

April 25, 2022

Kirkwood Firewise ® USA  
c/o Beth McAllister, Resident Leader

Dear Kirkwood Firewise ® USA:

Congratulations on the approval of your Firewise USA application! To eliminate confusion between Public Resources Code 4291 (PRC 4291) and the Kirkwood Specific Plan, Appendix 2, Tree Ordinance (Tree Ordinance), the Tri-County Technical Advisory Committee has agreed that the State law overrides the local ordinance. To further remedy this issue, the Tri-County Technical Advisory Committee is in the process of revising the Tree Ordinance. This revision adds an exemption to the tree removal permitting requirements to allow for tree trimming and removal to meet the defensible space requirements of PRC 4291. The revised Tree Ordinance has been submitted to Amador and Alpine Counties for their review approval processes.

In the meantime, while we are awaiting approvals of the revised Tree Ordinance, you have requested guidance that your residents can use for tree trimming and removal to comply with PRC 4291. The proposed revised language in bold, adding a definition in Section A and exemptions D and E in Section B.2, can be used as a guideline:

A. DEFINITIONS

**3. Qualified Forest Professional: A licensed arborist, licensed forester, licensed timber operator, or defensible space inspector employed by the California Department of Forestry and Fire Protection or a local Fire Protection District.**

B. PERMIT PROCEDURE

1. No person, firm, corporation, public agency or utility provider shall destroy, remove, cut down, kill, damage, trim, top or prune any tree on any private property without a tree permit and authorization by the approving body.

2. The following are exempted from the above:

**D) Trees and branches that have been identified and documented by a qualified forest professional to be removed to meet the defensible space requirements for distances from structures and vertical and horizontal spacing per the California Public Resources Code 4291 and the associated guidance documents for fuels management provided by the California Department of Forestry and Fire Protection (CAL FIRE) as they currently exist and as may be amended in the future.**

**E) Removal of any trees in compliance with paragraph B.2.D, above, or removal of any trees within a public utility easement, with a 14" DBH or less shall not require prior approval or verification from a qualified forest professional.**

Sincerely,



Alpine County Representative  
Tri-County Technical Advisory Committee



Amador County Representative  
Tri-County Technical Advisory Committee