

**Timber Harvesting Operations Pursuant to Governor Brown's Executive Order B-33-15
November 19, 2015**

Landowners impacted by fires in Amador, Calaveras, Lake and Trinity counties have asked how to remove trees from their property when necessary for restoration and rehabilitation of their land when such removal is necessary for expediting cleanup of debris from the fires and for implementing any restoration plan. An important consideration here is whether the removed trees are to be used for "commercial purposes", as defined in the Forest Practice Act (ref. PRC § 4527(a)(2)).

Where timber is not being removed for commercial purposes, landowners may make private arrangements for removal without undergoing either the emergency or regular processes for permitting available to them at CAL FIRE; however, they may wish to contact other agencies (e.g., Department of Fish and Wildlife, Regional Water Quality Control Board) as additional restrictions may apply.

Where the trees to be removed will be used for commercial purposes, emergency processes and other exemptions are available to expedite such work. Landowners can use existing process (e.g., emergency notices, timber harvesting plans, and exemptions) under the Forest Practice Act and Rules when trees are removed for commercial purposes. The Act, Rules and applicable forms can be found on the CAL FIRE web page at:

http://calfire.ca.gov/resource_mgt/downloads/2015%20FP%20Rulebook_with%20TRA%20No%201_Final.pdf

and

http://calfire.ca.gov/resource_mgt/resource_mgt_forestpractice_harvestingforms.

These processes may require hiring a Registered Professional Forester (RPF) and a Licensed Timber Operator (LTO), and may require noticing and a waiting period before operations may begin. Specifically, the existing emergency process requires up to a 10-day waiting period.

In some limited circumstances, the Secretary for the California Natural Resources Agency may be able to expedite removal of dead or dying trees for commercial purposes, but the landowner will be asked to demonstrate how compliance with the existing emergency or exemption processes discussed above would not serve the purpose of accelerating cleanup and recovery, while protecting public health and the environment. If felled timber is creating an urgent public safety or health risk, for which compliance with the normal processes for permitting commercial utilization would not be feasible, please contact the California Natural Resources Agency by emailing heather.baugh@resources.ca.gov; or calling 916-653-5656.