

**California Environmental Protection Agency (Cal EPA)
and
California Natural Resources Agency (CNRA)
2022 Wildfires – Environmental Protection Plan**

1.0 Purpose

This document comprises the 2022 Wildfires Environmental Protection Plan (EPP) to support certain debris and hazard tree removal activities pursuant to the Governor's Executive Order Nos. N-17-22 (China 2, Evans, McKinney, and Mill Fires, Siskiyou County), N-18-22 (Oak Fire, Mariposa County), 9.19.22 State of Emergency Proclamation (Mountain Fire, Siskiyou County; Barnes Fire, Modoc County; Fork Fire, Madera County), and any subsequently issued proclamations or executive orders related to the 2022 wildfires (collectively, the EOs). The EOs (refer to Exhibit 1.0) authorize the California Environmental Protection Agency (Cal EPA) and California Natural Resources Agency (CNRA) Secretaries to temporarily suspend state statutes, rules, regulations, and requirements through "Emergency Suspensions (Suspensions)" to expedite the recovery of affected counties impacted by the fires. This EPP is the basis for each Agency Secretary to authorize Suspensions that will allow expedited performance of the Federal Emergency Management Agency (FEMA) Private Property Debris Removal (PPDR) requirements and non-utility hazard tree removal activities (hereafter, 'Debris Removal activities'). The Emergency Suspension memorandums issued separately by Cal EPA and CNRA Secretaries contain a list of suspended environmental laws and regulations associated with this EPP to expedite community disaster recovery.

The purpose of the EPP is to document how the Debris Removal activities will be managed to comply with applicable environmental laws and regulations by implementing Post Fire Statewide Best Management Practices (BMPs) developed by Cal EPA (State Water Resources Control Board and Regional Water Quality Control Boards (Water Boards)) and CNRA (i.e., California Department of Fish and Wildlife (CDFW) and California Department of Forestry and Fire Prevention (CAL FIRE)). In accordance with the EOs and each agency's statutory responsibilities, separate documents (Attachments 1 and 2) were prepared that summarize each agency's BMPs to ensure Debris Removal activities can be expedited and conform to applicable resource laws and regulations.

In addition, this EPP recognizes other state and federal agencies have regulatory responsibilities for natural and cultural resources within the 2022 Wildfire burn scars, including FEMA). Attachment 3 has been developed to enable compliance with such agencies' jurisdictional authority. This EPP is a live document that may be modified to apply to Debris Removal activities for additional wildfires and to add BMPs,

if the Cal EPA, CNRA, and FEMA, or other relevant agencies (e.g., Tahoe Regional Planning Agency (TRPA)) deem such modifications appropriate.¹

Entities conducting Debris Removal activities must coordinate with the appropriate Water Boards, CDFW, and CAL FIRE. In addition, when counties conduct such activities, they must consult with the California Department of Resources Recycling and Recovery ("Cal Recycle") and California Governor's Office of Emergency Services ("Cal OES"), and when Cal Recycle conducts such activities, it must consult with Cal OES. Coordination is critical to ensuring that planned activities adhere to the BMPs outlined in the EPP, and that environmental and public health resources are protected during Debris Removal operations through compliance with the EPP. State agency contacts for the Water Boards are contained in Attachment 1 and in Attachment 2 for CAL FIRE, and CDFW, respectively.

1.1 Regulatory Agency Roles During Non-Emergency Periods

1.1.1 Federal Agencies

The Federal Emergency Management Agency (FEMA) is the lead agency for federally declared major disasters, such as DR 4619 for the Caldor Fire (a 2021 Statewide Wildfire). Consultations for DR 4619 with the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) are the responsibility of FEMA to address the application of federal Endangered Species Act Section 7 for Debris Removal activities. Through this consultation, Avoidance and Minimization Measures (AMMs) will be determined for federally declared disasters associated with the Governor's EOs. The AMMs are expected to be based on FEMA's Programmatic Agreements with these agencies for disasters in California and are contained in Attachment 3 for reference.

FEMA is also the lead agency for the National Historic Preservation Act (NHPA) Section 106 consultations for federally declared disasters (e.g., DR 4619) to address the protection of cultural resources and tribal consultations for which there is a Programmatic Agreement between FEMA, Cal OES and SHPO which is also contained in Attachment 3. If an event is either a Local- or State-Proclaimed disaster, the local or state lead agency for disaster recovery is responsible for obtaining all applicable federal resource agency permits or conducting federal resource agency consultations required for Debris Removal activities on federal lands or waters of the U.S.

1.1.2 State Agencies

This EPP is the principal document specifying Post Fire Statewide BMPs and was developed to streamline environmental compliance requirements to expedite disaster recovery in affected counties in accordance with EOs. If an EO does not stipulate that the Governor has suspended certain state statutes, laws, regulations, and requirements, this EPP does not apply and the lead entity for the disaster recovery

¹ The TRPA is a bi-state agency (California and Nevada) that through the bi-state Tahoe Regional Planning Compact (Compact), reviews all activities undertaken within the Tahoe Basin that potentially affects its environmental quality.

activities is required to obtain all applicable state agency permits for work on non-federal lands.

1.1.3 Local Agencies

This EPP does not apply to Debris Removal activities for which local agency permits may be required for project support facilities, including, but not limited to contractor basecamps; temporary storage, pre-processing, and processing facilities; material laydown areas; temporary heliports and operation yards; and equipment maintenance yards. Local agencies will be responsible for administering the California Environmental Quality Act (CEQA) and California Planning and Zoning Laws when reviewing applications for construction or conditional use permits for these facilities. Coordination with the local agencies is required to determine their permit requirements and CEQA review process.

1.2 Agency Site Inspections

Any Local, State, or Federal Regulatory Authority has the right to inspect a project area (any portion of the burn area to which the EPP applies), following the rules of a landowner's Fourth Amendment Rights. Rights of Entry (ROE) from private property owners are a prerequisite to a property being eligible for a State or county led Debris Removal program. When received, the disaster Incident Management Team (IMT) will keep the ROEs and record of debris removal activities in an electronic database. The database will be made available to regulatory agencies to understand what work is being conducted in their jurisdictional areas and decide if the activity would require their inspection or oversight.

2.0 Compliance

Prior to the commencement of Debris Removal activities, a training program will be delivered to contractors and consultants undertaking the work. Only those contractors and consultants that have completed the training will be allowed to work on active sites to ensure EPP compliance. Failure to comply with the AMMs and BMPs set forth in the EPP, and with any applicable federal and non-suspended state and local environmental laws and regulations, may result in an enforcement action by Cal EPA departments or boards and/or CNRA departments.

Federal and state environmental laws and regulations that may be applicable and are included by reference in this EPP are summarized below:

Federal

- Clean Water Act (CWA), including but not limited to Section 401 water quality certifications (Water Boards); Section 402 National Pollutant Discharge Elimination System (NPDES) permitting (Water Boards and United States Environmental Protection Agency (USEPA)); Section 404, fill and wetlands (U.S. Army Corps of Engineers (USACE)),
- Endangered Species Act (ESA, e.g., Section 7, USFWS, and the NMFS),

- Magnuson-Stevens Act (MSA), Migratory Bird Treaty Act (USFWS),
- Bald and Golden Eagle Protection Act (USFWS and CDFW),
- National Historic Preservation Act (e.g., Section 106), FEMA, California State Historic Preservation Officer (SHPO), and federally recognized tribes,
- Resource Conservation and Recovery Act (RCRA, e.g., Subtitle D - Non-Hazardous Waste for Timber and BioMass disposal; Subtitle C – Episodic Generator Provision, USEPA),
- National Emission Standards for Hazardous Air Pollutants (NESHAP), and
- National Environmental Policy Act (NEPA, FEMA).

State

- Porter-Cologne Water Quality Act (California Water Code sections 13000 et seq., Water Boards),
- Endangered Species Act (California Fish and Game Code §2050-2115.5),
- California Fish and Game Code (CFGF) Section 1600 (e.g., Lake and Streambed Alteration Agreement), CDFW),
- California Fully Protected Birds (CFGF Section 3211, CDFW),
- California Migratory Bird Protection Act (CFGF Section 3513, CDFW),
- California Fully Protected Mammals (CFGF Section 4700, CDFW),
- California Fully Protected Reptiles and Amphibians (CFGF Section 5050, CDFW),
- California Fully Protected Fish (CFGF Section 5515, CDFW),
- California Clean Air Act (CCAA),
- California Native American, Historical, Cultural and Sacred Sites Act ('Sacred Sites Act', SHPO, and FEMA/Cal OES Tribal Liaison),
- E.O. B 10-11 (California Native Tribal Consultation),
- AB-52, Gatto. Native Americans CEQA Consultation,
- Z'berg-Nejedly Forest Practice Act (2022 California Forest Practice Rules (FPR), CAL FIRE)
- Native Plant Protection Act (CFGF Section 1900 et seq., CDFW), and
- Airborne Toxic Control Measure (ATCM) of 2007

Exhibit 1.0

2022 Wildfires Executive Orders and Emergency Proclamations

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-17-22

WHEREAS on July 30, 2022, I proclaimed a State of Emergency to exist in Siskiyou County due to the McKinney, China 2, and Evans wildfires; and

WHEREAS on September 2, 2022, I proclaimed a State of Emergency to exist in Siskiyou County due to the Mill Fire; and

WHEREAS these wildfires have collectively burned more than 64,000 acres of land, destroyed over a hundred homes and other structures, and the Mill Fire destroyed the historically Black neighborhood of Lincoln Heights in the City of Weed; and

WHEREAS the wildfires created a substantial amount of ash, burnt vegetation, and other such debris over large areas within communities of Siskiyou County; and

WHEREAS widespread hazardous structural debris, which may contain dangerous toxins including heavy metals such as arsenic, cadmium, copper, lead, and asbestos, must be cautiously and expeditiously removed and properly disposed of; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay the mitigation of the effects of these wildfires.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, and in particular, Government Code sections 8567, 8571, and 8627 do hereby issue the following Order to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. State statutes, rules, regulations, and requirements that fall within the jurisdiction of boards, departments, and offices within the California Environmental Protection Agency and the California Natural Resources Agency are hereby suspended to the extent necessary for expediting the removal and cleanup of debris from these fires or to address other impacts associated with that debris, for implementing any restoration plan, or conducting other fire recovery activities.
2. Individuals who desire to conduct activities under this suspension of statutes, rules, regulations, and requirements shall first request that the appropriate Agency Secretary, or the Secretary's designee, make a determination that the proposed activities are eligible to be conducted under this suspension. The Secretary of the California Environmental Protection Agency and the Secretary of the California Natural Resources Agency shall use sound discretion in applying this Order to ensure that the suspension serves the purpose of accelerating cleanup and recovery, while at the same time protecting public health and the environment.

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-18-22

WHEREAS on July 23, 2022, I proclaimed a State of Emergency to exist in Mariposa County due to the Oak Fire; and

WHEREAS the Oak Fire has destroyed over a hundred homes and other structures, damaged and destroyed critical infrastructure, burned more than 19,000 acres of land, and created a substantial amount of ash, burnt vegetation, and other such debris over large areas of communities; and

WHEREAS the Oak Fire has resulted in widespread hazardous structural debris, which may contain dangerous toxins including heavy metals such as arsenic, cadmium, copper, lead, and asbestos, which must be cautiously and expeditiously removed and properly disposed of; and

WHEREAS Mariposa County is leading debris removal operations in response to the Oak Fire, with technical assistance and guidance from the State; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay the mitigation of the effects of these wildfires.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, and in particular, Government Code sections 8567, 8571, and 8627 do hereby issue the following Order to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. State statutes, rules, regulations, and requirements that fall within the jurisdiction of boards, departments, and offices within the California Environmental Protection Agency and the California Natural Resources Agency are hereby suspended to the extent necessary for expediting the removal and cleanup of debris from the Oak Fire or to address other impacts associated with that debris, for implementing any restoration plan, or conducting other wildfire recovery activities.
2. Individuals who desire to conduct activities under this suspension of statutes, rules, regulations, and requirements shall first request that the appropriate Agency Secretary, or the Secretary's designee, make a determination that the proposed activities are eligible to be conducted under this suspension. The Secretary of the California Environmental Protection Agency and the Secretary of the California Natural Resources Agency shall use sound discretion in applying this Order to ensure that the suspension serves the purpose of accelerating cleanup and recovery, while at the same time protecting public health and the environment.
3. Any activities performed under this suspension of statutes, rules, regulations, and requirements shall be in accordance with the State

Environmental Protection Plan, or a comparable plan describing how such actions will balance expeditious fire recovery and environmental protection.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 16th day of September 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY WEBER, PH.D.
Secretary of State

3. Any activities performed under this suspension of statutes, rules, regulations, and requirements shall be in accordance with the State Environmental Protection Plan, or a comparable plan describing how such actions will balance expeditious wildfire recovery and environmental protection.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 16th day of September 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY WEBER, PH.D.
Secretary of State

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS starting August 29, 2022, through September 10, 2022, a large area of high pressure that extended through a deep portion of the atmosphere trapping heat beneath it, commonly referred to as a “heat dome,” moved across most of California and grew in strength; and

WHEREAS on August 31, 2022, I proclaimed a State of Emergency to exist in California due to the Extreme Heat Event, which brought record high temperatures and exacerbated drought conditions, dry fuels, and the intensity and spread of wildfires during the heat dome period, including the Mill Fire in Siskiyou County for which I proclaimed a State of Emergency on September 2, 2022; and

WHEREAS on September 2, 2022, the Mountain Fire also began burning in Siskiyou County, has since burned more than 13,400 acres, threatened and continues to threaten homes, destroyed two homes, and continues to burn necessitating evacuation orders and warnings that remain in place; and

WHEREAS on September 7, 2022, the Barnes Fire began to burn in Modoc County, continues to threaten homes, destroyed one home and one other structure, and continues to burn necessitating evacuation orders and warnings that remain in place; and

WHEREAS on September 7, 2022, the Fork Fire began to burn in Madera County, destroyed 25 homes and one other structure, and threatened lives, property, and critical infrastructure; and

WHEREAS these wildfires created a substantial amount of ash, burnt vegetation, and other debris over large areas within communities in Madera, Modoc, and Siskiyou Counties; and

WHEREAS widespread hazardous structural debris, which may contain dangerous toxins including heavy metals such as arsenic, cadmium, copper, lead, and asbestos, must be cautiously and expeditiously removed and properly disposed of; and

WHEREAS under the provisions of Government Code section 8558(b), I find that conditions of extreme peril to the safety of persons and property exist in Madera County due to the Fork Fire, Modoc County due to the Barnes Fire, and Siskiyou County due to the Mountain Fire; and

WHEREAS under the provisions of Government Code section 8558(b), I find that the conditions caused by these wildfires, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

WHEREAS under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the magnitude of the damage caused by these wildfires; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of these wildfires.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Madera County due to the Fork Fire, Modoc County due to the Barnes Fire, and Siskiyou County due to the Mountain Fire.

IT IS HEREBY ORDERED THAT:

1. All agencies of the state government utilize and employ state personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan. Also, all residents are to obey the direction of emergency officials with regard to this emergency in order to protect their safety.
2. The Office of Emergency Services shall provide assistance to local governments, if appropriate, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
3. As necessary to assist local governments and for the protection of public health and the environment, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services necessary to quickly assist with the response to and recovery from the impacts of these fires. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of these fires.
4. The provisions of Unemployment Insurance Code section 1253 imposing a one-week waiting period for unemployment insurance applicants are suspended as to all applicants who are unemployed as a direct result of these fires and who applied or apply for unemployment insurance benefits during the time period beginning September 2, 2022, and ending on the close of business on March 3, 2023, for the Mountain Fire, and beginning September 7, 2022 and ending on the close of business on March 8, 2023, for the Barnes Fire and Fork Fire, and who are otherwise eligible for unemployment insurance benefits.

5. Vehicle Code sections 9265(a), 9867, 14901, 14902, and 15255.2, requiring the imposition of fees, are suspended with regard to any request for replacement of an identification card, driver's license card, vehicle registration certificate, certificate of title, or registration stickers, by any individual who lost such records as a result of these fires. Such records shall be replaced without charge.
6. The provisions of Vehicle Code sections 4602 and 5902, requiring the timely registration or transfer of title are suspended with regard to any registration or transfer of title by any resident of Madera, Modoc, and Siskiyou counties, who is unable to comply with those requirements as a result of these fires. The time covered by this suspension shall not be included in calculating any late penalty pursuant to Vehicle Code section 9554.
7. Health and Safety Code sections 103525.5 and 103625, and Penal Code section 14251, requiring the imposition of fees are hereby suspended with regard to any request for copies of certificates of birth, death, marriage, and dissolution of marriage records, by any individual who lost such records as a result of these fires. Such copies shall be provided without charge.
8. State statutes, rules, regulations, and requirements that fall within the jurisdiction of boards, departments, and offices within the California Environmental Protection Agency and the California Natural Resources Agency are hereby suspended to the extent necessary for expediting the removal and cleanup of debris from these fires or to address other impacts associated with that debris, for implementing any restoration plan, or conducting other fire recovery activities.
9. Individuals who desire to conduct activities under the suspension of statutes, rules, regulations, and requirements specified in Paragraph 8 shall first request that the appropriate Agency Secretary, or the Secretary's designee, make a determination that the proposed activities are eligible to be conducted under the suspension. The Secretary of the California Environmental Protection Agency and the Secretary of the California Natural Resources Agency shall use sound discretion in applying this Proclamation to ensure that the suspension serves the purpose of accelerating cleanup and recovery, while at the same time protecting public health and the environment.
10. Any activities performed under the suspension of statutes, rules, regulations, and requirements specified in Paragraph 8 shall be in accordance with the State Environmental Protection Plan, or a comparable plan describing how such actions will balance expeditious fire recovery and environmental protection.

I FURTHER DIRECT that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

This Proclamation is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 19th day of September 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY WEBER, PH.D.
Secretary of State

Attachment 1

**California Environmental Protection Agency (Cal EPA)
State Water Resources and Regional Water Quality Control Boards (Water Boards)**

2022 Wildfires – Environmental Protection Plan

2022 Wildfires –Environmental Protection Plan

California Environmental Protection Agency (Cal EPA) State Water Resources and Regional Water Quality Control Boards (Water Board)

Post Fire Statewide Best Management Practices

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1.0 Introduction

This document summarizes statewide Best Management Practices (BMPs) for the California Environmental Protection Agency, State Water Resources Control Board and Regional Water Quality Control Boards (California Water Boards or Water Boards). The BMPs are topic-specific codes have been established for each of the BMP subjects for ease of reference in the Private Property Debris Removal Program (PPDR) for the Debris Removal Operation Center (DROC) for the 2021 Wildfires. This document is organized to summarize the Water Boards' BMPs in Sections 2.0 through 5.0.

2.0 Operational Requirements for All Work Areas

2.1 Porter-Cologne Water Quality Control Act (Water Code)

- 2.1.1 Discharge of Waste. Per Water Code section 13050(d) "Waste" includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for the purposes of, disposal.
- 2.1.2 Waters of the State. Per Water Code section 13050(e), "waters of the state" means any surface or groundwater, including saline waters, within the boundaries of the state.
- 2.1.3 Pollution. Per Water Code section 13050(i), "Pollution" means an alteration of the quality of the waters of the state by waste to a degree which unreasonably affects beneficial uses.
- 2.1.4 Non-Degradation. Neither this Environmental Protection Plan (EPP) or the Secretarial Suspension authorizes activities that will cause or threaten to cause discharges of waste to waters of the state in a manner that creates pollution.
- 2.1.5 Reasonable Access for Inspection. Reasonable access to the property shall be provided whenever requested by California Water Boards staff for the purpose of performing inspections and conducting monitoring, including sample collection, measuring, and photographing/taping to determine proper implementation of management practices. Management practices and water quality protective measures required by regional board staff as a result of such inspections shall be incorporated into the project.
- 2.1.6 Permitting. Work requiring coverage under waste discharge requirements, or a water quality certification issued by the State Water Resources Control Board or regional water quality control boards (collectively, Water Boards) that is not otherwise within the scope of an approved Agency Secretary Environmental Suspension may not begin until such coverage is obtained. National Pollution Discharge Elimination System (NPDES) permitting requirements, such as the following, cannot be suspended and may apply to debris or hazard tree removal activities:
 - 2.1.6.1 Construction Stormwater Permit Coverage. Coverage under the State Water Resources Control Board's General Permit for Discharges of Stormwater Associated with Construction Activity, Order 2009-0009-DWQ (Construction General Permit, CGP) is required when a project creates a soil disturbance of one acre or more. Coverage

is also required for projects with less than one acre of soil disturbance that are part of a larger plan of development that collectively disturbs one acre or more. Construction activity subject to this permit includes clearing, grading, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of a facility.

2.1.6.2 CGP Compliance. Compliance with the CGP requires electronic submittal of permit registration documents including a Stormwater Pollution Prevention Plan (SWPPP) prepared by a Qualified SWPPP Developer (QSD) and implemented by a Qualified SWPPP Practitioner (QSP). The CGP requires implementation, monitoring, and maintenance of adequate sediment and erosion control Best Management Practices (BMPs), and certain monitoring and reporting activities. Many California Professional Engineers have a self-certification that qualifies them as a QSD/QSP. In addition, the California Stormwater Quality Association (CASQA) has a lookup tool to find licensed QSD/QSPs. More information is available online at:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html. More information on US EPA standards here: [National Management Measures to Control Nonpoint Source Pollution from Urban Areas, November 2005, EPA-841-B-05-004](#) and here: [Urban Runoff: National Management Measures | US EPA](#)

2.1.6.3 Industrial Stormwater Permit Coverage. Coverage under the State Water Resources Control Board's General Permit for Stormwater Discharges Associated with Industrial Activities, Order 2014-0057-DWQ (Industrial General Permit, IGP) is required when a project includes certain industrial activities. In the case of post-fire debris removal and hazard tree removal, these include scrap and waste materials storage, sorting, and handling of soil, concrete, metals, vehicles, wood, and vegetation; log storage and handling associated with chipping, grinding, or sawmilling; and maintenance of vehicles and equipment. Further determination of IGP applicability should be discussed with a Regional Water Board representative identified below.

2.1.6.4 IGP Compliance. Compliance with the IGP requires electronic submittal of permit registration documents including a Stormwater Pollution Prevention Plan (SWPPP), implementation, monitoring, and maintenance of adequate Best Management Practices (BMPs), and certain monitoring and reporting activities. In some cases, a Qualified Industrial Stormwater Practitioner (QISP) is required to design and implement the SWPPP, perform facility evaluations, prepare response plans, and produce reports. Many California Professional Engineers have a self-certification that qualifies them as a QISP. In addition, the California Stormwater Quality Association (CASQA) has a lookup tool to find licensed QISPs. More information is available online at:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.html. More information on US EPA standards here: [National Management Measures to Control Nonpoint Source Pollution from Urban Areas, November 2005, EPA-841-B-05-004](#) and here: [Urban Runoff: National Management Measures | US EPA](#)

3.0 Hazard Tree Removal Activities

3.1 Hazard Tree Removal Sites in Forested Areas (Forest Practice Act Compliance)

- 3.1.1 Saturated Soil Conditions. Operations will be limited or halted in saturated conditions as determined by the Operations Chief or RPF. Per CCR section 895.1 definitions, "Saturated Soil Conditions," means that soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur. Indicators of Saturated Soil Conditions may include but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or road surfacing material during Timber Operations, (3) loss of bearing strength resulting in the deflection of soil or road surfaces under a load, such as the creation of wheel ruts, (4) spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials.
- 3.1.2 Tree Felling. To the fullest extent possible and with due consideration given to topography, lean of trees, landings, utility lines, local obstructions, and safety factors, per Forest Practice Rules (FPR) sections 914.1, 934.1, and/or 954.1 trees shall be felled in a manner that avoids bridging watercourses. In the event trees cannot be jacked and /or pulled away from a watercourse, the felled tree(s) shall be removed as soon as possible, and watercourses restored thereafter.
- 3.1.3 Shade-Producing Canopy. Trees within the riparian zone that are not deemed a hazard shall be retained to maintain a shade-producing canopy to the maximum extent practicable. Please consult with the appropriate regional water board if there are questions about maintaining a shade-producing canopy. Operators will comply with FPR sections 916.9, 936.9, and/or 956.9.
- 3.1.4 Water drafting locations. All water drafting locations shall include appropriate BMPs to prevent sediment discharge from disturbed areas, vehicle tracking, or overtopping to receiving waters. Such locations shall also install appropriate BMPs to prevent petroleum products from entering the waterbody. Pump intakes shall be screened to prevent the entrapment of aquatic species. Consultation with relevant federal, state, and local agencies shall occur before initiating drafting activities.
- 3.1.5 Adequate Erosion Control Materials Onsite. Prior to any ground disturbing work at a project site, erosion control materials (such as, fiber rolls, bonded fiber matrix, erosion control mats, soil tackifiers) shall be stockpiled on site. All disturbed soils associated with the Project site will be stabilized to reduce erosion potential, both during and post disturbance activities. Planting and seeding with native species, or spraying a sterile seed mix and mulching are acceptable erosion control BMPs. Where suitable vegetation cannot reasonably be expected to become established, non-erodible materials, such as coconut fiber matting, shall be used for such erosion control stabilization. At staging areas and processing sites, Construction and/or Industrial Stormwater permits administered by the California Water Boards may be required. Generally, a stormwater permit is required for soil disturbances of one acre or more (where the CWA section 404 silviculture exemption does not apply), or when part of a larger plan of development.

- 3.1.6 BMP Implementation Monitoring. Prior to completing operations at a project site, implementation monitoring shall occur in project areas with erosion potential and sediment discharge potential. Implementation monitoring consists of detailed visual monitoring to verify management measures are properly implemented in accordance with EPP measures and any water quality protective measures identified by California Water Boards staff during site inspections.
- 3.2 Access Road Construction, Maintenance, Deconstruction in Forested Environment (Compliance with Forest Practice Act)
- 3.2.1 Winter Period Operations. Winter period is defined as November 15 through April 1 each year. If road and landing construction/reconstruction operations are planned during the winter period where such activities could negatively impact water quality, consult with the appropriate regional board office before commencing work. Note that erosion control BMPs must be installed consistent with FPR sections 916.9, 936.9, and/or 956.9(n)(1-7) in watersheds containing listed anadromous salmonid habitats (October 15 through May 1).
- 3.2.2 Adequate Erosion Control Materials Onsite. Prior to any ground disturbing work at a project site, erosion control materials (such as, fiber rolls, bonded fiber matrix, erosion control mats, and soil tackifiers) shall be stockpiled on site. All disturbed soils associated with the Project site will be stabilized to reduce erosion potential, both during and post disturbance activities. Planting and seeding with native species, or a sterile seed mix and mulching are acceptable erosion control BMPs. Where suitable vegetation cannot reasonably be expected to become established, non-erodible materials, such as coconut fiber matting, shall be used for such erosion control stabilization.
- 3.2.3 BMP Implementation Monitoring. Prior to completing operations at a project site, implementation monitoring shall occur in project areas with erosion potential and sediment discharge potential. Implementation monitoring consists of detailed visual monitoring to verify management measures are properly implemented in accordance with EPP measures and any water quality protective measures identified by California Water Boards staff during site inspections.
- 3.2.4 Sediment and Erosion Control Measures. Biodegradable sediment and erosion control measures will be utilized throughout all phases of operation where sediment runoff from work areas threatens to enter receiving waters. If there is a 30 percent chance of a rain event within 24 hours, sediment, and erosion control BMPs shall be inspected (before and after the event), and repaired, or upgraded and maintained to prevent sediment-laden runoff. Maintenance includes, but is not limited to, the removal of accumulated sediment and/or replacement of damaged silt fencing, compost socks, coir logs, coir rolls, and/or straw bale dikes. Modifications, repairs, and improvements shall be made to the sediment and erosion control measures whenever warranted. Materials used in the sediment barriers shall not pose an entanglement risk to fish or wildlife (e.g., plastic monofilament netting).
- 3.2.5 Revegetation Requirements. If required, because of agency consultation, or by an applicable Construction Stormwater permit, disturbed areas shall be revegetated with

native species suitable to the restoration activity, such as the decommissioning of an access road leading to a temporary crossing. (See NMFS-9b)

- 3.2.6 Access Prevention Barricades. Barricades shall be constructed at all points of access to the decommissioned, deactivated, or abandoned road to effectively prevent use by any passenger vehicle, off road vehicle or other equipment.
- 3.2.7 Water drafting locations. All water drafting locations shall include appropriate BMPs to prevent sediment discharge from disturbed areas, vehicle tracking, or overtopping to receiving waters. Such locations shall also install appropriate BMPs to prevent petroleum products from entering the waterbody. Pump intakes shall be screened to prevent entrapment of aquatic species. Consultation with relevant federal, state, and local agencies shall occur before initiating drafting activities.
- 3.2.8 Coordination with area involved water systems. All activities necessitating the use of area water, such as, and not limited to dust suppression, cleaning, washing, sweeping, and irrigation, shall be coordinated with the area involved water system to avoid any potential conflicts. All activities that may affect, impede, or impact the ability of the area involved water system from executing their duties shall be coordinated with the area involved water system to avoid any potential conflicts.
- 3.3 Stream crossings (Temporary and Permanent)
 - 3.3.1 Consultation. Contractors shall consult with the US Army Corps of Engineers, CDFW, and appropriate regional board before any new permanent watercourse crossing, staging area, or processing area is constructed (or when an existing watercourse crossing requires repair) in or adjacent to a Water of the United States.
 - 3.3.2 New Permanent Watercourse Crossings. Should construction of permanent watercourse crossings be necessary, the contractor shall consult with the appropriate regional board in advance to determine conformance with permitting requirements outlined in the Agency Secretary Environmental Suspension. At a minimum, permanent watercourse crossings shall be designed and constructed to accommodate the estimated 100-year flood flow, including debris and sediment loads (considerations are outlined in Title 14 CCR sections 923.9, 943.9, and 963.9).
 - 3.3.3 Temporary Watercourse Crossings. Temporary watercourse crossings shall be installed and removed outside of the winter period (defined as November 15 through April 1) as feasible, installed and used when water is not flowing, and removed and stabilized immediately after debris and hazard tree removal work has been completed. No temporary crossings shall be constructed where flow and aquatic species passage is obstructed during the period of use.
 - 3.3.4 Installation of Temporary Crossings and Water Flow. The installation of temporary bridges, culverts or other structures shall be installed such that water flow is not impaired and upstream or downstream passage of fish and all aquatic life-forms is always assured. Temporary crossings shall be removed prior to the winter period. If structures and associated materials are not designed to withstand high seasonal flows, they shall be removed before such flows occur.

- 3.3.5 Damaged Watercourse Crossing Structures. Culverts or other watercourse crossing structures damaged by the contractor during work to such an extent as to impair functionality shall be repaired or replaced expeditiously. The contractor shall notify the appropriate regional board before initiating repairs as certain design standards or permitting requirements may apply.
- 3.3.6 Use of Low Water Crossings and/or Fords. Low water crossings are temporary in nature, often installed to provide summer vehicle traffic typically across larger perennial streams and small rivers during low flows. Fords are stream crossings where vehicles drive on the bed of the stream channel (i.e., no man placed fill in or on the streambed).

If operations will require the installation of a new low water crossing, please refer to BMP 3.3.4, Installation of Temporary Crossings and Water Flow.

If operations will make use of an existing low water crossing, ensure that the crossing is properly stabilized before use, and appropriate mitigation measures are used.

If operations require the use of a ford with flowing water present, then consultation with the Regional Board is required.

To expedite the consultation process, for all crossings the following information should be included in the workplans and available for Regional Board review:

- Classification of watercourse (I, II, III, IV),
- Number of times contractors anticipate they will cross,
- Beneficial uses, Total Maximum Daily Loads (TMDLs), and/or Clean Water Act Section 303d listing (state's list of impaired and threatened waters),
- Description of mitigation measures developed to prevent the discharge of sediment, earthen materials, and petroleum byproducts, and
- Description of stabilization measures to be used post-operations to restore watercourse as close as feasible to natural state.

Regional Board staff will review the information and provide recommendations to minimize and reduce impacts to Waters of the State and associated beneficial uses. If TMDLs and 303d listings are present, additional mitigation measures may be required. Additional information on low water crossing design can be found in the Pacific Watershed Handbook for Forest, Ranch, and Rural Roads. Federal regulations may still apply in Waters of the United States, to include US Army Corps of Engineers, NOAA National Marine Fisheries Service (NMFS), and US Fish and Wildlife Service.

- 3.3.7 Adequate Erosion Control Materials Onsite. Prior to any ground disturbing work at a project site, erosion control materials (such as, fiber rolls, bonded fiber matrix, erosion control mats, soil tackifiers) shall be stockpiled on site. All disturbed soils associated with the Project site will be stabilized to reduce erosion potential, both during and post disturbance activities. Planting and seeding with native species, or a sterile seed mix and mulching are acceptable erosion control BMPs. Where suitable vegetation cannot reasonably be expected to become established, non-erodible materials, such as coconut fiber matting, shall be used for such erosion control stabilization.

- 3.3.8 Sediment and Erosion Control Measures. Biodegradable sediment and erosion control measures will be utilized throughout all phases of operation where sediment runoff from work areas threatens to enter receiving waters. If there is a 30 percent chance of a rain event within 24 hours, sediment, and erosion control BMPs shall be inspected (before and after the event), and repaired, or upgraded and maintained to prevent sediment-laden runoff. Maintenance includes, but is not limited to, removal of accumulated sediment and/or replacement of damaged silt fencing, compost socks, coir logs, coir rolls, and/or straw bale dikes. Modifications, repairs, and improvements shall be made to the sediment and erosion control measures whenever warranted. Materials used in the sediment barriers shall not pose an entanglement risk to fish or wildlife (e.g., plastic monofilament netting).
- 3.3.9 Silt Barriers. If work on crossings within a wetted stream, lake, or wetland must occur, precautions to minimize turbidity and siltation shall be employed and may require the placement of geotextile fabrics, silt fencing, coir logs, coir rolls, straw bale dikes, or other siltation barriers so that silt and/or other deleterious materials are not allowed to pass to downstream reaches of the receiving water. Equipment shall be placed on swamp mats, where the ground is soft. Materials used in the silt barrier shall not pose an entanglement risk to fish or wildlife (no plastic monofilament netting). The Contractor shall consult with the appropriate regional board before placing in-stream materials.
- 3.3.10 Removal of Silt from Barriers. Silt collected from silt barriers shall be removed on an as needed basis to prevent silty/turbid water from flowing around the silt barriers during storm events. Silt barriers which trap sediment shall be removed when temporary crossings are removed. Silt barriers used through the winter period should be inspected and maintained regularly or removed altogether if storm flooding would dislodge and discharge barrier materials downstream. The stream shall then be restored to its natural condition. This work may require a permit from the US Army Corps of Engineers, CDFW, or the appropriate regional water board. Consultation is required before removing in-stream materials.
- 3.3.11 Watercourse Bank Stabilization. Bank stabilization features will be constructed with suitable non-erodible materials that will be installed in order to withstand wash out during high flows. Bank stabilization materials will extend above the ordinary high-water mark. Only wildlife-friendly, 100 percent biodegradable erosion and sediment control products that will not entrap or harm wildlife shall be used. Erosion and sediment control products shall not contain synthetic (e.g., plastic or nylon) netting. Photodegradable synthetic products are not considered biodegradable. Rock riprap and bank armoring shall only be done in consultation and with prior approval from the US Army Corps of Engineers, CDFW, or the appropriate regional water board. Only clean material such as rock riprap that is free of trash, debris and deleterious material shall be used in bank stabilization. Use of materials containing asphalt and/or concrete is prohibited.
- 3.3.12 Crossing Fill Materials. To minimize turbidity or siltation in receiving temporary crossings shall be constructed with washed 2–6-inch pit run rock, screened river gravels, washed 2-inch plus rock or gravel, and/or logs in fill materials whenever feasible. Bridge

abutments below the high-water mark shall be rock. Where a temporary crossing using fill material is removed, the channel shape and gradient shall be returned to pre-project condition and stabilized to the extent feasible; any adjacent bare soil shall be stabilized by mulching or other effective method.

- 3.3.13 Recreate Channel Grade During Crossing Removal. During crossing removal, all fill material shall be excavated in a manner that recreates the natural channel grade and orientation, leaving a channel bed that is as wide as or slightly wider than the original watercourse.
- 3.3.14 Stabilize and Inspect Decommissioned/Deactivated and Abandoned Roads and Crossings. Decommissioning/deactivation/abandonment of roads and crossings shall be conducted in a manner that ensures stabilization before the winter period (November 15). If work occurs during the winter period or if there is a 30 percent chance of a rain event within 24 hours, sediment and erosion control shall be installed before and inspected after the rain event. Areas exhibiting erosion with the potential to transport sediment to receiving waters shall be repaired with applicable BMPs, and then inspected following a runoff event after soils reach saturation.
- 3.3.15 Stabilize Crossing Sites. All bare mineral soil exposed in conjunction with crossing construction, deconstruction, maintenance, or repair, shall be treated for erosion immediately upon completion of crossing work, and prior to the onset of precipitation capable of generating runoff. Erosion control BMPs shall be used as specified to stabilize the approaches and bank of the watercourse. If the site is seeded, native species, or a sterile seed mix and mulch should be used to the extent feasible.
- 3.3.16 BMP Implementation Monitoring. Prior to completing operations at a project site, implementation monitoring shall occur in project areas with erosion potential and sediment discharge potential. Implementation monitoring consists of detailed visual monitoring to verify management measures are properly implemented in accordance with EPP measures and any water quality protective measures identified by California Water Boards staff during site inspections.
- 3.4 Hazard Tree Removal Sites in Non-Forested Areas (not covered under Forest Practice Act)
- 3.4.1 Permits. Work requiring coverage under a permit issued by the California Water Boards that is not otherwise within the scope of an approved Agency Secretary Environmental Suspension, including any necessary permits under section 402 of the Clean Water Act regulating discharges to waters of the United States, may not begin until such coverage is obtained.
- 3.4.2 Winter Period Operations. Winter period is defined as November 15 through April 1 each year. If road and landing construction/reconstruction operations are planned during the winter period where such activities could negatively impact water quality, consult with the appropriate regional board office before commencing work.
- 3.4.3 Saturated Soil Conditions. Operations will be limited or halted in saturated conditions as determined by the Operations Chief or RPF. Per CCR 895.1 definitions, "Saturated Soil Conditions," means that soil and/or surface material pore spaces are filled with

water to such an extent that runoff is likely to occur. Indicators of Saturated Soil Conditions may include but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or road surfacing material during Timber Operations, (3) loss of bearing strength resulting in the deflection of soil or road surfaces under a load, such as the creation of wheel ruts, (4) spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials.

- 3.4.4 Adequate Erosion Control Materials Onsite. Prior to any ground disturbing work at a project site, erosion control materials (such as, fiber rolls, bonded fiber matrix, erosion control mats, soil tackifiers) shall be stockpiled on site. All disturbed soils associated with the Project site will be stabilized to reduce erosion potential, both during and post disturbance activities. Planting and seeding with native species, or a sterile seed mix and mulching are acceptable erosion control BMPs. Where suitable vegetation cannot reasonably be expected to become established, non-erodible materials, such as coconut fiber matting, shall be used for such erosion control stabilization. At staging areas and processing sites, Construction and/or Industrial Stormwater permits administered by the California Water Boards may be required. Generally, a stormwater permit is required for soil disturbances of one acre or more (where the CWA section 404 silviculture exemption does not apply), or when part of a larger plan of development.
- 3.4.5 Tree Felling. To the fullest extent possible and with due consideration given to topography, lean of trees, landings, utility lines, local obstructions, and safety factors, trees shall be felled in a manner that avoids bridging watercourses. In the event trees cannot be jacked and / or pulled away from a watercourse, the felled tree(s) shall be removed as soon as possible, and watercourses restored thereafter.
- 3.4.6 Shade-Producing Canopy. Trees within the riparian zone that are not deemed a hazard shall be retained to maintain shade-producing canopy to the maximum extent practicable. Please consult with the appropriate regional water board if there are questions about maintaining shade-producing canopy. Operators may be required to adhere to FPR 916.9, 936.9, and/or 956.9.
- 3.4.7 Water drafting locations. All water drafting locations shall include appropriate BMPs to prevent sediment discharge from disturbed areas, vehicle tracking, or overtopping to receiving waters. Such locations shall also install appropriate BMPs to prevent petroleum products from entering the waterbody. Pump intakes shall be screened to prevent entrapment of aquatic species. Consultation with relevant federal, state, and local agencies shall occur before initiating drafting activities.
- 3.4.8 Coordination with area involved water systems. All activities necessitating the use of area water, such as, and not limited to dust suppression, cleaning, washing, sweeping, and irrigation, shall be coordinated with the area involved water system to avoid any potential conflicts. All activities that may affect, impede, or impact the ability of the area involved water system from executing their duties shall be coordinated with the area involved water system to avoid any potential conflicts.

- 3.4.9 BMP Implementation Monitoring. Prior to completing operations at a project site, implementation monitoring shall occur in project areas with erosion potential and sediment discharge potential. Implementation monitoring consists of detailed visual monitoring to verify management measures are properly implemented in accordance with EPP measures and any water quality protective measures identified by California Water Boards staff during site inspections.
- 3.5 Staging Area Requirements (areas used to stockpile logs, slash, or related debris for transport to processing facility)
- 3.5.1 Permit coverage. Construction and operation of staging areas and processing sites may require Construction and/or Industrial Stormwater Permits issued by the appropriate regional water board. Permit type and permitting requirements are determined based on site-specific characteristics and proposed use. Consultation with the appropriate regional water board is required prior to construction.
- 3.5.2 Sediment and Erosion Control Measures. Biodegradable sediment and erosion control measures will be utilized throughout all phases of operation where sediment runoff from work areas threatens to enter receiving waters. If there is a 30 percent chance of a rain event within 24 hours, sediment, and erosion control BMPs shall be inspected (before and after the event), and repaired, or upgraded and maintained to prevent sediment-laden runoff. Maintenance includes, but is not limited to, removal of accumulated sediment and/or replacement of damaged silt fencing, compost socks, coir logs, coir rolls, and/or straw bale dikes. Modifications, repairs, and improvements shall be made to the sediment and erosion control measures whenever warranted. Materials used in the sediment barriers shall not pose an entanglement risk to fish or wildlife (e.g., plastic monofilament netting).
- 3.5.3 Ground disturbance and creation of areas bare of vegetation. Work shall be planned to minimize ground disturbance activities and to prevent discharge of sediment to receiving waters. Generally, where ground disturbance is larger than one acre, a Construction Stormwater permit may be required. Consult with the applicable regional water board before conducting work in instances where large ground disturbance activity is likely to occur.
- 3.5.4 Staging Areas and Processing Sites. Construction and/or industrial stormwater permits may be required for staging areas and/or processing sites. Should stormwater permits be required, the designated contractors' Qualified Stormwater Pollution Prevention Plan (SWPPP) Developer (QSD) shall develop a SWPPP and implement it as appropriate. Other construction activities not requiring a stormwater permit but having the potential to discharge sediment to receiving waters, shall contain sufficient sediment and erosion control Best Management Practices (BMPs) to mitigate discharge of sediment to receiving waters. Contractors shall, at a minimum, include the following protective measures:
- 3.5.4.1 Operating Equipment and Vehicle Leaks. Equipment shall not be stored within 50 feet of a stream, lake, or wetland. Any equipment or vehicles driven, operated, or adjacent to a WLPZ shall be checked and maintained daily to prevent leaks of materials that could be deleterious to aquatic life or riparian habitat.

3.5.4.2 Stationary Equipment Leaks. Stationary equipment such as motors, pumps, generators, and welders, located in or adjacent to the stream/lake shall be positioned over drip pans. Stationary heavy equipment will have suitable containment to handle a catastrophic spill/leak. Crews will always maintain spill containment kits on-site during project operations and/or staging or fueling of equipment.

3.5.4.3 Equipment Maintenance and Fueling. No equipment maintenance, fueling or storage will occur within or adjacent to, any stream channel, wetland, or lake margin where petroleum products or other pollutants from the equipment may enter these areas.

3.5.4.4 No Dumping. No litter or construction debris shall be deposited within a stream or lake, or where it may pass into a stream or lake. All debris and waste shall be removed daily. All trash cans and dumpsters shall remain covered except when in use and covered at the end of each workday.

3.5.4.5 Sawdust and other non-hazardous wastes. Sawdust, soil, silt, clay, rock, felled trees, slash, sawdust, bark, and ash shall be controlled in such a manner that it does not enter a watercourse and where feasible, not stored within 25 ft of a watercourse.

3.5.4.6 Hazardous Materials. Materials such as debris, ash, rubbish, creosote-treated wood products, cement/concrete, or washings thereof, asphalt, pesticides, paint or other coating material, petroleum products, and batteries can be hazardous to aquatic life, wildlife, or riparian habitat. Hazardous materials associated with project related activities shall be handled, transported, and stored in a manner that prevents materials from contaminating underlying soils and/or entering any watercourse.

3.5.5 Water drafting locations. All water drafting locations shall include appropriate BMPs to prevent sediment discharge from disturbed areas, vehicle tracking, or overtopping to receiving waters. Such locations shall also install appropriate BMPs to prevent petroleum products from entering the waterbody. Pump intakes shall be screened to prevent entrapment of aquatic species. Consultation with relevant federal, state, and local agencies shall occur before initiating drafting activities.

3.5.6 Coordination with area involved water systems. All activities necessitating the use of area water, such as, and not limited to dust suppression, cleaning, washing, sweeping, and irrigation, shall be coordinated with the area involved water system to avoid any potential conflicts. All activities that may affect, impede, or impact the ability of the area involved water system from executing their duties shall be coordinated with the area involved water system to avoid any potential conflicts.

3.5.7 BMP Implementation Monitoring. Prior to completing operations at a project site, implementation monitoring shall occur in project areas with erosion potential and sediment discharge potential. Implementation monitoring consists of detailed visual monitoring to verify management measures are properly implemented in accordance with EPP measures and any water quality protective measures identified by California Water Boards staff during site inspections.

- 3.6 Processing Facility Requirements (temporary facilities constructed for the purpose of processing woody debris and logs for shipment to log mills or cogeneration facilities)
- 3.6.1 Permit coverage. Construction and operation of Staging Areas and Processing Sites may require Construction and/or Industrial Stormwater Permits issued by the appropriate regional water board. Permit type and permitting requirements are determined based on site-specific characteristics and proposed use. Consultation with the appropriate regional water board is required prior to construction.
- 3.6.2 Adequate Erosion Control Materials Onsite. Prior to any ground disturbing work at a project site, erosion control materials (such as, fiber rolls, bonded fiber matrix, erosion control mats, soil tackifiers) shall be stockpiled on site. *All disturbed soils associated with the Project site will be stabilized to reduce erosion potential, both during and post disturbance activities.* Planting and seeding with native species, or a sterile seed mix and mulching are acceptable erosion control BMPs. Where suitable vegetation cannot reasonably be expected to become established, non-erodible materials, such as coconut fiber matting, shall be used for such erosion control stabilization. At staging areas and processing sites, Construction and/or Industrial Stormwater permits administered by the California Water Boards may be required. Generally, a stormwater permit is required for soil disturbances of one acre or more (where the CWA section 404 silviculture exemption does not apply), or when part of a larger plan of development.
- 3.6.3 Sediment and Erosion Control Measures. Biodegradable sediment and erosion control measures will be utilized throughout all phases of operation where sediment runoff from work areas threatens to enter receiving waters. If there is a 30 percent chance of a rain event within 24 hours, sediment, and erosion control BMPs shall be inspected (before and after the event), and repaired, or upgraded and maintained to prevent sediment-laden runoff. Maintenance includes, but is not limited to, removal of accumulated sediment and/or replacement of damaged silt fencing, compost socks, coir logs, coir rolls, and/or straw bale dikes. Modifications, repairs, and improvements shall be made to the sediment and erosion control measures whenever warranted. Materials used in the sediment barriers shall not pose an entanglement risk to fish or wildlife (e.g., plastic monofilament netting).
- 3.6.4 Trenching / Excavation /Grading Spoils. As required by an applicable permit, castings or spoils from the trenching / excavation operations shall be placed in a location where it cannot enter a watercourse and will have erosion control measures applied.
- 3.6.5 Ground disturbance and creation of areas bare of vegetation. Work shall be planned to minimize ground disturbance activities and to prevent discharge of sediment to receiving waters. Generally, where ground disturbance is larger than one acre, a Construction Stormwater permit may be required. Consult with the applicable regional water board before conducting work in instances where large ground disturbance activity is likely to occur.
- 3.6.5 Staging Areas and Processing Sites. Construction and/or industrial stormwater permits may be required for Staging Areas and Processing Sites. Should stormwater permits be required, the designated contractors' Qualified Stormwater Pollution Prevention

Plan (SWPPP) Developer (QSD) shall develop a SWPPP and implement it as appropriate. Other construction activities not requiring a stormwater permit but having the potential to discharge sediment to receiving waters, shall contain sufficient sediment and erosion control Best Management Practices (BMPs) to mitigate discharge of sediment to receiving waters. Contractors shall, at a minimum, include the following protective measures:

3.6.5.1 Operating Equipment and Vehicle Leaks. Equipment shall not be stored within 50 feet of a stream, lake, or wetland. Any equipment or vehicles driven, operated, or adjacent to a WLPZ shall be checked and maintained daily to prevent leaks of materials that could be deleterious to aquatic life or riparian habitat.

3.6.5.2 Stationary Equipment Leaks. Stationary equipment such as motors, pumps, generators, and welders, located in or adjacent to a stream, lake, or wetland shall be positioned over drip pans. Stationary heavy equipment will have suitable containment to handle a catastrophic spill/leak. Crews will always maintain spill containment kits on-site during project operations and/or staging or fueling of equipment.

3.6.5.3 Equipment Maintenance and Fueling. No equipment maintenance, fueling or storage will occur within 50 feet of any stream channel, wetland, or lake margin where petroleum products or other pollutants from the equipment may enter these areas.

3.6.5.4 No Dumping. No litter or construction debris shall be deposited within a stream or lake, or where it may pass into a stream or lake. All debris and waste shall be removed daily. All trash cans and dumpsters shall remain covered except when in use and covered at the end of each workday.

3.6.5.5 Sawdust and other non-hazardous wastes. Sawdust, soil, silt, clay, rock, felled trees, slash, sawdust, bark, and ash shall be controlled in such a manner that it does not enter a watercourse and where feasible, not stored within 25 ft of a watercourse.

3.6.5.6 Hazardous Materials. Materials such as debris, ash, rubbish, creosote-treated wood products, cement/concrete, or washings thereof, asphalt, pesticides, paint or other coating material, petroleum products, and batteries can be hazardous to aquatic life, wildlife, or riparian habitat. Hazardous materials associated with project related activities shall be handled, transported, and stored in a manner that prevents materials from contaminating underlying soils and/or entering any watercourse.

3.6.6 Water drafting locations. All water drafting locations shall include appropriate BMPs to prevent sediment discharge from disturbed areas, vehicle tracking, or overtopping to receiving waters. Such locations shall also install appropriate BMPs to prevent petroleum products from entering the waterbody. Pump intakes shall be screened to prevent entrapment of aquatic species. Consultation with relevant federal, state, and local agencies shall occur before initiating drafting activities.

3.6.7 Coordination with area involved water systems. All activities necessitating the use of area water, such as, and not limited to dust suppression, cleaning, washing, sweeping, and irrigation, shall be coordinated with the area involved water system to avoid any potential conflicts. All activities that may affect, impede, or impact the ability of the

area involved water system from executing their duties shall be coordinated with the area involved water system to avoid any potential conflicts.

- 3.6.8 BMP Implementation Monitoring. Prior to completing operations at a project site, implementation monitoring shall occur in project areas with erosion potential and sediment discharge potential. Implementation monitoring consists of detailed visual monitoring to verify management measures are properly implemented in accordance with EPP measures and any water quality protective measures identified by California Water Boards staff during site inspections.

4.0 Debris Removal

4.1 Debris Removal Site Requirements

- 4.1.1 Trenching / Excavation /Grading Spoils. As required by an applicable permit, castings or spoils from the trenching / excavation operations shall be placed on the stream side of the trenching / excavation /Grading site.
- 4.1.2 Adequate Erosion Control Materials Onsite. Prior to any ground disturbing work at a project site, erosion control materials (such as, fiber rolls, bonded fiber matrix, erosion control mats, soil tackifiers) shall be stockpiled on site. *All disturbed soils associated with the Project site will be stabilized to reduce erosion potential, both during and post disturbance activities.* Planting and seeding with native species, or a sterile seed mix and mulching are acceptable erosion control BMPs. Where suitable vegetation cannot reasonably be expected to become established, non-erodible materials, such as coconut fiber matting, shall be used for such erosion control stabilization. At staging areas and processing sites, Construction and/or Industrial Stormwater permits administered by the California Water Boards may be required. Generally, a stormwater permit is required for soil disturbances of one acre or more (where the CWA section 404 silviculture exemption does not apply), or when part of a larger plan of development.
- 4.1.3 Water drafting locations. All water drafting locations shall include appropriate BMPs to prevent sediment discharge from disturbed areas, vehicle tracking, or overtopping to receiving waters. Such locations shall also install appropriate BMPs to prevent petroleum products from entering the waterbody. Pump intakes shall be screened to prevent entrapment of aquatic species. Consultation with relevant federal, state, and local agencies shall occur before initiating drafting activities.
- 4.1.4 Coordination with area involved water systems. All activities necessitating the use of area water, such as, and not limited to dust suppression, cleaning, washing, sweeping, and irrigation, shall be coordinated with the area involved water system to avoid any potential conflicts. All activities that may affect, impede, or impact the ability of the area involved water system from executing their duties shall be coordinated with the area involved water system to avoid any potential conflicts.
- 4.1.5 BMP Implementation Monitoring. Prior to completing operations at a project site, implementation monitoring shall occur in project areas with erosion potential and sediment discharge potential. Implementation monitoring consists of detailed visual monitoring to verify management measures are properly implemented in accordance

with EPP measures and any water quality protective measures identified by California Water Boards staff during site inspections.

4.2 Staging Area Requirements (Pre-Processing Sites)

4.2.1 Permit coverage. Construction and operation of staging areas and processing sites may require Construction and/or Industrial Stormwater Permits issued by the appropriate regional water board. Permit type and permitting requirements are determined based on site-specific characteristics and proposed use. Consultation with the appropriate regional water board is required prior to construction.

4.2.2 Adequate Erosion Control Materials Onsite. Prior to any ground disturbing work at a project site, erosion control materials (such as, fiber rolls, bonded fiber matrix, erosion control mats, soil tackifiers) shall be stockpiled on site. All disturbed soils associated with the Project site will be stabilized to reduce erosion potential, both during and post disturbance activities. Planting and seeding with native species, or a sterile seed mix and mulching are acceptable erosion control BMPs. Where suitable vegetation cannot reasonably be expected to become established, non-erodible materials, such as coconut fiber matting, shall be used for such erosion control stabilization. At staging areas and processing sites, Construction and/or Industrial Stormwater permits administered by the California Water Boards may be required. Generally, a stormwater permit is required for soil disturbances of one acre or more (where the CWA section 404 silviculture exemption does not apply), or when part of a larger plan of development

4.2.3 Ground disturbance and creation of areas bare of vegetation. Work shall be planned to minimize ground disturbance activities and to prevent discharge of sediment to receiving waters. Generally, where ground disturbance is larger than one acre, a Construction Stormwater permit may be required. Consult with the applicable regional water board before conducting work in instances where large ground disturbance activity is likely to occur.

4.2.4 Staging Areas and Processing Sites. Construction and/or industrial stormwater permits may be required for staging areas and/or processing sites. Should stormwater permits be required, the designated contractors' Qualified Stormwater Pollution Prevention Plan (SWPPP) Developer (QSD) shall develop a SWPPP and implement it as appropriate. Other construction activities not requiring a stormwater permit but having the potential to discharge sediment to receiving waters, shall contain sufficient sediment and erosion control Best Management Practices (BMPs) to mitigate discharge of sediment to receiving waters. Contractors shall, at a minimum, include the following protective measures:

4.2.4.1 Operating Equipment and Vehicle Leaks. Equipment shall not be stored within 50 feet of a stream, lake, or wetland. Any equipment or vehicles driven, operated, or adjacent to a WLPZ shall be checked and maintained daily to prevent leaks of materials that could be deleterious to aquatic life or riparian habitat.

4.2.4.2 Stationary Equipment Leaks. Stationary equipment such as motors, pumps, generators, and welders, located in or adjacent to a stream, lake, or wetland shall be positioned over drip pans. Stationary heavy equipment will have suitable containment

to handle a catastrophic spill/leak. Crews will always maintain spill containment kits on-site during project operations and/or staging or fueling of equipment.

4.2.4.3 Equipment Maintenance and Fueling. No equipment maintenance, fueling or storage will occur within 50 feet of any stream channel, wetland, or lake margin where petroleum products or other pollutants from the equipment may enter these areas.

4.2.4.4 No Dumping. No litter or construction debris shall be deposited within a stream or lake, or where it may pass into a stream or lake. All debris and waste shall be removed daily. All trash cans and dumpsters shall remain covered except when in use and covered at the end of each workday.

4.2.4.5 Sawdust and other non-hazardous wastes. Sawdust, soil, silt, clay, rock, felled trees, slash, sawdust, bark, and ash shall be controlled in such a manner that it does not enter a watercourse and where feasible, not stored within 25 ft of a watercourse.

4.2.4.6 Hazardous Materials. Materials such as debris, ash, rubbish, creosote-treated wood products, cement/concrete, or washings thereof, asphalt, pesticides, paint or other coating material, petroleum products, and batteries can be hazardous to aquatic life, wildlife, or riparian habitat. Hazardous materials associated with project related activities shall be handled, transported, and stored in a manner that prevents materials from contaminating underlying soils and/or entering any watercourse.

4.2.5 BMP Implementation Monitoring. Prior to completing operations at a project site, implementation monitoring shall occur in project areas with erosion potential and sediment discharge potential. Implementation monitoring consists of detailed visual monitoring to verify management measures are properly implemented in accordance with EPP measures and any water quality protective measures identified by California Water Boards staff during site inspections.

4.3 Processing Facility Requirements

4.3.1 Permit coverage. Construction and operation of staging areas and processing sites may require Construction and/or Industrial Stormwater Permits issued by the appropriate regional water board. Permit type and permitting requirements are determined based on site-specific characteristics and proposed use. Consultation with the appropriate regional water board is required prior to construction

4.3.2 Adequate Erosion Control Materials Onsite. Prior to any ground disturbing work at a project site, erosion control materials (such as, fiber rolls, bonded fiber matrix, erosion control mats, soil tackifiers) shall be stockpiled on site. All disturbed soils associated with the Project site will be stabilized to reduce erosion potential, both during and post disturbance activities. Planting and seeding with native species, or a sterile seed mix and mulching are acceptable erosion control BMPs. Where suitable vegetation cannot reasonably be expected to become established, non-erodible materials, such as coconut fiber matting, shall be used for such erosion control stabilization. At staging areas and processing sites, Construction and/or Industrial Stormwater permits administered by the California Water Boards may be required. Generally, a stormwater permit is required for soil disturbances of one acre or more (where the CWA section

404 silviculture exemption does not apply), or when part of a larger plan of development.

4.3.3 Ground disturbance and creation of areas bare of vegetation. Work shall be planned to minimize ground disturbance activities and to prevent discharge of sediment to receiving waters. Generally, where ground disturbance is larger than one acre, a Construction Stormwater permit may be required. Consult with the applicable regional water board before conducting work in instances where large ground disturbance activity is likely to occur.

4.3.4 Staging Areas and Processing Sites. Construction and/or industrial stormwater permits may be required for staging areas and/or processing sites. Should stormwater permits be required, the designated contractors' Qualified Stormwater Pollution Prevention Plan (SWPPP) Developer (QSD) shall develop a SWPPP and implement it as appropriate. Other construction activities not requiring a stormwater permit but having the potential to discharge sediment to receiving waters, shall contain sufficient sediment and erosion control Best Management Practices (BMPs) to mitigate discharge of sediment to receiving waters. Contractors shall, at a minimum, include the following protective measures:

4.3.4.1 Operating Equipment and Vehicle Leaks. Equipment shall not be stored within 50 feet of a stream, lake, or wetland. Any equipment or vehicles driven, operated, or adjacent to a WLPZ shall be checked and maintained daily to prevent leaks of materials that could be deleterious to aquatic life or riparian habitat.

4.3.4.2 Stationary Equipment Leaks. Stationary equipment such as motors, pumps, generators, and welders, located in or adjacent to a stream, lake, or wetland shall be positioned over drip pans. Stationary heavy equipment will have suitable containment to handle a catastrophic spill/leak. Crews will always maintain spill containment kits on-site during project operations and/or staging or fueling of equipment.

4.3.4.3 Equipment Maintenance and Fueling. No equipment maintenance, fueling or storage will occur within 50 feet of any stream channel, wetland, or lake margin where petroleum products or other pollutants from the equipment may enter these areas.

4.3.4.4 No Dumping. No litter or construction debris shall be deposited within a stream or lake, or where it may pass into a stream or lake. All debris and waste shall be removed daily. All trash cans and dumpsters shall remain covered except when in use and covered at the end of each workday.

4.3.4.5 Sawdust and other non-hazardous wastes. Sawdust, soil, silt, clay, rock, felled trees, slash, sawdust, bark, and ash shall be controlled in such a manner that it does not enter a watercourse and where feasible, not stored within 25 ft of a watercourse.

4.3.4.6 Hazardous Materials. Materials such as debris, ash, rubbish, creosote-treated wood products, cement/concrete, or washings thereof, asphalt, pesticides, paint or other coating material, petroleum products, and batteries can be hazardous to aquatic life, wildlife, or riparian habitat. Hazardous materials associated with project related activities shall be handled, transported, and stored in a manner that prevents materials from contaminating underlying soils and/or entering any watercourse.

4.3.4.7 Dust Control. Dust control practices, such as rocking temporary access road entrances and exits, wetting frequently used unpaved roadways, and covering temporary stockpiles should be implemented.

4.3.4.8 Permanent Erosion Control. Incorporate permanent erosion control measures such as water breaks, rolling dips, bio-filtration strips, and swales to the maximum extent feasible in an effort to hydrologically disconnect drainage features from receiving waters. This includes but is not limited to any work sites, staging areas, processing areas, logging/hazard tree removal operations areas, and/or roads and trails used during operations.

4.3.4.9 Pesticides. Use of pesticides (including herbicides) is prohibited.

4.3.4.10 Drop Inlets. Protect drop inlet structures near work areas.

4.3.5 BMP Implementation Monitoring. Prior to completing operations at a project site, implementation monitoring shall occur in project areas with erosion potential and sediment discharge potential. Implementation monitoring consists of detailed visual monitoring to verify management measures are properly implemented in accordance with EPP measures and any water quality protective measures identified by California Water Boards staff during site inspections.

5.0 Drinking Water Operations and Coordination

5.1 Coordination

Coordinate with State Water Board's Division of Drinking Water staff and area involved water systems for work performed in areas where drinking water infrastructure exists.

5.2 Coordination with area involved water systems

All activities necessitating the use of area water, such as, and not limited to dust suppression, cleaning, washing, sweeping, and irrigation, shall be coordinated with the area involved water system to avoid any potential conflicts. All activities that may affect, impede, or impact the ability of the area involved water system from executing their duties shall be coordinated with the area involved water system to avoid any potential conflicts.

5.3 Use of Water

Water from the project area involved water system shall be conducted such that low operational pressures shall be avoided. Low operational water system pressures can risk public health and result in the issuance of unsafe water alerts – boil water notice, or other. Coordinate with the area involved water system as to where to connect for water service as well as the rate of use and the equipment to use.

5.4 Water Meters

If and as required, local permits shall be obtained, and use of water meters shall be implemented. Contact the local jurisdiction to verify this requirement – City, County, area-involved water system.

5.5 Damage to Water Facilities

Any digging, debris removal, earth or soil work, or excavation can result in damage to water facilities including waterlines. Coordinate with the area involved water system so to understand where the water facilities, such as waterlines, are located to avoid these conflicts. The water service to the defunct locations may need to be shut off at the meter to prevent uncontrolled loss of water and water pressure. The area involved water system may need to shut-of the utility service valve and pull the meter, severing the connection to the customer line. Service connections shall be staked painted blue to maintain visibility for any crews working in the area.

5.6 Temporary Debris Storage

Placement of debris piles may impede area involved water system access to their waterlines and facilities. Coordinate with area involved water system over the proper location of placement of debris materials and waste to avoid placing debris atop water system facilities and appurtenances.

5.7 Water System Infrastructure

Area involved water systems may be conducting restorative activities, such as, but not limited to, flushing waterlines, repairing water facilities, and replacing water facilities. Staging of materials, equipment and machinery may impede area involved water system access to their waterlines and facilities. Coordinate with area involved water system over the proper location of staging of materials, equipment, and machinery.

State Water Resources Control Board

Checklist for Key Best Management Practices Related to Hazard Tree Removal

Activity	Erosion and Sediment Control BMPs	Complete?
Skid Trails	Drainage structures have been installed in a manner that will prevent concentrated flows from discharging into a watercourse.	<input type="checkbox"/>
	Surface of skid trails have been treated where needed in a manner that will reduce rill initiation, gullyng and sheet erosion.	<input type="checkbox"/>
	Within the Watercourse and Lake Protection Zone (WLPZ) and skid trails on steeper slopes (i.e. greater than 30%) which lead into the WLPZ: skid trail surface has been treated with erosion control measures (chips, slash etc.) and drainage structures have been installed at a frequency that will prevent sediment discharging to a watercourse.	<input type="checkbox"/>
Temporary Watercourse Crossings	Fine soils or woody debris deposited into a watercourse by operations have been removed, stored and stabilized to reduce risk of discharging to a watercourse.	<input type="checkbox"/>
	The bed and bank of watercourses disturbed during operations have been recontoured as close as feasible to the natural slope.	<input type="checkbox"/>
	Drainage structures have been installed on the approaches to watercourse crossings (water bars or rolling dips) in a manner that will prevent concentrated flows from reaching the watercourse.	<input type="checkbox"/>
	Approaches to watercourse crossings have been stabilized in a manner that will prevent sediment discharge to the watercourse.	<input type="checkbox"/>
Trees felled Across Watercourses	Disturbance to the bed and/or bank of the watercourse has been stabilized to prevent erosion and deterioration.	<input type="checkbox"/>
	All woody debris located within the watercourse channel as a result of felling operations has been removed.	<input type="checkbox"/>
WLPS Operations	Ground disturbance within the WLPZ from operations has been stabilized with suitable material (slash, chips, bark etc.) to a depth adequate to reduce erosion and sediment discharge to waters of the state.	<input type="checkbox"/>
Roads	Roads are hydrologically disconnected from watercourse crossings.	<input type="checkbox"/>
	Roads have been treated with water or other suitable tackifiers and recompactd to minimize the presence of fine sediment on the surface of the road.	<input type="checkbox"/>

Licensed Timber Operator Signature:	Date Signed:
Contract Manager Signature:	Date Signed:

Definition and Diagrams

Watercourse Classification and WLPZ Widths

Class I Watercourse: Domestic Supplies, including springs, on site and/or within 100 feet downstream of the operational area and/or Fish always or seasonally present onsite includes habitat to sustain fish migration and spawning. WLPZ Widths: slopes less than 30%: 75ft, slopes 30-50%: 100ft, and slopes greater than 50% 150ft

Class II Watercourse: Fish always or seasonally present offsite within 1000 ft downstream and/or aquatic habitat for nonfish aquatic species. WLPZ Widths: slopes less than 30%: 50ft, slopes 30-50%: 75ft, and slopes greater than 50%: 100ft.

Class III Watercourse: No Aquatic life present, watercourse showing evidence of being capable of sediment transport to Class I and II waters under normal high-water flow conditions after completion of Timber Operations. WLPZ Widths: The RPF shall designate an equipment limitation zone (ELZ) at least 25 ft where slopes are less than 30% and at least 50ft where slopes are greater than 30%.

Water Bar: a structure constructed across an unpaved road prism intended to capture runoff and transport it across the road to discharge into material capable of filtering and settling sediment before it reaches a watercourse. Is installed at a frequency that prevents concentration of runoff between structures.



Hydrologic disconnection: the removal of direct routes of drainage or overland flow of road runoff to a watercourse or lake

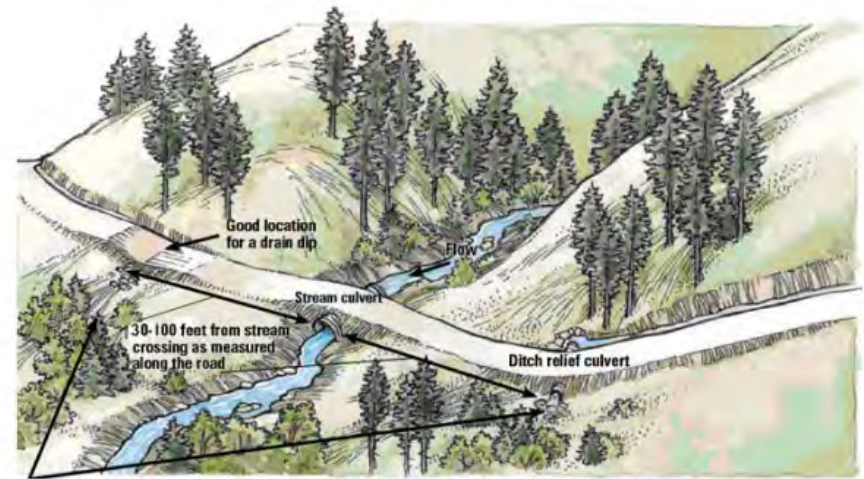


FIGURE 85. Diagram showing hydrologic disconnection on the approaches to a stream crossing. Note the absence of an apparent critical dip at the crossing. (Modified from: Adams and Storm, 2011; see Appendix C for use in TRA #5).

North Branch Hazard Tree Removal- Riparian Area Operations Guide



Prepared by
Sierra Timber Services

September 29, 2021

Purpose and Need:

Removing all woody debris greater than 3 inches in diameter and 3” in length created by tree removal operations from inside the Watercourse Protection Zones results in significant soil disturbance which increases risk of erosion and impacts to water quality.

This document provides Project Staff and Tree Removal Contractors guidance on where Incidental Slash may be left and where both fine and large logging slash may be appropriately used for Erosion Control.

Definitions:

Incidental slash – Limbs and debris that break off of the main stem of the tree during the falling and wood management processes.

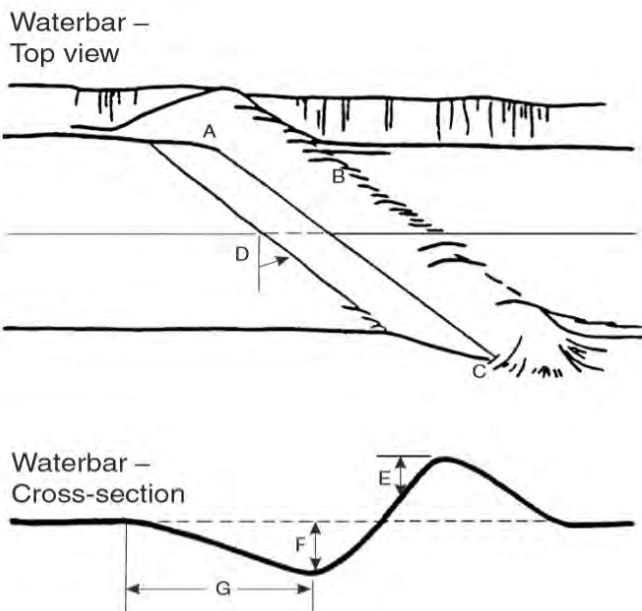
Lopping – Cutting slash so that it is no taller than the specified height from the ground.



The above photo shows *Incidental slash* which has been lopped flat with a *Watercourse Protection Zone*

Waterbar- A ditch and berm constructed diagonally across a skid trail (travel way) to effectively divert runoff from the trail.

Water bars should be 6- 12in deep. They should angle slightly down hill allowing water to run freely out of the dip and off the road. The dip should not drain directly into a water course channel and a filter strip slash should be placed below the lead out as an energy dissipater.



Watercourse and Lake Protection Zone (WLPZ) means a strip of land along both sides of a watercourse where additional practices are required by the California Forest Practice Rules to protect the quality and beneficial uses of water.

Watercourse Protection Zone widths vary by Watercourse Classification and Slope as shown on the table below.

Watercourse Buffer Widths				
	Definition	Slope		
		Less than 30%	Greater than 30%	Greater than 50%
Class I	Contains fish seasonally or all year	75 Ft	100 Ft	150 Ft
Class II	Water is present much of year. Contains riparian vegetation	50 Ft	75 Ft	100 Ft
Class III	Can transport sediment and storm water downstream to other watercourses.	25 Ft	50 Ft	50 Ft

Slash Removal standards for Class I, II and III Watercourse Protection Zones

First 25 feet from the Watercourse

- Remove logs and branches over 6" in diameter and greater than 4' in length and lop the remaining incidental slash to less than 6" above the ground within the Watercourse Protection Zone. (Exceptions may be made for small areas where removing slash would cause excessive soil disturbance or damage to living riparian vegetation.)
- Remove any incidental slash from below the high water mark and stabilize it up slope where it will not enter the creek during high flows.
- Do not trim stumps in this area. The stump height requirement is waived for the 1st 25 feet from any Class I, II, or III watercourse.
- Chips are not recommended to be placed in this zone.

26 feet to the edge of the Watercourse Protection Zone

- Remove logs and branches over 6" in diameter and greater than 4' in length.
- Lop incidental slash flat. The limbs should stick up no more than 6" from the ground. A person should be able to easily walk through this area.
- Skid trails over 30% slope, outlets of water bars and disturbed areas with high erosion potential may be mulched with larger logging slash (90% less than 12" in diameter & 8' in length) and lopped to less than 18" above the ground.
- Skid trails under 30% slope may be mulched with fine logging slash (90% less than 4" in diameter 4' in length), chips may also be used where they cannot discharge into the watercourse during the winter. Slash lopped to less than 6" above the ground.

Erosion Control Guidance for Water Course Protection Zones

Skid trails (Travel Ways) within the Watercourse Protection Zone

- Skid trails within the Watercourse protection Zone require both water bars and mulching for erosion control.
- Install water bars 50 -100 feet apart. Use slash as an energy dissipater at the outlet of the water bar.

Water bar spacing by trail gradient			
Less than 10% slope	11-25% slope	26-50% slope	Greater than 50% slope
100 feet apart	75 feet apart	50 feet apart	50 feet apart

Skid Trail Mulching Standards:

- Less than 30% slope – Mulch to 70% coverage fine logging slash (90% less than 4" in diameter 4' in length), chips may also be used where they cannot discharge into the watercourse during the winter. Slash lopped to less than 6" above the ground.
- Greater than 30% slope or disturbed areas with loose soil with high erosion potential – Mulch to 70% coverage with larger logging slash (90% less than 12" in diameter & 8' in length) Lopped to less than 18" above the ground.

Class III Watercourse crossings-

- Clean all loose dirt and debris from the crossing restoring the dip to its natural profile.
- Place fine logging slash from just above the high water mark to the first water bar at 25 ft. Slash should have 70% coverage and average 4-6 inches in depth.
- Install a water bar at 25 ft. each side of the crossing

Wildfire Recovery: State & Regional Water Boards Contact Information				
Office	Contact Email	Work Phone	When to contact	Counties Covered
State Board	Primary: Krystle.Taylor@waterboards.ca.gov Back-Up: Mark.Bare@waterboards.ca.gov	Krystle: 916.917.4133 Mark: 916.917.4089	High-level EPP Coordinaton/Policy/Development/Hot Wash Watershed Debris Flow Task Force Communications Debris Task Force Communications Other Wildfire Coordination After Business Hours Coordination	Statewide coordination
Region 1	Jonathan.Warmerdam@waterboards.ca.gov	707.576.2468	EPP Annual Hot Wash	Del Norte, Glenn (Western edge portion), Humboldt, Lake (Northern portion), Marin, Mendocino, Modoc, Siskiyou, Sonoma, Trinity
	Gil.Falcone@waterboards.ca.gov	707.576.2830	EPP Field Operations Coordination for Sonoma and Mendocino Co	
	Ryan.Bey@waterboards.ca.gov	707.576.2679	EPP Field Operations Coordination for Del Norte, Trinity, & Siskiyou Co	
Region 2	Krystle.Taylor@waterboards.ca.gov Mark.Bare@waterboards.ca.gov	Krystle: 916.917.4133 Mark: 916.917.4089	EPP Field Operations Coordination	Alameda, Contra Costa, San Francisco, Santa Clara (North of Morgan Hill), San Mateo, Marin, Sonoma, Napa, Solano
Region 3	Alexandra.Coblentz@waterboards.ca.gov	805.542.4786	EPP Field Operations Coordination EPP Annual Hot Wash	Santa Clara (South of Morgan Hill), San Mateo (Southern Portion), Santa Cruz, San Benito, Monterey, Kern (very small portions), San Luis Obispo, Santa Barbara, Ventura (Northern portion)
Region 4	Krystle.Taylor@waterboards.ca.gov Mark.Bare@waterboards.ca.gov	Krystle: 916.917.4133 Mark: 916.917.4089	EPP Field Operations Coordination	Los Angeles, Ventura, Kern & Santa Barbara (very small portions)
Region 5 - Redding	Angela.Wilson@waterboards.ca.gov Mathew.Boone@waterboards.ca.gov	530.224.4856	EPP Field Operations Coordination EPP Annual Hot Wash	Butte, Glenn (Eastern portion), Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama
Region 5 - Sacramento	Richard.Muhl@waterboards.ca.gov	916.464.4749	EPP Field Operations Coordination EPP Annual Hot Wash	Colusa, Lake (Southern portion), Sutter, Yuba, Sierra, Nevada, Placer, Yolo, Napa (N. East), Solano (West), Sacramento, El Dorado, Amador, Calaveras, San Joaquin, Contra Costa (East), Stanislaus, Toulumne, Merced, (Very small portions of San Benito, San Luis Obispo)
Region 5 - Fresno	Rebecca.Hipp@waterboards.ca.gov	559.445.5977	EPP Field Operations Coordination EPP Annual Hot Wash	Fresno, Kern (Western portion), Kings, Madera, Mariposa, Merced, Tulare
Region 6 - South Lake Tahoe	Adam.Henriques@waterboards.ca.gov	530.542.5439	EPP Field Operations Coordination EPP Annual Hot Wash	Modoc (East), Lassen (East side and Eagle Lake), Sierra (Small eastern portion), Nevada, Placer, El Dorado, Alpine, Mono (North)
Region 6 - Victorville	Adam.Henriques@waterboards.ca.gov	530.542.5439	EPP Field Operations Coordination EPP Annual Hot Wash	Mono (South), Inyo, Kern (East), San Bernardino, Los Angeles (N/E corner)
Region 7	Krystle.Taylor@waterboards.ca.gov Mark.Bare@waterboards.ca.gov	Krystle: 916.917.4133 Mark: 916.917.4089	EPP Field Operations Coordination	Imperial, San Bernardino, Riverside, San Diego
Region 8	Krystle.Taylor@waterboards.ca.gov Mark.Bare@waterboards.ca.gov	Krystle: 916.917.4133 Mark: 916.917.4089	EPP Field Operations Coordination	Orange, Riverside, San Bernardino
Region 9	Krystle.Taylor@waterboards.ca.gov Mark.Bare@waterboards.ca.gov	Krystle: 916.917.4133 Mark: 916.917.4089	EPP Field Operations Coordination	San Diego, Imperial, Riverside

Attachment 2

California Natural Resources Agency (CNRA)

California Department of Forestry and Fire Protection (CAL FIRE)

California Department of Fish and Wildlife (CDFW)

2022 Wildfires – Environmental Protection Plan

2022 Wildfires – Environmental Protection Plan
California Natural Resources Agency (CNRA)
California Department of Fish and Wildlife (CDFW)
California Department of Forestry and Fire Protection (CAL FIRE)

Post Fire Statewide Best Management Practices

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1.0 Introduction

This document summarizes Best Management Practices (BMPs) for California Department of Forestry and Fire Protection (CAL FIRE) and California Department of Fish and Wildlife (CDFW) Regions in Sections 2.0 and 3.0. The BMPs have been developed for use and reference in the Private Property Debris Removal (PPDR) and non-utility hazard tree removal programs ('Debris Removal activities') for the Debris Removal Operation Center (DROC) for the 2022 Wildfires.

2.0 California Department of Forestry and Fire Protection

The Z'berg-Nejedly Forest Practice Act (2022 California Forest Practice Rules (FPR)) are implemented by CAL FIRE for non-federal timberlands in the State. The removal of hazardous trees is an integral part of the Debris Removal activities for which the following FPR BMPs will apply. In addition, a portion of the Forest Practice Rule requirements for cultural resource protection and documentation (contained in Exhibit 6.1a) was suspended for the 2021 Statewide Wildfires to remove duplicate requirements for federally declared disasters. For local or state proclaimed disasters, such Forest Practice Rule requirements for cultural resource protection and documentation are not suspended. CAL FIRE Contacts are contained in Exhibit 6.1b.

2.1 Licensed Timber Operator

The Licensed Timber Operator (LTO) will comply with the Forest Practice Rules.

2.2 Notice of Emergency Operations (CCR 1052)

Where applicable, if construction of new road is necessary, a Notice of Emergency Operations (CCR 1052) will be submitted to CAL FIRE and any required permitting from the appropriate RWQCB (as applicable to the specific property) will be obtained.

2.3 Location and Classification of All Watercourses

The Registered Professional Forester (RPF) or a supervised designee will identify the classification of all water courses and flag the watercourse and lake protection zone (WLPZ).

2.4 – In Lieu Practices

If in lieu practices (exceptions to rules or alternative practices are not specifically suspended) are determined to be necessary, a Notice of Emergency Operations (CCR 1052) will be submitted to CAL FIRE.

3.0 California Department of Fish and Wildlife

Sections 4.0 and 5.0 of this document contain the statewide Best Management Practices (BMPs) developed to by the California Department of Fish and Wildlife (CDFW) for use and reference during the 2022 Wildfire Debris Removal activities. These BMPs are provided in response to the Governor's Executive Order (EO) to assist lead agencies and contractors conducting emergency cleanup activities while minimizing the environmental impacts of those activities. **These BMPs do not overlap with or include federal regulations or requirements.** As such, lead agencies and contractors are responsible for meeting federal permitting needs and ensuring compliance with federal environmental regulations prior to initiating project activities.

These BMPs are intended to assist with expeditious removal of waste materials resulting from the 2022 Wildfires, stabilization of impacted land to prevent further erosion and sediment transportation, and restoration and rehabilitation of impacted land. **These BMPs are not intended to replace the notification and permitting requirements for permanent replacement of structures and infrastructure lost to wildfire unless otherwise noted.** Construction of permanent structures must be carried out according to existing state and local regulations. In the case of structures crossing watercourses, temporary crossings are allowed under the Suspension for the purpose of access to areas where cleanup efforts will be conducted and are finite in duration. Construction and replacement of permanent structures crossing watercourses are considered activities not covered by the Suspension and must be compliant with applicable planning, CEQA, and permitting requirements.

CDFW anticipates the Governor's Office of Emergency Services (CalOES) may retain consulting services to assist in the development of supplemental BMPs to address circumstances not expressly covered by these BMPs. BMPs recommended by CalOES and any consultant it retains must be approved by CDFW before implementation. The EPP may be amended to include BMPs approved by CDFW as circumstances change. Any omission in this EPP of BMPs or failure to account for a particular set of circumstances should not be construed as a determination by CDFW that no BMPs are warranted.

Potential impacts from PPDR activities include:

- Deposit of hazardous waste into watercourses and terrestrial habitat, including, but not limited to, sediment, ash, concrete, burned materials, burned vegetation, and construction materials
- Alteration of watercourse bed, bank, and channel resulting in restricted fish passage and degradation of riparian wildlife habitats
- Removal of habitat and habitat elements, including historical nest and roosting trees, active nests/roosts/dens, foraging habitat, and riparian habitat
- Take of species listed under the California Endangered Species Act
- Degradation of habitat or harm to special status species listed under the Native Plant Protection Act and other provisions of the California Fish and Game Code
- Introduction of non-native invasive species into vulnerable habitats

4.0 Statewide CDFW BMPs

4.1 Project Planning

4.1.1 CDFW Consultation. It is imperative to consult with CDFW early in the project planning phase to ensure planned activities will be conducted in compliance with the EPP. CDFW should be consulted **only** by the Operations Chief, Debris Group Supervisor, or designee, to ensure work, including in water work such as water drafting sites, temporary watercourse crossing sites, staging areas, and access routes, do not impact sensitive habitat or species. If project activities will occur near or in sensitive habitat, or wildlife have been identified on site and cannot leave of their own volition, the Operations Chief, Debris Group Supervisor, or designee should reference Measure 4.6 on how to proceed. To identify the appropriate CDFW CalOES contact for consultation during project planning, please refer to Exhibit 6.2

4.1.2 Qualified Biologist. If it is determined the project will need a qualified biologist, the biologist should hold a wildlife biology, botany, ecology, forestry, or other relevant degree from an accredited university and: 1) be knowledgeable in relevant species life histories and ecology, 2) be able to correctly identify relevant species and habitats, 3) have experience conducting field surveys of relevant species or resources, 4) be knowledgeable about survey protocols, 5) be knowledgeable about state and federal laws regarding the protection of special-status species, and 6) have experience with CDFW's California Natural Diversity Database (CNDDDB) and Biogeographic Information and Observation System (BIOS). The project proponent will review the resume and ensure the above qualifications of the biologist are met prior to beginning work. If species-specific protocol surveys are performed, surveys will be conducted by the qualified biologist with the minimum qualifications required by the appropriated protocols, including having CDFW or USFWS approval to conduct such surveys if required by certain protocols. If the size of the project warrants more than one qualified biologist, one of the qualified biologists should be designated the lead qualified biologist and be the primary point of contact for the biological elements of the project.

4.1.3 Spill Response Plan. Prior to the start of project activities, a spill response plan should be prepared that identifies how hazardous materials will be stored and removed from the site, and the actions to be taken in the event of a spill of concrete, petroleum products, sediment, or other hazardous material. The plan should:

- Reference the [California State Oil Spill Contingency Plan](#),
- Identify the steps to be followed in the event of a spill,
- Have clear instructions on immediate reporting, and
- Identify the emergency response materials which will be kept at the project site to allow the rapid containment and clean-up of any spilled material.

If a spill occurs, notifications should be made according to the California State Oil Spill Contingency Plan, to the Regional Water Board (via the State Warning Center), and CDFW contacts (Exhibit 6.2), in addition to the following contacts:

- California State Warning Center - (800) 852-7550 or (916) 845-8911
- Federal – National Response Center - (800) 424-8802 or (202) 267-2675
- Local Government - 911 or other designated local number

4.1.4 On-Site Education Training. The qualified biologist should conduct a pre-project training program for all employees, contractors, or personnel working within the project site prior to performing any work. The program should consist of a presentation from the qualified biologist that includes a discussion of the biology of the habitats and special-status species identified during project scoping. The qualified biologist should also include as part of the education program information about the distribution and habitat needs of any special-status species that may be present and project-specific protective measures included in the EPP. Interpretation shall be provided for non-English speaking employees, contractors, or personnel prior to their performing any work at the project site. A handout that summarizes the education program including

images of special-status species shall also be distributed to all personnel working on the project.

- 4.1.5 In-Water Work. When project activities will require working within watercourses, installing temporary access through watercourses, and/or removal or placement of materials within the bed, bank, or channel of watercourses, work must be performed in compliance with federal notification and permitting requirements. Non-compliance with applicable environmental laws and regulations, or requirements set forth in the EPP, may result in an enforcement action by federal or state resource agencies.
- 4.1.6 Permanent Replacement of Watercourse Crossings. These BMPs are intended to assist with the timely removal, storage, transportation, and disposal of hazardous and non-hazardous solid waste and debris resulting from the 2022 wildfires named in the relevant EOs issued by the Governor in 2022. These BMPs are not intended to be utilized for permanent replacement of watercourse crossings and other in-water infrastructure, such as culverts, that have been destroyed in those wildfires. In the event permanent replacement of a watercourse crossing and/or other in-water infrastructure is needed for access to a primary dwelling or for emergency services, CDFW should be consulted early in the planning phase to discuss permitting requirements for non-EPP activities occurring simultaneously with EPP activities to minimize impacts to the watercourse.
- 4.2 Pollution Prevention and Equipment Storage
 - 4.2.1 Hazardous Materials. Debris, soil, silt, bark, slash, sawdust, mulch, rubbish, creosote-treated wood, raw cement/concrete, or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances resulting from project related activities which could be hazardous should be prevented from contaminating the soil and/or entering any watercourse bed, bank, or channel or lake margin by either being removed daily or stored in watertight containers onsite until removed.
 - 4.2.2 Equipment Maintenance and Fueling. No equipment maintenance, fueling, or storage should occur within or next to a watercourse bed, bank, or channel or lake margin where petroleum products or other pollutants from the equipment may enter these areas.
 - 4.2.3 Equipment and Vehicle Leaks. Any equipment or vehicles driven and/or operated within or next to a watercourse bed, bank, or channel or lake margin should be checked and maintained daily to prevent leaks of materials that could be harmful to aquatic and terrestrial life or riparian habitat.
 - 4.2.4 Stationary Equipment Leaks. Stationary equipment such as motors, pumps, generators, and welders, located within or next to a watercourse bed, bank, or channel or lake margin should be positioned over drip pans.
 - 4.2.5 Removal of Trash and Debris. All raw construction materials and waste from the project site following the completion of work should be removed. No litter or construction debris should be deposited within or next to a watercourse bed, bank, or channel or

lake margin, or where it may pass into a watercourse bed, bank, or channel or lake margin.

4.3 Sediment and Erosion Control

4.3.1 Sediment and Erosion Control Measures. Prior to any ground disturbing work, sediment and erosion control measure materials should be stockpiled on site. Sediment and erosion control measures should be used during all phases of operation where soil, trenching spoils and casting, and sediment and/or debris runoff threatens to enter a watercourse bed, bank, or channel or lake margin. Examples of sediment and erosion control measures include bioengineering, silt fencing, compost socks, coir logs, coir rolls, straw waddles, straw bale dikes, planting, mulching, seeding and high-tack hydroseeding with native species or a noxious weed-free seed mix recommended for the county in which the project takes place. Sediment and erosion control measures should be installed in a manner that prevents erosion of the site and prevents sediment and debris from entering a watercourse.

Where vegetation cannot reasonably be expected to become established and erosion control measures are intended for more than one season, the materials used should consist of biodegradable materials. For example, tacked-down jute erosion control blankets, coconut fiber matting, jute netting, and other soil stabilization methods or similar should be used. Broadcast straw or other mulch is acceptable on soil with little to no slope and in areas that are not exposed to wind. **Materials used in the sediment barriers should not pose an entanglement risk to fish or wildlife.**

4.3.2 Sediment Traps for Runoff from Steep Areas. Preparations should be made so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential or contained behind erosion control structures or sediment traps. Erosion control measures such as straw bales, waddles, coir socks and/or siltation control fencing/silt barriers should be placed and maintained until the threat of erosion ceases. Frequent water-bars or other appropriate features should be installed on dirt roads, equipment tracks, or other work trails to control erosion.

4.3.3 Maintenance of Sediment and Erosion Control Measures. Sediment and erosion control measures should be maintained in good operating condition until final sign off of the property by the Incident Management Team (IMT). Maintenance includes, but is not limited to, checking sediment and erosion control measures for trapped or entangled fish and wildlife, removing accumulated sediment, repair and or and replacement of damaged sediment and erosion control measures. Modifications, repairs, and improvements should be made to the sediment and erosion control measures whenever needed to maintain them in good operating condition. If a sediment barrier fails to retain sediment, corrective measures should be employed, and a biological monitor should be notified, immediately.

4.4 Watercourse Crossings and In-Water Activities

4.4.1 Equipment Limitation Zone. A minimum 25-foot buffer on either side of watercourses should be implemented when possible as an Equipment Limitation Zone (ELZ). The intent of the ELZ is to reduce or eliminate the likelihood of ground disturbance from heavy equipment that may result in ruts, erosion, and direct sediment delivery to the

watercourse. Heavy equipment and vehicles will limit operations within the ELZ unless removal of structures or debris are necessary.

If water drafting and/or temporary watercourse crossings will occur, drafting locations within the ELZ will be clearly indicated with signage or flagging, and sediment and erosion control methods will be used to minimize impacts within the ELZ. When drafting operations at that location end, these erosion control methods should be removed, and the drafting location should be returned to baseline.

- 4.4.2 Water Drafting. When needed, water drafting operations should be conducted so as not to dewater a watercourse. Water truck operators should be aware of current flow conditions, and water drafting should not occur if there is not adequate flow or if downstream reaches have the potential to be dewatered from drafting activities. Hose intakes should be fitted with a properly sized fish screen, or at a minimum be placed into a perforated bucket, at all times to prevent impingement of aquatic organisms.
- 4.4.3 Temporary Watercourse Crossings. If an existing or new temporary watercourse crossing must be used, the crossing site should be inspected for fish, wildlife, and special-status plant species prior to entering the watercourse. When fish or wildlife have been identified on site either prior to or during project activities and cannot leave of their own volition, the Operations Chief, Debris Group Supervisor, or designee should reference Measure 4.6 on how to proceed.
- 4.4.4 Culvert Removal and Replacement. When Debris Removal activities require removal of a damaged culvert, and the culvert site is within a wetted portion of the watercourse, sediment and erosion control measures should be deployed up and downstream of the removal site to contain sediment-laden water to the immediate area of the culvert removal. If culvert replacement is needed to reestablish or maintain access to a primary dwelling or for emergency services, CDFW should be consulted early in the planning phase to discuss permitting requirements for activities not covered by the suspension occurring simultaneously with activities covered by the suspension to minimize impacts to the watercourse. At a minimum, the replacement culvert must be sized correctly to accommodate the 100 Year FEMA Floodplain sizing requirements, and not be an impediment to fish passage.
- 4.4.5 Do Not Impair Water Flow. The installation of temporary watercourse crossings should be installed such that water flow is not impaired and passage of fish and aquatic life-forms is not obstructed. If temporary watercourse crossings are to be used during high seasonal flows, such crossings should accommodate those flows or should be removed before such flows occur.
- 4.4.6 Temporary Crossing Materials. Materials and methods used for temporary watercourse crossings should cause minimal turbidity or siltation. 2-6-inch pit run rock (as appropriately sized), screened river gravels, clean washed 2-inch or more rock or gravel, and/or logs in fill materials should be included. Temporary watercourse crossing abutments below the high-water mark should be rock or logs.
- 4.4.7 Stabilize Crossing Sites. All bare soil exposed in conjunction with temporary watercourse crossing construction, deconstruction, maintenance, or repair, should be

treated with sediment and erosion control measures immediately upon completion of work on the crossing, and prior to the onset of precipitation capable of generating runoff.

- 4.4.8 In-Water Silt Barriers. If work or temporary watercourse crossings must occur within a wetted watercourse or lake margin, precautions to minimize turbidity and siltation should be used and may require the placement of silt fencing, coir logs, coir rolls, straw bale dikes, or other siltation barriers so that silt and/or other deleterious materials are not allowed to pass to downstream reaches. **Materials used in the silt barrier should not pose an entanglement risk to fish or wildlife.**
- 4.4.9 Maintenance of Silt Barriers. Silt collected around the silt barriers should be removed on an as-needed basis to prevent silty/turbid water from flowing around the silt barriers during storm events and to allow the silt barriers to function properly. Silt barriers that trap sediment should be removed when temporary crossings have been taken out and after all flowing water is cleared of turbidity in a manner that will not introduce silt to the stream. The stream should then be remediated to baseline condition.
- 4.4.10 Bank Stabilization. When needed, temporary bank stabilization should be installed with suitable non-erodible materials that will withstand wash out. The bank stabilization material should extend above the ordinary high-water mark. Only clean material such as rock riprap that is free of trash, debris and harmful material should be used as bank stabilization materials. Asphalt and concrete should not be considered an acceptable material. At no time should bank stabilization methods incorporate grouting.
- 4.4.11 Removal of Watercourse Crossings. All materials used in constructing temporary watercourse crossing should be removed once the project is complete. During temporary watercourse crossing removal, all fill material should be excavated in a manner that recreates the natural channel grade and orientation, with a channel bed that is as wide as or slightly wider than the original watercourse.
- 4.5 Vegetation and Tree Clearing
- 4.5.1 Pre-project Site Survey. Before the start of project activities, the qualified biologist with the designated construction monitor (e.g., Task Force Lead (TFL)) should survey the project area to ensure no CESA-listed or special-status fish, wildlife, plant species are present, and no active nests, nest cavities, roosts, roost trees, or dens are present. When project activities are proposed within the wetted portion of a watercourse or lake margin, the qualified biologist with the designated construction monitor should survey the area prior to the start of project activities. When habitat elements with active nests, nest cavities, roosts, roost trees, or dens are detected, the qualified biologist with the designated construction monitor should refer to Section 4.6 on how to proceed.
- 4.5.2 Vegetation Removal. Disturbance or removal of vegetation should be kept to the minimum necessary to complete project related activities.
- 4.5.3 Remove Cleared Material from Watercourses. All trimmed or cleared material and/or vegetation should be removed from the area and deposited where it cannot re-enter the watercourse or lake margin

- 4.5.4 Commercial Tree Removal. Trees being removed for commercial purposes must adhere to the Forest Practice Rules and project proponents should consult with a Registered Professional Forester (RPF). If avoidable, no trees will be felled in a manner in which they might fall into a watercourse.
- 4.5.5 Non-Commercial Tree Removal. Trees being removed for non-commercial purposes should be evaluated by a certified arborist. The evaluation should determine the viability of trees marked for removal before tree removal activities begin. If possible, retain large snags, trees with basal hollows or cavities, trees with limbs greater than 6-inches in diameter, old-growth trees, stand-alone granary trees, or other trees with features providing valuable habitat where no immediate risk to infrastructure exists. If avoidable, no trees should be felled in a manner in which they might fall into a watercourse. When a tree with an active bat roost is selected for removal, refer to Measure 4.6.4 on how to proceed.
- 4.6 Wildlife Protection
- 4.6.1 Construction Monitoring. When assigned to the project, the qualified biologist will either be on-site or be available to arrive on site within a reasonable amount of time (one to two hours) during all project activities. Should a project site have CESA-listed species that may be impacted during operations and the qualified biologist cannot be present on-site, either the Operations Chief, Debris Group Supervisor, or their designee with training in application of BMPs may oversee project activities. At a minimum, the designated construction monitor should have attended the on-site education training and daily clearance survey.
- 4.6.2 Daily Clearance Survey. Before the start of daily project activities, the qualified biologist or designated construction monitor should survey the project area to ensure no new active nests, nest cavities, roosts, or dens have become established, including surveying any excavated areas within the project area to ensure trapped wildlife are allowed an opportunity to escape. This includes inspecting around and inside any open-ended pipes or infrastructure elements stored on the project site that will be moved or utilized during project activities.
- 4.6.3 Detection of Wildlife. When wildlife is encountered during project activities, the wildlife should be allowed to leave the project area unharmed. If any CESA-listed wildlife is encountered, the qualified biologist or designated construction monitor should be notified, and the detection reported to the CDFW Cal OES contact by the Operations Chief, Debris Group Supervisor, or designee. If the wildlife is discovered to be caught in any pits, ditches, or other types of excavations, the qualified biologist should evaluate if it is unable to escape on its own, and if not, then the qualified biologist should capture and release it outside the project area into the most suitable habitat near the project area. Project activities should not be ceased if the observed wildlife is birds flying over or through the project area.
- 4.6.3.1 When detected wildlife is active (e.g., nests, dens, roosts, roost trees, and/or nest cavities) a buffer should be established between ongoing project activities and the detection site so the wildlife are not disturbed, and it can be identified to species. The buffer should be delineated by temporary fencing or markers and remain in effect

throughout project activities or until active nests, dens, roosts, roost trees, and/or nest cavity is/are no longer active, as determined by the qualified biologist. The buffer(s) should be determined by the qualified biologist and based on the life history of the species detected, including their sensitivity to noise, vibration, ambient levels of human activity and general disturbance, the current site conditions (screening vegetation, terrain, etc.), and the various project-related activities necessary to implement the project. If feasible, consider leaving some larger diameter snags and/or downed logs nearby that may provide food source and shelter for wildlife.

4.6.3.2 When detected wildlife is determined to not be a CESA-listed species and a buffer is not feasible while allowing work to continue, and the species is not protected by federal regulations, the qualified biologist may attempt to safely capture and relocate the wildlife to outside the project area if capture is feasible and will not endanger the wildlife.

4.6.3.3. When detected wildlife is determined to be a CESA-listed species or evidence of their active presence is identified, the detection site should be buffered and all project activities at and immediately adjacent to the detection site should cease until consultation between the Operations Chief, Debris Group Supervisor, or designee and the CDFW Cal OES contact occurs.

- 4.6.4 Tree Removal with Active Bat Roost. When a tree with an active bat roost is selected for removal, the tree should be removed using a two-step removal process. The limbs of the tree should be removed and left on the ground while the trunk is left in place during the first day, and during the following day the trunk should be removed. This process will allow the bats the opportunity to vacate the roost during the night prior to the trunk removal.
- 4.6.5 Rock Outcrops and Downed Logs. When rock outcroppings and downed logs that may provide shelter for wildlife are present within the project area, a buffer should be installed to exclude the feature from the area where active work is being performed. If downed logs and/or boulders must be removed, the qualified biologist with a designated construction monitor should survey the area prior to start of removal activities to prevent wildlife mortality to the extent possible.
- 4.6.6 Escape Ramp in Trench. At the end of each workday, an escape ramp should be placed at each end of any open excavation to allow wildlife that may become trapped to climb out overnight. The ramp may be constructed of either dirt fill or wood planking or other suitable material that is placed at an angle no greater than 30 degrees and has enough traction to allow wildlife to escape.
- 4.7 Plant and Habitat Protection
- 4.7.1 Sensitive Habitats and Land Types. During initial project planning sensitive habitats and land types should be identified during project scoping and by referencing the most current version of *Measure 5.3 CDFW 2022 Statewide Fires Habitats and Special Status Species Impacted, by Fire Name and County*. Before the start of project deployment, the project site should be visually inspected for wet meadows, vernal pools, areas with biological crusts, pebble plains, quartz deposits (in arid habitats), desert pavement,

etc. These areas are extremely sensitive to any disturbance including foot traffic and should be marked with exclusion fencing or similar methods and avoided.

If project logistics necessitate entry into these habitat types, consultation between the CDFW CalOES contact and the Operations Chief, Debris Group Supervisor, or designee for additional site-specific measures should occur prior to any entry into those habitats. Additional measures could include, but are not limited to, full avoidance, seasonal avoidance, transplanting, and reseeding.

4.7.2 Special-Status Botanical Species. Avoid impacts to rare plant species by identifying areas with rare plants during the appropriate blooming season and establishing work season buffers. If rare, threatened, or endangered plant species are found during operations a 10-foot Equipment Limitation Zone (ELZ) should be placed around the population. If trees are to be harvested within the ELZ, trees should be felled away from the core plant populations if feasible. If avoidance is not possible, the Operations Chief, Debris Group Supervisor, or designee should consult with the CDFW CalOES contact for additional site-specific measures.

4.7.3 Invasive Species Prevention. All contractors should follow guidelines in the California Invasive Plant Council's *Preventing the Spread of Invasive Plants: Best Management Practices for Land Managers (Cal-IPC 2012)* ([California Invasive Plant Council's Preventing the Spread of Invasive Plants: Best Management Practices for Land Managers](https://wildlife.ca.gov/Portals/0/Images/reg-2-3-detail.jpg)) to prevent the spread of invasive plant species. Equipment should be cleaned of material that may harbor invasive plant seeds or invasive pests before starting a new project in a different watershed or fire boundary. This material includes dirt or plant seeds on construction equipment, tools, boots, and clothing.

5.0 Fire-Specific BMPs based on CDFW Region

5.1 CDFW Regions (<https://wildlife.ca.gov/Regions>):

- Northern Region: Del Norte, Humboldt, Lassen, Mendocino, Modoc, Shasta, Siskiyou, Tehama, and Trinity counties.
- North Central Region: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lake, Nevada, Placer, Plumas, Sacramento*, San Joaquin*, Sierra, Sutter, Yolo*, and Yuba counties. *Note: These counties are split between regions. See detailed map at <https://wildlife.ca.gov/Portals/0/Images/reg-2-3-detail.jpg>.
- Bay Delta Region: Alameda, Contra Costa, Marin, Napa, Sacramento*, San Mateo, Santa Clara, Santa Cruz, San Francisco, San Joaquin*, Solano, Sonoma, and Yolo* counties. *Note: These counties are split between regions. See detailed map at <https://wildlife.ca.gov/Portals/0/Images/reg-2-3-detail.jpg>.
- Central Region: Fresno, Kern, Kings, Madera, Mariposa, Merced, Monterey, San Benito, San Luis Obispo, Stanislaus, Tulare, and Tuolumne counties.
- South Coast Region: Los Angeles, Orange, San Diego, Santa Barbara, and Ventura counties.
- Inland Deserts Region: Imperial, Inyo, Mono, Riverside and San Bernardino counties.

5.2 CDFW Contacts

CDFW Contacts are contained in Section 6.0, Exhibit 6.2.

5.3 Species-Specific Measures

In addition to the measures presented in the EPP, during project scoping the Operations Chief, Debris Group Supervisor, or their designee should reference the most current version of *CDFW 2022 Statewide Fires Habitats and Special Status Species Impacted, by Fire Name and County*. This document contains fire-specific habitat and species impact information and additional species-specific BMPs for use during project activities and will become Exhibit 6.3. Contact the appropriate CDFW Cal OES contact or Jeanette Griffin at Jeanette.Griffin@wildlife.ca.gov for the most current version.

6.0 EXHIBITS

2022 Wildfires – Environmental Protection Plan

California Natural Resources Agency (CNRA)

California Department of Fish and Wildlife (CDFW)

California Department of Forestry and Fire Protection (CAL FIRE)

Post Fire Statewide Best Management Practices

Exhibit 6.1a - CAL FIRE Forest Practice Rule Section 1052 Notice of Emergency Timber Operations


Exhibit 6.1b – CAL FIRE Contacts

Exhibit 6.2 - CDFW CalOES and Cal Recycle Statewide Contacts

Exhibit 6.3 - To be Developed: CDFW 2022 Wildfire Habitats and Special Status Species Impacted, by Fire Name, CDFW Region, and County

To: Wade Crowfoot
Secretary
California Natural Resources Agency

Date: 23 April 2021

From: Jared Blumenfeld 
Secretary
California Environmental Protection Agency

Rachel Machi Wagoner
Executive Director
CalRecycle

Subject: EMERGENCY WAIVER OF CERTAIN FOREST PRACTICE RULES IN SUPPORT OF HAZARD TREE REMOVAL RECOVERY OPERATIONS FOR THE 2018 CAMP FIRE & 2020 WILDFIRE RECOVERY OPERATIONS

The Governor's Office of Emergency Services (CalOES) mission tasked the Department of Resources Recycling and Recovery (CalRecycle) to conduct structural debris and hazard tree removal following to the devastating wildfires that occurred across the State in 2018 and 2020. As part of that effort, CalRecycle requests the California Natural Resources Agency (CNRA), with the support of the California Department of Forestry and Fire Protection (CALFIRE), to waive certain Forest Practice Rules requirements (In-Lieu Practices, Emergency Notices, and Archaeological Requirements) to support multiple ongoing recovery operations.

CalRecycle makes this request pursuant to Governor's Executive Orders B-57-18, B-58-18, N-81-20 (Executive Orders), and any concurrent or subsequent proclamations or executive orders related to the 2020 fires. CalRecycle believes protocols developed to meet Federal Emergency Management Agency (FEMA) requirements, including but not limited to Stipulation II.B.2.v. of the FEMA/California Programmatic Agreement (FEMA Protocols) meet or exceed the intent of the subject Forest Practice Rules. By design and necessity, the FEMA Protocols rely on a system of continuous field monitoring, communication, consultations, reconnaissance, and documentation, supported by final reporting product(s). Whereas the Forest Practice Rules generally require upfront notifications to CALFIRE of the same or similar information. The requested waivers are intended to resolve this process incongruity and expedite recovery operations.

2018 CAMP FIRE & EXECUTIVE ORDER – HAZARD TREE REMOVAL

During November of 2018, the Camp Fire affected large areas of Butte County, destroyed over 12,000 structures, burned more than 300,000 trees, and resulted in 85 casualties. On November 14, 2018, the Governor issued Executive Order B-57-18, following with Executive Order B-58-18 suspending a variety of environmental

protection statutes as they relate to the wildfire recovery effort. Recovery Operations for this event is referred to as the State Hazard Tree Removal Program (DR-4407).

2020 FIRES (DR-4558 & DR-4569) & EXECUTIVE ORDER – HAZARD TREE REMOVAL
During July, August, and September of 2020, hundreds of wildfires raged across the state, many a direct result of over 14,000 dry lightning strikes during an August storm event. The fires destroyed over 10,000 structures across the state, and resulted in 31 casualties.

On September 25, 2020, the Governor issued Executive Order N-81-20, suspending a variety of environmental protection statutes to the extent they would prevent, hinder, or delay certain wildfire recovery efforts. The Executive Order authorizes the Secretaries of the CalEPA and the CNRA to use their discretion to ensure the suspension serves the purpose of accelerating the removal and cleanup of debris from the fires and for implementing any restoration plan while at the same time protecting public health and the environment. They may do so by granting waivers or permits necessary for timber harvesting and for other actions necessary for the protection of public health and the environment. Recovery Operations for these events are ongoing in multiple counties throughout California and are referred to as Private Property Debris Removal for the 2020 Fires (DR-4558 and DR-4569). These Operations include a hazard tree removal function similar to the State Hazard Tree Removal Program for the 2018 Camp Fire (DR-4407).

This Order shall apply to but is not necessarily limited to: solid waste facility permits, waste discharge requirements for storage and disposal; emergency timber harvesting; stream environment zones; emergency construction activities; and waste discharge requirements and/or Water Quality Certification for discharges of fill material or pollutants. Boards, departments and offices within the California Environmental Protection Agency and the California Natural Resources Agency shall exercise their administrative discretion and expedite the granting of other authorizations, waivers or permits necessary for the removal, storage, transportation and disposal of hazardous and non-hazardous debris resulting from the fires, and for other actions necessary for the protection of public health and the environment. [Executive Order N-81-20]

Separately, the Governor issued proclamations that either incorporated the Executive Order's suspension provisions by reference or that included identical provisions. This waiver is intended to apply to the State's 2020 fire disaster recovery efforts, authorized by Executive Order N-81-20, plus concurrent and subsequent proclamations and executive orders related to the 2020 fires.

FEMA PROTOCOLS SUMMARY

Current operations employ the following general tasks pursuant to the FEMA Protocols:

- Initial research on surveys and sites conducted and found in the past by contacting the local Archaeological Information Center for that data

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- Networking with Native American Tribal Monitors for assistance in surveying and monitoring existing and newly discovered sites
- Collecting potential new site discoveries from biologist, arborist and forester conducting field work
- Conducting surveys within the project area.
 - Inputting that data into a data collection program.
 - All new and existing sites are considered significant on most projects.
 - Includes feature and site description, drawings, photos, measurements.
 - Collecting feature points lines and regions in Arc Collector.
- Forwarding that information to the Lead Archaeologists for the Operation
 - Lead Archaeologists develop protection measures and mitigations to preserve the integrity of the sites. Protection measures are discussed with tree removal contractors, to determine if hazard trees can be feasibly removed while maintaining the protection and integrity of features and sites.
- Field Archaeologist flag site boundaries immediately before commencement of operations within an assigned runway (project work area)
- Tribal Representatives are engaged and involved by being on site when tree removal operations are conducted near prehistoric archaeology sites.
- Tree removal contractors can ask monitors questions about removing trees adjacent to features and sites.
- After all field surveys are complete, contract archaeologist begin to compile California Department of Parks and Recreation (DPR) Primary Records, Site Records, Sketch Maps Linear Feature Records, District Records, and Location Maps.
- Final site records are sent to FEMA for Final Review and approval. FEMA refers to this process as an “After Action Plan”
- Final approved DPR records are submitted to the CA Office of Historic Preservation for distribution to the appropriate Information Center throughout the state.

CONFIDENTIAL ARCHAEOLOGICAL LETTER (CAL) WAIVER REQUEST

The Hazard Tree Removal Program (DR-4407) FEMA Protocols rely on adherence to an Archaeological Treatment Plan (ATP) developed with the support of the Federal Emergency Management Agency (FEMA) and in accordance with Stipulation II.B.2.v. of the FEMA/California Programmatic Agreement. Execution of the ATP meets or exceeds the minimum requirements administered by CALFIRE Archaeological Program as it relates to surveying, documenting, and protection of prehistoric and historic sites through avoidance, minimization, mitigation, and consultation with Federally Recognized Tribes. Further, ongoing Operations integrate consultation with California Tribes. Together, the ATPs and ongoing regular programmatic Operational coordination with California Tribes meets consultation requirements set forth by California Assembly Bill 52 (AB-52), and Executive Order B-10-11 (E.O. B-10-11). Tribal Partners are active, vital, and integral members supporting recovery efforts in the field. CalRecycle shall comply with the CalEPA Tribal Consultation Protocol.

Due to the rapid response timeframe, the 2020 Fire (DR-4558 & DR-4569) Operations are not supported by a formal ATP. Rather, standard operating procedures established by the Incident Management Teams and informed by conversations with CalRecycle contracted Registered Professional Forester(s) substantially follow similar requirements set forth in the FEMA Protocols for the State Hazard Tree Removal Program (DR-4407). The following document, administered via the terms and conditions in respective CalRecycle contracts, in aggregate represent the “FEMA Protocol” requirements for the 2020 Fire (DR-4558 & DR4569) Operations:

1. *Private Property Debris Removal for wildfires within multiple counties FEMA-4558-DR-CA and FEMA-4569-CA – Private Property Debris Removal Expedited Review for Emergency Undertakings Final Decision Regarding Treatment Measures to Resolve Potential Adverse Effects, in Accordance with Stipulation II.B.2.v. of the FEMA/California Programmatic Agreement*

PROCESS FOR DEMONSTRATION OF EQUIVALENT COMPLIANCE

To demonstrate compliance with the intent of the subject regulations, CalRecycle’s contracted Registered Professional Forester(s) of record will prepare “Compliance Letters” describing measures employed to address the intent of the relevant Forest Practice Rules requirements. At a minimum, Compliance Letters address the following elements:

1. Acknowledge and affirm continued implementation of current Operational practices pursuant to the FEMA Protocols and Standard Operating Procedures for each recovery operation; and
2. Describe the consultation with the local CALFIRE Unit inspector as set forth in the 25 January 2021 CALFIRE memorandum, *Guidelines for the Removal of Federal Emergency Management Agency (FEMA) Hazard Trees under the Forest Practice Rules*.

REQUEST FOR WAIVER OF REGULATIONS

In accordance with the Executive Orders, CalRecycle requests waiver of the following “In Lieu Practices,” “Emergency Notice,” and “Confidential Archaeological Letter” regulations for the State Hazard Tree Removal Program (DR-4407) and Private Property Debris Removal for the 2020 Fires (DR-4558 and DR-4569):

1. Title 14 California Code of Regulation (14 CCR) sections 916.1, 936.1, 956.1 (et seq) In Lieu Practices [All Districts]. In rule sections where provision is made for site specific practices to be proposed by the RPF, approved by the Director and included in the THP in lieu of a stated rule, the RPF shall reference the standard rule, shall explain and describe each proposed practice, how it differs from the standard practice, and the specific locations where it shall be applied; and shall explain and justify how the protection provided by the proposed practice is at least equal to the protection provided by standard rule.;

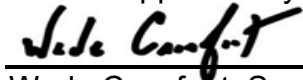
2. Title 14 CCR section 1104.1(h) where in-lieu practices for Watercourse and lake protection zones as specified under Article 6 of the Forest Practice Rules (FPRs), exceptions to FPRs and alternative practices are not allowed, including the following:
 - a. Bridging watercourses with trees that cannot be jacked and/or pulled away from the watercourse
 - b. Operating equipment within the WLPZ in order to lift a bridged tree off the bed, bank or channel;
 - c. Operating equipment within the WPLZ to conduct shovel logging (swing) and forwarder yarding operations;
 - d. Permitting use of equipment within existing WLPZ landings; and
 - e. Designated temporary crossings on all watercourse classes (temporary bridges, Spitler Crossings, Humboldt Crossing, Corrugated Log Crossings, Vented Rock Ford Crossings).
3. Title 14 CCR section 1052(a)(10) where a Confidential Archaeological Letter must be prepared for emergency notices 3 acres and larger. The FEMA Protocols are substantively equivalent to the CALFIRE Archaeological Program in terms of surveying, documenting, and protecting prehistoric and historic sites. The two strategies have different pathways to accomplish the same goals;
4. Title 14 CCR section 929.1 (949.1, 969.1)(f)(1)(B) (Emergency Notices of Less than 3 Acres) where a copy of the emergency notice must be sent to Native Americans;
5. Title 14 CCR section 929.1 (949.1, 969.1)(f)(3) (Emergency Notices of Less than 3 Acres) where Timber Operations are not allowed within the boundaries of any significant archaeological or historical sites as determined by the Registered Professional Forester (RPF) or the RPF's supervised designee;
6. Title 14 CCR section 929.2 (949.2, 969.2)(et seq.) – Protection measures for Plans and Emergency Notices 3 acres and Larger; and
7. Title 14 CCR section 929.3 (949.3, 969.3)(et seq.) – Post Review Site Discovery. The FEMA Protocols are substantively equivalent to the Cal Fire requirements as it relates to surveying, documenting, and protecting prehistoric and historic sites. Waiver of these regulations allows contract archaeologist to survey, record, implement immediate protection measures for sites and resources and finally report on new discoveries (i.e., Post Review Site Discovery).

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These waivers are necessary to suspend applicable procedural and substantive requirements, including notice and fee provisions that would otherwise delay hazard tree removal operations.

Waiver Approved by:

4/23/2021



Wade Crowfoot, Secretary

Date

California Natural Resources Agency

Cc: Ken DaRosa, CalRecycle, Deputy Directory
Tina Walker, CalRecycle, Deputy Director Debris Recovery Operations

Memorandum

To: Regional Resource Managers

Date: January 25, 2021

Telephone: (916) 653-9422

Website: www.fire.ca.gov

Dennis Hall

From: Dennis Hall
Assistant Deputy Director
California Department of Forestry and Fire Protection (CAL FIRE)

Subject: Guidelines for the Removal of Federal Emergency Management Agency (FEMA)
Hazard Trees under the Forest Practice Rules

As a result of the significant damage associated with wildfires last year, Cal Recycle and CalOES will be utilizing the services of Registered Professional Foresters and Licensed Timber Operators for the removal of FEMA hazard trees that threaten public assets or that are an imminent threat to Debris Removal Crews. The following guidelines on timber operations and appropriate noticing under the Forest Practice Rules are intended to help facilitate efficient hazard tree removal associated with this work. All timber operations associated with these projects are subject to the Rules and must be conducted in conformance with the Rules.

A list of Hazard Tree Removal Options for Cal Recycle has been attached for information. When a Post-Fire Recovery Exemption is submitted, it requires a signature by the Timberland Owner. A Right-of-Entry Permit (ROE) with the landowner's signature must be attached to satisfy this requirement. An example of a ROE is attached. Property Owners must complete an ROE Permit and provide the proper paperwork to enroll in the Government Program.

As necessary, the Units shall ensure all operational provisions of the Rules are being adhered to during operations. Please ensure all Unit Forest Practice Inspectors and Region Review Team staff receive a copy of this memo. If you have any questions regarding CAL FIRE's expectations for these projects, please contact Staff Chief Eric Huff at (916) 653-0719 or Eric.Huff@fire.ca.gov.

GUIDELINES FOR THE REMOVAL OF FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) HAZARD TREES UNDER THE FOREST PRACTICE RULES

SCOPE OF WORK:

1. The removal of FEMA hazard trees that threaten public assets.
2. The removal of hazard trees that are an imminent threat to the Debris Removal Crew.

PRE-OPERATIONAL MEETING:

Prior to initiating operations in a CAL FIRE Administrative Unit, it is essential that a meeting occurs between the Unit Forester, Licensed Timber Operator, assigned private RPF, Cal Recycle, and CalOES representatives to discuss site specific details pertaining to operations and permitting.

TIMBER HARVEST DOCUMENTS RECOMMENDED:

1. For the removal of FEMA hazard trees that threaten public assets; the Public Agency, Public and Private Utility Right-of-Way Exemption (14 CCR § 1104.1(b) & (c)) is the appropriate document to meet most of the requirements.
2. For the removal of hazard trees that are an imminent threat to the Debris Removal Crew; most circumstances may be covered utilizing the Public Agency, Public and Private Utility Right-of-Way Exemption (14 CCR § 1104.1(b) & (c)).
3. For specific situations that are not covered by the Right-of-Way Exemption, where hazard trees are an imminent threat to the Debris Removal Crew and are located within 300 feet of an approved and legally permitted structure that was damaged or destroyed by wildfire; the Post-Fire Recovery Exemption (14 CCR § 1038(g)) may be utilized.
4. For specific situations where in-lieu or alternative practices are needed, a Notice of Emergency Timber Operations (14 CCR § 1052) is recommended.

REQUIREMENTS:

1. The Public Agency, Public and Private Utility Right-of-Way Exemption (14 CCR § 1104.1(b) & (c)) allows additional clearance for the removal of Danger Trees that are in areas adjacent to the right-of-way. It is the Department's expectation that professional discretion by Registered Professional Foresters or Arborists is utilized when identifying danger trees in adjacent areas.
2. When in-lieu, exceptions or alternative practices are needed, these operations must be necessary to protect public health and safety. A consultation with the local Unit CAL FIRE Forest Practice Inspector is recommended prior to submitting an Emergency Notice with in-lieu, exception or alternative practices.
3. The Post-Fire Recovery Exemption requires a signature by the Timberland owner. When submitting a Post-Fire Recovery Exemption, attach the Right-of-Entry Permit (ROE) with the landowner's signature to satisfy this requirement. **Only Page 1 of the ROE Permit should be attached, as it contains the certification that the signatory is the landowner.**
4. For operations under the Public Agency, Public and Private Utility Right-of-Way Exemption (14 CCR § 1104.1(b) & (c)) the use of an ArcGIS Collector application is an acceptable means for displaying information such as watercourse locations, sensitive areas, and parcel data, provided CAL FIRE Forest Practice Inspectors have access to the information for compliance inspection purposes.
5. When filling out the Right-of-Way Exemptions, For the "Contact" and Public Utility, the following contact information should be used when filling out Right-of-Way Exemptions:

Department of Resources, Recovery, & Recycling (CalRecycle)
1001 I Street
Sacramento, California 95814

cc: Deputy Director, Resource Management
Staff Chief, Forest Practice

Attachments: Hazard Tree Removal Options for Cal Recycle
Right-of Entry (ROE) Permit Example

HAZARD TREE REMOVAL OPTIONS FOR CALRECYCLE

	EXEMPTIONS		EMERGENCY
PERMIT OPTIONS	POST-FIRE RECOVERY EXEMPTION (14 CCR § 1038(g))	PUBLIC AGENCY, PUBLIC AND PRIVATE UTILITY RIGHT OF WAY EXEMPTION (14 CCR § 1104.1(b) & (c))	NOTICE OF EMERGENCY TIMBER OPERATIONS (14 CCR § 1052)
RPF REQUIRED?	NO, if within the scope of a Gubernatorial state of emergency or executive order (14 CCR § 1038(g)(2))	NO	YES
AREA/ACREAGE LIMITATIONS	Trees within 300 feet of an Approved and Legally Permitted Structure, damaged, or destroyed. (14 CCR § 1038(g)(1))	NONE	NONE
SILVICULTURE/ STOCKING	NONE	NONE	NONE
DIAMETER LIMIT	Maximum 60" SH for Redwood 48" SH for Other Species (14 CCR § 1038.1(c)(15))	The harvesting of large old trees are limited by 14 CCR § 1104.1(i)(1) & (2)	NONE
SURFACE/LADDER FUELS TREATMENT	All slash within 150 feet of a structure shall be treated or removed and a maximum depth of 18" in the rest of the harvest area; completed within 45 days, except burning (14 CCR § 1038(g)(4)&(5))	None specific to the exemption. Must comply with existing hazard reduction requirements of 14 CCR 917 [937, 957] et seq.	None specific to the emergency notice. Must comply with existing hazard reduction requirements of 14 CCR § 917 [937, 957] et seq.
ARCHAEOLOGY REQUIREMENTS	No timber operations in a significant archaeological or historical site; exceptions apply (14 CCR § 1038.1(c)(3))	No timber operations in a significant archaeological or historical site.	For notices greater than 3 acres, RPF shall submit a confidential archaeological letter (14 CCR § 1052(a) (10)) For notices less than 3 acres see 14 CCR § 929.1 [949.1, 969.1] (f)
APPROVAL TIME	5 working days from the Director's receipt of the notice. (14 CCR § 1038.1(c)(13))	5 working days from the Director's receipt of the notice.	5 working days from the Director's receipt of the notice. (14 CCR § 1052(d))
EFFECTIVE PERIOD	1 year (14 CCR § 1038)	1 year	1 year (14 CCR § 1052 (e))
OTHER INFORMATION	Shall include a seven-and-one-half minute USGS quadrangle map, or equivalent depicting the Harvest Area boundaries.	NONE	Shall include a USGS or equivalent map showing the harvest area, legal description, roads, watercourse location and classification, and yarding systems if more than one will be used. 14 CCR § 1052(a)(4)

ABBREVIATIONS

PRC PUBLIC RESOURCES CODE
 CCR CALIFORNIA CODE OF REGULATIONS
 FPR FOREST PRACTICE RULES
 RPF REGISTERED PROFESSIONAL FORESTER
 LTO LICENSED TIMBER OPERATOR
 DBH DIAMETER AT BRESTH HEIGHT
 WLPZ WATERCOURSE LAKE PROTECTION ZONE
 ARCH ARCHAEOLOGICAL

**SEE 14 CCR §§ 913.4[933.4, 953.4], 916.9[936.9, 956.9], 1038, 1038.1, 1038.2, AND 1052 FOR ADDITIONAL CONDITIONS AND REQUIREMENTS.

***ALL ACTIVITIES MAY BE SUBJECT TO ADDITIONAL PERMITTING REQUIREMENTS



North Complex Recovery Right-of-Entry (ROE) Permit Checklist for Property Owners

Property Owners must complete an ROE Permit and provide the proper paperwork to enroll in the Government Program. Please follow the checklist below to make sure you have all the necessary documents to submit the ROE Permit. **Applications will not be approved until all required information is received. Please only submit ONE ROE per property.**

Documents needed for submittal of the ROE Permit:

- ROE Permit for Debris Removal and/or Hazard Tree Removal on Private Property
- Government Issued ID (Driver's License/Passport)
- Insurance Policy:
 - Declaration page
 - Debris and/or Hazard Tree Removal coverage section/page
 - Assessor's Parcel Number (APN)
- Signature of all Property Owners, Trustees or Power of Attorney
- Trust or LLC Documents (ONLY if applicable)
 - 1st Page of Trust & Pages naming Trustees
 - Signature Authorization page
 - Power of Attorney signature page
 - Any other relevant pages
- Signed and notarized document for authorized agent (ONLY if Property Owner is not signing)

All trustees or signatories must sign the ROE Permit for Debris and/or Hazard Tree Removal on Private Property

ROE Permits may be submitted:

IN PERSON:

78 Table Mountain Blvd.
Oroville CA 95965

MAIL:

PO Box 1708
Oroville, CA 95965-1708

E-MAIL:

ROE@ButteCounty.net

FOR MORE INFORMATION CALL:

530.552.3210

Property Owned by 1 or more Individuals

All Owners listed on the title of the home must:

- Sign the ROE Permit for Debris and/or Hazard Tree Removal on Private Property
- Show Government Issued ID (Driver's License/Passport)
- Sign and notarize document for authorized agent (ONLY if Property Owner is not signing)

Property Owned by a Trust, LLC, or other Legal Entity:

If a home is owned by a trust, LLC or other legal entity, please bring:

- First page of the trust, LLC or other agreement
- Signature Authorization page/Pages naming Trustees
- Power of Attorney signature page
- Any other relevant pages

County of Butte
ROE Center
P.O. Box 1708
Oroville, CA 95965-1708
Phone: 530-552-3210
Email: ROE@ButteCounty.net



Name of Owner(s)/Agent: _____

Phone Number of Owner(s)/Agent: _____

Email of Owner(s)/Agent: _____

Property Address: _____

Assessor's Parcel No. (APN): _____

Right-of-Entry Permit for Debris and/or Hazard Tree Removal on Private Property

I / we, _____,
certify that I am / we are the owner(s), or authorized agent of the owner(s), of the real property located at the above address (hereinafter "Owner"). I hereby certify that I have full power and authority to execute this Right of Entry Permit (ROE) without the need for any further action, including, but not limited to, notice to or approval from any other party.

I / we hereby grant Butte County ("County"), as well as the State of California ("State"), and the Federal Government, and their officers, employees, agencies, and independent contractors (collectively, the "Government"), a ROE upon the real property specified above by address and APN (hereafter the "Property") and will guarantee access to the property for the activities described herein.

1. Time Period: This ROE shall expire 36 months after the date of the Owner's signature(s), below, or when the Debris and Hazard Tree Removal activities described below are complete, as determined in the sole discretion of the Government, whichever date is sooner.

2. Purpose: The Government is granted this ROE to inspect, cut, test, remove, and clear wildfire-generated debris of whatever nature including but not limited to burned or

Property Address: _____

APN: _____

partially burned structures, ash, concrete foundations, contaminated soil, vehicles, trailers, waste, hazard trees or other debris from the Property ("Debris and Hazard Tree Removal").

3. Hazard Trees: Hazard Trees are wildfire-damaged trees that have been so damaged by the fires that their structural integrity is compromised and that pose an immediate threat of falling onto work crews or obstructing their access to the debris clearance site, or falling onto a public right of way or public improved property. The Government has sole discretion on whether to take or leave the hazard trees, to determine whether a tree is hazardous, and to approve tree removal from private roads. Debris and Hazard Tree Removal does not include the removal of tree stumps.

4. Authorized Activities: Owner hereby grants to the Government, the right to determine, in the Government's sole discretion, which hazard trees, materials and items on the Property are eligible and will be removed for Debris and Hazard Tree Removal. Owner is responsible for removing, at Owner's expense, any items not eligible for Debris and Hazard Tree Removal. Owner's failure to remove items not eligible for Debris and Hazard Tree Removal may later be deemed a public nuisance by local officials.

5. Reimbursement: All Debris and Hazard Tree Removal activities are provided by the Government at no direct cost to Owner. However, the Owner agrees hereby to file an insurance claim if Owner possesses homeowner's, automobile, or property insurance. Most homeowner's insurance policies include coverage for Debris and Hazard Tree Removal. State and federal law require Owner to assign any Debris and Hazard Tree Removal insurance proceeds to the Government to avoid a duplication of benefits (42 USC § 5155; 44 CFR § 204.62). In consideration of the Government's agreement to perform Debris and Hazard Tree Removal, Owner agrees to inform the insurance company listed below of this assignment and agrees to release their insurance information to the Government. This ROE shall constitute Owner's compliance with California Insurance Code section 791.13 authorizing the insurance company to communicate directly with the Government regarding any and all insurance issues related to the Debris and Hazard Tree Removal.

Specified Debris and/or Hazard Tree Removal Insurance Coverage: If Owner's insurance in effect at the time of the wildfire provides specific coverage for Debris and Hazard Tree Removal, then Owner hereby assigns any and all rights, benefits, and proceeds with respect to these particular specific coverages to the County and hereby authorizes that any benefits or proceeds be paid directly and solely to County, in an amount not to exceed the actual cost of the Debris and/or Hazard Tree Removal. Owner shall not be liable for any further Debris and Hazard Tree Removal costs to County.

No Specified Debris and/or Hazard Tree Removal Insurance Coverage:

If Owner's insurance in effect at the time of the wildfire does not provide specific and separate coverage for Debris and/or Hazard Tree Removal, but such coverage is included within another larger coverage category, then payment to County shall be limited to the unused benefit amount, after the residence is rebuilt. Owner hereby assigns any and all rights, benefits, and proceeds of any unused benefit amount that is eligible for Debris and/or Hazard Tree Removal remaining in a larger coverage category to County, in an amount not to exceed the actual cost of the Debris and/or Hazard Tree Removal.

Specified Automobile Insurance Coverage:

If Owner's automobile insurance in effect at the time of the wildfire provides specific coverage for vehicle removal, then Owner hereby assigns any and all rights, benefits, and proceeds with respect to these particular specific coverages to the County and hereby authorizes that any benefits or proceeds to be paid directly to County, in an amount not to exceed the actual cost of the vehicle removal. Owner shall not be liable for any further vehicle removal costs to County.

No Specified Automobile Insurance Coverage:

If Owner's automobile insurance in effect at the time of the wildfire does not provide specific and separate coverage for vehicle removal, but vehicle removal coverage is included within another larger coverage category, then payment to County shall be limited to the unused benefit amount. Owner hereby assigns any and all rights, benefits, and proceeds of any unused benefit amount that is eligible for vehicle removal remaining in a larger coverage category to County, in an amount not to exceed the actual cost of the vehicle removal.

In the event the insurance company or companies listed below issue insurance proceeds for Debris and Hazard Tree Removal or vehicle removal directly to Owner, then Owner shall promptly inform the County of the amount of such proceeds and remit such insurance proceeds to County, not to exceed the actual cost of the applicable Debris and/or Hazard Tree Removal.

Homeowner's Insurance:

Insurance Company: _____

Policy Number: _____

Claim Number: _____

Agent's Name: _____

Agent's Phone / Email: _____

Secondary Insurance, or personal property insurance for other damaged items on the Property:

Insurance Company: _____

Policy Number: _____

Claim Number: _____

Agent's Name: _____

Agent's Phone / Email: _____

Automobile Insurance for car, boat, trailer or other vehicles on the Property:

Insurance Company: _____

Policy Number: _____

Claim Number: _____

Agent's Name: _____

Agent's Phone / Email: _____

If Owner does NOT have homeowner's and/or automobile insurance, or other similar insurance, then Owner certifies under penalty of perjury by his/her signature below that no insurance coverage for the costs associated with fire Debris and/or Hazard Tree Removal at the Property was in effect at the time of the wildfire:

Owner's signature	Date
Owner's signature	Date
Owner's signature	Date

Any property that is sold prior to issuance of the cleanup certification will be withdrawn from the program, unless both new and former Owners sign a property transfer affidavit. Costs for work completed will be billed to the insurance company listed above if applicable.

6. Waiver of Liability: Owner acknowledges that the Government's decisions about when, where, and how to provide Debris and Hazard Tree Removal services on Owner's property are discretionary functions. Owner hereby acknowledges that the Government is not liable for any claim based on the exercise or performance, or failure to exercise or perform, a discretionary function, and promises not to make such a claim. **Owner further releases and agrees to hold and save harmless the Government from all liability for any damage or loss whatsoever that may occur during or after performance of the Government's Debris and Hazardous Tree Removal activities. Please also see sections 10 and 11, below.** Owner therefore waives any claims or legal action against the Government. This indemnification is required by state and federal law, including the California Emergency Services Act, California Government Code section 8655, California Code of Regulations, Title 19, section 2925, and the Stafford Act, 42 United States Code, sections 5148 and 5173. Nothing in this section impacts the Owner's right to pursue claims with insurance companies under their applicable insurance policy or policies.

Owner agrees that the methodology for identifying and removing hazard trees, and other debris material, and the selection of personnel to identify hazard trees and other debris material, shall be at the sole discretion of the Government and Owner expressly waives and releases any claims in that regard. Owner expressly waives his or her rights to bring proceedings in law or equity against the Government with respect to the identification and/or removal of hazard trees and other debris material.

7. **Foundations:** In order to participate in this program, Owner must allow removal of all foundations from the subject Property. Stem walls and retaining walls may be left on a case-by-case basis, as approved by the State. Owner acknowledges and understands that the removal of a foundation may leave a depression in the ground, and that it is Owner's responsibility to fill any depression(s) following the removal of a foundation.

8. **Soil Sampling:** Debris removal includes taking soil samples in the debris footprint to ensure that all contaminants have been removed. If initial soil samples do not meet the cleanup goals for this project, then additional soil will be removed from the debris footprint and more soil samples will be taken. Owner acknowledges and hereby authorizes the Government to remove enough soil to ensure cleanup goals have been met. Owner acknowledges this may leave a depression on the Property and that it is Owner's responsibility to fill any depression left on the Property.

9. **Markings of Infrastructure Facilities:** Owner agrees to make their best efforts to mark subgrade utility lines (sewer, water, electricity, gas, cable, etc.), and to mark the location of septic tanks, leach fields, water wells, hand dug wells/cisterns, or other subgrade structures. Owner should carefully complete the attached *Property Information Form* **and append any maps, diagrams, or legible notes** that may be useful to the Government's contractor in locating subgrade structures and instructing the crews which items the Owner may want to remain on the Property following Debris and/or Hazard Tree Removal. The Government will endeavor to avoid all marked structures, however, Owner acknowledges pursuant to Section 6, they indemnify, hold and save harmless the Government from any damages to marked or unmarked structures.

10. **Driveway, Roadway and Other Incidental Damage:** Multi-ton excavators must perform much of the demolition, consolidation and loading of fire debris into trucks for removal to appropriate recycling and disposal and end use sites. The scale and weight of this equipment, and the weight of loaded trucks hauling debris out of fire-damaged neighborhoods, often exceeds the design capacity of residential driveways, sidewalks, and roadways. Crews will take reasonable precautions to mitigate against damage. However, Owner acknowledges cracking and damage to asphalt and concrete pavement is a common and unavoidable consequence, and is therefore considered incidental to Debris and Hazard Tree Removal. By signing this ROE and opting into the Government Debris and Hazard Tree Removal at this Property, the Owner acknowledges the risk of such incidental damage as well as responsibility for the cost of any repairs to private property or jointly-owned private roadways that may be caused by Government contractors in the performance of Debris and Hazard Tree Removal operations. Owner hereby promises to indemnify, hold and save harmless the Government from any repair claims described above, or any other incidental and unavoidable damage occurring as a result of routine operations

associated with such Debris and Hazard Tree Removal.

11. **Damage to Improved Property:** Debris and ash removal crews will attempt to minimize impacts to improved property that was not damaged by the fire. Owner may submit a complaint regarding any improved property that Owner believes was damaged during the Debris and Hazard Tree Removal operations at ROE@ButteCounty.net. However, Owner acknowledges Section 6 of this ROE limits the liability of the Government with respect to such damage, if any.

12. **Erosion Control:** Owner acknowledges that erosion control measures may be necessary, such as wattles and hydromulch, to stabilize soil on or about the Property. Such erosion control measures are at the sole discretion of Government.

13. **Modification:** The provisions of this ROE may not be modified. Owner may cancel this ROE only by submitting an executed *Withdrawal Form* to the County at ROE@ButteCounty.net (see below).

14. **Fraudulent or Willful Misstatement of Fact:** An individual who fraudulently or willfully misstates any fact in connection with this ROE may be subject to penalties under state and federal law, including civil penalties, imprisonment for not more than five years, or both, as provided under 18 United States Code, section 1001.

15. **Public Records Act:** Owner acknowledges that completed ROE forms may be subject to public disclosure under the California Public Records Act (Government Code section 6250 et seq.). Other state and federal laws may apply. While efforts will be made to redact personally identifiable information, such redactions will be made at the sole discretion of Government.

Printed name of Owner or Agent

Signature of Owner or Agent

Date

Printed name of Owner or Agent

Property Address: _____
APN: _____

Signature of Owner or Agent

Date

Printed name of Owner or Agent

Signature of Owner or Agent

Date

Phone number of Owner or Agent

Email address of Owner or Agent

Mailing address of Owner or Agent

Approved by County of Butte and verified that the Property, APN, and Owner are accurate and meet the eligibility requirements of program:

Title and Printed name of County Representative

Signature of County Representative

Date

Property Address: _____
APN: _____

**Disaster Debris and Hazard Tree Removal Program
Property Information**

Please identify all that apply on the Property:

Vehicles	Location	Description	Comments
Car			
Boat or Trailer			
Other vehicles (ATVs, motorcycles, trailers, vans, motorhomes, recreational vehicles, trailers, etc)			
Other (farm equipment, construction equip, etc):			

Underground Tanks	Location	Construction Date (If Known)	Comments
Septic ¹ Tanks and Leach Fields			
Fuel/Oil ²			
Water			
Other:			

1. Septic tanks will be pumped of all waste as part of the Debris and Hazard Tree Removal project only if they posed a hazard to crews.

2. Owner must provide documentation of ownership for large propane tanks to be removed.

Underground Structures	Location	Construction Date (If Known)	Comments
Basement			
Root Cellar			
Other (water wells, cisterns/dug wells, mine shafts, etc):			

Attach, Insert or Draw Map of Property

Property Address: _____
APN: _____

STOP HERE AND DO NOT FILL OUT THE BELOW PAGE UNLESS YOU WISH TO WITHDRAW FROM THE DEBRIS AND HAZARD TREE REMOVAL PROGRAM

Withdrawal Form

To cancel this ROE, this Withdrawal Form must be signed by the Owner, delivered to the ROE Center at P.O. Box 1708, Oroville, CA, 95965-1708 or ROE@ButteCounty.net, and acknowledged by an authorized employee in advance of Debris and Hazard Tree Removal activities at the Property. Allow at least three (3) days to process.

Alternatively, the ROE may be cancelled at the Property site **by obtaining the signature of designated Butte County Representative present when the crew appears for work**. Due to scheduling constraints, the Government cannot provide specific dates and times when they will be available at the Property site to accept a cancellation. Owner should therefore turn in the Withdrawal Form at the location designated by the County in the above paragraph if possible.

I have read and understand the foregoing statement concerning cancellation policies. I hereby certify that the Debris and Hazard Tree Removal at the Property has not yet commenced, and that I request to cancel the Right of Entry (ROE).

Printed name of Owner or Agent

Signature of Owner or Agent

Date

Phone number of Owner or Agent

Email address of Owner or Agent

Mailing address of Owner or Agent

I hereby acknowledge receipt of the foregoing request for cancellation:

Title and Printed name of County Representative

Signature of County Representative

Date

Property Address: _____
APN: _____

CAL FIRE Regional Unit Forester Contact List

Northern Region

AEU 2700	Amador-El Dorado Unit Steve DeBenedet, Forester I 209-267-5229 Steve.DeBenedet@fire.ca.gov	LMU 2200	Lassen-Modoc Unit Ivan Houser, Forester II 530-257-8503 Ivan.Houser@fire.ca.gov	SCU 1600	Santa Clara Unit Edgar Orre, Forester II 408-206-3704 Edgar.Orre@fire.ca.gov
BTU 2100	Butte Unit David Derby, Forester II 530-872-6334 Dave.Derby@fire.ca.gov	LNU 1400	Sonoma-Lake Napa Unit Kim Sone, Forester II 707-576-2344 Kim.Sone@fire.ca.gov	SHU 2400	Shasta-Trinity Unit Ben Rowe, Forester III 530-225-2432 Benjamin.Rowe@fire.ca.gov
CZU 1700	San Mateo-Santa Cruz Unit Richard Sampson, Forester II 831-335-6742 Richard.Sampson@fire.ca.gov	MEU 1100	Mendocino Unit Colby Forrester, Forester III 707-459-7452 Colby.Forrester@fire.ca.gov	SKU 2600	Siskiyou Unit Steve Wilson, Forester II 530-598-2604 Steve.Wilson@fire.ca.gov
HUU 1200	Humboldt-Del Norte Unit Chris Curtis, Forester III 707-726-1256 Chris.Curtis@fire.ca.gov	NEU 2300	Nevada-Yuba-Placer Unit Steven Garcia, Forester II 530-889-0111 Ext. 139 Steven.Garcia@fire.ca.gov	TGU 2500	Tehama-Glenn Unit Dawn Pedersen, Forester II 530-528-5199 Dawn.Pedersen@fire.ca.gov

Southern Region

BDU 3500	San Bernardino Unit David Haas, Forester I 909-881-6955 David.Haas@fire.ca.gov	MMU 4200	Madera-Mariposa-Merced Unit Brian Mattos, Forester I 209-742-1908 Brian.Mattos@fire.ca.gov	SLU 3400	San Luis Obispo Unit Jonathan Gee, FAII 805-543-4244 Jonathan.Gee@fire.ca.gov
BEU 4600	San Benito-Monterey Unit Tim Montgomery, Forester I 831-333-4600 Tim.Montgomery@fire.ca.gov	MVU 3300	San Diego Unit Eric Just, Forester II 619-590-3103 Eric.Just@fire.ca.gov	TCU 4400	Tuolumne-Calaveras Unit Adam Frese, Forester II 209-754-2706 Adam.Frese@fire.ca.gov
FKU 4300	Fresno-Kings Unit Jerrod Sharp, Forester I 559-207-4398 Jerrod.Sharp@fire.ca.gov	RRU 3100	Riverside Unit Darrik Carlson, FAII 951-295-3721 Darrik.Carlson@fire.ca.gov	TUU 4100	Tulare Unit David Shy, Forester II 559-732-5954 David.Shy@fire.ca.gov

Last updated February 24, 2022. Please send informational updates or changes to Breezy.Akeson@fire.ca.gov.

ADMINISTRATIVE UNITS DEPARTMENT OF FORESTRY AND FIRE PROTECTION

- Region Boundary
- CAL FIRE Unit Boundary
- State Forests
- Counties

CAL FIRE Units

AEU	Amador-El Dorado	MVU	San Diego
BDU	San Bernardino	NEU	Nevada-Yuba-Placer
BEU	San Benito-Monterey	RRU	Riverside
BTU	Butte	SCU	Santa Clara
CZU	San Mateo-Santa Cruz	SHU	Shasta-Trinity
FKU	Fresno-Kings	SKU	Siskiyou
HUU	Humboldt-Del Norte	SLU	San Luis Obispo
LMU	Lassen-Modoc	TCU	Tuolumne-Calaveras
LNU	Sonoma-Lake-Napa	TGU	Tehama-Glenn
MEU	Mendocino	TUU	Tulare
MMU	Madera-Mariposa-Merced		

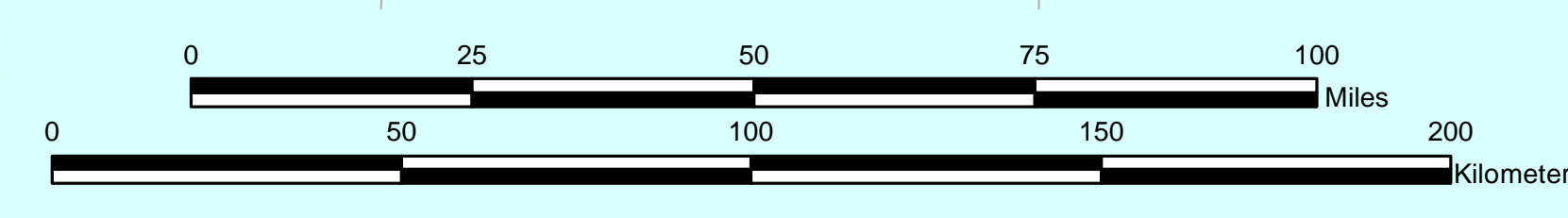
Contract Counties

KRN	Kern
LAC	Los Angeles
MRN	Marin
ORC	Orange
SBC	Santa Barbara
VNC	Ventura

A contract county is a county that has elected to assume, with the concurrence of the Director of CAL FIRE, the responsibility for the fire protection of State Responsibility Area (SRA) pursuant to California Public Resource Code (PRC) section 412.



Pacific Ocean



Projection California Teale Albers
Scale 1:1,020,000
at 35° x 45°
December, 2019

CalOES and CalRecycle Statewide Contacts

California Department of Fish and Wildlife

Regional Boundaries, 2022



Northern Region

Cary Japp
 Sr. Environmental Scientist Supervisor
 Cary.Japp@wildlife.ca.gov
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Due to COVID-19 teleworking restrictions, CDFW staff are most readily accessible via email

Aug 16, 2022

Attachment 3

2022 Wildfires – Environmental Protection Plan

Federal Agency Consultations

Cal OES and USFWS/NMFS 2022 Consultations:

- **A** - McKinney, Mill, and Mountain Fires, USFWS AMMs
- **B** - McKinney, Mill, and Mountain Fires, NMFS AMMs



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

Ecological Services
Yreka Fish and Wildlife Office
1829 South Oregon Street
Yreka, California 96097



In Reply Refer to:

2022-0090503

September 29, 2022

Sent electronically

Patricia Nelson
Environmental Officer
California Governor's Office of Emergency Services
3650 Schriever Avenue
Mather, California, 95655

Subject: Technical Assistance – Avoidance and Minimization Measures to address the McKinney, Mill, and Mountain Fires in Siskiyou County, California

Dear Ms. Nelson:

This letter responds to your September 26, 2022, request for avoidance and minimization measures for debris removal and hazard tree mitigation activities in areas burned by the 2022 McKinney, Mill, and Mountain Fires in Siskiyou County, California. We met with you and other California Office of Emergency Services (Cal OES) staff on September 29, 2022, to discuss the proposed activities and review our draft avoidance and minimization measures (AMMs). The attached AMMs have been revised based on our discussions.

The Service recommends incorporating and implementing the AMMs to avoid or minimize the effects to federally listed and at-risk species, and their habitats, during the post-fire debris cleanup and hazard tree mitigation work. In that context, these AMMs are recommended to Cal OES, to be implemented as practicable, in recognition that human health and public safety are paramount. If federally listed species are adversely affected during the debris removal and hazard tree mitigation activities, formal consultation with the Service should be initiated as soon as practicable. The attached AMMs are categorized as “General” in that they should be applied in all treatment areas and then there are separate AMMs for fire-specific areas.

Please contact Christine Jordan of my staff at (530-841-3111) or by email at christine_jordan@fws.gov if you have any questions regarding this response.

Sincerely,

Ryan Fogerty
Acting Field Supervisor

U.S. Fish and Wildlife Service – Yreka Field Office

Avoidance and Minimization Measures – Debris Clean Up and Hazard Tree Mitigation in the 2022 McKinney Fire, Mill Fire, and Mountain Fire Areas

September 29, 2022

The following Avoidance and Minimization Measures (AMMs) are recommended to avoid or minimize effects to federally listed species and at-risk species and their habitats. These AMMs are specific to the post-fire debris cleanup and hazard tree mitigation actions on affected properties within the 2022 McKinney Fire, Mill Fire, and Mountain Fire areas in Siskiyou County, California.

General AMMs for all Treatments in the Mill, Mountain, and McKinney Fire Project Areas

- 1) When not in use, all equipment will be stored in upland areas outside of the boundaries of waterways or meadows.
- 2) All vehicles and mechanical equipment will be well maintained to prevent leaks of fuels, lubricants, or other fluids into Waters of the United States, waterways, or sensitive watershed areas, such as meadows.
- 3) Equipment will be in good working order and could have standard noise abatement devices attached to reduce disturbance or disruption to listed, at-risk, or migratory bird species; and at the discretion of the project biologist, noise buffers and noise reduction practices (e.g., no backup alarms) will be implemented.
- 4) All equipment and vehicles operating off-road must be free of invasive plant material before moving into the project area. Equipment will be considered clean when visual inspection does not reveal soil, seeds, plant material or other such debris. Cleaning shall occur at a vehicle washing station or steam-cleaning facility before the equipment and vehicles enter the project area.
- 5) All food and food-related trash items such as wrappers, cans, bottles, and food scraps will be disposed of in sealed trash containers and removed at the end of each workday.
- 6) Locate any new log landings, or reuse old landings, in such a way as to avoid riparian area and watershed impacts. Landing locations should be in areas that require the least amount of excavation and the least erosion potential. As feasible, landings should be located outside of riparian habitat. Ideal landing locations are those right along roads or near ridges away from headwater swales in areas that will allow skidding without crossing channels and without causing direct deposit of soil and debris to streams, wetlands, or other waterways. Landings will be located where the least amount of skid roads will be required, and sidecast can be stabilized without entering drainages or affecting other sensitive areas. Landings will be positioned such that the skid road approach will be as nearly level as possible to promote safety, and protect the soil from erosion. The number of skid trails entering a landing will be kept to a minimum.

AMMs for the McKinney Fire Project Area

AMMs MK-1 through MK-6 are intended to avoid or minimize impacts to individuals, connectivity and dispersal habitat, prey habitat, and critical habitat for the federally threatened northern spotted owl (*Strix occidentalis caurina*). AMMs MK-1 through MK-5 will help avoid or minimize impacts to denning and resting individuals and habitats for the federal at-risk fisher (*Pekania pennanti*). AMMs MK-7 and MK-8 will help avoid or minimize impacts to floral and nectar resources for the federally endangered Franklin's bumble bee (*Bombus franklini*) and monarch butterfly (*Danaus plexippus*), a federal candidate species. AMMs MK-6 through MK-10 are intended to avoid or minimize impacts to individuals and habitat for the State-threatened and federal at-risk Siskiyou Mountain salamander (*Plethodon stormi*) and Scott Bar salamander (*Plethodon asupak*).

MK-1: If large live trees (those >24 inches diameter at breast height (DBH)) must be felled for operational safety, or if they are determined a hazard, or if they are likely to die within 3-5 years, they should be left onsite as logs at a rate of 2-4 per acre. Trees should not be felled or placed in areas where they can block drainage structures (e.g., culverts, bridges, ditches). Implementation of MK-1 will require discussion by the project biologist and project Registered Professional Forester (RPF) and Debris Group Supervisor (DGS) and may consist of landowner discussions as well. The final decision on whether to leave felled, live trees of this size class, and the rate for retention (e.g., per acre basis) will be made by the DGS.

MK-2: Hazard or danger trees equal to or larger than 24 inches DBH that need to be felled within the "Large Woody Debris Contribution Zone" (typically defined as within 50 feet of a streamcourse or waterway), these trees should be retained on site as large logs at a rate of 2-4 per acre. Logs should be placed so as not to block drainage structures (e.g., culverts, bridges, ditches). Implementation of MK-2 will require discussion by the project biologist, project RPF, and DGS, and may consist of landowner discussions as well. The final decision on whether to leave felled, live trees of this size class, and the rate for retention (e.g., per acre basis) will be made by the DGS.

MK-3: Avoid, as feasible, the use of and heavy equipment in riparian areas. Exposed limbs from felled trees will be cut prior to skidding, as necessary to minimize damage to residual riparian vegetation during skidding. The careful control of skidding patterns will serve to avoid the on-site and downstream channel instability and erosion in sensitive watershed areas, such as meadows and streamside management zones.

MK-4: Minimize or avoid cutting vegetation in riparian areas and wetlands as safely feasible. However, if trees in these areas are marked for removal, additional measures should be implemented to minimize impacts, such as:

MK-4a: Fall and leave the tree in place as large downed wood, as long as there is no risk of it entering the waterway and potentially blocking downstream bridges, culverts, ditches, or other infrastructure. Implementation of MK-4a will require discussion by the project biologist, project RPF, and DGS, and may consist of landowner discussions as

AMMs for the Mill Fire Project Area

Mill-1: Avoid, as feasible, the use of and heavy equipment in riparian areas. Exposed limbs from felled trees will be cut prior to skidding, as necessary to minimize damage to residual riparian vegetation during skidding. The careful control of skidding patterns will serve to avoid the on-site and downstream channel instability and erosion in sensitive watershed areas, such as meadows and streamside management zones.

Mill-2: Minimize or avoid cutting vegetation in riparian areas and wetlands as safely feasible. However, if trees in these areas are marked for removal, additional measures should be implemented to minimize impacts, such as:

Mill-2a: Fall and leave the tree in place as large downed wood, as long as there is no risk of it entering the waterway and potentially blocking downstream bridges, culvers, ditches, or other infrastructure. Implementation of Mill-2a will require discussion by the project biologist, project RPF, and DGS, and may consist of landowner discussions as well. The final decision on whether to leave felled trees on site, and the rate for retention (e.g., per acre basis) will be made by the DGS.

Mill-2b: If trees need to be removed, they should be removed with specialized equipment, such as a long mechanical arm that can lift the tree to avoid dragging it through wet areas or riparian vegetation.

Mill-2c: Avoid, as feasible, falling trees on top of each other as this can create a higher fuel load and potentially unsafe condition.

Mill-2d: Avoid damage to residual trees. If this is unavoidable, contact the DGS prior to felling trees to discuss and develop alternatives.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE
West Coast Region
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404-4731

February 4, 2022

MEMORANDUM FOR: Debris Removal 2021 CA Wildfires Emergency
Consultation (DR-4610 and DR-4619)

FROM: National Marine Fisheries Service (NMFS)

SUBJECT: Avoidance and Minimization Measures for State Hazard
Tree Removal Program.

Recommended avoidance and minimization measures, given that we expect the typical treatment zone will be 300 feet either side of the existing roadway:

1. Winter haul: The Winter Period Operating Plan indicates that wet weather haul is prohibited on roads that are not hydrologically disconnected and exhibit saturated soil conditions. As an additional protection measure, NMFS recommends conducting a soil cohesion test to determine whether or not soils are saturated. Procedures for the soil test are described in Attachment One.

2. WLPZ Recommendations:

a. To offset the reduction in large wood recruitment, trees in the WLPZ (for any class of stream) that are downstream of culverts (and not directly upstream of any other culverts) should either be left standing, or if that is not possible due to a hazard, then they should be left on the ground to provide future LWD. Hazard trees directly upstream of culverts that present a hazard to the culvert should be removed to avoid the culverts becoming clogged.

b. All WLPZs should be equipment exclusion zones (EEZs) so that only end-lining or skyline yarding is used to remove hazard trees from the WLPZ. Large woody debris is encouraged to be left on the ground whenever possible in WLPZs, while still ameliorating the hazard.

c. We recommend a Class 1 WLPZ distance of 150 feet for each side of the channel regardless of slope, and a Class 2 WLPZ distance of 100 feet on each side of the channel regardless of slope. Class 3 WLPZs can range (based on



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slope) from 25 feet to 50 feet, as previously described.