

**10% DEAD, DYING OR DISEASED TREES
FUELWOOD OR SPLIT PRODUCTS or REMOVAL OF SLASH
& WOODY DEBRIS NOT LOCATED WITHIN A WLPZ
EXEMPTION**

FOR ADMIN. USE ONLY

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038b) (03/2019)

EX. # _____

Date of Receipt _____

Date Validation by CAL FIRE _____

Date Expires _____

VALID FOR ONE YEAR FROM DATE 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(b) to cut or remove trees that are dead, dying, or diseased, fuelwood or split products in amounts less than 10% of the average volume per acre or remove slash and woody debris not located within a WLPZ.

Timber Operations pursuant to the notice of exemption may not commence for five (5) working days from the date of the Directors receipt of the notice unless this delay is waived by the director. If the Director does not act within five (5) days working days of receipt of the notice of exemption, Timber Operations may commence. 14 CCR § 1038.1(c)(13)

Type of timber operations to be conducted:

(If more than one type is selected please indicate approximate acreage. Please verify the total is consistent with total acres listed in Item #9)

- _____ AC: Harvesting dead, dying or diseased trees of any size in amounts less than 10 percent of the average volume per acre, where timber operations will meet the conditions listed in 14 CCR § 1038(b).
- _____ AC: Harvesting fuelwood or split products in amounts less than 10 percent of the average volume per acre, where timber operations will meet the conditions listed in 14 CCR § 1038(b)
 - Note: for Santa Cruz County harvesting for fuelwood purposes **greater than three acres are limited to 45 days** (14 CCR § 926.8(j))
 - Note: If you are harvesting fuelwood or split products, please be aware that cut wood can be infested with harmful forest pests. Long distance transport of infested firewood can result in the unintentional spread of these pests. Please see www.firewood.ca.gov for more formation.

_____ AC: Removal of Slash and Woody Debris not located within a WLPZ

1. LICENSED TIMBER OPERATOR(S): Name: _____ Lic #: _____ Date: _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

2. TIMBERLAND OWNER(S) OF RECORD: Name: _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

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. TIMBER OWNER(S) OF RECORD: Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____

6. 14 CCR § 1038.1(c)(3)(A-C) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a Significant Archaeological or Historical Site (information on some of these sites may be available from the Information Centers of the California Historical Resources Information System within the Department of Parks and Recreation), except under the following conditions:

Have significant archaeological sites been identified within the project area? (required) YES NO

- Will operations occur within these identified archaeological sites? YES NO

If YES Sites must be preserved in place by capping or covering with a layer of soil. Please include a written concurrence from the Departments Archaeologist at the time of submission.

7. TENTATIVE COMMENCEMENT DATE OF TIMBER OPERATIONS: (required) _____ 14 CCR § 1038.1(a)(5)

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 § 1038.1(c)(14)

8. 14 CCR 1038.2 - The submitted notice of exemption shall indicate if more than one Yarding system is to be used and identify the systems. CHECK EACH Yarding method to be utilized: **If more than one method is selected these methods must be identified on the accompanying maps.** (required)

YARDING SYSTEMS					
GROUND BASED		CABLE		OTHER	
<input type="checkbox"/>	Tractor, including end/long lining	<input type="checkbox"/>	Cable, Ground lead	<input type="checkbox"/>	Hand thinning and removing
<input type="checkbox"/>	Rubber tired skidder, Forwarder	<input type="checkbox"/>	Cable, High Lead	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Feller Buncher	<input type="checkbox"/>	Cable, Skyline	<input type="checkbox"/>	
<input type="checkbox"/>	Shovel yarding	<input type="checkbox"/>		<input type="checkbox"/>	

9. 14 CCR § 1038.1(a)(4) - Designate the legal land description of the location of the Timber Operation. 14 CCR § 1038.2(a) attach a USGS 7.5-minute quadrangle map or equivalent map showing the location of:
- Boundaries of the Logging Area. 14 CCR § 1038.2(b)
 - Location of all Roads to be used for, or potentially impacted by, timber operations. 14 CCR § 1038.2(c) (**Appurtenant Roads included within the logging area pursuant to (b) may be shown on a map which may be planimetric with a scale as small as one-half inch equals one mile**)
 - Location of any Special Treatment Areas. 14 CCR § 1038.2(k)
 - Location of all Watercourses and Lakes with Class I, II, III, or IV waters. 14 CCR § 1038.2(i)

Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. **A legend shall be included indicating the meaning of the symbols used.** It will 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)

					Logging area	
Base Meridian	Township	Range	Section	County	Acreage (estimated)	Assessors Parcel # (optional)

The following are limitations or requirements for timber operations conducted under a Notice of Exemption for Dead, Dying or Diseased, Trees of any size, Fuelwood or Split products in amounts less than 10% of the average volume per acre, or the removal of Slash and Woody Debris that is not located within a WLPZ:

1. This notice must be submitted to and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations.
 - **Coastal Special Treatment areas and Marin County** the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
2. Timber Operations may not be conducted without a copy of the Directors notice of acceptance of the notice of exemption at the operating site, except where the Director has failed to act within the five (5) working day review period. 14 CCR § 1038.1(c)(13)(A)
3. 14 CCR § 1038(b) places certain limits on the harvesting of Dead, Dying or Diseased, Trees of any size, Fuelwood or Split products in amounts less than 10% of the average volume per acre, or the removal of Slash and Woody Debris that is not located within a WLPZ. These limits need to be examined to assure compliance.
4. 14 CCR § 1038 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 Harvest Plan," "THP," and "plan." The requirements to submit a completion and stocking report normally do not apply. The requirements for environmental review under the California Environmental Quality Act (See 14 CCR § 15300.1) also do not apply.

5. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules adopted by the Board of Forestry and Fire Protection. Timber Operations shall comply with the rules associated with the specific Special Treatment Area timber operations are within. 14 CCR § 1038.1(c)(6). These rules should be reviewed prior to submitting this notice to CAL FIRE.
6. All timber operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by TRPA, or shall be conducted under a valid TRPA memorandum of understanding, when such a permit is required by TRPA, 14 CCR § 1038.1(b)(1)
7. No helicopter yarding shall be allowed. 14 CCR § 1038.1(b)(3)
8. In-lieu practices within WLPZs as specified under Article 6 of these rules, exception to the rules, and alternative practices are not allowed. 14 CCR § 1038.1
9. No Tractor or heavy equipment operations on slopes greater than 50%. 14 CCR § 1038.1(c)(5)
10. No construction of new tractor roads on slopes greater than 40%. 14 CCR § 1038.1(c)(5)
11. No Tractor or heavy equipment operations on known Unstable Areas. 14 CCR § 1038.1(c)(7)
12. No NEW road construction or reconstruction, as defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(8)
13. No heavy equipment operations within the standard width of a WLPZ, as defined in 14 CCR § 916.4[936.4, 956.4](b). 14 CCR § 1038.1(c)(9)
14. **No timber harvesting within the standard width of a watercourse or lake protection zone**, as defined in 14 CCR § 916.4 [936.4, 956.4](b), except sanitation-salvage harvesting, as defined in 14 CCR § 913.3 [933.3,953.3], where immediately after completion of operations, the area shall meet 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). **Trees to be harvested within a WLPZ shall be marked by, or under the supervision of, an RPF prior to timber operations.** 14 CCR § 1038.1(c)(12)
15. **ASP watersheds** – No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except **(1)** Hauling on existing roads **(2)** Road maintenance **(3)** Operations conducted for public safety **(4)** Construction or reconstruction of approved watercourse crossings **(5)** Temporary crossings of dry Class III watercourses that do not require notification under Fish and Game Code §1600 et seq. **(6) Harvesting recommended in writing by CDFW to address specifically identified forest conditions.**
16. 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. 14 CCR § 1038.1(c)(10)(11)
17. 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/lsa>.
18. The requirements to submit a completion and stocking report do not normally apply. **However, Completion and Stocking reports are required for areas when operations occur within COAST, SPECIAL TREATMENT AREAS and / or MARIN COUNTY.** The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report. Per PRC 4585 and PRC 4587.
19. This Notice of Exemption is valid for one year from the date of receipt by CAL FIRE.
 - **Santa Cruz County** the exemption is valid for 45 days if over 3 acres.
 - **Marin County** the exemption is valid for the calendar year of acceptance.
20. A Timber Operator with a valid state license must be designated upon submission of this notice.

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 Fresno, CA 93710

SIGNATURE OF THE TIMBER OWNER OR AGENT THEREOF: _____ Date: _____

Printed Name: _____ Title: _____

Address _____

City: _____ State _____ Zip _____ Phone _____

EMAIL: (optional) _____