

NEW STRUCTURE PROTECTION EXEMPTION

On May 13, 2015, the Board of Forestry and Fire Protection adopted emergency regulations allowing specified forest management activities, including the cutting or removal of trees between 150' and 300' of an Approved and Legally Permitted Habitable Structure. The previous exemption form requirements for "Removal of Fire hazard Trees Within 150 Feet of a Structure Exemption" pursuant to 14 CCR § 1038(c), have been combined with the new language of 14 CCR § 1038(c)(6) into one new exemption form. The new language allows for the removal of trees between 150' and 300' of a Habitable Structure that complies with the California Building Code for the purpose of reducing flammable materials and maintaining a fuelbreak. A Registered Professional Forester (RPF) must prepare, sign, and submit the new form to CAL FIRE when trees will be removed between 150' and 300' of Habitable Structures.

Please note: There is a difference between the definition of an 'Approved and Legally Permitted Structure' for tree removal from zero to 150 feet and the new definition of an 'Approved and Legally Permitted Habitable Structure' for tree removal from 150 to 300 feet (ref. 14 CCR § 895.1).

Final Rule language for the emergency regulation can be found at the Board of Forestry and Fire Protection Web page:

http://bofdata.fire.ca.gov/regulations/approved_regulations/2015_/posted_062315_400_notice_of_approval_and_final_rule_text_2015-0611-01e_app.pdf

The exemption notice form "REMOVAL OF FIRE HAZARD TREES UP TO 300 FEET OF A STRUCTURE EXEMPTION (07/15)" has been revised for submission by the RPF when proposed harvesting activities are between 150' to 300'. The form is a modification of the existing "150' Fire Safe Exemption Notice" containing the RPF information on page three.

The revised Exemption Notice can be found on the CAL FIRE Web page:

http://calfire.ca.gov/resource_mgt/resource_mgt_forestpractice_harvestingforms.php
