AGENDA ITEM: Discussion/direction regarding the Tree Removal Information State Regulations provided by CAL FIRE, Nevada-Yuba-Placer Unit.

SUPPORTIVE DOCUMENTS ATTACHED: □ Memo □ Resolution □ Agreement □ Other
Letter and supporting documentation

BACKGROUND INFORMATION: See attached

FUNDING SOURCE:
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND:
AMOUNT: $ N/A

ARE ADDITIONAL PERSONNEL REQUIRED? □ Yes, -- -- □ No

IS THIS ITEM ALLOCATED IN THE BUDGET? □ Yes □ No

IS A BUDGET TRANSFER REQUIRED? □ Yes □ No

RESOLUTION 2020- ____________
AGREEMENT 2020- ____________
ORDINANCE ____________
VOTE:
Ayes: ____________________
Noes: ____________________
Abstain: ____________________
Absent: ____________________
☐ By Consensus

COMMENTS:

Clerk to the Board Date
February 12, 2020

To: Paul Roen  
   Board Chair  
   Sierra County Board of Supervisors  
   P.O. Drawer D  
   Downieville, CA 95936

RE: Tree Removal Information State Regulations

Mr. Chairman,

Representatives of CAL FIRE and the County of Sierra have met several times to discuss issues that have arisen from the conversion of timberland and CAL FIRE’s enforcement jurisdiction. A root of the conflict lies in overlapping jurisdiction between Counties and CAL FIRE when development and subsequent conversion is proposed on timberland.

The Nevada-Yuba-Placer Unit (NEU) of CAL FIRE offers the enclosed document titled “Tree Removal Information State Regulations”. The document is for both landowners and County employees. Distribution to landowners through permitting applications or application packages is encouraged as well as availability in the planning department.

The NEU Forest Practice Program would also like to build a working relationship with County Planning staff. A face to face meeting would allow for introductions of personnel. Such a meeting would also provide a venue to ensure the information contained in the document is understood and to discuss further steps that could be taken to provide a more positive experience to the public. If County Planning staff is available and interested, please have them contact David Ahmadi at 530-265-4589 Ext. 104.

Sincerely,

David Ahmadi  
Forest Practice Manager

cc: Sierra County Board of Supervisors  
Brandon Pangman – Assistant Director Planning & Building Dept.  
Unit Chief Brian Estes - Nevada Yuba Placer Unit  
Chief Dennis Hall - Sacramento Headquarters

"The Department of Forestry and Fire Protection serves and safeguards the people and protects the property and resources of California."
TREE REMOVAL INFORMATION STATE REGULATIONS

The California Department of Forestry and Fire Protection (CAL FIRE) is responsible for the enforcement of the Z'Berg – Nejedly Forest Practice Act on non-federal forested land. Timber harvest documents are required from CAL FIRE for the cutting and/or removal of trees when:

- Residential development, commercial development, agricultural development or any other building activities will occur regardless of tree size.
- Material will be sold, bartered or traded for services.

Timber harvest documents are free to obtain from CAL FIRE. Some require a Registered Professional Forester (RPF) and all the documents require the work to be performed by an insured Licensed Timber Operator (LTO).

To speak with a local CAL FIRE Forester contact:
David Ahmadi – 530-265-4589 EXT. 104 – Truckee/North Tahoe, Sierra County
Alex Stone – 530-265-4589 EXT 124 – Yuba County/North Nevada County
Dan Sooy – 530-889-0111 EXT. 1028 – Placer County/South Nevada County

Timber Harvest Document forms can be found at www.fire.ca.gov.
Navigate to Programs>Resource Management>Forest Practice>Timber Harvest Forms

CAL FIRE timber harvest forms include:

1. Timberland Conversion Permit (TCP) & Less Than Three Acre Conversion Exemption
These documents are for a landowner who wishes to cut and/or remove trees to convert land to another use (e.g., to construct a home or other structure, to convert timberland to agricultural uses, etc.). Depending on the extent of the project a landowner may submit a Less Than Three Acre Conversion Exemption which allows for the one-time conversion of less than three acres of timberland. An RPF and LTO are required for conversion operations.

2. Exemptions
There are various exemptions allowing landowners to capture loss of dead or dying trees, reduce fire hazards around structures, thin forest stands, install fuel breaks, cut and sell firewood, and Christmas trees. Many of these documents don’t require an RPF but all harvest documents require an LTO.

3. Emergencies
Emergencies are documents that a timberland owner can file after a natural disaster (fire, wind, snow and ice, pest, etc.) or to help fire safe a forest. An emergency requires a RPF and LTO.

4. Timber Harvest Plan (THP) / Non-Industrial Timber Management Plan (NTMP)
These documents are generally for timberland owners who wish to manage for commercial values. They require a RPF and LTO. An NTMP is limited to ownerships of no more than 2,500 acres.

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Definitions of terms and laws

REGISTERED PROFESSIONAL FORESTERS
A Registered Professional Forester is licensed by the Board of Forestry to provide forestry services. A list of consulting RPF's can be found at https://bof.fire.ca.gov/
Navigate to Projects and Programs>Professional Foresters Registration

LICENSED TIMBER OPERATORS
Licensed Timber Operators are persons who have been licensed under the Forest Practice Act and are authorized to conduct forest tree cutting and removal operations. More information on LTO's can be found at www.fire.ca.gov
Navigate to Programs>Resource Management>Forest Practice>Licensed Timber Operators

A list of LTOs may be obtained from the CAL TREES website. Use the link below and run the valid LTO listing found under reports on the top right of the website.
https://caltreesplans.resources.ca.gov/caltrees/

No person shall conduct timber operations unless a timber harvesting plan prepared by a registered professional forester has been submitted for such operations to the department pursuant to this article. Such plan shall be required in addition to the license required in Section 4571.

"Timberland" means land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.

(1) "Timber operations" means the cutting or removal, or both, of timber or other solid wood forest products, including Christmas trees, from timberlands for commercial purposes, together with all the incidental work, including, but not limited to, construction and maintenance of roads, fuel breaks, firebreaks, stream crossings, landings, skid trails, and beds for the falling of trees, fire hazard abatement, and site preparation that involves disturbance of soil or burning of vegetation following timber harvesting activities, but excluding preparatory work such as tree marking, surveying, or road flagging.

(2) "Commercial purposes" includes (A) the cutting or removal of trees that are processed into logs, lumber, or other wood products and offered for sale, barter, exchange, or trade, or (B) the cutting or removal of trees or other forest products during the conversion of timberlands to land uses other than the growing of timber that are subject to the provisions of Section 4621, including, but not limited to, residential or commercial developments, production of other agricultural crops, recreational developments, ski developments, water development projects, and transportation projects.