

LESS THAN THREE ACRE CONVERSION EXEMPTION

Valid for one year from date validated by CAL FIRE.

Operations may not commence for fifteen (15) working days from date of receipt and a notice of acceptance is received from CAL FIRE.

Exemption Number: _____

Date Received: _____

Date Approved: _____

Date Expires: _____

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 all items on this notice, when responses do not fit in the space provided, so state, and add additional pages as necessary.

1. REGISTERED PROFESSIONAL FORESTER

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

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

Email: _____

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 sent 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: _____ Date: _____

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

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

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

Email: _____

Signature: _____ Date: _____

I acknowledge the responsibilities as the Licensed Timber Operator

3. TIMBERLAND OWNER(S) OF RECORD

Name: _____ Phone: _____

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

Email: _____

I certify, under the penalty of perjury, that I acting as an individual, partnership or as an employee of a corporation or other legal entity have not previously obtained a less than three-acre conversion exemption on the same contiguous land ownership related to this conversion exemption. Additionally, I certify that this is a one-time conversion to a non-timberland use and that there is a "Bona Fide Intent", as defined under 14 CCR § 1100(b), to convert to the following non-timberland use: _____

Signature: _____ Date: _____

4. TIMBER OWNER(S) OF RECORD

Name: _____ Phone: _____

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

Email: _____

I declare that any applicable timber yield taxes will be paid pursuant to Section 38115 of the Revenue and Taxation Code.

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: 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.

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

A. 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 _____%

B. Fuelwood over 150 cords? Yes No

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

5. NOTICE SUBMITTER

NOTE: Submitter must be from Items 2,3 or 4 above, and must provide signature.

Name: _____

Signature: _____ Date: _____

6. COUNTY BOARD OF SUPERVISORS DECLARATION

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 noticing.*
(If the county has authorized a designee this item **must** be completed. If it has not, see Item 1.)

Signature: _____ Date: _____

7. 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 per 14 CCR § 1104.1(i)? Yes No

If “Yes” refer to 14 CCR § 1038(h). An RPF is required to 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 non-contiguous land ownership within the last 5 years?
Yes No

If “Yes” then 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 the Timberland Owner, whether acting as an individual, partnership or as an employee of a corporation or other legal entity previously obtained a less than three acre conversion exemption on the same contiguous land ownership related to this conversion exemption? Yes No

If “Yes” then the Timberland Owner is not eligible for this conversion 14 CCR § 1104.1(a).

10. Has all or a portion of the contiguous land ownership been subject to a prior, unpermitted Timberland conversion? Yes No

If “Yes” provide a description or information to assist the Director in determining that this conversion would be consistent with the proposed Act.

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 a prior unpermitted timber land conversion, a conversion exemption hereunder shall not be accepted unless the Director determines it would be consistent with the purposes of the Act.

11. Will Timber operations occur within the winter period? Yes No

If “Yes” refer to 14 CCR § 1104.1(a)(2)(E)(1-3) for specific requirements.

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

If “Yes” provide written concurrence from the Departments Archaeologist at the time of submission per 14 CCR § 1104.1(a)(2)(l)(1)(a) & (b).

If “Yes”, will the site be preserved in place? Yes No

- 13. Is the stated non-timber use feasible, based upon the extent of the vegetation removal and Site Preparation required for the conversion, as well as the suitability of soils, slope, aspect, and microclimate? [ref. 14 CCR § 1104.1(a)(6)(A)&(B)] Yes No
- 14. Provide the legal land description of the location of the timber operation [ref. 14 CCR § 1104.1(a)(1)(B)&(C)]. Attach a map(s) showing the ownership boundaries, boundaries of the conversion, the legal description, access routes to the operation, location and classification of all Watercourses, and Landing locations. 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 # (required)

*Acres are estimated and are for the boundaries of the conversion area.

Limitations or requirements for timber operations conducted under a Less Than Three Acre Conversion Exemption:

1. 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/>
2. All timber operations shall be complete within one year from the date of acceptance by CAL FIRE. 14 CCR § 1104.1(a)(2)(A)
3. 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, threatened, endangered, plants or animals if the sites will be disturbed, threatened, or damaged, per 14 CCR § 1104.1(a)(2)(H).
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 <https://www.wildlife.ca.gov/conservation/lsa>.
12. No timber operations are allowed on significant historical or archeological sites. Exception can be made if site is preserved and written concurrence is received, at time of submission of the Notice, from the Department Archeologist per 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.

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) 224-2445
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