

FOREST FIRE PREVENTION EXEMPTION DOCUMENTATION and DESCRIPTION CHECKLIST [ref: 14 CCR § 1038(i)]

This checklist may be used to assist an RPF preparing a Notice of Exemption for Forest Fire Prevention per § 1038(i):

Purpose

The harvesting of trees in compliance with PRC § 4584(k), Forest Fire Prevention Exemption, shall be 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. (§ 1038(i))

Project Size

The logging area does not exceed 300 acres in size. (§ 1038(i)(1))

Logging area size: _____

Map

The RPF preparing the Notice of Exemption shall provide a map of the area of timber operations that complies with 14 CCR § 1034(x)(1),(3), (4), (7), (8), (9), (10), (11), (12) and (14). Please attach to Notice of Exemption with Checklist. (§ 1038(i)(4))

Pre-harvest stand structure

The RPF shall include a description of the pre-harvest stand structure. (§ 1038(i)(5))

Description of pre-harvest stand structure: _____

Tree selection criteria

Criteria for trees to be harvested or retained: _____

Method of designation:

- Leave tree mark
- Harvest tree mark
- Leave or harvest trees shall be marked by, or under supervision, of an RPF. (§ 1038(i)(6))

Fuel treatments

- Only trees less than 18 inches stump diameter, measured at eight inches above ground level, may be removed. (§ 1038(i)(8))
- Trees less than 24 inches stump diameter, measured at eight inches above ground level, may be removed within 500 feet of a legally permitted structure that complies with the California Building Code, because the goal of fuel reduction cannot be achieved by removing trees less than 18 inches stump diameter. This removal complies with 14 CCR § 1038(i). (§ 1038(i)(8)(A))
- Trees less than 24 inches stump diameter, measured at eight inches above ground level, may be removed in an area prioritized as a shaded fuel break in a community wildfire protection plan approved by a public fire agency, because the goal of fuel reduction cannot be achieved by removing trees less than 18 inches stump diameter. This removal complies with 14 CCR § 1038(i). (§ 1038(i)(8)(A))

Reason why fuel reduction cannot be achieved by removing trees less than 18 inches stump diameter: _____

- The tree harvesting shall decrease fuel continuity and increase the quadratic mean diameter of the stand. (§ 1038(i)(2))
- The level of residual stocking shall be consistent with maximum sustained production of high quality timber products. (§ 1038(i)(5))
- The residual stand shall consist primarily of healthy and vigorous dominant and co-dominant trees from the pre-harvest stand. (§ 1038(i)(5))
- Trees retained to meet the basal area stocking standards shall be selected from the largest trees available on the project area prior to harvest. (§ 1038(i)(5))

In no case shall stocking be reduced below the following standards:

Where the pre-harvest dominant and co-dominant crown canopy is occupied primarily by trees greater than 14 in. dbh:

[Coast]:

- On Site I lands at least 125 sq. ft. per acre of basal area shall be left.
- On Site II and III lands at least 100 sq. ft. per acre of basal area shall be left.
- On Site IV lands at least 75 sq. ft. per acre of basal area shall be left.

- On Site V lands, at least 50 sq. ft. per acre of basal area shall be left. [Northern, Southern];
- On Site I mixed conifer lands at least 125 sq. ft. per acre of basal area shall be left, and on Site I land where greater than 50% of the basal area is pine, at least 100 sq. ft. per acre of basal area shall be left.
- On Site II mixed conifer lands at least 100 sq.ft. per acre of basal area shall be left, and on Site II lands where greater than 50% of the basal area is pine, at least 75 sq. ft. per acre of basal area shall be left.
- On Site III mixed conifer lands at least 75 sq. ft. per acre of basal area shall be left, and on Site III lands where greater than 50% of the basal area is pine, at least 75 sq. ft. per acre of basal area shall be left.
- On Site IV and V mixed conifer lands, at least 50 sq. ft. per acre of basal area shall be left, and on Site IV and V lands where greater than 50% of the basal area is pine at least 50 sq. ft. per acre of basal area shall be left. (§ 1038(i)(5)(A)(1)-(4))

Where the pre-harvest dominant and co-dominant crown canopy is occupied by trees less than 14 in. dbh:

- A minimum of 100 trees per acre over 4 in. dbh shall be retained for site I, II, and III. For site IV and V – 75 trees per acre over 4 in. dbh shall be retained. (§ 1038(i)(5)(B))

- Minimum post treatment canopy closure of dominant and co-dominant trees shall be 40 percent for east side pine forest types. (§ 1038(i)(9)(A))
- Minimum post treatment canopy closure of dominant and co-dominant trees shall be 50 percent for coastal redwood and Douglas–fir forest types within ¼ mile from approved and legally permitted structures that comply with the California Building Code (legal structure). Such legal structures shall be within or adjacent to a community listed in the “California Fire Alliance list of Communities at Risk” (copyright date 2003 on file in the official rulemaking file and incorporated by reference) and have densities greater than 1 structure per 20 acres. (§ 1038(i)(9)(B))
- Minimum post treatment canopy closure of dominant and co-dominant trees shall be 50 percent for coastal redwood and Douglas–fir forest types within 500 feet of a legal structures outside a community listed in the “California Fire Alliance list of Communities at Risk” (copyright date 2003 on file in the official rulemaking file and incorporated by reference). (§ 1038(i)(9)(C))
- Minimum post treatment canopy closure of dominant and co-dominant trees shall be 60 percent for coastal redwood and Douglas–fir forest types outside areas referenced in 14 CCR § 1038 (i)(9)(B) and (C). (§ 1038(i)(9)(D))
- Minimum post treatment canopy closure of dominant and co-dominant trees shall be 50 percent for mixed conifer and all other forest types. (§ 1038(i)(9)(E))
- Ladder and surface fuels shall be removed to achieve a minimum clearance distance of eight feet, measured from the base of the live crown of the post-harvest dominant and co-dominant trees to the top of the surface fuels. (§ 1038(i)(10))
- Surface fuels in the harvest area, including logging slash and debris, low brush, and deadwood, that could promote the spread of wildfire, shall be treated to achieve the goal of an average of four foot maximum flame length under average severe fire weather conditions. (§ 1038(i)(11))

Treatments shall include:

- Chipping;
- Removing;
- Piling;
- Burning; or
- Other methods necessary to achieve the an average of four foot maximum flame length under average severe fire weather conditions. (§ 1038(i)(11))

Other methods necessary to achieve the an average of four foot maximum flame length under average severe fire weather conditions are: _____

- Treatments, except for burning operations, shall be done within 120 days from the start of timber operations. (§ 1038(i)(11))
- Burning operations shall be completed by April 1 of the year following surface fuel creation. Treatment of surface fuels by burning shall be exempt from the one year time limitations described under 14 CCR § 1038.1. (§ 1038(i)(11))
- Fuel treatments conducted under 14 CCR § 1038(i)(8),(9), (10) and (11) shall be achieved on at least 80 percent of the treated area. (§ 1038(i)(12))

14 CCR §§ 1038(b)(1)-(10) Requirements (§ 1038(i)(13)):

- (1) No tractor or heavy equipment operations on slopes greater than 50%.
- (2) No construction of new tractor roads on slopes greater than 40%.
- (3) Timber operations within any Special Treatment Area (STA), as defined in 14 CCR § 895.1, comply with rules associated with that STA.
- (4) No tractor or heavy equipment operations on known slides or unstable areas.
- (5) No new road construction or reconstruction, as defined in 14 CCR § 895.1.
- (6) No heavy equipment operations within the standard width of a WLPZ except for maintenance of roads and drainage facilities or structures.
- (7) No known sites of rare, threatened or endangered plants or animals will be disturbed, threatened or damaged.
- (8) No timber operations within the buffer zone of a sensitive species, as defined in 14 CCR § 895.1.
- (9) No timber harvesting within the standard width of a WLPZ except sanitation-salvage where immediately after completion of operations, the area meets 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).
- (10) No timber operations on any site that satisfies the criteria listed in § 895.1 for a significant archaeological or historical site.

Geographic scope

Check only if applicable:

Operations will occur within 500 feet of a legally permitted structure that complies with the California Building Code. (§§ 1038(i)(8) and 1038(i)(9)(C))

Operations within ¼ mile of approved and legally permitted structure and within or adjacent to "...Communities at Risk" and have densities greater than 1 structure per 20 acres. (§ 1038(i)(9)(B))

Community at Risk name: _____

Operations within area prioritized as a shaded fuel break in a community wildfire protection plan approved by a public fire agency. (§ 1038(i)(8)(A))

Community name: _____

Community wildfire protection plan name: _____

Public fire agency name: _____

None of the above.

Confidential archaeological letter

The RPF shall provide a Confidential Archaeological Letter, which contains all the information required for plans and Emergency Notices in 14 CCR § 929.1(c)(2), (7), (8), (9), (10) and (11), [949.1(c)(2),(7),(8),(9),(10) and (11), 969.1(c)(2),(7),(8), (9), (10) and (11)] including site records as required pursuant to 14 CCR §§ 929.1 (g) [949.1(g), 969.1(g)] and 929.5 [949.5 and 969.5]. Before submitting the Notice of Exemption to the Director, the RPF shall send a copy of the Notice of Exemption to Native Americans defined in 14 CCR § 895.1. (§ 1038(i)(7))

RPF Signature: _____ **RPF No.** _____ **Date:** _____