

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Amador-El Dorado Unit
Lake Tahoe Basin/Alpine County Division
www.fire.ca.gov
Rev. 07/03/07

**ANGORA FIRE RESIDENTIAL TREE REMOVAL INFORMATION**
FREQUENTLY ASKED QUESTIONS**IN RESPONSE TO GOVERNOR SCHWARZENEGGER'S EMERGENCY DECLARATION AND EXECUTIVE ORDER (S-09-07), THE FOLLOWING INFORMATION IS PROVIDED TO ASSIST PRIVATE LANDOWNERS AFFECTED BY THE ANGORA FIRE**

The California Department of Forestry and Fire Protection (CAL FIRE) is responsible for administering timber harvesting regulations conducted throughout California on all non-federal timberland. The removal of trees from lands capable of growing native trees that are sent to a sawmill requires a permit to be filed with CAL FIRE. Normally these permits would be required for tree removal after a fire. However, the Governor's Executive Order has modified the permit requirements in order to facilitate recovery efforts associated with the Angora Fire. Part of this recovery effort will require removal of trees from forested lots, areas pending new construction, and from around existing structures. In accordance with the Governor's Executive Order, landowners within the area impacted by the Angora Fire are not required to submit permits or paperwork to CAL FIRE for the removal of dead and dying trees and other associated vegetation. However, operational requirements that are designed to protect water and prevent soil erosion still apply. The information provided below is intended to provide answers to questions regarding the proclamation and other regulations that will help in the safe removal of dead and dying trees.

Frequently Asked Questions

Question: Do I need to file any permits or other paperwork required by CAL FIRE before I begin having trees cut and removed from my property located within the Angora Fire burn area?

Answer: No. The Governor's Executive Order dated July 2, 2007 exempts landowners affected by the Angora Fire from the requirement to submit a tree removal permit for those timber operations conducted in accordance with the "Tahoe Exemption" rules [ref. 14 CCR § 1038(f)].

Question: Do any other California state forest practice laws apply if I choose to remove the dead or dying trees around my property?

Answer: Yes, if you intend to barter, sell, or trade the value of the trees that are removed. For example, if you decide to sell the trees to a log buyer or timber company then the logging operations must be conducted by a logger licensed in the state of California (LTO) even though you are exempt from having to submit a form to CAL FIRE. The LTO must comply with all operational forest practice regulations intended to protect the environment.

Question: Is there a list of LTOs that commonly work in the vicinity of the Tahoe basin?

Answer: Please refer to the bottom portion of this FAQs sheet for a list of local licensed timber operators (LTOs).

Question: Do I need a Tahoe Tree Removal permit from the Tahoe Regional Planning Agency (TRPA)?

Answer: TRPA is a separate agency from CAL FIRE and they operate under their own statutory authority. CAL FIRE works closely with TRPA, but is not authorized to enforce or interpret TRPA ordinances. TRPA staff can be reached at (775) 589-5278 to answer questions pertaining to their tree cutting ordinances and permits.

Question: Do I have to pay for the cutting and removal of trees off of my property, or does the state cover the costs?

Answer: If you hire any private individual or business, you should plan on paying for any services rendered or contact your insurance company for possible assistance. In special cases where water quality is threatened, or public health and safety are at risk, CAL FIRE has been authorized to coordinate the use of inmate or ward labor in cooperation with the California Department of Corrections and Rehabilitation and California Conservation Corp.

Question: If my neighbor's trees pose a threat to my property do I have the right to cut them down?

Answer: You only have the legal right to cut and remove trees on your own property. If you believe a neighboring parcel needs trees removed, it would be advisable to notify your neighbor, or insurance company.

Question: What other things should I do before I hire a licensed timber operator to cut and remove trees from my property?

Answer: It is advisable that you locate your property lines and make sure they are clearly visible and identifiable. If you are not sure where the property lines are located, or there is a possible dispute between you and your neighbor over the actual location of the property lines, you may need to hire a California licensed surveyor for assistance. Also, in compliance with the Governor's Executive Order, the Licensed Timber Operator (LTO) shall consult with the appropriate agency prior to operations in lieu of compliance with those regulations requiring approval prior to submission of an exemption notice. The Licensed Timber Operator must also notify the local utility companies if work is going to be performed that may pose a risk to utility lines.

Question: Can I hire a Certified Arborist or other licensed contractor instead of a License Timber Operator to cut and remove my trees?

Answer: No. Neither a Certified Arborist nor a licensed contractor is authorized by the State to conduct timber harvesting operations. Many arborists and contractors do not have the state-recognized training, or education, and insurance coverage necessary for LTO licensure required for the cutting and removal of trees.

Question: What if I want to keep the trees cut from my property as firewood, lumber, or wood chips for landscaping or erosion control?

Answer: You have the right to make personal use of any of the wood material generated from your property. Personal use of these trees is not subject to regulation by CAL FIRE. As it pertains to the affected private timberland within the Angora Fire perimeter, CAL FIRE is required to enforce state forest practice regulations conducted by LTOs for only those cutting and tree removal activities where the landowner sells, barter or trades the value of the solid wood products (e.g. sawlogs, wood chips, firewood, burls, fuel for cogeneration facilities, etc) or converts the timberland to another non-timber use (e.g. cutting the trees down to create another home site).

Question: After I have hired a valid License Timber Operator who has consulted with affected agencies, when can tree cutting and removal begin?

Answer: Immediately upon completion of the necessary consultation by the LTO with the appropriate agencies. In most instances, the appropriate agencies may include CAL FIRE, TRPA and/or the Lahontan Region Water Quality Control Board. Both TRPA and the Water Board are taking affirmative actions to simplify their permitting processes.

As mentioned earlier, to comply with the regulations, specific terms and conditions apply to tree cutting and removal, including logging debris clean-up requirements near residences, protection of wildlife, archaeological sites, water quality, and other natural resources. Although the requirements for filing the necessary harvesting documents from CAL FIRE are waived, as well as the requirement to hire a Registered Professional Forester, non-federal landowners must still hire a licensed timber operator (LTO) to cut and remove the trees. Before hiring an LTO, be sure to ask the LTO for proof of valid insurance or call CAL FIRE LTO Licensing at (916) 653-7211.

A local CAL FIRE licensed forester is available to assist landowners through the tree removal process. Please contact CAL FIRE Tahoe Area Foresters Mary Huggins at (530) 541-1989 or Christy Daugherty at (530) 541-6564. See the attached list of local Licensed Timber Operators (LTOs).

LICENSED TIMBER OPERATORS

The following are “A” Licensed Timber Operators. All LTO license applicants are required to provide written evidence of insurance coverage for commercial general liability for not less than one million dollars. “A” licensed LTOs are authorized to cut and remove all types of solid wood forest products for commercial purposes.

Ed Cook Tree Service	577-5997
Joe Benigno’s Tree Service	577-1553 or 545-0409
Tim Harrison Tree Service	577-5007
Kimball Tree Service	577-5532
Berry Warren	367-2383
Don Swertfeger	626-0501
Hilltop Tree Service and Logging	644-6900