

**NOTICE OF EMERGENCY TIMBER OPERATIONS
FUEL HAZARD REDUCTION**

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY
AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS
RM-65 (05/2023)

**Valid for one year from date validated by CAL FIRE.
Operations cannot commence for 15 working
days from date of receipt and a notice of
acceptance is received from CAL FIRE.**

FOR ADMIN. USE ONLY

EM No. _____

Date of Receipt _____

Date Validated _____

Date Expires _____

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 §§ 1052.1(a)(5) & 1052.4 to remove timber under the emergency condition, where **high, very high or extreme fuel hazard conditions, the combination of combustible fuel quantity, type, condition, configuration, and terrain positioning, pose a significant fire threat on private Timberlands. Cutting and removal of hazardous fuels, including trees, shrubs and other woody material, is needed to eliminate the vertical and horizontal continuity of Understory fuels, Surface Fuels, and/or crown fuels, for the purpose of reducing the rate of fire spread, fire duration and intensity, and fuel ignitability.** The Registered Professional Forester (RPF) should complete required Items 1-13 and shall sign the declaration of emergency.

1. REGISTERED PROFESSIONAL FORESTER

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. REGISTERED PROFESSIONAL FORESTER 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 Fees 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 Fees 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. Describe the nature of the Emergency and the need for immediate cutting in sufficient detail so that the reason for the Emergency is clear per 14 CCR § 1052.4. The RPF shall develop and document the vegetative treatment necessary to meet the goals per 14 CCR § 1052.1(a)(5) and ensure postharvest conditions are in accordance with all the subsections of 14 CCR § 1052.4.

Per 14 CCR § 1052.4(a)(1)(2)(3) include the following:

Description of the existing PREHARVEST stand structure:

Statement of the POSTHARVEST stand stocking levels:

Description of anticipated POST HARVEST stand structure:

7. **Tree selection criteria**, per 14 CCR § 1052.4(a)(2), the RPF shall provide a description of the criteria to designate trees to be harvested or retained, including those trees to be harvested pursuant to 14 CCR § 1052.4(d)(1)(A) & (2).

NOTE: Tree removal shall target Codominant and Understory trees. The residual stand shall consist primarily of well distributed, healthy and vigorous Dominant and Codominant trees from the preharvest stand.

NOTE: Per 14 CCR § 1052.4(d)(1)(A) diameter restrictions apply. Only trees less than thirty (30) inches in stump diameter, measured eight (8) inches above the ground level may be removed (exceptions described below):

- Trees up to thirty-six (36) inches in stump diameter, measured eight (8) inches above ground level, may be removed to meet the fuel objectives stated in 14 CCR § 1052.1(a)(5).
- **No** trees of the genus *Quercus* greater than twenty-six (26) inches outside bark diameter, measured eight (8) inches above ground level, may be removed.
- Dead or Dying trees, of any size, may be removed per the standards of 14 CCR § 919.1 [939.1, 959.1]

8. **Timber marking**, per 14 CCR § 1052.4(a)(3). All trees that are harvested or all trees that are retained shall be marked or sample marked by, or under the supervision of, an RPF before felling operations begin. When trees are sample marked, the designation prescription for unmarked areas shall be in writing and the sample mark area shall include at least 10% of the Harvest Area to a maximum of twenty (20) acres per stand type which is representative of the range of conditions present in the Harvest Area.

Marking completed by: RPF Supervised Designee

Trees are marked as: Leave trees Harvest trees

Specify method how trees will be designated retained or harvested:

Harvest area marked with: Entire area Sample area 10% up to 20 acres per stand type

Describe how trees will be designated in the unmarked areas:

9. Will operations occur with one-quarter (¼) mile of an approved and legally permitted structure that comply with building standards code (legal structure) per 14 CCR § 1052.4(c)(1) & (2)(A-F)? Yes No

If 'Yes', is the legally permitted structure within or adjacent to a "Community" listed in the "List of Communities at Risk" (As published April 13, 2019) with structure density greater than 1 structure per 20 acres? Yes No

Identify the community: _____

NOTE: The list of Communities at Risk (published April 13, 2019) can be obtained from the Board of Forestry & Fire Protection by submitting a request to: PublicComments@bof.ca.gov

Check all that apply for operations occurring within 500 feet of:

- A legal structure outside the area defined in (14 CCR § 1052.4(c)(1)) above (14 CCR § 1052.4(c)(2)(A)).
- Either side of a public or federal road (14 CCR § 1052.4(c)(2)(B)).
- Either side of a private road providing access to legal structures (14 CCR § 1052.4(c)(2)(C)).
- Either side of haul road suitable for evacuation or fire suppression with the written concurrence of a Public Fire Agency and determined by the Director to be consistent with the purpose of the Act and Rules (14 CCR § 1052.4(c)(2)(D)).

If 'Yes', attach the written concurrence from the Public Fire Agency.

- Either side of ridges suitable for fire suppression with the written concurrence of a public fire agency and determined by the Director to be consistent with the purpose of the Act and Rules (14 CCR § 1052.4(c)(2)(E)).

If 'Yes', attach the written concurrence of the Public Fire Agency

- Infrastructure including electrical distribution and transmission facilities, water reservoirs or other conveyances, wastewater facilities or conveyances, communication and data transmission and distribution facilities, or other assets or infrastructure at risk with written concurrence of a Public Fire Agency and determined by the Director to be consistent with the purpose of the Act and Rules (14 CCR § 1052.4(c)(2)(F)).

If 'Yes', attach the written concurrence of the Public Fire Agency

10. Vegetation Treatments: Canopy retention standards per 14 CCR § 1052.4(d)(3)(B). Minimum **post** treatment Canopy closure of Dominant and Codominant trees shall be 30% for east side pine forest types; 40% for coastal redwood and Douglas-fir forest; and 40% for mixed conifer and all other forest types.

Select the forest type standard to be applied to the Notice of Emergency operations:

- 30% East Side Pine 40% Coastal Redwood and Douglas-fir 40% Mixed Conifer and all other forest types

NOTE: Surface and Ladder fuels in harvest area per 14 CCR § 1052.4(d)(4)(A)(1) & (2) (a)(b)) include logging Slash and Woody Debris, brush, small trees, and deadwood, that could promote the spread of wildfire shall be treated. Ladder and Surface Fuels, excluding residual stand Dominant and Codominant trees and any dead branches on those trees, shall be spaced to achieve vertical clearance distance of eight (8) feet or three (3) times the height of the postharvest fuels and vegetation, excluding Dominant and Codominant trees, whichever is the greater distance, measured from the base of the live crown of the postharvest Dominant and Codominant trees to the top of the Surface or Ladder Fuels or vegetation, whichever is taller (14 CCR § 1052.4(d)(4)(A)(1)).

Within one hundred fifty (150) feet of those structures identified within 14 CCR §§ 1052.4(c)(1) and (c)(2)(A), all dead Surface Fuels that could promote the spread of wildfire, including Slash or Woody Debris, and brush, shall be chipped, burned, or removed within forty-five (45) days from the start of Timber Operations (14 CCR § 1052.4(d)(4)(A)(2)(a)&(b))

Except for those areas described above, all dead Surface Fuel, including Slash or Woody Debris, and brush, within the Harvest Area, shall be treated to a depth of less than nine (9) inches.

Fuel treatments shall include chipping, removal or other methods necessary to achieve the fuel hazard reduction standards in this section, and, notwithstanding the requirements of 14 CCR § 1052.4(d)(4)(A)2.a., shall be accomplished within one (1) year from the date the Emergency notice is accepted by the Director, except for burning operations, which instead shall be completed within two (2) years from the date the Director accepts the notice.

11. 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):

12. Expected date of commencement _____ **Estimated date of completion** _____

13. 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, roads and Class I, II, III, IV watercourses, and yarding systems if more than one will be used. 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 (estimated) <i>Logging area</i>	Assessor's 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 Fuel Hazard Reduction:

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 15 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 15-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 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.
3. 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. The conditions specified in 14 CCR §§ 1038.1 (c)(5)-(14) and 1038.3(p) must be met and, for operations in the Lake Tahoe Basin, 1038.1(b) is applied.
4. Consistent with 14 CCR § 913 [933, 953](d), as applicable, Stocking shall meet the resource conservation standards for minimum Stocking within 14 CCR § 912.7 [932.7, 952.7](a)-(c), as applicable, immediately upon completion of Timber Operations. A Timber Operator with a valid state license must be designated upon submission of this notice.
5. As part of the preharvest Project design, the RPF shall incorporate habitat requirements for fish, wildlife and plant Species in accordance with 14 CCR §§ 898.2, 916.9 [936.9, 956.9] and 919 [939, 959] et. seq. Such evaluations shall include use of the California Natural Diversity Database (as referenced by the CDFW, <https://www.wildlife.ca.gov/Data/CNDDDB>) and local knowledge of the Planning Watershed. Consultation with CDFW personnel is recommended. Examples of habitat requirements to be incorporated into the Project include retention of large Woody Debris and Snags congruent with Emergency condition goals, and vegetative screening for wildlife cover and visual aesthetics.
6. Timber operations under this Notice of Emergency are valid for one year from date validated by CAL FIRE, except for burning operations to treat fuels in accordance with § 1052.4(d)(5), which instead shall be completed within two (2) years from the date the Director accepts the notice. 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. There is an exception for slash burning in accordance with 14 CCR § 1052(e).
7. A Licensed Timber operator must be designated upon submission of this notice.

8. 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].
9. 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 per 14 CCR § 1052(f).

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.	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