

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

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY
AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS
RM-66 (05/2023)

**Valid for one year from date validated by CAL FIRE.
Operations cannot commence for five 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- 1052.5 to remove timber on an emergency basis **due to Sudden Oak Death (SOD) *Phytophthora ramorum***. The Registered Professional Forester (RPF) should complete required Items 1-11 below 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 strategies to be employed to control or suppress SOD within the harvest area (14 CCR § 1052.5(c)):

7. Describe proposed mitigations to minimize the risk of spreading SOD outside the logging area by way of infected soil and infected host material (14 CCR § 1052.5(c)):

8. 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): _____

9. Expected date of commencement _____ Estimated date of completion _____

10. Provide the WLPZ acreage treated for SOD per 14 CCR § 1052.5(b)(6) _____

11. 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):

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 1052.2 define and list emergency conditions. Citing or paraphrasing of these sections does not satisfy the requirements of 14 CCR § 1052.2 or 1052.5. 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. 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. This Emergency Notice shall contain the following:
 - a. A certified lab test validating SOD infestation;
 - b. Written concurrence from the CAL FIRE Pest Specialist per 14 CCR § 1052.5(a)(3);
 - c. Written proof of notification and receipt of the emergency notice to the public agencies listed in 14 CCR § 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.
 - e. The RPF shall draw strategies 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 validated 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.
8. 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