



TOWN OF PARADISE  
**BUTTE COUNTY**

# HAZARD TREE REMOVAL



## Frequently Asked Questions

### Hazard Tree Removal on Private Property

#### 1. What is considered a Hazard Tree?

For the purposes of Hazard Tree removal on Private Property, a Hazard Tree is a tree on private property that is so severely damaged by the Camp Fire that its structural integrity is compromised and it poses an imminent danger of falling onto a public right-of-way, other public improved property, or eligible private road. For these purposes, “imminent danger” means within five years.

#### 2. How will I know if Hazard Tree removal is required on my property?

Hazard Tree removal is required on all private property where Hazard Trees pose a threat of falling onto a public right-of-way, other public improved property, or eligible private road. A map has been posted online at, <https://buttecountyrecovery.org/private-property-tree-removal/>, to show which parcels require enrollment in a Hazard Tree Removal Program.

Property owners may sign up for:

- The Government Hazard Tree Removal Program and complete a Tree Removal Right-of-Entry (ROE) Permit Form; or
- The Private Hazard Tree Removal Program. **The Private Hazard Tree Removal Program is no longer accepting enrollments. The deadline for property owners in the Town of Paradise and County to enroll was October 30, 2020. If the property owner is already enrolled in the Private Program, the Hazard Trees must be cut-by December 4, 2020 in the County.**
- **If the property owner in the Town of Paradise is already enrolled in the Private Program, they are required to remove their trees by December 4<sup>th</sup> unless the following conditions are met which extend the deadline to February 1, 2021:**
  - The property owner has a scheduled inspection or re-inspection with the Town’s arborist that falls after the deadline. The property owner must pass the inspection and have their property certified no later than February 1, 2021; or
  - The property owner is in contractual agreement with a tree felling company to have trees removed and provides an Arborist’s/Forester’s Certification form by February 1, 2021.
- If the property owner isn’t enrolled in the Private Hazard Tree Removal Program, they may still comply by assessing and removing their own Hazard Trees and then after the work is completed by the property owner, the property owner must hire their own Arborist or Forester to complete

an Arborist's/Forester's Certification Form signed by an ISA Certified Arborist with a Tree Risk Assessment Qualification (TRAQ) or Registered Professional Forester (qualified pursuant to California Public Resource Code section 752) certifying all Hazard Trees have been removed. **All Hazard Trees must be cut-by December 4, 2020 in the County and as noted above for the Town of Paradise**

**3. Is the Hazard Tree removal only required for properties where structures were damaged or destroyed?**

No. Hazard Tree removal is required on all private property where Hazard Trees pose a threat of falling onto a public right-of-way, other public improved property, or eligible private road. This may include properties where structures remain, but trees burned in the Camp Fire.

**4. What are my options for removing Hazard Trees on my property?**

Removal of Hazard Trees is mandatory. Property owners may either sign up for the Government Hazard Tree Removal Program or participate in the Private Hazard Tree Removal Program.

- To participate in the Government Hazard Tree Removal Program, property owners must submit a Tree Removal Right-of-Entry (ROE) Permit Form to be eligible for the program.
- The Private Hazard Tree Removal Program. **The Private Program is no longer accepting enrollments. The deadline to enroll for property owners in the Town of Paradise and County was October 30, 2020. If the property owner is already enrolled in the Private Program, the Hazard Trees must be cut-by December 4, 2020 in the County. Please refer to Question 2 for the cut-by deadline for the Town of Paradise.**
- If the property owner isn't enrolled in the Private Program they may still comply by assessing and removing their own Hazard Trees and then after the work is completed by the property owner, the property owner must hire their own Arborist or Forester to complete an Arborist's/Forester's Certification Form signed by an ISA Certified Arborist with a Tree Risk Assessment Qualification (TRAQ) or Registered Professional Forester (qualified pursuant to California Public Resource Code section 752) certifying all Hazard Trees have been removed. **All Hazard Trees must be cut-by December 4, 2020 in the County and as noted above for the Town of Paradise.**

**Private Hazard Tree Removal Program Enrollment/Process**

**5. What is the Private Hazard Tree Removal Program?**

The Private Hazard Tree Removal Program is an alternative to the Government Hazard Tree Removal Program that allows the property owner the option to identify and remove Hazard Trees on their property at their own cost.

Property owners must enter either the Private Hazard Tree Removal Program or the Government Hazard Tree Removal Program to register their intent to remove Hazard Trees.

**6. What do I need to do to enroll in the Private Hazard Tree Removal Program?**

**The Private Hazard Tree Removal Program is no longer accepting enrollments. The deadline for property owners in the Town of Paradise and County to enroll was October 30, 2020. If the property owner is already enrolled in the Private Program, the Hazard Trees must be cut-by December 4, 2020 in the County.**

If the property owner in the Town of Paradise is already enrolled in the Private Program, they are required to remove their trees by December 4<sup>th</sup> unless the following conditions are met which extend the deadline to February 1, 2021:

- The property owner has a scheduled inspection or re-inspection with the Town's arborist that falls after the deadline. The property owner must pass the inspection and have their property certified no later than February 1, 2021; or
- The property owner is in contractual agreement with a tree felling company to have trees removed and provides an Arborist's/Forester's Certification form by February 1, 2021.

If the property owner was enrolled in the Private Hazard Tree Removal Program prior to the deadline, the completed Inspection Access form provides an inspector access to the property to conduct a compliance inspection once the property owner identifies and removes all Hazard Trees at their own cost. The inspection is required to confirm all Hazard Trees have been removed and the property complies with local ordinances. Hazard Trees must be cut-by December 4, 2020 in the County and as noted above for the Town of Paradise

If the property owner isn't enrolled in the Private Hazard Tree Removal Program, they may still comply by assessing and removing their own Hazard Trees and then after the work is completed by the property owner, the property owner must hire their own Arborist or Forester to complete an Arborist's/Forester's Certification Form signed by an ISA Certified Arborist with a Tree Risk Assessment Qualification (TRAQ) or Registered Professional Forester (qualified pursuant to California Public Resource Code section 752) certifying all Hazard Trees have been removed. **All Hazard Trees must be cut-by December 4, 2020 in the County and as above for the Town of Paradise.**

Submit completed forms to:

- RETURN VIA MAIL ONLY:  
Butte County Tree Removal ROE Processing Center  
PO Box 3390, Chico, CA 95927-3390
- E-MAIL TO: [TREEROE@buttecounty.net](mailto:TREEROE@buttecounty.net)

#### **7. What happens once I enter the Private Hazard Tree Removal Program by submitting the Inspection Access Form?**

The property owner shall identify and remove the Hazard Trees, and then removes or utilizes the timber from the Hazard Trees. The property owner requests a compliance inspection to confirm all Hazard Trees have been removed and the property complies with local ordinances. Property owners who have identified and removed all Hazard Trees can call the Hazard Tree Removal Center at 530-552-3030 to schedule their compliance inspection. All Hazard Trees must be cut-by December 4, 2020.

#### **8. Can I remove my own trees?**

Yes. Property owners must identify and fell the Hazard Trees on their property, and then remove or utilize the timber from the Hazard Trees.

**9. I already removed my trees, why do I have to enter a program?**

The Private Hazard Tree Removal Program is no longer accepting enrollments. The deadline for property owners in the Town of Paradise and County to enroll was October 30, 2020. If the property owner is already enrolled in the Private Program, the Hazard Trees must be cut-by December 4, 2020 in the County.

If the property owner in the Town of Paradise is already enrolled in the Private Program, they are required to remove their trees by December 4<sup>th</sup> unless the following conditions are met which extend the deadline to February 1, 2021:

- The property owner has a scheduled inspection or re-inspection with the Town’s arborist that falls after the deadline. The property owner must pass the inspection and have their property certified no later than February 1, 2021; or
- The property owner is in contractual agreement with a tree felling company to have trees removed and provides an Arborist’s/Forester’s Certification form by February 1, 2021.

If the property owner isn’t enrolled in the Private Hazard Tree Removal Program, they may still comply by assessing and removing their own Hazard Trees and then after the work is completed by the property owner, the property owner must hire their own Arborist or Forester to complete an Arborist’s/Forester’s Certification Form signed by an ISA Certified Arborist with a Tree Risk Assessment Qualification (TRAQ) or Registered Professional Forester (qualified pursuant to California Public Resource Code section 752) certifying all Hazard Trees have been removed. **All Hazard Trees must be cut-by December 4, 2020 in the County and as noted above for the Town of Paradise.**

**10. Can I keep the timber after the Hazard Trees are felled?**

Yes. Property owners may use the timber, and must meet setbacks for timber prior to using it on the property. Foliage, slash, tree branches, limbs, and chipped or mulched vegetation must be used in a way that they do not become a fire hazard. For Town parcels, firewood must be neatly stacked and ready for use in a standard size fireplace and must be setback at least 10 feet from any building or structure. If a property owner utilizes felled Hazard Trees for wood chips, the wood chips must be spread to a depth of not greater than 3 inches with a setback of not less than 100 feet from a building or structure.

**Government Hazard Tree Removal Program Enrollment/Process**

**11. What is the Government Hazard Tree Removal Program?**

The Government Hazard Tree Removal Program is a new, separate phase of Recovery that follows the Consolidated Debris Removal Program. This effort ensures the public and eligible private road transportation corridors have a reduction in Hazard Trees to provide a safe environment for the traveling public during normal, day-to-day travel and emergency situations. The program is made up of state employees, local and federal partners, and private contractors and subcontractors, all of whom must comply with all relevant statutes and regulations.

**12. What do I need to do?**

To sign up for the Government Hazard Tree Removal Program, you must complete a Tree Removal (ROE) Permit Form to grant government contractors access to your property to conduct the Hazard Tree evaluation and removal. Please provide insurance information with the Tree

Removal ROE Permit Form as applicable. Visit: <https://buttecountyrecovers.org/private-property-tree-removal/> to download the form.

Submit completed form to:

- RETURN VIA MAIL ONLY:  
Butte County Tree Removal ROE Processing Center  
PO Box 3390, Chico, CA 95927-3390
- E-MAIL TO: [TREEROE@buttecounty.net](mailto:TREEROE@buttecounty.net)

**13. What happens after I turn in the Tree Removal Right-of-Entry (ROE) Permit Form to my local government?**

First, the Tree Removal ROE Processing Center reviews your Tree Removal ROE Permit Form to ensure it has been filled out correctly. They will also cross check property records to verify you are the property owner. Afterwards, the Tree Removal ROE Permit Form will be transferred to the State for processing and scheduling for tree assessment and removal to take place.

**14. Who determines if the trees on my property are Hazard Trees and must be removed?**

A Certified Arborist or Registered Professional Forester will determine which trees are a hazard to the public. Just because a tree looks healthy, alive and may have green in the canopy, does not mean it is not already dead, dying or a threat to public safety.

**15. When will my Hazard Trees be assessed?**

Once the Tree Removal ROE Permit Form has been received by the State, an assessment team, including a Registered Professional Forester (RPF) or Certified Arborist, will come out to evaluate the trees on properties.

If the property owner would like to be present during the tree evaluation process, that must be noted on the Tree Removal ROE Permit Form. State contractors will attempt to contact those who have requested pre-notification on the Tree Removal ROE Permit 24 to 48 hours prior to tree evaluation team entering the property to conduct evaluations.

If the arborists or RPFs determine there are no eligible hazard trees on the property threatening public infrastructure, the property will be returned back to the county and homeowner after the assessment is complete.

**16. What if I do not want all of the trees removed that are marked as Hazard Trees?**

All trees that have been marked by the State Program RPF or Certified Arborist as a hazard will need to be removed according to the Town and County Ordinances.

**17. After Hazard Trees are removed, what are the next steps?**

Once Hazard Trees are removed, a final site-walk of the property will be conducted to ensure all marked and qualified trees have been removed, and any erosion control determined necessary by the program has been installed. The County will then be notified the property is cleared of Hazard Trees.

**18. Will the Government Hazard Tree Removal Program remove stumps and other remnants from the tree removal such as sawdust and brush?**

No. The Government Hazard Tree Removal Program will not remove stumps or other incidental material such as sawdust and brush.

**19. Will the trees be removed from my property once they are felled?**

All Hazard Trees felled as part of the Government Hazard Tree Removal Program will be removed from the property, but some incidental material such as sawdust and brush may remain.

**20. Can I request to keep the timber once the trees are felled?**

The Government Hazard Tree Removal Program does not allow you to keep your trees that have been felled.

**21. Does inclement weather delay Hazard Tree removal?**

Yes. To ensure the safety of the public and crews working to remove the Hazard Trees, inclement weather may delay progress on tree removal.

**22. If the contractor damages my property while removing Hazard Trees, where do I submit a claim?**

Per Section 5 in the Tree Removal ROE Permit Form, the property owner acknowledges that the Government is not liable for any claim based on the activities of the program. By signing the Tree Removal ROE Permit Form, the property owner agrees to hold harmless the Government from all liability for any damage or loss that may occur during or after activities in the Government Hazard Tree Removal Program. However, you can still fill out a claim at [ButteCountyRecovers.org](http://ButteCountyRecovers.org) for consideration.

**Government Hazard Tree Removal Program Health and Safety**

**23. My property has Hazard Trees, can I go back onto my property?**

Per Section 13 of the Tree Removal ROE Permit Form, the property owner or others may reside on the property before and during the removal of Hazard Trees. By residing on the property, the owner accepts any risk or inconvenience that may result in the choice to remain on the property during the program. If the owner chooses to remain on the property during the Government Hazard Tree Removal Program, the owner shall comply with any and all requests from the Government Hazard Tree Removal Program, including leaving the property during program activities.

**24. Can a property owner(s) be present during Hazard Tree evaluation on their personal property?**

Yes. By signing the Tree Removal ROE Permit Form, however, the owner agrees that the methodology for identifying and removing hazard trees, selection of personnel to identify hazard trees, is at the sole discretion of the Government Hazard Tree Removal Program. The owner may not contest the identification and/or removal of hazard trees (see Section 5 of Tree Removal ROE Permit Form).

**25. Can a property owner(s) be present during Hazard Tree removal on their personal property?**

Generally, yes. By signing the Tree Removal ROE Permit Form, however, the owner agrees that

the methodology for identifying and removing Hazard Trees, selection of personnel to identify Hazard Trees, is at the sole discretion of the Government Hazard Tree Removal Program. The owner may not contest the identification and/or removal of Hazard Trees (see Section 5 of Tree Removal ROE Permit Form). Additionally, the owner must comply with all Government Hazard Tree Removal Program direction that may include absencing themselves from the property during program activities. (Section 13 of Tree Removal ROE Permit Form).

**26. How is the Tree Removal Incident Management Team protecting rivers, streams and aquifers from contamination?**

The Tree Removal Incident Management Team will use best management practices to prevent off-site erosion such as use of erosion control devices around storm drains and containing biomass products from tree removal with tarps on-site or in truck transport off-site. Transport of timber and biomass products to market are regulated by the federal Department of Transportation (DOT), and Federal Motor Carrier Safety Administration and the Government Hazard Tree Removal Program contractors will be required to comply with their regulations.

**27. Who ensures compliance with worker safety regulations?**

The Tree Removal Incident Management Team safety professionals and contractor safety staff ensure work is in compliance with all OSHA, Cal/OSHA, and applicable state and federal safety laws, regulations, and management practices. Trucks used to transport timber and biomass products will be DOT safety inspected prior to being included in the operation and will be inspected periodically during the operation.

**28. What safety and environmental regulations are contractors required to comply with?** The Tree Removal Incident Management Team and its contractors are required to comply with all local, state, and federal laws and regulations, including those that protect the environment, wildlife, the public, cultural and archeological assets, and workers. If there are differences between these laws or regulations, compliance with the most stringent regulation will be required.

**29. If a marked/assessed fire-damaged tree falls before it is cut, will state contractors remove it?**  
No. State contractors are only authorized to remove marked trees that they have cut. If a tree has fallen on its own, or been felled by someone other than a state contractor, it is no longer eligible for the government program.

**Government Hazard Tree Removal Program Payment and Insurance Related Questions**

**30. Who will pay for the tree removal?**

The Government will pay the costs of tree removal under the Government Hazard Tree Removal Program. However, if property owners have homeowner's insurance covering tree removal, owners must inform local officials by indicating that coverage on their Tree Removal ROE Permit Form. Homeowners may be required to remit that portion of their insurance proceeds specifically reserved for trees.

**31. If I have homeowner's insurance, can I still participate in the Government Hazard Tree Removal Program?**

Yes. However, to avoid a duplication of benefits provided by the state or federal government,

your insurance company may be required to provide payment from your insurance policy designated for tree removal to the government.

**32. Will the Government Hazard Tree Removal Program reimburse me if I already removed hazard trees from my property?**

No. If a property owner chooses to hire a private licensed timber operator, the property owner is responsible for the cost of removal and liability.

***\* Government is defined as “Butte County and Town of Paradise and their officers, employees, agencies, and independent contractors (“County”), the State of California and its officers, employees, agencies, and independent contractors (“State”), and the Federal Government and its officers, employees, agencies, and independent contractors (“Federal Government”).”***