

OAK WOODLAND MANAGEMENT EXEMPTION
RESTORE AND CONSERVE CALIFORNIA BLACK OAK,
OREGON WHITE OAK WOODLANDS AND ASSOCIATED
GRASSLANDS

EX Notice Number: _____

Date Received: _____

Date Accepted: _____

Date Expires: _____

Valid for one year from the date of receipt by CAL FIRE

Timber Operations pursuant to this notice may not commence for five (5) working days from the date of the Director's receipt of this notice unless this delay is waived by the Director. If the Director does not act within five (5) working days of receipt of this notice, to determine whether it is complete and accurate, Timber Operations may commence per 14 CCR § 1038.1(c)(13).

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of Timber Operations pursuant to of 14 CCR § 1038(e) for the cutting or removal of trees to restore and conserve California black oak or Oregon white oak woodlands and associated grasslands that have been encroached upon by conifers. Complete all items on this notice, when responses do not fit in the space provided, so state, and add additional pages as necessary.

NOTE: The Harvest Area shall not cumulatively exceed, during any five-(5) year period, three-hundred (300) acres per ownership in a Planning Watershed (CALWATER 25 2.2), for the timberland owner(s) identified pursuant to 14 CCR § 1038.1(a)(2) per 14 CCR § 1038(e)(1).

1. REGISTERED PROFESSIONAL FORESTER

Name: _____ Lic. No.: _____ Phone: _____

Mailing Address: _____ City: _____ State: ____ Zip: _____

Email Address: _____

I, the Registered Professional Forester, certify a minimum of thirty-five (35) square feet of basal area per acre of California black or Oregon white oak, or both, occupy the Harvest Area at the time this notice was prepared. The purpose of Timber Operations per this notice of exemption is to restore and conserve California black oak and Oregon white oak and associated grasslands that have been encroached upon by conifers per 14 CCR § 1038(e)(2)(C), and acknowledge the responsibilities as the RPF for this notice.

Signature: _____ Date: _____

2. LICENSED TIMBER OPERATOR(S) When more than one LTO is on the notice, please provide a detailed description of Timber Operation responsibilities for each.

Name: _____ Lic. No.: _____ Phone: _____

Mailing Address: _____ City: _____ State: ____ Zip: _____

Email Address: _____

3. TIMBERLAND OWNER(S) OF RECORD

Name: _____ Phone: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Email Address: _____

I certify, as the legal Timberland Owner, that I have read and understand the information contained within this notice of exemption and acknowledge the responsibilities for this notice per 14 CCR §1038.1(a)(6).

Signature: _____ Date: _____

4. TIMBER OWNER(S) OF RECORD

Name: _____ Phone: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Email Address: _____

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: 88, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0088; or see the CDTFA at <https://www.cdtfa.ca.gov>.

Some small or low-value harvests may be exempt from the Timber Yield Tax per Revenue and Taxation Code Section 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's Timber Tax Harvest Value Schedules.

If the Timber Owner believes harvesting may be exempt (according to the timber tax exemption language above for low-value harvests) please complete the volume and species information below. Otherwise, proceed to the next item.

Final determination of tax-exempt status will be made by the Timber Tax Section of the California Department of Tax and Fee Administration.

If the CDTFA timber tax section is to be considered a tax exemption based on projected harvest, please complete the information below.

A. Select the best estimate of 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 the percentage of timber to be removed during this harvest: (percentages should equal 100%)

Redwood _____% Ponderosa/Sugar Pine _____% Douglas-fir _____% Other Conifer _____%

Cedar _____% Port-Orford Cedar _____% Fir _____% Other Hardwoods _____%

C. Fuelwood over 150 cords? ☐ Yes ☐ No

D. Christmas trees over 3,000 lineal feet? ☐ Yes ☐ No

5. Is the removal of trees greater than 30 inches dbh necessary to achieve the goals of the oak woodland restoration per 14 CCR § 1038(e)(3)(A) & (B)? ☐ Yes ☐ No

If “Yes”, the RPF shall attach to the submitted notice of exemption a written explanation and justification for the harvest of the tree based on the RPF's finding that the removal of the tree is necessary for the long-term maintenance of the oak stand or associated grassland per 14 CCR § 1038(e)(3)(A).

If “Yes”, the RPF shall consult with the Director and attach a summary of the consultation, including any recommendations provided by CAL FIRE, to the submitted notice of exemption per 14 CCR § 1038(e)(3)(B).

NOTE: Unless it is necessary to achieve the goal of the oak woodland restoration, no tress larger than 30 inches dbh may be removed for commercial purposes pursuant to 14 CCR § 1038(e)(3).

6. Is it anticipated that a tree existing before 1800 AD greater than 60 inches in 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 per 14 CCR § 1038.1(c)(15)? ☐Yes ☐No

If “Yes”, refer to 14 CCR § 1038.1(c)(15)(A-C). An RPF is required to prepare an explanation and justification per 14 CCR §§ 1038.1(c)(15)(B)(1-3) and 1038(e)(3)(A) to be included at submission unless 14 CCR § 1038.1(c)(15)(C) applies in which case only the explanation and justification per 14 CCR § 1038(e)(3)(A) need be included. The RPF must consult with the Director before felling any tree greater than 30 inches dbh.

7. Will timber harvesting occur within the standard width of a Watercourse or Lake Protection Zone (WLPZ)? ☐Yes ☐No

If “Yes”, trees to be harvested shall be marked by, or under the supervision of, a Registered Professional Forester (RPF) prior to Timber Operations per 14 CCR § 1038.1(c)(12).

If “Yes” to harvesting in the WLPZ, indicate the exception permitted per 14 CCR § 1038.1(c)(12):

- ☐ Sanitation-salvage harvesting, as identified in 14 CCR § 913.3 [933.3, 953.3], shall meet the Stocking Standards of 14 CCR § 912.7 [932.7, 952.7](b)(2) immediately after completion of operations. **or**
☐ The removal of dead or Dying Trees where consistent with 14 CCR § 916.4 [936.4, 956.4](b).

8. Will Timber Operations occur in a WLPZ, or within any equipment limitation zone (ELZ) or equipment exclusion zone (EEZ) designated for Watercourse or lake protection, **within a watershed with listed anadromous salmonids**? ☐Yes ☐No

If “Yes”, indicate the exception(s) permitted by 14 CCR § 916.9 [936.9, 956.9](s):

- ☐ Hauling on existing roads.
☐ Road maintenance.
☐ Operations conducted for public safety.
☐ Construction or reconstruction of approved Watercourse crossings.
☐ Temporary crossings of dry Class III Watercourses that do not require notification under Fish and Game Code §1600 et seq.
☐ Harvesting recommended *in writing* by California Department of Fish and Wildlife (CDFW) to address specifically identified forest conditions (attach a copy of the written recommendation from CDFW).

9. Have significant archaeological sites been identified within the project area? ☐Yes ☐No

If “Yes”, will operations occur within these identified archaeological sites? ☐Yes ☐No

If “Yes”, provide written concurrence from a Department Archaeologist with the exemption submission per 14 CCR § 1038.1(c)(3)(C).

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

10. Provide a description of the preharvest and post-harvest stand structure including an estimate, by species, of diameter distribution, and basal area per 14 CCR § 1038(e)(2)(B):

--

11. Will the Harvest Area cumulatively exceed, during any five (5) year period, three-hundred (300) acres per ownership in a Planning Watershed (CALWATER 2.2), for the timberland owner(s) identified pursuant to 14 CCR § 1038.1(a)(2)? ☐ Yes ☐ No

If “Yes” then the notice does not qualify for this Exemption, unless the acreage is reduced for Planning Watersheds that meet this criteria.

➤ List acres by Planning Watershed

CA STATE PLANNING WATERSHED - CALWATER V2.2		
Watershed Name	Watershed Identification Number	Acres

12. Tentative Commencement Date of Timber Operations as required per 14 CCR § 1038.1(a)(5): _____

NOTE: Prior to Timber Operations, the Timber Operator shall notify the Department of the actual commencement date of operations. The notification 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 per 14 CCR § 1038.1(c)(14).

13. Check all Yarding methods to be utilized per 14 CCR § 1038.2:

	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 tire skidder, forwarder	<input type="checkbox"/>	Cable, high lead	<input type="checkbox"/>	Other (describe below)
<input type="checkbox"/>	Feller buncher	<input type="checkbox"/>	Cable, skyline		
<input type="checkbox"/>	Shovel yarding				
<input type="checkbox"/>	Tethered operations				

NOTE: If more than one method is selected these must be identified on accompanying maps.

14. Provide the legal land description of the location of the Timber Operation as required per 14 CCR § 1038.1(a)(4). Attach a USGS 7.5-minute quadrangle map or equivalent topographic map containing:
- Boundaries of logging areas per 14 CCR § 1038.2.
 - Location of all roads to be used for, or potentially impacted by, Timber Operations per 14 CCR § 1038.4(c).
 - Classification of all roads as Permanent, Seasonal, or Temporary per 14 CCR § 1038.2(c) and (d)(3).
 - Roads and Landings located in Watercourses, Lakes, WLPZs, Marshes, Wet Meadows and other Wet Areas, other than at road Watercourse crossings per 14 CCR § 1038.2(e).
The location of water drafting sites per 14 CCR § 1038.2(f).
 - Public Roads within one-quarter (1/4) mile of the Harvest Area per 14 CCR § 1038.2(g).
 - Location of Watercourses and Lakes with Class I, II, III, or IV waters per 14 CCR § 1038.2(i).
 - Location of known Unstable Areas per 14 CCR § 1038.2(j).
 - Location of boundaries of timber-site classes needed for determination of Stocking Standards to be applied, down to at least a twenty (20) acre minimum, or as specified in the Forest Practice District Rules per 14 CCR § 1038.2(l).
 - Location of any Special Treatment Areas per 14 CCR § 1038.2(k).

- Boundaries of any areas where Tractor Operations are proposed for use on areas 13 designated for Cable Yarding per 14 CCR § 1038.2(m).

- Appurtenant Roads may be shown on a separate map which may be planimetric with a scale as small as one-half inch equals one mile. Color coding may not be used. [ref. 14 CCR § 1038.4]

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.** Please 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. Attach additional supporting pages as necessary.

Baseline Meridian	Township	Range	Section	County	Acreage*	Assessor's Parcel # (optional)

*Acres are estimated and are for the Logging Area

Limitations or requirements for Timber Operations conducted to restore and conserve California black (*Quercus kelloggii*) or Oregon white (*Quercus garryana*) oak woodlands and associated grasslands:

1. 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" per 14 CCR § 1038.
2. 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 at <https://bof.fire.ca.gov/regulations/bills-statutes-rules-and-annual-california-forest-practice-rules/>
3. All Timber Operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by the Tahoe Regional Planning Agency (TRPA), or shall be conducted under a valid TRPA Memorandum of Understanding, when such a permit is required by TRPA per 14 CCR § 1038.1(b)(1)
4. The Harvest Area shall not cumulatively exceed, during any five-(5) year period, three-hundred (300) acres per ownership in a Planning Watershed (CALWATER2.2), for the timberland owner(s) identified pursuant to 14 CCR § 1038.1(a)(2).
5. No helicopter yarding shall be allowed per 14 CCR § 1038.1(b)(3).
6. No tractor or heavy equipment operations on slopes greater than 50% per 14 CCR § 1038.1(c)(5).
7. No construction of new tractor roads on slopes greater than 40% per 14 CCR § 1038.1(c)(5).
8. No tractor or heavy equipment operations on known Unstable Areas per 14 CCR § 1038.1(c)(7).
9. No new road construction or reconstruction per 14 CCR § 1038.1(c)(8).
10. 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, a RPF prior to timber operations. [ref. 14 CCR § 1038.1(c)(12)]
11. If removal of trees greater than thirty (30) inches dbh is necessary to achieve the goals of the oak woodland restoration, the RPF shall attach to the submitted notice of exemption a written explanation and justification for the harvest of the tree based on the RPF's finding that the removal of the tree is necessary for the long-term maintenance of the oak stand or associated grassland per 14 CCR § 1038.1(e)(3)(A). The RPF shall consult with the Director before felling any tree greater than thirty (30) inches dbh per 14 CCR § 1038.1(e)(3)(B).
12. The post-harvest stand shall meet, at a minimum the following per 14 CCR § 1038(e)(4): **(A)** eighty (80) percent of the pre-treatment basal area of California black oak or Oregon white oak, or both, shall be retained. **(B)** A minimum of thirty-five (35) square feet of basal area of California black oak or Oregon white oak, or both, shall be retained. **(C)** Conifer Stocking, measured in basal area, shall represent less than twenty-five (25) percent of the total onsite Stocking of all trees within the Harvest Area. Decadent and Deformed Trees of Value to Wildlife (excluding hardwoods) shall not count towards this required stocking standard. **(D)** All harvested conifers shall be within three-hundred (300) feet of a California black oak or Oregon white oak that is a minimum of four (4) 15 inches dbh.
13. Trees retained to meet the Basal Area stocking standards shall be selected from the largest trees available on the

project area prior to harvest. In no case shall stocking be reduced below the standards found within 14 CCR § 913.3 [933.3, 953.3] (a).

14. Timber Operations conducted during the Winter Period shall comply with the applicable Rule sections under 14 CCR § 923 [943, 963] et seq.
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 per 14 CCR § 916.9(s).
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. **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 form RM-71 Completion and Stocking report per PRC §§ 4585 and 4587.
19. RPF shall include a Confidential Archaeological Letter (CAL) with the exemption notice submitted to the Director per 14 CCR § 1038.1(c)(1)-(3). The CAL shall include all information required by 14 CCR § 929.1 [949.1, 969.1](c)(2), (7)-(11), including site records, if required pursuant to 14 CCR §§ 929.1 [949.1, 969.1](g) and 929.5. The discovery of human remains requires immediate notification to appropriate agencies. 14 CCR § 929.3 [949.3, 969.3] requires notification to CAL FIRE. The area must not be further disturbed, and any area reasonably suspected to overlie adjacent human remains, until an evaluation is completed by the County Coroner pursuant to Health and Safety Code § 7050.5. If the human remains are determined to be Native American, the Native American Heritage Commission must also be notified pursuant to PRC § 5097.98.
20. Per 14 CCR § 1038.1(c)(4)(B) Slash shall be treated to achieve a maximum post-harvest depth of eighteen (18) inches above the ground on at least eighty (80) percent of the Harvest Area. All Slash shall be lopped, removed, chipped, piled for burning, or otherwise treated, within one (1) year from the date of the Director receiving the notice except for burning. Burning shall be completed within two (2) years from the date of the Director receiving the notice. Additionally, per 14 CCR § 1038(e)(4)(E), all Slash shall be configured in a manner that minimizes risk of fire related mortality to all retained California black oak and Oregon white oak.

The following suggestions may help ensure compliance with the Forest Practice Rules:

- Timber Owners, Timberland Owners, Registered Professional Foresters, and Licensed Timber Operators should review the Forest Practice Rules pertaining to this notice. Copies may be obtained from Barclays Law Publishers, P.O. Box 2006, San Francisco, CA 94126, or downloaded from the Board of Forestry and Fire Protection at <https://bof.fire.ca.gov/regulations/bills-statutes-rules-and-annual-california-forest-practice-rules/>
- Contact the CAL FIRE office listed below for questions regarding the use of this notice.

File this notice online with CalTREES (<https://caltreesplans.resources.ca.gov/caltrees/>) or send to the CAL FIRE Forest Practice Manager at the 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.	135 Ridgway Avenue Santa Rosa, CA 95401 santarosareviewteam@fire.ca.gov (707) 576-2959
Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.	6105 Airport Road Redding, CA 96002 reddingreviewinbox@fire.ca.gov (530) 224-2454
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.	1234 East Shaw Avenue Fresno, CA 93710 fresnoreviewinbox@fire.ca.gov (559) 243-4107