

If Your Project Involves Cutting Trees You Might Need a Permit from CALFIRE

In California, anyone who conducts **timber operations** on **timberland** must be a licensed as a timber operator (**LTO**) by the California Department of Forestry and Fire Protection (**CALFIRE**) per Public Resources Code (PRC) § 4571 and must obtain a permit to cut that timber from CALFIRE per PRC § 4581.

If you have land that can be defined as Timberland

And

If you cut down trees on it to **sell, trade, barter or exchange**

Or

You cut the trees and use the land where the trees were growing for another use (vineyard, house, driveway, etc)

Then you have conducted "Timber Operations" and need to comply with the California State Forest Practice Rules.

You may also need to comply with other city, county or state requirements.

Even if you have an approved building permit.

Violations of the Public Resources Code and/or the Forest Practice Rules are misdemeanors and CAL FIRE Forest Practice Inspector can and have issued citations or referred complaints to the District Attorneys office.

If you are planning on a project in Alameda, Contra Costa, San Mateo, Santa Cruz, or Santa Clara Counties that might involve Timber Operations; please contact the CAL FIRE Resource Management Office in Felton, at (831) 335-6740 for clarification. The Felton office can also provide information on how to obtain a license, a list of LTO's and or Registered Professional Foresters in addition to information on obtaining the proper CAL FIRE permit.

You may also visit the following webpages for more information permit forms and lists of local Foresters and LTO's:

State Forest Practice webpage:

http://www.fire.ca.gov/resource_mgt/resource_mgt_forestpractice.php

Local unit webpage:

<http://www.santacruzcountyfire.com/>



PRC § 4526. Timberland. "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 any 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 after consultation with the district committees and others.

PRC § 4526.5. Timber operator. "Timber operator" means any person who is engaged in timber operations himself or who contracts with others to conduct such operations on his behalf, except a person who is engaged in timber operations as an employee with wages as his sole compensation.

PRC § 4527. Timber operations.

(a) (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 conducted after January 1, 1988, but excluding preparatory work such as treemarking, surveying, or roadflagging.

(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.

(b) For purposes of this section, the removal of trees less than 16 inches in diameter at breast height from a firebreak or fuelbreak does not constitute "timber operations" if the removal meets all of the following criteria:

(1) It is located within 500 feet of the boundary of an urban wild land interface community at high risk of wildfire, as defined on pages 752, et seq. of Number 3 of Volume 66 (January 4, 2001) of the Federal Register, as that definition may be amended from time to time. For purposes of this paragraph, "urban wildland interface community at high risk of wildfire" means an area having one or more structures for every five acres.

(2) It is part of a community wildfire protection plan approved by the department or part of a department fire plan.

(3) The trees to be removed will not be processed into logs or lumber.

(4) The work to be conducted is under a firebreak or fuelbreak project that has been subject to a project-based review pursuant to a negative declaration, mitigated negative declaration, or environmental impact report in compliance with the California Environmental Quality Act (Division 13 (commencing with Section 21000)). For projects to be conducted on forested landscapes, as defined in Section 754, the project and the project-based review shall be prepared by or in consultation with a registered professional forester.

(5) The removal of surface and ladder fuels is consistent with paragraph (9) of subdivision (k) of Section 4584.

PRC 4571. Necessity of license.

(a) No person shall engage in timber operations until he has obtained a license from the board.

(b) The board may issue a limited timber operator license for the commercial cutting or removal of Christmas trees, treebark, fuelwood, root crown burls, posts, or split products.

PRC 4581 Necessity of timber harvesting plan. 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.