

EM Notice Number: \_\_\_\_\_

Date Received: \_\_\_\_\_

Date Approved: \_\_\_\_\_

Date Expires: \_\_\_\_\_

**NOTICE OF EMERGENCY TIMBER OPERATIONS**

**Valid for one year from date approved by CAL FIRE.**

*Timber Operations cannot commence for five working days from date of receipt unless such waiting period is waived by the Director.*

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- 1052.3 to remove timber on an emergency basis. Complete all Items on this notice, when responses do not fit in the space provided, so state, and add additional pages as necessary.

**1. REGISTERED PROFESSIONAL FORESTER (RPF)**

Name: \_\_\_\_\_ Lic. No.: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_

***I declare, under penalty of perjury, that an emergency exists requiring immediate timber harvest activities within the meaning of 14 CCR §§ 1052-1052.3:***

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**2. RPF RETAINED TO PROVIDE PROFESSIONAL ADVICE THROUGHOUT TIMBER OPERATIONS**

Name: \_\_\_\_\_ Lic. No.: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**3. LICENSED TIMBER OPERATOR(S)**

Name: \_\_\_\_\_ Lic. No.: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**4. TIMBERLAND OWNER(S) OF RECORD**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: (optional) \_\_\_\_\_ Date: \_\_\_\_\_

**5. TIMBER OWNER(S) OF RECORD**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_

***I declare, under penalty of perjury, that any applicable timber yield taxes will be paid pursuant to Section 38115 of the Revenue and Taxation Code.***

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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: 88, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0088; or see the CDTFA at <https://www.cdtfa.ca.gov>

Some small or low value harvests may be exempt from the Timber Yield Tax per Revenue and Taxation Code Section 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's Timber Tax Harvest Value Schedules.

If the Timber Owner believes harvesting may be exempt (according to the timber tax exemption language above for low value harvests) please complete the volume and species information below. Otherwise proceed to the next item.

Final determination of tax-exempt status will be made by the Timber Tax Section of the California Department of Tax and Fee Administration.

**If the CDTFA timber tax section is to be consider a tax exemption based on projected harvest please complete the information below.**

A. Select the best estimate of 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 the percentage of timber to be removed during this harvest: (percentages provided should equal 100%)

- Redwood \_\_\_\_\_%    Ponderosa/Sugar Pine \_\_\_\_\_%    Douglas-Fir \_\_\_\_\_%    Other Conifer \_\_\_\_\_%
- Cedar \_\_\_\_\_%    Port-Orford Cedar \_\_\_\_\_%    Fir \_\_\_\_\_%    Other Hardwoods \_\_\_\_\_%

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

**6. Select the specific condition from the Forest Practice Rules which constitute the emergency:**

- Trees are dead or dying as a result of insect, disease, parasites, or animal damage (14 CCR §1052.1(a)(1))
  - Insect    Disease    Parasites    Animals
- Trees are fallen, damaged, dead or dying as a result of wind, snow, freezing weather, drought, fire, flood, landslides or earthquake (14 CCR § 1052.1(a)(2))
  - Wind    Snow    Weather    Drought    Fire    Flood    Landslide    Earthquake
- Trees are dead or dying as a result of air or water pollution (14 CCR § 1052.1(a)(3))
  - Air Pollution    Water Pollution
- Cutting or removing trees required for the following (14 CCR § 1052.1(a)(4))
  - Emergency Road Construction    Emergency Road Repair
- Financial Loss (14 CCR § 1052.1(b))
  - Financial Loss due to one or more of the following:
    - Previously Inoperable                      Unmerchantable                      Timber Volume
    - Access    Location                                      Condition
    - Other \_\_\_\_\_

- Describe the nature of the emergency and the need for immediate harvesting of trees. Indicate the extent and reason for the immediate commencement of Timber Operations. If Timber Operations are to be conducted on any substantially damaged Timberlands, designate as such and describe per 14 CCR § 1080.2:

**7. Select all proposed Yarding Systems**

GROUND BASED

- Tractor, including end/long lining
- Rubber tired skidder, Forwarder
- Feller Buncher
- Shovel yarding

CABLE

- Cable, Ground Lead
- Cable, High Lead
- Cable, Skyline

OTHER

- Helicopter
- Other (explain): \_\_\_\_\_

**8.** Expected date of commencement \_\_\_\_\_ Estimated date of completion \_\_\_\_\_

**9.** Provide 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, Logging Roads, Class I, II, III, and IV watercourses, yarding systems if more than one will be used, and boundaries of areas where Tractor Operations are proposed for use on areas designated for Cable Yarding. 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. Attach additional supporting pages as necessary.

Baseline Meridian	Township	Range	Section	County	Acreage*	Assessor's Parcel # (optional)

\*Acres are estimated and are for the Logging Area

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

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 five working days after receipt by CAL FIRE unless waiting period is waived by the Director of CAL FIRE.
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 14 CCR § 1052.2. The registered professional forester (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. When the emergency is classified as financial, the following questions must be answered: What is the reason the timber has previously been inoperable or unmerchantable? Why is the harvest opportunity not economically feasible for more than one year? Why do the operations have only minimal impact on timberland resources? The financial emergency described in 14 CCR § 1052.1 means financial loss of timber and not loss of profit. Financial loss requires a loss of timber resource.
3. Timber Operations conducted under this notice must meet minimum stocking standards at the completion of operations. 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." The requirements to submit a completion and stocking report apply. 14 CCR § 1052 describes how exceptions to the rules for non-financial emergencies can be addressed. If this is a financial emergency the conditions specified in 14 CCR § 1038.1(c)(5)-(14) and 14 CCR § 1038.3(p) must be met.
4. This Emergency Notice is valid for one year from the date validated by CAL FIRE. If Timber Operations are to extend beyond the one-year 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 in one year, a THP should be submitted to CAL FIRE early during the one-year operating period.
5. A Licensed Timber Operator (LTO) with a valid state license must be designated upon submission of this notice.

6. 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. Archaeology requirements shall be conducted by a Person possessing current certification pursuant to 14 CCR § 929.4 [949.4, 969.4].
7. An RPF shall be retained by the Timber Owner or LTO to provide professional advice throughout the Timber Operations and shall be present, or ensure that the RPF's Supervised Designee is present, on the Logging Area at a sufficient frequency to know the progress of operations and advise the LTO and Timberland Owner, but not less than once during the life of the notice. [ref. 14 CCR § 1052(f)]
8. Emergency Notices in ASP Watersheds within the WLPZ or ELZ/EEZ, if the stocking standards of 14 CCR § 912 [932, 952].7 are not met upon completion of Timber Operations, unless the area meets the definition of substantially damaged Timberlands, at least ten (10) trees shall be planted for each tree harvested but need not exceed the point count standards contained in 14 CCR § 912.7(b)(1) [932.7(b)(1), 952.7(b)(1)], as appropriate.
9. Per 14 CCR 1080.1(1) on Sites III and better, the stocking shall consist of at least ten Countable Trees planted for each live tree harvested during conduct of salvage operations following the substantial damage, but need not exceed an average point count of those standards established within 14 CCR § 912.7, 932.7, or 952.7, as appropriate.
10. Where only dead, down, or dying trees were salvage logged following the substantial damage, no restocking is required. [ref. 14 CCR 1080.1(2)]

**The following suggestions may help ensure 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 3066, SO. San Francisco, CA. 94080. or from CAL FIRE Forest Practice, P.O. Box 944246, Sacramento, CA 94244-2460; or from The California Board of Forestry and Fire Protection at <https://bof.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.	135 Ridgway Avenue Santa Rosa, CA 95401 <a href="mailto:santarosareviewteam@fire.ca.gov">santarosareviewteam@fire.ca.gov</a> (707) 576-2959
Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties.	6105 Airport Road Redding, CA 96002 <a href="mailto:reddingreviewinbox@fire.ca.gov">reddingreviewinbox@fire.ca.gov</a> (530) 224-2445
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.	1234 East Shaw Avenue Fresno, CA 93710 <a href="mailto:fresnoreviewinbox@fire.ca.gov">fresnoreviewinbox@fire.ca.gov</a> (559) 243-4107