**State of California**

##### Admin Use Only

Department of Forestry and Fire Protection

Forest Practice Permit

#####

TCP Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Received: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

THP Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

RM-53 (Rev. 03/2024)

**TIMBERLAND CONVERSION PERMIT APPLICATION**

This application consists of three sections that must be completed upon submittal: (1) Timberland Conversion Plat, (2) Timberland Conversion Application, and (3) Timberland Conversion Plan.

[Add additional supporting pages as necessary]

 **Project Name**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. The applicant must have a bona fide intent to complete the timberland conversion. As defined in Title 14 California Code of Regulations (14 CCR) §§1100(b) and 1105.2, a “bona fide intention” or “bona fide intent” means a present, sincere intention of the applicant to conform with and successfully execute the conversion plan. The Director of the California Department of Forestry and Fire Protection (Director) shall determine the applicant’s intention in light of the present and predicted economic ability of the applicant to perform the proposed conversion; the environmental feasibility of the conversion including but not limited to suitability of soil(s), slope, aspect(s), quality and quantity of water and microclimate; adequacy and feasibility of possible measures for mitigation of significant adverse environmental impacts, and other foreseeable factors necessary for successful conversion to the proposed land use.
2. Timber operations to convert timberland to a non-timber growing use cannot begin until the following are complete: (1) Director issues a Timberland Conversion Permit (TCP) to the timberland owner, (2) owner records the permit with the County Recorder, (3) owner provides a copy of the permit to the timber operator, and (4) a Timber Harvesting Plan (THP) is approved by the Director. The filing of the application and the THP may occur simultaneously, though the THP will not be approved until the TCP is issued.
3. The TCP grants exemption from the forest practice stocking requirements in the Forest Practice Act (FPA) and District Forest Practice Rules (FPR). Forest practice requirements of the Act, Rules and related California Board of Forestry and Fire Protection Regulations not consistent with the conversion still apply. These include but are not limited to such items as erosion control, fire hazard reduction, and watercourse/lake protection. A THP approved by the Director is required for the timber operation.
4. If the conversion should fail or be abandoned, the Director may instruct the permit holder to replant with trees. This requirement would apply to those parts of the conversion area where timber harvesting or other conversion activities have reduced stocking below Forest Practice standards. If the permit holder should fail to comply, the Director may implement the replanting of the harvest area. The permit holder would then be liable for the costs, including necessary site preparation.
5. TCPs are subject to requirements of the California Environmental Quality Act (CEQA) and related administrative regulations. The project approval document (e.g., Environmental Impact Report, Negative Declaration, etc.) must be certified and adopted by the lead agency before the TCP can be issued by the California Department of Forestry and Fire Protection (CAL FIRE). If a county or local government zoning change or use permit is required, the recognized agency is the lead agency. In some instances, CAL FIRE can be the lead agency.
6. Special requirements apply to conversion permits for immediate rezoning from Timberland Production Zone (TPZ) and are generally required whether or not timber operations are involved.
7. **Do not apply** for a TCP when (1) forest lands are **not** in a TPZ **and** (2) when a residential subdivision is planned. Instead, the landowner should first apply to county government for the proper (subdivision) use permits and approval of a tentative subdivision map. With these documents, the landowner is eligible to file, with the Department, the “Notice of Exemption for Timberland Conversion Permit for Subdivision”, and a “Timber Harvesting Plan”.
8. The above information is only a summation for general situations with timberland conversion. For complete authorization details please see:
* Public Resources Code (PRC) §§ 4621-4628, & 21000-21177
* Forest Practice Rules, Title 14 California Code of Regulation (CCR) §§ 911-929.7, & 931-949.7, & 951-969.7, & 895-909.1, & 1020-1115.3, & 15000-15387

**(1) TIMBERLAND CONVERSION PLAT**

Applicant(s) Name(s)

Section(s) Township Range B&M

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Scale inch(es) = 1 mile

Label section numbers in center of section on plat. Entire plat may be used as one section or as halves of adjoining sections if needed for large-scale detail. See map symbolization below.



Conversion area not in a Timberland Production Zone or the Coastal Zone

Conversion area in a Timberland Production Zone

Areas in the Coastal Zone

\*Do not use color shading\*

Only map the timbered area to be cut for conversion. Map to the nearest practical boundaries, such as regular 40-acre land subdivision, main roads, streams, or ridges within the project area.

**(2) TIMBERLAND CONVERSION PERMIT APPLICATION**

1. TCP applicant, pursuant to PRC §§ 4621-4628 and regulations in 14 CCR §§ 1100 et seq.,

Name (s)

Mailing Address (s)

Email Address (s)

Phone Numbers (s)

*I (we) hereby apply to the Director of the California Department of Forestry and Fire Protection for a Timberland Conversion Permit to exempt the timberland described herein and shown on the attached map or plat as a part of this application, from forest practice stocking requirements for a conversion to a non-timber growing use and/or to enable final immediate zoning from TPZ.*

1. Legal description of area to be converted and/or rezoned from TPZ.

Subdivision(s) Section(s) Township Range Baseline & Meridian

1. Total acres to be converted and/or rezoned:
2. The timber landowner(s) of record of this conversion:

1. The recorded interest in this timberland is held under deed dated ,

recorded in Vol. at page of official records in

County. Assessor’s Parcel Number

1. This timberland is assessed in the name(s) of:

1. Describe the intended use of the converted timberland:

1. Approximate start date of the timberland conversion

Approximate completion date of the timberland conversion

1. Is all or part of the conversion area in TPZ? [ ] Yes [ ] No
2. Is this an application for an immediate rezone? [ ] Yes [ ] No

If “Yes” to either #9 or #10 above, show the area in TPZ with diagonal black lines on the conversion plat or map, and answer the following:

1. Has an application for immediate rezoning from TPZ been made to the county or local government having property tax jurisdiction? [ ] Yes [ ] No
2. If applied for, has the county or local government tentatively approved immediate rezoning from TPZ? [ ] Yes [ ] No

If “Yes”, provide approval date:

1. Is there any other property zoned TPZ (within one mile of the boundary of the TPZ area) proposed for immediate rezoning? [ ] Yes [ ] No
2. Are there any proximate non-TPZ lands (on or off the property containing the TPZ proposed for rezoning) suitable for conversion use? [ ] Yes [ ] No

 If “No”, explain why such non-TPZ lands are not suitable:

1. Is a check or money order for the $1,305.25 Fish and Game impact fee payable to the State of California enclosed? (Fish and Game Code §711.4(d)(3)) [ ] Yes [ ] No

If “No”, explain why:

1. Is any of the conversion area in a Coastal Zone as provided for by the California Coastal Act of 1976? [ ] Yes [ ] No

If “Yes”, show the area in the Coastal Zone by horizontal black lines on the conversion plat or map and answer the following:

Has the Coastal Zone permit been issued for the proposed conversion use?

[ ] Yes [ ] No If “Yes”, provide the date of issuance:

1. What element(s) of the county or local government general plan apply to the TCP area?

1. What is the zoning classification for all or part of the proposed conversion area that is neither TPZ nor Coastal Zone? Use the designated zone term such as Agriculture / Forest, not a letter or number designation.
2. Does the county or local government have permit, zoning, or other approval jurisdiction for the project that serves the purpose of the conversion? [ ] Yes [ ] No

If “No”, the TCP cannot be issued until there is a State Clearinghouse number and the county or local government adopts the documents.

 If “Yes”, answer the following:

1. Name of county or local government:
2. Type of permit, zoning or approval required:
3. Has the county or local government prepared the CEQA Document for the project? [ ] Yes [ ] No

If “Yes”, was it submitted to the State Clearinghouse as required by CEQA? [ ] Yes [ ] No

If “Yes”, which type of document was prepared:

Provide the State Clearinghouse number for the document:

1. Has the county or local government granted the necessary permits, zoning or approvals required for this project? [ ] Yes [ ] No If “No”, explain why:
2. Timberland Base Acreage:
3. How many acres of timberland will be removed from the timberland base in the county where the conversion is proposed?
4. How many acres of timberland exist in the county?
5. What is the percentage of the converted acreage compared to the total in the county?
6. Effects on Adjacent Timberlands:
7. What are the land use and zoning designations of the contiguous parcels around the conversion area?

1. Does the submitted map of the conversion area include the contiguous parcels displaying the zoning? [ ] Yes [ ] No
2. Is a discussion of the cumulative effects of the timberland conversion included? [ ] Yes [ ] No

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All property owners must sign the following affidavit unless the owner is a partnership, corporation, or other organization, in which case the signatory must be a partner, corporate officer, or organization officer respectively. An owner’s agent may sign the affidavit, if power of attorney has been designated and signed by all the owners, a partner, or corporate or organization officer, when these types of ownerships accompany the application. **If the affidavit or power of attorney is signed in a state other than California, the signature(s) must be notarized.**  Add additional pages as necessary.

# **AFFIDAVIT**

*I (we) own the herein described property, and declare a bona fide intent as defined in §1100(b), Title 14, California Code of Regulations to successfully complete conversion of the herein described timberland for the stated purpose in accordance with the conversion plan and plat or map, all hereby acknowledged as a part of this application, and in accordance with the timberland conversion permit, timber harvesting plan, and conditions required through the California Environmental Quality Act and related regulations.*

*I (we) understand that a failure to comply with the specifications contained in the permit and Timberland Conversion Plan can result in enforcement actions by the California Department of Forestry and Fire Protection.*

*I (we) understand that if the conversion fails or is abandoned, that I (we) can be required to restock with trees in harvested areas that do not comply with forest practice stocking requirements. I (we) understand that if I (we) fail to do so, the Director of the California Department of Forestry and Fire Protection can have the harvested area restocked, including necessary site preparation, and charge me (us) with the costs.*

*I (we) declare under penalty of perjury that I (we) have fully read this application, conversion plan and plat or map, and that the information given herein is correct to the best of my (our) knowledge.*

Executed on , 20 , in (city) , State of

**Property Owner(s)**

Printed Name Signature Title

Printed Name Signature Title

**(3) TIMBERLAND CONVERSION PLAN**

INSTRUCTIONS

Applicants must complete the General section of this plan and include any additional sections as appropriate for the specific future use to which the timberlands are to be converted (agriculture-grazing, subdivision, recreation, water development, mining, or other). When responses do not fit in the space provided, so state, and add additional pages as necessary, including maps to provide complete answers or thoroughly explain use(s) not covered in the outlined sections.

The THP, upon approval by the Director for the Timber Operations for this timberland conversion, thereby becomes a part of this conversion plan.

In addition to the THP itself, either the Director or the environmental review process may describe measures to reasonably ensure the success of the conversion or to provide additional environmental protection. When the applicant agrees to these stipulations of the TCP, they shall become a part of the Timberland Conversion Plan (either incorporated therein or attached as a supplement thereto).

GENERAL

Timberland Owner(s)

1. Who is the responsible person that may be contacted if different from those in the application section?

(Name) (Address) (Phone)

1. Has professional advice or assistance in planning this timberland conversion been provided?

[ ] Yes [ ] No

If ‘Yes’, list names and addresses of those professionally trained in land management practices who have advised on this conversion.

 (Individual Name) (Firm or Agency Name) (Address)

(Profession or Occupation)

1. Is there access to sufficient financial resources to carry out this timberland conversion? [ ] Yes [ ] No
2. Should the conversion fail or be abandoned, is there access to sufficient financial resources to return the land to timber production? [ ] Yes [ ] No
3. Describe the proposed Timber Operations (will all or only some trees be cut? will the area be tractor- or cable-yarded, etc.?):

1. What is the slope percent range for the conversion area? from % to %.

Which direction do slopes generally face in the conversion area (e.g., N, NE.)

1. Erosion Control Plan:

Provide mitigations during and after operations, including any road construction, methods to prevent erosion, protect soils, streams, ponds, and lakes on or near the conversion area. What are the monitoring efforts, and by whom and when? Include action planning if the monitoring finds additional needs for erosion control, and report to CAL FIRE. Identify who will be responsible for which tasks and include a map locating the erosion controls points or features. Describe the erosion control plan:

1. Is an erosion control plan required by a government agency? [ ] Yes [ ] No

If ‘Yes’, the approved erosion control plan must be enclosed with this TCP.

1. Describe methods of slash disposal and woody vegetation treatment, and provide any additional land treatment measures proposed:

1. If the conversion fails or is abandoned for any reason, how will the area be returned to timber growing use to meet the purpose of the Forest Practice Act?

1. Describe any site preparation, seeding or planting measures, pest control measures, and weed abatement/competition control. Also, explain when a Pest Control Advisor would be required:

1. Estimated date by which Timber Operations will be completed:

Estimated date by which final conversion to new use will be completed:

1. What assurances are in place to ensure that this conversion is feasible:

1. Describe the specific plans for development of the new use (list and attach any additional documents and sketches illustrating or showing the proposed new use):

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*Select any addition additional land use sections to be included with the TCP:*

*(only include applicable sections with TCP submittal)*

[ ]  agriculture-grazing [ ]  subdivision [ ]  recreation [ ] water development [ ]  mining [ ]  other

#### AGRICULTURE-GRAZING

Please provide the following information for lands to be devoted to agricultural purposes, including grazing:

1. Has the suitability of the soil for the intended agricultural use been determined through examination by and consultation with farm advisors, Natural Resources and Conservation Service district specialists, or other qualified professionals? [ ] Yes [ ] No

If ‘”Yes”, give name(s) and title(s) of specialists and describe findings:

1. Describe the soils now supporting timber or other woody vegetation: (clay, loam, sand, decomposed granite, etc.)

Provide soil series if known:

1. Describe soil treatments necessary or desirable for the new use: (ripping, discing, soil conditioners, fertilizers, mulch, etc., and rate of application)

1. How will remaining woody vegetation be eliminated after timber harvest operations? (Check all that apply)

[ ] Mechanical clearing [ ] Chemical eradication [ ] Burning

[ ] Other (specify)

1. How will natural woody growth be prevented from revegetating the area? (Check all that apply)

[ ] Mechanical removal [ ] Chemical eradication [ ] Burning

Other (specify)

1. What kind and rate of application of seed or kind and spacing of planting stock will be used?

1. For grazing, describe the number and type of livestock being grazed before and after the conversion?

1. If agriculture is for cannabis, has the local permit process been followed? [ ] Yes [ ] No

If “Yes”, provide agency name: permit number: date issued:

If “No”, explain why:

1. What water developments exist currently on the property?
2. What additional water developments are planned for the conversion to support agriculture or grazing?

1. What length of fence exists now in connection with the conversion area?
2. How much additional length of fence will be added in connection with the conversion?
3. Describe the current buildings or improvements on the property where conversion is planned, such as a residence, barn or other existing structures:

1. Describe the proposed buildings or improvements to be added in connection with the conversion:

SUBDIVISION

Note: Only applicable for lands in Timberland Production Zone.

Please provide the following information for lands to be devoted to real estate subdivisions:

1. Has “Combined Notice of Intention” per §11010, Business and Professions Code been filed with State Division of Real Estate? [ ] Yes [ ] No

If “Yes”, date filed:

1. Is the area approved for a subdivision? [ ] Yes [ ] No

If “Yes”, by which local governing authority?

1. Identify the fire protection jurisdiction in which the subdivision will be located (e.g., name of incorporated city, fire district, etc.)
2. Will meeting fire protection standards of the fire protection jurisdiction, or for the safety element of the county or local government general plan or ordinance be a condition for approval of the final subdivision map? [ ] Yes [ ] No

Note: If “No”, this may be made a condition of the Timberland Conversion Permit.

1. Is a copy of the proposed general development plan provided [ ] Yes [ ] No

If “No”, explain why:

#### RECREATION

Please provide the following information for lands to be devoted to recreational development:

1. Provide evidence of county or district zoning and approval with this plan, and list copies of document(s) submitted herewith showing such approval:

a.

b.

c.

1. Are supporting recreation reference documents included? [ ] Yes [ ] No
2. Does the plan comply with local health and sanitation requirements, and does it have approval? [ ] Yes [ ] No

If “Yes”, by which local governing authority?

1. Will the plan meet county road standards and have county approval of the roads?

[ ] Yes [ ] No

1. Is a copy of the proposed general development plan provided? ☐Yes ☐No

If “No”, explain why:

#### WATER DEVELOPMENT PROJECTS

Please provide the following information for lands to be devoted to reservoirs or other water development projects:

1. Who is the reservoir to be built and operated for? [ ] private use [ ] public agency
2. If for a public agency, provide name of agency:
3. If privately owned and operated, is there a permit, certificate, or similar document(s) from the State (California) Department of Water Resources? [ ] Yes [ ] No

If “Yes”, provide copies with the TCP application.

1. Is a reservoir to be built under the Agricultural Conservation program? [ ] Yes [ ] No

If “Yes”, has an application been filed? [ ] Yes [ ] No

If “Yes”, provide a copy of the application, document of approval, or evidence of professional planning and design.

If “No”, explain why:

1. Has a map been provided showing the high-water line in relation to the project area? [ ] Yes [ ] No

If “No”, explain why:

1. Is a permit to appropriate water required from the State Water Resources Control Board? [ ] Yes [ ] No

If “Yes”, has an application been submitted? [ ] Yes [ ] No

If “Yes”, provide date of application:

#### MINING

Please provide the following information for lands to be devoted for mining purposes:

1. Describe the kind of material that will be mined or removed:

1. Has a feasibility report been made to determine the quality and the economics of the project? [ ] Yes [ ] No

If “Yes”, summarize findings:

1. Describe the nature and extent, if necessary, of surface disturbance(s):

1. Is a copy of the proposed development plan and map provided? ☐Yes ☐No

If “No”, explain why:

1. Is a county or local government approved reclamation plan required by the Surface Mining and Reclamation Act or local ordinance for this mine? ☐Yes ☐No

If “Yes”, has the county or local government approved a Reclamation Plan for the mine? ☐Yes ☐No

Note: If “No”, issuance of the conversion permit may be delayed until the county or local government approves the reclamation plan.

OTHER

Please provide any additional applicable detail related to the purpose of the intended conversion:

1. Provide in detail the main purpose of the conversion:

1. Describe soils, and provide the soil series if known:

1. Describe any cultural practices to be followed for soil and vegetation management:

1. Describe any water development:

1. Describe other management practices intended to maintain the converted use:

1. Provide other pertinent information – attach separate pages if necessary: