

STATE OF CALIFORNIA
DEPARTMENT OF FORESTRY & FIRE PROTECTION

APPLICATION FOR LIMITED TIMBER OPERATOR LICENSE

RM-3B (rev. 10/98)

SEE INSTRUCTIONS ON REVERSE

TO: CALIFORNIA DEPARTMENT OF FORESTRY & FIRE PROTECTION
TIMBER OPERATOR LICENSING
1416 NINTH STREET
P.O. BOX 944246
SACRAMENTO, CA 94244-2460

FOR ADM. USE ONLY

LICENSE NO.:

DATE ISSUED:

1. CHECK KIND OF LICENSE APPLYING FOR:

RENEWALS – Postmarked by December 1

LIMITED TIMBER OPERATOR LICENSE RENEWAL
FEE \$50.00

NEW LICENSE

(Or Renewal if Postmarked After December 1)

LIMITED TIMBER OPERATOR LICENSE
COMPLETED QUESTIONNAIRE REQUIRED
FEE \$60.00

2. NAME TO APPEAR ON TIMBER OPERATOR'S LICENSE: (Name of Individual, firm, corporation, or partnership as it is to appear on license)

PREVIOUS LICENSE NUMBER:

3. APPLICANT'S NAME: (Must be real party-in-interest. See reverse for definition)

4. DRIVERS LICENSE NUMBER & STATE OF
ISSUANCE OR OTHER IDENTIFICATION:

5. MAILING ADDRESS:

CITY, STATE, AND ZIP CODE:

6. STREET (PHYSICAL) ADDRESS:

CITY, STATE, AND ZIP CODE:

PHONE NUMBER:

7. CALIFORNIA RESIDENT AGENT OR OFFICER FOR SERVICE OF DOCUMENTS: (If needed) (Name, address and phone number.)

8. IF IN PARTNERSHIP, GIVE NAMES AND ADDRESSES OF ALL PARTNERS:

NAME/ADDRESS:

NAME/ADDRESS:

NAME/ADDRESS:

9. IF A CORPORATION, GIVE STATE IN WHICH INCORPORATED:

HOME OFFICE ADDRESS:

CALIFORNIA OFFICE ADDRESS:

10. Consent is hereby given to the Director, his agents and employees, to inspect timber operations of the applicant. All the above information is accurate and complete and does not misrepresent the facts.

TIMBER OPERATOR ACKNOWLEDGEMENT (See reverse for definition)

I hereby certify in applying for a timber operator license that I am the real party in interest making application for the license.

As a licensed timber operator, I shall comply with all provisions on the Z'berg-Nejedly Forest practice Act of 1973, Board of Forestry rules and regulations, the applicable approved Timber Harvesting Plan and any approved amendments to the plan. I am familiar with the Act, rules and regulations and understand it is my responsibility that employees under my direction comply with the provisions of the Act, applicable plans and amendments, rules and regulations contained in Division 1.5 chapter 4 of Title 14, California Code of Regulations.

BY: (Type or print name)

TITLE:

SIGNATURE OF APPLICANT:

DATE:

INSTRUCTIONS
(NUMBERS REFER TO CORRESPONDING NUMBERS ON FRONT)

This form must be used to apply for a limited timber operator license. Each applicable question must be fully, accurately and legibly answered. Material misrepresentation or false statement is cause for denial, suspension, or revocation of a license. A license cannot be issued until a complete and properly executed application is received and the proper fee has been paid.

The fee must be enclosed with the application. The fee must be in the form of a check, money order, or bank draft made payable to the CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION.

1. Check the appropriate box and enter previous years' license number.

NOTE:

- (a) Limited Timber Operator Licenses are good only for minor forest products: Christmas trees, tanbark, fuelwood, root crown burls, posts and split products, but **not** poles, piling, sawlogs, veneer logs or pulp logs (PRC Section 4572 and 14 CAC Section 10221.1).
- (b) All license renewal applications must be postmarked on or before December 1st of the year before the license expires to replace a previously issued license of the same type (PRC Section 4572 and 14 CAC Section 1026).
- (c) Renewal applications are not acceptable if there is a change of the natural persons forming a partnership or changes in license status such as from an individual to a partnership, a partnership to a corporation, etc. The timber operator license is subject to future legislation and is not transferable (PRC Section 4575).
2. The name under which the license is to be issued should be entered here: Print clearly and legibly in ink or use the typewriter.
3. Applicant must be the real party in interest, which is one of the following:
- (a) The sole proprietor, principal owner, or principal officer of an entity that is applying for a license or the renewal of a license.
- (b) The on-site supervisor responsible for the conduct of timber operations, including the authority to hire and fire persons conducting those timber operations.
4. Every applicant must provide his/her driver's license number and the issuing state or another form of identification that proves the identity of the individual applying for the license.
5. Every applicant must provide a mailing address. This can be a post office box.
6. Every applicant must provide an actual street address. This cannot be a post office box.
7. Every applicant not a California resident (individual, partnership, corporation, etc.) must designate a California resident upon whom process of notice may be served. Enter the name, address, and telephone number of a natural person who is a California resident who is either the agent or principal officer of the applicant for the service of documents.
8. All members of the partnership and their addresses must be listed.
9. All corporations are to complete this section.
10. The signature must be that of the Applicant who is the real party in interest. This could be the owner, principal officer, manager, partner, or company forester who is responsible for license compliance with the Act and rules and has the authority to immediately stop or modify any phase of timber operations in order to comply with the Act.

Mail completed application, fee, and completed questionnaire if required to:

California Department of Forestry and Fire Protection
Timber Operator Licensing
P. O. Box 944246
Sacramento, CA 94244-2460

EXCERPTS FROM STATE LAW

"Any person who willfully violates a provision of this chapter or rule or regulation of the board is guilty of a misdemeanor and shall be punishable by a Fine of not more than one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than six months or by both such fine and imprisonment. . " Section 4601, Public Resources Code.

"The licensee shall notify the Director at the Sacramento Office in writing 15 days of any change of address." Section 1080, California Code of Regulations, Title 14.

"Each subsidiary of companies or corporations, and each division thereof that is a separate unit and separately managed which conducts timber operations shall be individually licensed. Partnerships consisting of individual licensees and operating as a copartnership must obtain a license as a partnership. A license is not transferable." Section 1023.1, California Code of Regulations, Title 14.

"Licenses are good only for the calendar years issued. Renewals shall be submitted to the Director on alternating years, with odd-numbered licenses expiring on January 1st of odd-numbered years and even-numbered licenses expiring on January 1st of even-numbered years. An application for renewal shall be submitted to the Department prior to December 1st of the year before the license expires. All licenses for which renewal applications with the required fee are not received by the Department or postmarked by December 1st shall expire and a new license shall be required." Section 1026 California Code of Regulations, Title 14.

(NOTE: The term "natural person" is a legal term referring to an individual person as contrasted with entities such as corporations or partnerships.)



Application for License (Form RM-3 (A), (B), (C) Rev. 10/98)

Any person who engages in timber operations on non-federal timberlands must have a Timber Operator License.

"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 work incidental thereto, including, but not limited to, construction and maintenance of roads, fuel breaks, stream crossings, landings, skid trails, beds for the falling of trees, and 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. Removal or harvest of incidental vegetation from timberlands, such as berries, ferns, greenery, mistletoe, herbs and other products, which action cannot normally be expected to result in a threat to forest, air, water, or soil resources, does not constitute timber operation (Section 4527 PRC).

The application must be submitted on the prescribed form, "Application for Timber Operator License" (Form RM-3, 10/98). It must be completed, printed in ink or typewritten and legible.

FEE SCHEDULE:	New Timber Operator License	\$125.00
	Timber Operator License Renewal	\$100.00
	New Limited Timber Operator License	\$ 60.00
	Limited Timber Operator License Renewal	\$ 50.00

Payment of Fees

An application for a Timber Operator License is not complete until the Department receives the proper fee. The fee must be paid by cashier's check, certified check, money order, postal money order, or personal check. A license will not be valid if checks are dishonored. Cash and postage stamps are not acceptable. The application must be sent with accompanying payment to the California Department of Forestry and Fire Protection, Attention: Timber Operator Licensing, P. O. Box 944246, Sacramento, California 94244-2460.

READ AND FOLLOW THE INSTRUCTIONS ON THE BACK OF THE APPLICATION FORM!!!

Kind of License

Limited Timber Operator License: valid only for harvest of the following minor forest products: Christmas trees, tanbark, fuelwood, root crown burls, posts, and split products, but not poles, piling, pulp logs, sawlogs, veneer logs, and any other forest products.

Timber Operator License: valid for all types of timber operations not covered by a limited timber operator license.

Liability Insurance

Timber Operators must maintain liability insurance, including third party loggers insurance, with a minimum limit of \$1,000,000 per occurrence.

Limited Timber Operators and regular Timber Operators who conduct timber operations only on their lands are exempt from this requirement.

License Renewal

Current licenses may be renewed at the reduced renewal fee for the succeeding two years only if the "application" is postmarked or received by the Department on or before December 1st of the year before the license expires.

New License

Timber Operator License

If you are applying for a license for the first time, the following will be needed: a copy of your certificate of completion of an approved timber operator education program with payment of the full license fee and the application for license which includes work experience and proof of insurance.

Limited Timber Operator

For a limited license, you must attach the completed questionnaire with payment of the full license fee and the application for license.

No timber operator license will be issued without the certificate of completion or the completed questionnaire.

Timber Operator License

Upon receipt of a properly completed application, the Department may issue a Timber Operator License. The Director, can however, deny a license for reasons specified by law. The license is valid only during the calendar years issued. New licenses shall be valid from the date of issuance to January 1st of odd-numbered years for odd-numbered licenses, and January 1st of even-numbered years for even-numbered licenses. The fee for a newly issued license shall be based on a proration of the annual rate.

Renewals shall be submitted to the Director on alternating years, with odd-numbered licenses expiring on January 1st of odd-numbered years, and even-numbered licenses expiring on January 1st of even-numbered years. All licenses for which renewal applications, with the required fee, are not received by the Director, or postmarked, on or before December 1st, shall expire January 1st, and a new license shall be required. Licenses are subject to future legislation and are not transferable.

Timber Operator License Availability

A valid Timber Operator License, or a copy, must be available for inspection at the site of active timber operations.

Harvest Notification Required

The Department must be notified for all timber operations carried out on non-federal California timberlands. A California Registered Professional Forester (RPF) must prepare a "Timber Harvesting Plan" (THP) on Form RM-63, and the Department must find it in conformance with the rules and regulations of the Board of Forestry, before timber operations may begin. Enforcement action may be taken against timber operators for violation of THP provisions or for conducting operations without an approved plan. The review and processing of a THP normally takes 20-30 days. Under certain conditions, instead of a THP, the RPF may prepare an "Emergency Notice – Timber Operations" (RM-65) which allows timber harvest operations to begin immediately, and continue for not more than 60 days. These conditions are specified in Section 1052.1 and 1052.2 of Title 14, California Code of Regulations.

The "Exemption Notice" (Form RM-73 "Notice of Timber Operations that are Exempt from Timber Harvesting Plan Requirements"), in lieu of a THP, must be submitted when timber operations in the following categories are proposed:

- a. Harvesting Christmas trees.
- b. Harvesting dead, dying, or diseased trees of any size, fuelwood or split products in amounts less than 10 percent of the average volume per acre, where timber operations will not exceed the impacts described in 14 CCR 1038(b).
- c. Harvesting of trees as part of 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 a timber operation and additional information that is required to be submitted.)
- d. Harvesting of trees within 150 feet of a house for the development of a fire safe zone.

General Information

The Department, acting in accordance with policies and regulations adopted by the State Board of Forestry, administers the Forest Practice Act and exercises all powers necessary to accomplish its purposes and intent, including entering and inspecting lands subject to the Act.

Copies of the Forest Practice Act, Board Rules, and forms described in these instructions are available on request from the Director, Department of Forestry and Fire Protection, Sacramento, or principal offices of the California Department of Forestry and Fire Protection throughout the state. Persons who desire a complete set of the Forest Practice Rules and Regulations of the Board of Forestry should contact:

Barclay Law Publishers
P. O. Box 3066
South San Francisco, CA 94083
Phone: (415) 588-1155

You should request Division 1.5, Title 14 of the California Code of Regulations, Forestry Section. The cost of the initial package and supplements will vary. Contact Barclay Law Publishers to determine the actual cost before sending in your order.

A field forest practice rule from the Department of Forestry and Fire Protection will be provided to timber operators.

