

The following are limitations or requirements for timber operations conducted under a Utility Right-of-Way Exemption: (Notice, Notice of Conversion Exemption, Conversion Exemption):

1. Public Resources Code (PRC) Section 4628 and California Code of Regulations (CCR) Title 14 Section 1104.1(b) exempt public agencies from the requirement to file a Timberland Conversion Permit (TCP) and/or a Timber Harvesting Plan (THP) when they construct or maintain rights of way on their own property or that of another public agency. This exemption extends to easements over lands owned in fee by private parties. This exemption is not available for rights of way granted from one private landowner to another.
2. The timber owner is responsible to pay all yield taxes for timber harvested. Timber yield tax information can be obtained from the State Board of Equalization, P.O. Box 94979, Sacramento, California 94279-0001.
3. 14 CCR § 1104.1(c) exempts public and private utilities from the TCP and the THP requirements for construction and maintenance of gas, water, sewer, oil, electric and communications rights of way. 14 CCR § 1104.1(d), (e), (f), and (g) contain specifications of allowable right of way widths and supplemental clearances.
4. 14 CCR § 1104.1 requires that all timber operations conducted according to exemptions granted under this section abide by all operating regulations pertaining to a THP. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas, the Tahoe Regional Planning Agency area, and in counties with special rules adopted by the Board of Forestry and Fire Protection. These rules should be reviewed prior to submitting this notice to CAL FIRE.
5. Timber operations shall comply with all other applicable provisions of the Forest Practice Act and regulations, county general plans, zoning ordinances, and any implementing ordinances; copies of the state rules and regulations may be found on CAL FIRE's Web Page on the Internet at www.fire.ca.gov.
6. All timber operations shall be complete within one year from the date of acceptance by CAL FIRE.
7. 14 CCR § 1104.1 n-lieu practices for watercourse and lake protection zones as specified under Article 6 of the Forest Practice Act 14 CCR § 1104.1
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. 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
10. 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/lspa>.
11. No Timber Operations are allowed on significant historical or archeological sites.

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 Emergency. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. Box 2006, San Francisco, CA 94126, CAL FIRE, Forest Practice, P.O. Box 944246, Sacramento, CA 94244-2460; or CAL FIRE's Web Page 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