

LESS THAN 3 ACRE CONVERSION EXEMPTION

FOR ADMIN. USE ONLY

STATE OF CALIFORNIA
DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT FROM
CONVERSION AND TIMBER HARVESTING PLAN REQUIREMENTS
RM-73 (1104.1a) (01/2019)

EX. # \_\_\_\_\_
Date of Receipt \_\_\_\_\_
Date Validated by CAL FIRE \_\_\_\_\_
Date Expires \_\_\_\_\_

VALID FOR ONE YEAR FROM DATE RECIEPT BY CAL FIRE.
OPERATIONS CANNOT COMMENCE FOR FIFTEEN DAYS AFTER RECIEPT AND A NOTICE OF VALIDATION IS RECEIVED FROM 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 § 1104.1(a): Harvesting of trees that is a single conversion to a non-timber growing use of timberland of less than three acres. (See 14 CCR § 1104.1(a) for a description of the conditions on the conduct of this type of timber operation and additional information that is required to be submitted.) Complete Items 1 through 8 on both pages of this notice.

1. Registered Professional Forester preparing Notice: Name \_\_\_\_\_ Number \_\_\_\_\_
Address \_\_\_\_\_
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

I have, or my supervised designee has, (1) prepared this Notice of Conversion Exemption Timber Operations; (2) visited the site and flagged the boundaries of the conversion exemption, applicable WLPZs and equipment limitation zones; (3) prepared a Neighborhood Notice of Conversion Exemption according to 14 CCR § 1104.1(a)(3) to be mailed by the landowner to adjacent landowners; and (4) posted and dated a copy of the Neighborhood Notice of Conversion Exemption on the ownership, visible to the public, at least 5 days prior to the postmark date of submission of the Notice of Conversion Exemption. I certify that if the County Board of Supervisors has not designated a representative authorized to sign in Item 6 that I, or my supervised designee, contacted the county and the Notice is in conformance with county regulations.

SIGNATURE of RPF (required) \_\_\_\_\_ Date \_\_\_\_\_

2. LICENSED TIMBER OPERATOR(S): Name \_\_\_\_\_ Lic. No. \_\_\_\_\_
Address \_\_\_\_\_
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_
SIGNATURE \_\_\_\_\_

3. TIMBERLAND OWNER(S) OF RECORD: Name \_\_\_\_\_
Address \_\_\_\_\_
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

I certify, under penalty of perjury, that This is a one-time conversion to a non-timberland use and that there is a "BONA FIDE INTENT" [14 CCR § 1100(b)] to convert to: (required) \_\_\_\_\_

(State what the conversion will be to)

SIGNATURE: \_\_\_\_\_ Date \_\_\_\_\_

4. TIMBER OWNER(S) OF RECORD: Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

5. NOTICE SUBMITTER(S): Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_  
**Submitter must be 2,3 or 4 above, and must sign.**

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

6. COUNTY BOARD OF SUPERVISORS DECLARATION: (required)  
I, \_\_\_\_\_, declare as the authorized designee of the County Board of Supervisors that this conversion exemption is in conformance with all county regulatory requirements, including public notice. **(If the county has authorized a designee this item MUST be completed. If it has not, see Item 1.)**

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

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 \_\_\_\_\_%;

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

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

7. 14 CCR § 1038 (i) - 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(h) and have an RPF prepare an explanation and justification described in 14 CCR § 1104.1(i) to be included at Submission**

8. Has the Timberland Owner, whether acting as an individual, partnership or as an employee of a corporation or other legal entity obtained a conversion on a contiguous land ownership within the last 5 years?  YES  NO (required)

**NOTE: If YES then the landowner may not apply for the conversion. The Timberland Owner may request a waiver of the five-year limitation with the Department per 14 CCR § 1104.1(a)(9)(A)(1-3)(B-D)**

9. Has all or a portion of the contiguous land ownership been subject to a PRIOR, unpermitted Timberland conversion? (required)  
 YES  NO

If YES please provide a description or information to assist the Director in determining that this conversion would be consistent with the purpose of the Act.  
 (optional)

**NOTE: Per 14 CCR § 1104.1(a)** This conversion exemption is applicable to a conversion of Timberland to a non-timber use only, of less than three acres in one contiguous ownership, whether or not it is a portion of a larger land parcel and shall not be part of a THP. This conversion exemption may only be used once per contiguous land ownership. **If all or a portion of the contiguous land ownership has been subject to prior, unpermitted Timberland conversion, a conversion exemption hereunder shall not be accepted unless the Director determines that it would be consistent with the purposes of the Act**

10. Will Timber operations occur within the winter period?  YES  NO (optional)

**NOTE: If YES refer to 14 CCR § 1104.1(a)(2)(E)(1-3) for specific requirements**

11. Has the County / City approved, by local permit, operations within a WLPZ?  YES  NO (optional)

**NOTE: timber operations are NOT allowed within a WLPZ without approval by county or city approval.**

12. Have significant archaeological sites been identified within the project area? (required)  YES  NO  
 - If yes will the site be preserved in place?  YES  NO  
 - If yes please provide written concurrence from the Departments Archaeologist at the time of submission.

13. Designate the legal land description of the location of the timber operation. Attach a USGS 7.5-minute quadrangle or equivalent map showing the location of timber operations, it would 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)	(required) Assessor's Parcel #
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**The following are limitations or requirements for timber operations conducted under a Less Than Three Acre Conversion Exemption: (Notice, Notice of Conversion Exemption, Conversion Exemption):**

- Timber operations shall comply with all other applicable provisions of the Forest Practice Act and regulations, county general plans, zoning ordinances, State regulations and any implementing ordinances; copies of the state rules and regulations may be found on CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
- All timber operations shall be complete within one year from the date of acceptance by CAL FIRE. 14 CCR § 1104.1(a)(2)(A)
- All conversion activities shall be complete within two years from the date of acceptance by CAL FIRE unless under permit by local jurisdiction. Failure to complete the conversion requires compliance with stocking standards and stocking report requirements of the Forest Practice Act and Board of Forestry and Fire Protection regulations. 14 CCR § 1104.1(a)(2)(B)

4. **The RPF or supervised designee shall visit the site and flag the boundary of the conversion exemption timber operations and flag any applicable WLPZs and equipment limitation zones. 14 CCR § 1104.1(a)(2)(C)**
5. **The Timber Operator shall be the responsible party for the treatment of logging Slash and woody debris. 14 CCR 1104.1(a)(2)(D)**
6. Timber operations may be conducted during the winter period. Tractor operations in the winter period are allowed under any of the conditions described in 14 CCR § 1104.1(a)(2)(E)(1-3)
7. No timber operations are allowed within a watercourse and lake protection zone unless specifically approved by local permit (e.g., county, city). 14 CCR § 1104.1(a)(2)(F)
8. No timber operations shall be conducted until CAL FIRE's notice of acceptance is received and a valid copy of this notice and CAL FIRE's acceptance shall be kept on site during timber operations.
9. **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 § 1104.1(a)(2)(K)**
10. 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
11. 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>.
12. No timber operations are allowed on significant historical or archeological sites. See question #12 Above. Exception can be made if site is preserved and written concurrence is received, at time of submission of the Notice, from the Department Archeologist. 14 CCR § 1104.1(a)(2)(l)(1)(a-b)
13. A violation of the conversion exemption, including a conversion applied for in the name of someone other than the person or entity implementing the conversion in bona fide good faith, are violations of the Forest Practice Act and penalties may accrue up to ten thousand dollars (\$10,000) for each violation pursuant to Article 8 (commencing with Section 4601).
14. Within one month of the completion of timber operations including slash disposal the landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report. Per PRC 4585 and PRC 4587.
15. 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 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