

STRUCTURE PROTECTION EXEMPTION

(Removal of fire hazard trees up to 300 feet from an Approved and Legally Permitted or (Habitable) Structure

FOR ADMIN. USE ONLY

- FIRE HAZARD 150 ft. (§ 1038(c)(1)-(5))
- FIRE HAZARD 300 ft. (§ 1038(c)(6))*

Ex. # _____

Date of Receipt _____

Date Accepted 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(c)) (7/15)

**VALID FOR ONE YEAR FROM DATE OF RECEIPT BY CAL FIRE
 OPERATIONS MAY NOT COMMENCE FOR FIVE WORKING DAYS FROM DATE OF
 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.

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

TIMBER TAX EXEMPTION: Timber owners owe timber yield tax when they harvest trees unless the harvest is exempt (Revenue and Taxation Code sec. 38116). Some small or low value harvests may be exempt from timber yield tax: timber removed from an operation whose value does not exceed \$3,000 within a quarter, according to BOE Harvest Value Schedules, Rule 1024. If you believe your harvest may qualify for this exemption, please complete Items A and B below. **For timber yield tax information or for further assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, State Board of Equalization, P.O. Box 942879, Sacramento, California 94279-0060; or contact the BOE Web Page on the Internet at <http://www.boe.ca.gov>.**

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:

Redwood _____%; Ponderosa/Sugar pine _____%; Douglas-fir _____%; Fir _____%;

Port-Orford Cedar _____%; Cedar (IC, WRC) _____%; Other conifer _____%; Other hardwood _____%.

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

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. LICENSED TIMBER OPERATOR(S): Name _____ Lic. No _____
 Address _____
 City _____ State _____ Zip _____ Phone _____

4. EXPECTED DATE TIMBER OPERATIONS WILL COMMENCE: _____

If this date is unknown so state, but the Timber Operator must notify, by phone or mail, the appropriate CAL FIRE Review Team Office within a 15 day period before the actual commencement date for the start of operations.

- Designate the legal land description of the location of the timber operation. Attach two maps showing the location of the timber operation. One map shall be a 7.5 minute quadrangle or equivalent. The second shall be a larger scale map such as an assessor's parcel map showing the location of the timber operation. Describe the access route to the timber operation so that it can be easily located.

Section(s)	Township	Range	Base & Meridian	County	Logging Area Acreage (Estimated)	Assessors Parcel # (Optional)
_____	_____	_____	_____	_____	_____	_____

- 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, or if applicable, with the Registered Professional Forester (RPF)** certification below. 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.

Printed Name: _____ Signature: _____

Title: _____ Date: _____

The following are limitations or requirements for timber operations conducted under this Removal of Fire Hazard Trees Within 300 Feet of a Structure Exemption (Notice, Notice of Exemption, Exemption Notice, and Exemption):

- Timber operations may not commence until five days after the date of receipt of this notice by the appropriate CAL FIRE office as listed below. If CAL FIRE acts within five days of receipt of the notice, timber operations cannot be conducted unless a copy of CAL FIRE's notice of acceptance of the exemption is on hand at the operating site. The Timber Operator must notify the appropriate CAL FIRE Unit, by phone or mail, of the actual commencement date within a 15-day period before timber operations begin.
- 14 CCR § 1038(b)(1-10) places certain limits on the harvesting of trees under this exemption. These limits need to be examined to assure compliance.
- 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) AND trees between 150 and 300 feet (with RPF certification) may be harvested under this Notice of Exemption. Clearcutting, seed tree removal step or shelterwood removal step are not allowed under this Notice of Exemption.
- 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.
- An RPF is required to certify operations within the 150 to 300 foot zone. 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].
- 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 RPF question #8.
- 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.
- All surface fuels created by timber operations, within 150 ft. of an Approved and Legally Permitted Structure that could promote the spread of wildfire, including logging slash and debris, deadwood, branches exceeding one (1) inch in diameter, and brush (killed by the timber operation), shall be chipped, burned, or removed within forty five (45) days of the start of timber operations. Logging slash created within the 150 – 300 foot zone per 14 CCR § 1038(c)(6)(C) 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.
- In addition to the treatment described in Item 8 above, the areas of timber operations within 150 must meet the vegetation treatment standards in PRC § 4584(i)(1)-(2)(A) as illustrated in *Board of Forestry Technical Rule Addendum No. 4* within one year from receipt of the Notice of Acceptance issued by CAL FIRE. *Board of Forestry Technical Rule Addendum No. 4* standards do not apply within the 150 – 300 foot zone.

10. A Timber Operator with a valid state license must be designated upon submission of this notice.

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

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

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 |

**Timber Operations between 150 and 300 feet
TO BE COMPLETED BY A REGISTERED PROFESSIONAL FORESTER (RPF)**

***NOTE: Timber operations within the 150 – 300 foot zone, requires an RPF to evaluate and certify the work to be done within this zone. The RPF must complete questions 7 & 8 if timber operations are planned per 14 CCR §1038(c)(6). Read instructions above before attempting to complete.**

7. Please identify the Site classification for the harvesting area: _____
8. Provide an estimate of the PRE and POST harvest Quadratic Mean Diameter (QMD). NOTE: Trees greater than eight (8) inches diameter at breast height (dbh) in the pre-harvest stand shall be increased in the post-harvest stand.
- PRE-HARVEST (QMD): _____ AVG DBH Pre: _____
- POST-HARVEST (QMD): _____ AVG DBH Post: _____

****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.*

Registered Professional Forester (RPF) : _____ Lic. No. _____ Date: _____

Address _____

City _____ State _____ Zip _____ Phone _____

Signature: _____