



DEPARTMENT OF FORESTRY AND FIRE PROTECTION
 NORTHERN REGION HEADQUARTERS - SANTA ROSA
 135 Ridgway Avenue
 Santa Rosa, CA, 95401
 (707) 576-2959
 Website: www.fire.ca.gov



December 31, 2019

Heather Morrison
 PO BOX 2542
 FORT BRAGG, CA 95437

Notice of Emergency Timber Operations
 No: 1-19EM-00235-LAK

Letter of Acceptance

This letter acknowledges acceptance of your "Notice of Emergency" per **Title 14, California Code of Regulations, Section 1052 thru 1052.5** from plan preparation and submission requirements (PRC 4581).

This Emergency EXPIRES December 31, 2020. You may proceed with the harvesting of trees as specified under the Emergency Notice. Timber operations shall comply with all other applicable provisions of the Z'berg-Nejedly Forest Practice Act and regulations of the Board of Forestry.

If operations are to extend beyond the expiration date, said operation must be covered by a Timber Harvesting Plan filed at the appropriate regional office. Considering THP approval can take as long as 46 days, it may be advisable for you to proceed immediately with Plan filing. Per Title 14 CCR Sections 1070-1075 a Timber Operations Work Completion and/or Stocking Report is required as per regular harvesting operation.

Other Agency Considerations:

- **Regional Water Quality Control Boards** (Regional Boards) regulate waste discharges from timber harvest activities. The Regional Boards may have special requirements for timber harvesting conducted under this emergency. Please contact your local Regional Water Control Board with any questions regarding compliance with the California Water Code.
- **Department of Fish and Wildlife** (DFW) may require notification if the timber operations will substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of any river, stream, or lake. Information on the Lake and Streambed Alteration Program and other DFW programs can be found at the following internet address: <https://www.wildlife.ca.gov/Conservation/Environmental-Review>

On-site inspection will be conducted by local CAL FIRE Unit Forest Practice Inspectors to evaluate compliance with all the provisions of the Forest Practice Act and Rules. For questions regarding the above referenced emergency, please contact the appropriate regional office listed above or contact the local CAL FIRE Unit for your County.

Sincerely,

Dominik Schwab, RPF #2823
 Resource Manager – Coast

cc: Unit, BOE, TLO, TO, LTO, File

To view Emergency Notices, please visit: <https://caltreesplans.resources.ca.gov/caltrees/>

FOR ADMIN. USE ONLY

NOTICE OF EMERGENCY TIMBER OPERATIONS
STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-67 (08/2019)

EM. # 1-19EM-00235-LAK
Date of Receipt DEC 19 2019
Date Validated by CAL FIRE 12/31/19
Date Expires 12/31/2020

VALID FOR ONE YEAR FROM DATE ACCEPTED BY CAL FIRE.
OPERATIONS CANNOT COMMENCE FOR FIVE WORKING DAYS FROM DATE OF RECEIPT
AND A NOTICE OF ACCEPTANCE IS RECEIVED FROM 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 §§ 1052-1052.3 to remove timber on an emergency basis. The Registered Professional Forester (RPF) should complete items 1-8 and shall sign the Declaration of Emergency.

REGISTERED PROFESSIONAL FORESTER:

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

Name: Heather Morrison RPF #: 2681
Address: P.O. Box 2542
City: Fort Bragg State: CA Zip: 95437 Phone: 530-913-0490
Signature: [Signature] Date: 12-15-19
EMAIL: (optional) heatherkamille@comcast.net

2. LICENSED TIMBER OPERATOR(S): Name: Galen Bullock Lic #: 9399
Address: P.O. Box 645
City: Angwin State: CA Zip: 94508 Phone: 707-324-9521
EMAIL: (optional) bullockgalen@yahoo.com SIGNATURE: [Signature]

3. TIMBERLAND OWNER(S) OF RECORD: Name: Old Vann Ranch LLC
Middle Creek Ranch LLC
Address: 17247 Elk Mountain Road
City: Upper Lake State: CA Zip: 95485 Phone: 707-349-5430
EMAIL: (optional) _____ SIGNATURE: [Signature]
JOE M FERNANDEZ

4. TIMBER OWNER(S) OF RECORD: Name: Old Vann Ranch LLC
Middle Creek Ranch LLC
Address: 17247 Elk Mountain Road
City: Upper Lake State: CA Zip: 95485 Phone: 707-349-5430
EMAIL: (optional) _____ SIGNATURE: [Signature]
JOE M FERNANDEZ

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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 INFORMATION: 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 30 % Douglas-Fir 70 % Fir _____ %
Cedar _____ % Port-Orford Cedar _____ % Other Conifer _____ % Other Hardwoods _____ %

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

5. SELECT THE SPECIFIC CONDITION from the Forest Practice Rules which constitute the emergency: (required)

- 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

- Emergency Road Construction Emergency Road Repair (14 CCR §1052.1(a)(4))

- Financial Loss (14 CCR §1052.1(b))

Financial Loss due to one or more of the following: Previously Inoperable Unmerchantable
 Access Location Condition Timber Volume
 Other _____

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- 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:

This emergency notice is for timber killed and damaged from the Ranch Fire, August 2018. There is an immediate need for cutting to capture the value of the timber before onset of disease and insect activity render the timber monetarily worthless. In addition, standing dead timber will eventually fall, and is a threat to life and property.

Only dead or dying trees shall be removed under this Emergency Notice.

6.

YARDING SYSTEMS						
GROUND BASED		CABLE			OTHER	
x	Tractor, including end/long lining		Cable, Ground lead		Helicopter	
x	Rubber tired skidder, Forwarder		Cable, High Lead		Other:	
	Feller Buncher		Cable, Skyline			
	Shovel yarding					

7. Provide the expected dates of commencement 5 working days from date of Directors receipt and completion within one year from date Emergency Notice accepted by Director _____ of timber operations. (required)

8. 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)

					Logging area	
Base Meridian	Township	Range	Section	County	Acreage (estimated)	Assessors Parcel # (optional)
MDBM	T16N	R10W	4,10	Lake	59 acres	

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 (b)(1)-(10) must be met.
4. This Notice of Emergency is valid for one year from the date accepted 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 Timber Operator with a valid state license must be designated upon submission of this notice.

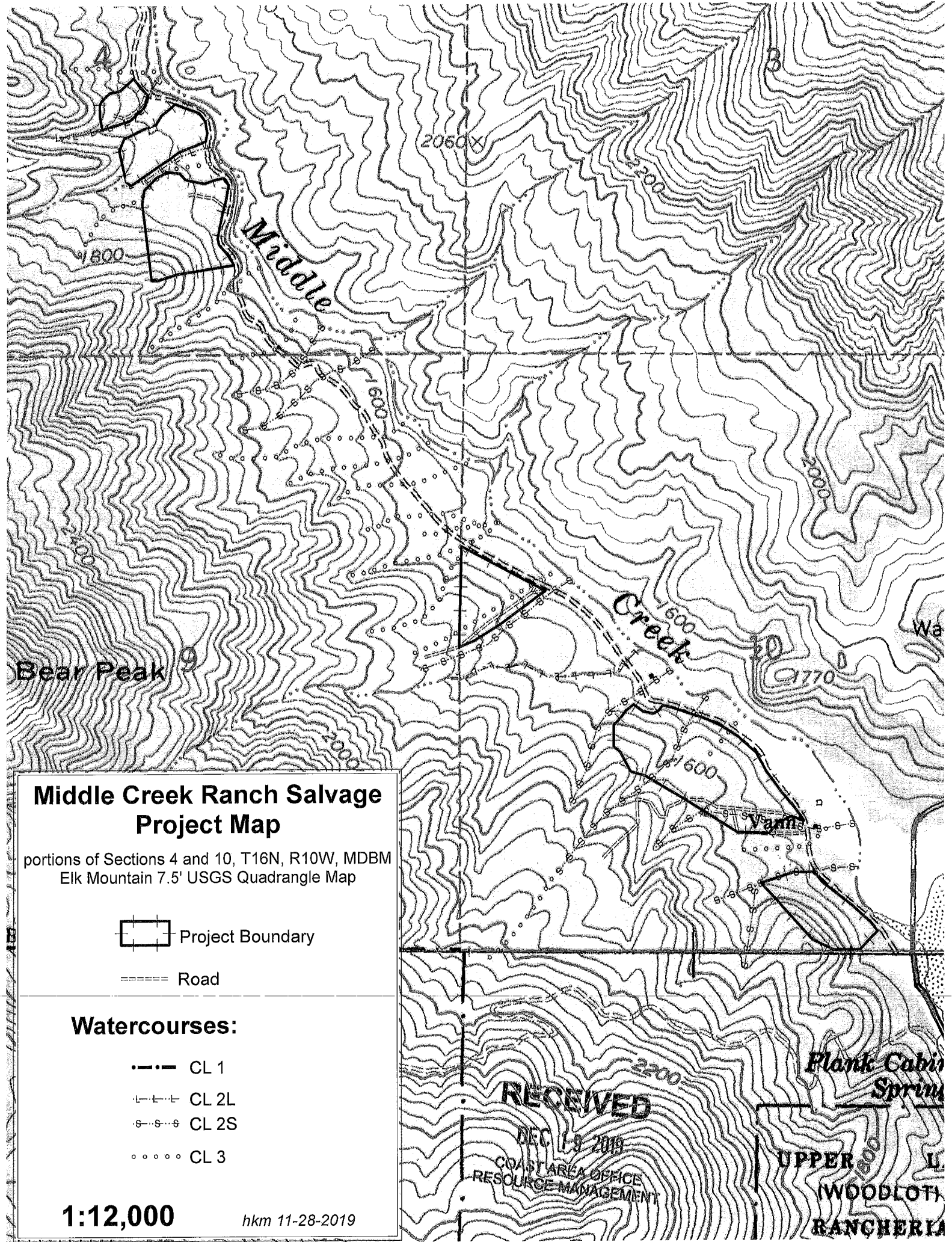
The following suggestions may help ensure your compliance with the Forest Practice Rules:

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 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet 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

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Middle Creek Ranch Salvage Project Map

portions of Sections 4 and 10, T16N, R10W, MDBM
Elk Mountain 7.5' USGS Quadrangle Map

- Project Boundary
- ===== Road

Watercourses:

- · — · CL 1
- - - - CL 2L
- ⊖ ⊖ ⊖ CL 2S
- ⊙ ⊙ ⊙ ⊙ CL 3

1:12,000

hkm 11-28-2019

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Flank Cabin Spring
UPPER
(WOODLOT)
RANCHERIA

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RESOURCE MANAGEMENT**

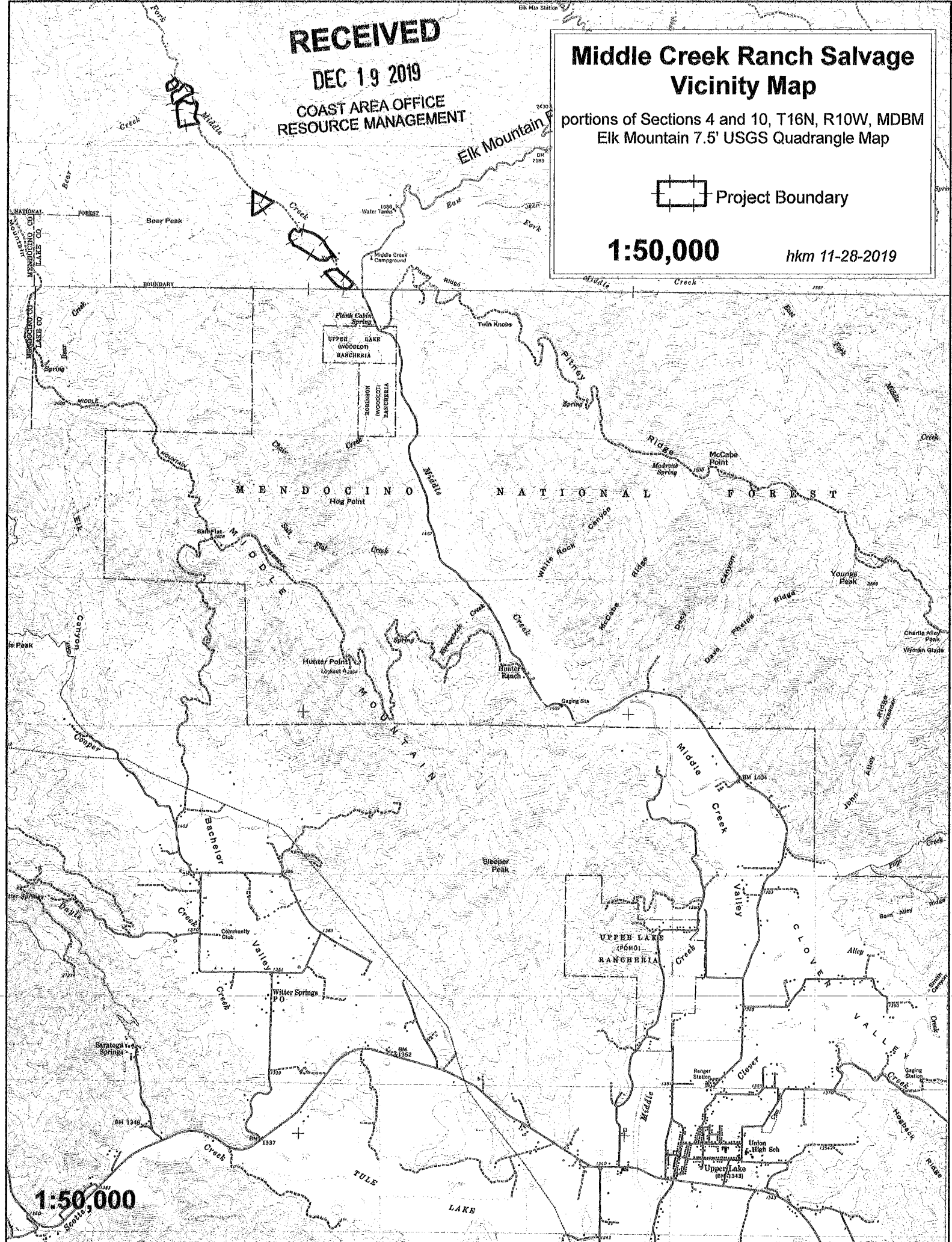
**Middle Creek Ranch Salvage
Vicinity Map**

portions of Sections 4 and 10, T16N, R10W, MDBM
Elk Mountain 7.5' USGS Quadrangle Map

 Project Boundary

1:50,000

hkm 11-28-2019



1:50,000
Scale

NOTE

"Information concerning archaeological sites has been removed from

Emergency Notice Number: **1-19EM-00235-LAK**

Emergency Notice Name: **Old Vann & Middle Creek Ranch Emergency**

pursuant to California Government Code Section 6254.10 which exempts cultural resources site location information from the California Public Records Act and provides authority for widespread state policy (not just within the California Department of Forestry and Fire Protection) to keep archaeological site location information confidential. This exemption to the Public Records Act recognizes that providing site location information to the general public may put such sites at risk from artifact hunting, excavations and/or vandalism."

Copies of the information have been sent to the following locations to facilitate review of the project:

1. CAL FIRE field unit - Santa Rosa
2. Reviewing Archaeologist, Santa Rosa (Region Office)

The original copy of this material is maintained in a confidential file at CAL FIRE's Northern Region Headquarters, 135 Ridgway Avenue, Santa Rosa, CA 95401.

Montgomery, Timothy@CALFIRE

From: Dollinger, Samantha@CALFIRE
Sent: Monday, December 23, 2019 1:08 PM
To: Montgomery, Timothy@CALFIRE; Flamik, Glenn@CALFIRE
Cc: Harris, Ben@CALFIRE; Schwab, Dominik@CALFIRE
Subject: 1-19EM-00235 LAK Old Vann & Middle Creek Ranch Emergency Notice

Tim,

The Northern Region Archaeology Office has reviewed the Confidential Archaeological Letter report and there is no objection to CAL FIRE accepting 1-19EM-00235 LAK Old Vann & Middle Creek Ranch Emergency Notice for filing as it relates to archaeology.

Samantha Dollinger, M.A., RPA
Archaeologist
CAL FIRE Northern Region
153 Ridgway Avenue
Santa Rosa, CA 95401
(707) 576-2936