



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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Frequently Asked Questions: Contracting for Tree Removal

I would like to hire someone to remove dead and dying trees from my property. What kind of contractor can I hire to do the work?

The type of contractor that you need to hire depends on the nature of the work being performed. If you are hiring a contractor to cut or remove trees or other solid wood forest products for sale, barter, exchange, or trade, then your timber harvest is a commercial timber operation subject to the Forest Practice Act and Rules. All commercial timber operations must be conducted by a Licensed Timber Operator, or LTO. The California Department of Forestry and Fire Protection (CAL FIRE) issues licenses to LTOs. There are three classes of licenses: the (A) license entitles the LTO to conduct any kind of timber operation on any timberland; a (B) license is limited to the cutting or removal of minor forest products like firewood and Christmas trees; and a (C) license allows the license holder to conduct timber operations only on property owned by the (C) license holder.

If your timber harvest is not a commercial timber operation (i.e., you will not be selling, bartering, exchanging, or trading the timber or solid wood forest products), then an LTO is not required. However, if your timber harvesting is not a timber operation subject to the Forest Practice Act, a C-61/D-49 Tree Service specialty license issued by the California Contractors State License Board (CSLB) would be required for tree removal or pruning if the value of the work equals or exceeds \$500 or if trees 15 feet or taller are removed.

The Governor has provided limited relief from these licensing provisions in his September 1, 2017 Executive Order (EO B-42-17) ([available here](#)). EO B-42-17 provides that where dead or dying trees are being removed from designated high hazard zones, a C-61/D-49 Tree Service specialty contractor may perform commercial timber operations, and an LTO may perform non-commercial tree removal work that would otherwise require a C-61/D-49 Tree Service specialty license. This regulatory relief applies only to the removal of dead or dying trees from high hazard zones and does not affect licensing requirements for any other tree removal work. Furthermore, in order for a C-61/D-49 Tree Service specialty contractor to qualify under EO B-42-17, the contractor must maintain insurance coverage in the form and amount specified in the Forest Practice Act and Rules (see below). EO B-42-17 does not relieve any party of any other legal requirements. Any C-61/D-49 Tree Service contractor performing timber operations must comply with all operational requirements of the Forest Practice Act and Rules and must have a valid harvest document permitting the timber operations.

How do I know whether the harvest is a commercial timber operation or not?

Timber harvesting conducted for commercial purposes is considered timber operations under the Forest Practice Act and Rules. Commercial purposes are defined as the cutting or removal of timber for sale, barter, exchange, or trade, or the cutting or removal of timber during the course of



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converting land to a use other than growing timber of a commercial species. This means that if you intend to sell, barter, trade, or exchange the timber, or if you believe you may wish to in the future, then your timber harvesting constitutes timber operations subject to the Forest Practice Act and Rules. Please note that commercial purposes are not limited to selling the timber for money. Bartering the timber for goods or services (e.g., allowing the LTO to retain the timber to offset some of the cost of the timber harvesting) also constitutes commercial purposes, and your timber harvesting is subject to the Forest Practice Act and Rules.

The site I will be taking my felled trees to requires that I pay a fee to dispose of the trees on the property. Does this mean that my timber harvesting is for commercial purposes?

No. If the cutting or removal of timber or other solid wood forest products is not being performed for commercial purposes, then the harvesting is not commercial timber operations subject to the Forest Practice Act. Since you are not selling, bartering, trading, or exchanging the logs, your timber harvesting does not have a commercial purpose and is not subject to the Forest Practice Act and Rules.

The site I will be taking my felled trees to intends to sell the timber. Does this mean that my timber harvesting is for commercial purposes?

No. The important factor is the intent in cutting or removing the timber or other solid wood forest products, not the intent of the person who ultimately winds up with the timber. As long as you are not receiving compensation for the timber you deliver to a log storage or other disposal site and are not converting the harvested area to a use other than growing timber, then your timber harvesting is not a commercial timber operation.

My planned timber harvest is not a commercial timber operation. Can I hire a contractor with a C-27 Landscaping Contractor license, a certified arborist, or a registered professional forester (RPF) instead of a contractor with a C-61/D-49 license?

No. A C-27 Landscaping Contractor license would be allowed to remove trees as part of a greater landscaping project, but they are not eligible to do so in a forestry context. Certification as an arborist or registration as a professional forester does not allow for tree removal work unless the arborist or RPF also has the required contractor's license from CSLB or LTO license from CAL FIRE, as applicable.

How do I verify that a contractor or timber operator is properly licensed?

You may verify the licensure of a timber operator through CAL FIRE's website (located [here](#)) or by contacting CAL FIRE's LTO Program by telephone at 1-916 653-7211 or 1-916-651-6025 or by email at calfire.ltoprogram@fire.ca.gov. You can check the status of a licensed tree service contractor on the CSLB's website (located [here](#)) or by calling their help line (1-800-321-CSLB). The CSLB website also has information to assist consumers in selecting licensed contractors, which is available at <http://www.cslb.ca.gov/Consumers/>.



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What insurance do LTOs and licensed tree service contractors carry?

An LTO with an (A) license is required by law to maintain at least \$1 million in commercial general liability insurance. LTOs with a (B) or (C) license are not required to maintain commercial general liability insurance. The applicable requirements for insurance are found in section 4572 of the Public Resources Code (available [here](#)) and section 1024.5 of the Forest Practice Rules (available [here](#)). A sample proof of insurance that meets the requirements of the Forest Practice Act and Rules is attached to the license application on CAL FIRE's website (available [here](#)). A contractor licensed by the CSLB is required to maintain a \$15,000 license bond and workers compensation insurance (unless the contractor certifies that he does not have any employees) but is not required to maintain commercial general liability insurance in any amount. However, many licensed contractors maintain commercial general liability or other forms of insurance not required by law, so it is a good idea to ask the contractor about the contractor's insurance and request copies of certificates of insurance.

How do I become an LTO or a licensed tree service contractor?

CAL FIRE licenses LTOs. In order to get an (A) LTO license, the applicant must complete a two-day course of instruction, have 3,000 hours of relevant work experience, and must maintain the required insurance. An applicant for a (B) limited LTO license must either complete the same course of instruction or a questionnaire demonstrating knowledge of the Forest Practice Act and Rules. An applicant for a (C) LTO license, which only allows landowners to perform work on their own property, must complete the two-day course of instruction. The CSLB licenses all other licensed contractors, including C-61/D-49 Tree Service specialty licenses. Applicants for a contractor's license from CSLB may be required to pass an examination and will be required to maintain a license bond and workers compensation insurance, if required. Further information on becoming a licensed contractor is available on the CSLB website at http://www.cslb.ca.gov/Contractors/Applicants/Contractors_License/.

Besides having a proper license, are there any other requirements related to timber harvesting?

Yes. Commercial timber operations subject to the Forest Practice Act and Rules also require a timber harvesting plan or an equivalent harvest document. You can learn more about the requirements of the Forest Practice Act and Rules at http://www.fire.ca.gov/treetaskforce/downloads/TMTFMaterials/Final_Tree_Removal_Guidelines_02232018.pdf. Even if your timber harvesting is not for commercial purposes and is not subject to the Forest Practice Act and Rules, other state and local laws may apply to the tree removal. A list of state and local regulatory contacts for tree removal activities is available [here](#).