location of the timber operation. 14 CCR § 1038.2(a) attach a USGS 7.5-minute quadrangle map or equivalent map showing the location of:
- Boundaries of the Logging Area. 14 CCR § 1038.2(b)
 - Location of all Roads to be used for, or potentially impacted by, timber operations. 14 CCR § 1038.2(c) (**Appurtenant Roads included within the logging area pursuant to (b) may be shown on a map which may be planimetric with a scale as small as one-half inch equals one mile**)
 - Location of any Special Treatment Areas. 14 CCR § 1038.2(k)
 - Location of all Watercourses and Lakes with Class I, II, III, or IV waters. 14 CCR § 1038.2(i)

Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. **A legend shall be included indicating the meaning of the symbols used.** It will be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

					Logging area	
Base Meridian	Township	Range	Section	County	Acreage (estimated)	Assessors Parcel # (optional)

The following are limitations or requirements for timber operations conducted under a Notice of Exemption for Dead, Dying or Diseased, Trees of any size, Fuelwood or Split products in amounts less than 10% of the average volume per acre, or the removal of Slash and Woody Debris that is not located within a WLPZ:

1. This notice must be submitted to and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations.
 - **Coastal Special Treatment areas and Marin County** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
2. Timber Operations may not be conducted without a copy of the Directors notice of acceptance of the notice of exemption at the operating site, except where the Director has failed to act within the five (5) working day review period. 14 CCR § 1038.1(c)(13)(A)
3. 14 CCR § 1038(b) places certain limits on the harvesting of Dead, Dying or Diseased, Trees of any size, Fuelwood or Split products in amounts less than 10% of the average volume per acre, or the removal of Slash and Woody Debris that is not located within a WLPZ. These limits need to be examined to assure compliance.
4. 14 CCR § 1038 Timber operations conducted under this notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvest Plan," "THP," and "plan." The requirements to submit a completion and stocking report normally do not apply. The requirements for environmental review under the California Environmental Quality Act (See 14 CCR § 15300.1) also do not apply.
5. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules adopted by the Board of Forestry and Fire Protection. Timber Operations shall comply with the rules associated with the specific Special Treatment Area timber operations are within. 14 CCR § 1038.1(c)(6). These rules should be reviewed prior to submitting this notice to CAL FIRE.
6. All timber operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by TRPA, or shall be conducted under a valid TRPA memorandum of understanding, when such a permit is required by TRPA, 14 CCR § 1038.1(b)(1)
7. No helicopter yarding shall be allowed 14 CCR § 1038.1(b)(3)

8. In-lieu practices within WLPZs as specified under Article 6 of these rules, exception to the rules, and alternative practices are not allowed 14 CCR § 1038.1
9. No Tractor or heavy equipment operations on slopes greater than 50%. 14 CCR § 1038.1(c)(5)
10. No construction of new tractor roads on slopes greater than 40%. 14 CCR § 1038.1(c)(5)
11. No Tractor or heavy equipment operations on known Unstable Areas. 14 CCR § 1038.1(c)(7)
12. No NEW road construction or reconstruction, as defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(8)
13. No heavy equipment operations within the standard width of a WLPZ, as defined in 14 CCR § 916.4[936.4, 956.4](b). 14 CCR § 1038.1(c)(9)
14. **No timber harvesting within the standard width of a watercourse or lake protection zone**, as defined in 14 CCR § 916.4 [936.4, 956.4](b), except sanitation-salvage harvesting, as defined in 14 CCR § 913.3 [933.3,953.3], where immediately after completion of operations, the area shall meet the stocking standards of 14 CCR § 912.7 [932.7,952.7](b)(2), or, except the removal of dead or dying trees where consistent with 14 CCR § 916.4 [936.4,956.4] (b). **Trees to be harvested within a WLPZ shall be marked by, or under the supervision of, an RPF prior to timber operations.** 14 CCR § 1038.1(c)(12)
15. **ASP watersheds** – No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except **(1)** Hauling on existing roads **(2)** Road maintenance **(3)** operations conducted for public safety **(4)** Construction or reconstruction of approved watercourse crossings **(5)** Temporary crossings of dry Class III watercourses that do not require notification under Fish and Game Code §1600 et seq. **(6) Harvesting recommended in writing by CDFW to address specifically identified forest conditions.**
16. Operations conducted under a notice of exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(10)(11)
17. If any activities related to timber operations, as defined by PRC 4527, are to include any of the following activities in any river, stream or lake, including episodic and perennial waterways, a notification to the California Department Fish and Wildlife is required pursuant to Fish and Game Code §1602: 1) A substantial alteration of the bed, bank, or channel; 2) A substantial diversion (i.e. water drafting) or obstruction of the natural flow; or 3) Use of material from or deposit of material into the watercourse. Information on the Lake and Streambed Alteration Program, as well as notification forms, may be found at the following link: <https://www.wildlife.ca.gov/conservation/lsa>.
18. The requirements to submit a completion and stocking report do not normally apply. **However, Completion and Stocking reports are required for areas when operations occur within COAST, SPECIAL TREATMENT AREAS and / MARIN COUNTY.** The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report. Per PRC 4585 and PRC 4587.
19. This Notice of Exemption is valid for one year from the date of receipt by CAL FIRE.
 - **Santa Cruz County** the exemption is valid for 45 days if over 3 acres.
 - **Marin County** the exemption is valid for the calendar year of acceptance.
20. A Timber Operator with a valid state license must be designated upon submission of this notice.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

1. Timber Owners, Timberland owners and Timber Operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Exemption. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.	=>	Forest Practice Program Manager
	=>	CAL FIRE
		135 Ridgway Avenue
		Santa Rosa, CA 95401

Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.	=>	Forest Practice Program Manager
	=>	CAL FIRE
		6105 Airport Road
		Redding, CA 96002

Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.	=>	Forest Practice Program Manager
	=>	CAL FIRE
	=>	1234 East Shaw Avenue
		Fresno, CA 93710

SIGNATURE OF THE TIMBER OWNER OR AGENT THEREOF: _____ Date: _____

Printed Name: _____ Title: _____

Address _____

City _____ State _____ Zip _____ Phone _____

Email: (optional) _____