

**NOTICE OF EMERGENCY TIMBER OPERATIONS
SUDDEN OAK DEATH DISEASE**

FOR ADMIN. USE ONLY

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE
PROTECTION

EM. # _____

NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-66(1052.5)
(03/2018)

Date of Receipt _____

Date Validated by CAL FIRE _____

Date Expires _____

**VALID FOR ONE YEAR FROM DATE OF VALIDATION BY CAL FIRE
OPERATIONS CANNOT COMMENCE FOR 5 WORKING DAYS FROM DATE
OF RECEIPT BY CAL FIRE**

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of PRC § 4592 and 14 CCR §§ 1052-1052.5 to remove timber on an emergency basis. The Registered Professional Forester (RPF) should complete items 1-7 and shall sign the declaration of emergency on page three and provide additional information.

1. REGISTERED PROFESSIONAL FORESTER:

I declare, under penalty of perjury, that an emergency exists requiring immediate timber harvesting activities within the meaning of 14 CCR §§ 1052-1052.5:

RPF Signature: _____ Lic. No. _____ Date _____

RPF Printed Name: _____ Phone _____

Address _____ City _____ State _____

Zip _____

Email: (optional) _____

2. LICENSED TIMBER OPERATOR(S): Name _____ Lic. No. _____

Address _____

City _____ State _____ Zip _____ Phone _____

Email: (optional) _____

3. TIMBERLAND OWNER(S) OF RECORD: Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

Email: (optional) _____

4. TIMBER OWNER(S) OF RECORD: Name _____

Address _____

City _____ State _____ Zip _____ Phone _____

Email: (optional) _____

TIMBER TAX NOTICE: The TIMBER OWNER is responsible for payment of a yield tax.

For timber yield tax information or for assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0060; or see the CDTFA Web Page on the Internet <http://www.cdtfa.ca.gov>.

TIMBER TAX EXEMPTION: Some small or low value harvests may be exempt from the timber yield tax (Revenue and Taxation Code sec. 38116)

Timber Owners may be considered exempt if the value of the harvesting operations does not exceed \$3,000 dollars within a quarter, according to CDTFA Harvest Value Schedules, Rule 1024.

IF THE TIMBER OWNER BELIEVES HARVESTING MAY BE EXEMPT (see timber tax exemption language above for low value harvests) PLEASE CHECK BELOW:

FINAL DETERMINATION of tax exempt status will be made by the Timber Tax Section of the California Department of Tax and Fees Administration. If you think you are exempt based on the directions above please complete the below information so the Timber Tax Section can make the final determination.

IF YOU WOULD LIKE CDTFA TIMBER TAX SECTION TO CONSIDER A TAX EXEMPTION BASED ON PROJECTED HARVEST PLEASE COMPLETE THE INFORMATION BELOW.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate what percentage of timber will be removed during this harvest: (percentages provided should equal 100%)

Redwood _____%; Ponderosa/Sugar pine _____%; Douglas-fir _____%; Fir _____%;

Port-Orford Cedar _____%; Cedar (IC, WRC) _____%; Other conifer _____%; Other hardwood _____%.

C. Fuelwood over 150 cords? Yes No . D. Christmas trees over 3,000 lineal feet? Yes No .

5. Describe the isolated infestation of Sudden Oak Death (S.O.D.) where treatment(s) are indicated to eradicate or significantly slow the spread of S.O.D. (optional)

NOTE: this exemption may only be utilized in areas of isolated infestation within the counties of:

Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Mateo, San Luis Obispo, Santa Clara, Santa Cruz, Solano, and Sonoma.

Please select the type of isolated infestation per 14 CCR § 1052.1(f)(1-4):

Infestation in planning watershed where all S.O.D. had not been previously noted.

Infestation located in a planning watershed that is greater than one (1) mile from a known S.O.D. Infestation.

New infestation in a planning watershed where all known previous S.O.D. infestations, within an ownership, have been or will be subject to control or eradication efforts.

Location where a landowner seeks to contain an infestation, even though some landowners have not made proactive efforts and the Departments Pest Specialist determines control efforts may be effective.

- Check the County isolated infestation is within:

Alameda Contra Costa Del Norte Humboldt Lake Marin Mendocino

- Monterey
 Napa
 San Mateo
 San Luis Obispo
 Santa Clara
 Santa Cruz
 Solano
 Sonoma

- Describe the extent of the infestation and the need for immediate harvesting of trees. Timber operations and conformance must conform with all subsections of 14 CCR §§ 1052.1(f) , 1052.2 (a) and 1052.5: (required)

6. Describe the strategies to be employed which will be utilized to control or suppress S.O.D. infestation within the harvest area: (14 CCR § 1052.5(c)) (required)

7. Describe the measures to be utilized to minimize the risk of spreading *Phytophthora ramorum* from the logging area by way of infected soil and infected host material: (14 CCR § 1052.5(c)) (required)

8. Per 14 CCR § 1052.5(b)(6) the Department shall track the number of Emergency Notices for outbreaks of S.O.D., acreage treated per notice and the WLPZ acreage treated: (optional)

- Please Provide the number of acres to be harvested within a WLPZ: _____ Acres.

9. CHECK EACH Yarding method to be utilized: (required)

- Tractor, including end/long lining
 Cable, ground lead
 Helicopter
 Rubber tired skidder, Forwarder
 Cable, High lead
 Other (describe below)
 Feller buncher
 Cable, Skyline
 Shovel yarding

10. Describe nature of other method to be used (if applicable):

11. Provide the expected dates of commencement _____ and completion _____ of timber operations. (required)

12. Designate the legal land description of the location of the timber operation. Attach a titled USGS or equivalent topographic map(s) of scale not less than 2" to the mile or larger scale, showing the area from which timber will be cut or removed, the legal description, roads and Class I, II, III, IV watercourses, and yarding systems if more than one will be used. It would be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

Base Meridian	Township	Range	Section	County	Acreage (estimated)	Assessors Parcel # (optional)

The following are limitations or requirements for timber operations conducted under a Notice of Emergency Timber Operations (Notice, Notice of Emergency, or Emergency Notice) for Sudden Oak Death Disease:

1. This notice must be submitted to and received by CAL FIRE at one of the offices listed below. Timber operations may not commence for 5 working days after receipt by CAL FIRE, unless the waiting period is waived by the Director of CAL FIRE (Notice of Acceptance from CAL FIRE will constitute a waiver of the 5-day period).
2. 14 CCR §§ 895.1 and 1052.1 define and list emergency conditions. Citing or paraphrasing of these sections does not satisfy the requirements of § 1052.2 or 1052.5. The RPF preparing the notice must accomplish the following to substantiate the emergency: Describe the nature of the emergency and the need for immediate cutting in sufficient detail so the reason for the emergency is clear.
3. Timber operations conducted under this notice must meet the stocking standards contained in 14 CCR § 1052.5(b)(5). The timber operations shall also comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvesting Plan," "THP," and "plan," and with the exceptions or additional requirements contained in §1052.5(b)(1-6) . The requirements to submit a completion and stocking report apply.
4. The Emergency Notice filing shall contain the following:
 - a. A certified lab test validating SOD infestation;
 - b. Written concurrence from the CAL FIRE Pest Specialist per 1052.5(a)(3);
 - c. Written proof of notification and receipt of the emergency notice to the public agencies listed in § 1052.5(b)(1); and
 - d. A description of the strategies employed, which will be utilized to control or suppress the SOD infestation on the harvest area along with those measures to be used to minimize the risk of spreading *Phytophthora ramorum* from the logging area by way of infected soil and infected host material.

In developing such strategies, the RPF shall draw from the list of Mitigation and Management Recommendations in the California Oak Mortality Task Force publication Sudden Oak Death for Forestry, August 2010 at: www.suddenoakdeath.org/diagnosis-and-management/best-management-practices/.

5. Timber Operations under this Notice of Emergency are valid for one year from date of acceptance by CAL FIRE. If timber operations are to extend beyond that period, such operations must be described in an approved Timber Harvesting Plan. If there is any doubt that a timber operation will not be completed by that date, a THP should be submitted to CAL FIRE as soon as possible.
6. A licensed Timber Operator must be designated upon submission of this notice.
7. For emergency notices covering three acres or more, the RPF shall include a Confidential Archaeological Letter (CAL) with the emergency notice submitted to the Director. The CAL shall include all information required by 14 CCR § 929.1 [949.1, 969.1](c)(2), (7), (8), (9), (10) and (11), including site records, if required pursuant to 14 CCR §§ 929.1 [949.1, 969.1](g) and 929.5. The discovery of human remains requires immediate notification to appropriate agencies. 14 CCR § 929.3 [949.3, 969.3] requires notification to CAL FIRE. The area must not be further disturbed, and any area reasonably suspected to overlie adjacent human remains, until an evaluation is completed by the County Coroner pursuant to Health and Safety Code § 7050.5. If the human remains are determined to be Native American, the Native American Heritage Commission must also be notified pursuant to Public Resources Code § 5097.98.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

1. Timber Owners, Timberland owners and Timber Operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Emergency. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. Box 2006, San Francisco, CA 94126, CAL FIRE, Forest Practice, P.O. Box 944246, Sacramento, CA 94244-2460; or CAL FIRE’s Web Page at <http://www.fire.ca.gov>.
2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.

Forest Practice Program Manager
CAL FIRE
135 Ridgway Avenue
Santa Rosa, CA 95401

Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.

Forest Practice Program Manager
CAL FIRE
6105 Airport Road
Redding, CA 96002

Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties.

Forest Practice Program Manager
CAL FIRE
1234 East Shaw Avenue
Fresno, CA 93710