**Noticing Revision Proposal Language**

**§ 1032.7. Plan Submittal and Notice of Intent.**

(a) A Plan shall be submitted by the Person who owns, leases, contracts, or operates on Timberland to harvest timber for commercial purposes.

(b) Where the land or timber is owned or operated by parties other than the Person executing the Plan, the Person submitting the Plan shall give prompt written notice of such Plan to those parties.

(c) The RPF preparing the Plan shall submit to the Director, with the Plan, a Notice of Intent to Harvest Timber (Notice of Intent) if:

(1) any proposed Plan boundary lies within three-hundred (300) feet of any property not owned by the Timberland owner, or

(2) any Plan amendment that changes a Plan boundary so that the new boundary lies within three-hundred (300) feet of property not owned by the Timberland owner, or

(3) any Plan amendment changes the silvicultural method if a Notice of Intent was required for the Plan by condition (1) or (2) above or,

(4) any overhead electrical power line, except a line from a transformer to a service panel, is present within the Plan area or within two-hundred (200) feet outside the Plan boundary, or

(5) any Plan amendment changes a Plan boundary so that any overhead electrical power line, except a line from a transformer to a service panel, is within the new boundary or is within two-hundred (200) feet outside the new Plan boundary.

(d) A Notice of Intent shall include the following information:

(1) The names of the Timberland owner, RPF who prepared the Plan, and the Plan submitter.

(2) The location of the Plan area by county, section, township, and range, and the approximate direction and distance to the Plan area from the nearest community or well-known landmark.

(3) The name of and distance from the nearest perennial Stream and major water course flowing through or downstream from the Plan area.

(4) The acres proposed to be harvested.

(5) The Silvicultural Systems to be used, including Regeneration Methods, Intermediate Treatments, Special Prescriptions, and Alternative Prescriptions.

(6) The estimated earliest date that the Director may approve the Plan. This is fifteen (15) days from receipt of the Plan by the Department, except in counties for which Rules and regulations have been adopted pursuant to §§ 4516.5 or 4516.8 of the Public Resources Code where the earliest date the Director may approve the Plan is forty-five (45) days after receipt of the Plan by the Department.

(7) A statement that the public may review the Plan at the appropriate CAL FIRE Review Team Office and that a copy of the Plan may be obtained from the Department upon payment of the applicable charge.

(8) A map which provides the approximate boundary of the THP area, a map legend, and a scale. This map shall be posted with the Notice of Intent.

(9) A statement that questions or concerns regarding the specific Plan should be directed to the applicable CAL FIRE Review Team Office for public input incorporation into an Official Response Document.

(10) A statement of whether there is a known overhead electric power line within the proposed Plan area except a line from a transformer to a service panel.

(e) The RPF preparing the Plan shall furnish to the Department at the time of submission of the Plan, either:

(1) A single digital shapefile or kmz file with a single layer which includes Timberland Owner, Plan name, and submission date as attributes, and which provides geospatial mapping of the Plan boundary using the Web Mercator Auxiliary Sphere WGS84 meters projection (WGS84); or

(2) the names and mailing addresses of all property owners within three-hundred (300) feet of the P~~p~~lan boundary. Either a list compiled from the latest equalized assessment roll or a list provided by a title company doing business in California compiled within sixty (60) days of submission of the Plan shall be deemed sufficient for compliance with the subsection

(f) The RPF preparing the Plan shall furnish to the Department at the time of submission of the Plan, the names and mailing addresses of utilities that operate overhead electrical power lines within the Plan boundary or within two-hundred (200) feet outside the Plan boundary. This information shall be obtained from the Utility Contact List.

(g) The Department shall mail copies of the Notice of Intent within two (2) working days of receipt of the Plan to:

(1) all property owners within three-hundred (300) feet of the Plan boundary as delineated by the geospatial data provided pursuant to provision (e)(1) of this section **and all persons identified in (f) above,** or

(2) all Persons identified in (e) and (f) above where names and addresses are provided pursuant to provision (e)(2) of this section.

(h) Prior to submission of the Plan, the Person submitting the Plan shall post a copy of the Notice of Intent including a map as described in (d)(8) at a conspicuous location on the Public Road nearest the Plan. Said Notice of Intent shall be on colored paper or identified with colored flagging so as to be easily visible to the public.

Note: Authority cited: Sections 4551 and 4582.3, Public Resources Code. Reference: Sections 4551, 4581, 4582.3, 21080 and 21092, Public Resources Code.

**§ 1090.2. NTMP Submittal and Notice of Preparation.**

(a) A Plan shall be submitted by the Person who owns the Timberland included in the Plan.

(b) Where the timber is owned by parties other than the landowner, the landowner shall give prompt written notice of such Plan to those parties.

(c) The plan submitter shall prepare and submit to the Director, with the Plan, a notice of preparation to harvest timber (notice of preparation)

(1) If any proposed Plan boundary lies within three hundred (300) feet of any property owned by any Person other than the plan submitter, or

(2) With any Plan amendment that changes a Plan boundary so that the new boundary lies within three hundred (300) feet of any property owned by any Person other than the plan submitter, or

(3) With any Plan amendment that changes the silvicultural method if a notice of preparation was required for the Plan by condition (1) or (2) above.

(d) A notice of preparation shall include the following information:

(1) The name of the plan submitter.

(2) The location of the Plan area by county, section, township, and range, and the approximate direction and distance to the Plan area from the nearest community or well-known landmark.

(3) The name of the nearest perennial blue line Stream flowing through or downstream from the Plan area.

(4) The acreage of the area to be included in the Plan.

(5) The Silvicultural Method(s) proposed.

(6) The estimated earliest date that the Director may approve the Plan.

(7) A statement that the public may review the Plan at the specified CAL FIRE Review Team Office and a reasonable per page copy fee may be set by the Director for additional copies.

(e) The Person submitting the Plan shall furnish to the Department at the time of submission of the Plan, either:

(1) A single digital shapefile or kmz file with a single layer which includes Timberland Owner, Plan name, and submission date as attributes, and which provides geospatial mapping of the Plan boundary using the Web Mercator Auxiliary Sphere WGS84 meters projection (WGS84); or

(2) a list of all Persons, including their mailing addresses, who hold legal or equitable title to property within three hundred (300) feet of the Plan boundary. Either a list compiled from the latest equalized assessment roll or a list provided by a title insurance company doing business in California shall be deemed sufficient for compliance with the subsection.

(f) The Department shall mail copies of the notice of preparation within two (2) working days of receipt of the Plan to:

(1) all property owners within three-hundred (300) feet of the Plan boundary as delineated by the geospatial data provided pursuant to provision (e)(1) of this section,

(2) all Persons identified in (e) above where names and addresses are provided pursuant to provision (e)(2) of this section.

(g) Prior to Plan submission, the Person submitting the Plan shall post a copy of the notice of preparation at a conspicuous location that is easily visible to the public and near the Plan site. Notwithstanding other Rules, the notices required by 14 CCR § 1032.10 of this article shall be completed prior to submission of the NTMP, and within counties with special Rules, (14 CCR, Subchapter 4, Art. 13, commencing with § 924, Subchapter 5, Art. 13, commencing with § 945, and Subchapter 6, Art. 13, commencing with § 965.) the noticing requirements will be the same as for a THP.

Note: Authority cited: Stats. 1989, Ch. 1290, Sec. 13; and Sections 4551, 4593.4 and 21092, Public Resources Code. Reference: Sections 4551, 4593 and 4593.4, Public Resources Code.