

ENVIRONMENTAL TRUST DEPARTMENT

LIQUIDATED DAMAGES SCHEDULE

CHAPTER 4-7 FOREST PRACTICES

4-7-7 Applications; Policy

- (a) Class II, III, or IV forest practices commenced without approval \$500.00
- (j) Forest Practices commenced significantly different than application \$500.00
- (l) Emergency forest practice commenced without subsequent application \$500.00

4-7-9 Approval and Disapproval Policy

- (d) Failure to notify Department 2 days prior to commencement when required \$1000.00
- (f) Failure of applicant to comply with stipulated conditions..... \$1000.00

4-7-10 Conversion to Non-Forest Use

- Failure to reforest when conversion does not occur \$500.00

4-7-14 Notice to Comply-Contents-Procedures-Hearing-Final Order-Limitation on Actions

- (b) Failure of operator or owner to comply with ordered course of action \$1000.00

4-7-15 Stop Work Order-Grounds-Contents-Procedure-Appeals

- (b)(4) Failure of the operator to comply with Department order, pending CEQC hearing \$1000.00

BEST MANAGEMENT PRACTICES

4-7-60 Road Location, Design, and Water Crossings

- (a) Roads constructed in locations not approved by the Department \$1000.00
- (b) Roads constructed not complying with design requirements \$1000.00
- (c) Roads constructed not complying with water crossings requirements \$1000.00
- (d) Road use not complying with subsection (d)..... \$1000.00

4-7-61 Road Construction, Maintenance, Abandonment, Pits and Quarries

- (a) Road construction not complying with subsection (a) \$1000.00
- (b) Road maintenance not complying with subsection (b)..... \$1000.00
- (c) Road abandonment not complying with subsection (c)..... \$1000.00
- (d) Gravel pit and quarries not complying with subsection (d)..... \$1000.00

4-7-62 Roadside Vegetation Control

- (c) Roadside vegetation chemical control where chemicals will enter water, wetlands \$1000.00

4-7-63 Road Surface Treatment

- (b) Chemicals allowed to run off road \$1000.00
- (c) Chemicals allowed to enter water \$1000.00
- (d) Loading, mixing or tank cleanout conducted in unsafe location \$1000.00

4-7-64 Site Productivity

- (a) Site productivity not sustained \$1000.00
- (b) Excessive detrimental soil conditions caused..... \$1000.00
- (c) Continuation of operations without approved protective measures..... \$1000.00
- (d) Seeding not complying with subsection(d) \$1000.00

4-7-65	Harvest System and Landings	
(a)	Failure to comply with seasonal restrictions or harvest system limitations.....	\$1000.00
(b)	Landing locations not complying with subsection (b).....	\$1000.00
(c)	Landing construction not complying with subsection (c).....	\$1000.00
4-7-66	Harvest Operations	
(a)	Tree felling not complying with subsection (a).....	\$1000.00
(b)	Ground-based harvest not complying with subsection (b)	\$1000.00
(c)	Cable yarding not complying with subsection (c)	\$1000.00
4-7-67	Riparian Management Zone	
(a)	Failure to provide riparian management zone; practices that do not maintain or enhance riparian functions	\$1000.00
(b)	Unapproved activities within riparian management zones	\$1000.00
(c)	Unapproved road and skid trail construction within riparian management zones	\$1000.00
(d)	Material resource damage from roads within riparian management zone	\$1000.00
(e)	Riparian management zones not meeting minimum RMZ width	\$1000.00
(f)	Riparian management zones not meeting required “inner” and “outer” zone widths.....	\$1000.00
(g)	Timber harvest not complying with subsection (g)	\$1000.00
4-7-68	Reserve Trees	
(a)	Not maintaining a minimum of two reserve trees per acre	\$1000.00
(b)	Regeneration or overstory harvest extending more than 600 feet from a reserve patch...	\$1000.00
(c)	Failure to leave required snags	\$1000.00
4-7-71	Landing Cleanup	
(a)	Failure to provide landing drainage.....	\$1000.00
(b)	Failure to provide erosion control measures.....	\$1000.00
(c)	Failure to clean up slash	\$1000.00
4-7-72	Post-Harvest Site Preparation	
(a)	Failure to prepare site for reforestation	\$1000.00
(b)	Failure to observe limitations on use of heavy equipment	\$1000.00
(c)	Excessive mineral soil exposure.....	\$1000.00
(d)	Failure to leave large dead wood.....	\$1000.00
4-7-73	Slash Disposal	
(a)	Slash disposal not complying with subsection (a).....	\$1000.00
(b)	Failure to dispose of slash when extreme fire hazard abatement required	\$1000.00
(c)	Failure to dispose of slash when necessary for reforestation; time extended	\$1000.00
4-7-74	Fire Trails	
(a)	Inadequate measures to prevent erosion	\$1000.00
(b)	Excessive excavation; heavy equipment, sidecast within riparian management zone.....	\$1000.00
(c)	Excessive trail width	\$1000.00
4-7-75	Housekeeping	
(a)	Failure to notify Environmental Trust of a spill	\$1000.00
(b)	Failure to clean up contamination	\$1000.00
4-7-77	Reforestation Requirements	
(a)	Failure to reforest	\$1000.00
(c)	Reforestation standards following regeneration harvest.....	\$1000.00
(d)	Failure to provide acceptable plan for stocking improvement.....	\$1000.00
(e)	Failure to provide an acceptable natural regeneration plan	\$1000.00

4-7-78	Reforestation—Species—Stocking—Standards	
(a)	Reforestation species not approved	\$1000.00
(b)	Failure to achieve acceptable stocking level	\$1000.00
(c)	Seed from inappropriate seed zone; failure to control competing vegetation.....	\$1000.00
4-7-79	Reforestation: Plans—Report—Inspections	
(b)	Failure to file reforestation report.....	\$500.00
(c)	Incomplete report	\$500.00
(d)	Failure to perform supplemental regeneration.....	\$500.00
4-7-80	Urban and Other Lands Exempted from the Reforestation Requirements	
(b)	Failure to reforest when utility facilities are not completed	\$1000.00
(c)	Failure to reforest when required by regulation of agency owning land	\$1000.00
4-7-81	Archaeological, Historical, and Cultural Resources	
(a)	Failure to comply with protection plan near burial or archaeological/historical site	\$1000.00
(b)	Failure to halt operation, notify Tribal archaeologist, or comply with protection plan....	\$1000.00
(c)	Chemical application without measures required to protect cultural resources.....	\$1000.00
4-7-82	Unstable Slopes or Landforms	
(a)	Forest practices on unstable slopes without measures to avoid soil movement	\$1000.00
(b)	Failure to comply with measures required by Department to avoid soil movement	\$1000.00
4-7-83	Threatened, Endangered or Protected Species' Habitats	
(a)	Failure to comply with measures required by Department to protect listed species.....	\$1000.00
(b)	Failure to comply with protection plan near specified nests or eagle roosts	\$1000.00
(c)	Excessive use of heavy equipment near natural salt lick.....	\$1000.00
4-7-85	Threatened and Endangered Plants	
	Failure to comply with protection plan near threatened and endangered plants.....	\$1000.00
4-7-86	Forest Chemicals	
(a)	Application of chemicals during unfavorable conditions or on wet soils	\$1000.00
(b)	Failure to comply with chemical instructions.....	\$1000.00
(c)	Operation without required applicator or public operator certificate	\$1000.00
(d)	Failure to comply with the Federal Insecticide, Fungicide, and Rodenticide Act	\$1000.00
(e)	Failure to keep copy of chemical label on site during application	\$1000.00
(f)	Failure to keep daily records	\$1000.00
4-7-86	Chemical Handling-Storage-Application	
(a)	Contamination of water or soil; use of suspended equipment	\$1000.00
(b)	Chemical mixing not complying with subsection (b).....	\$1000.00
(c)	Mixing, loading, storing chemicals within riparian management zone; failure to contain spills immediately	\$1000.00
(d)	Aerial application not complying with subsection (d).....	\$1000.00
(e)	Use of ground-based power equipment not complying with subsection (e).....	\$1000.00
(f)	Hand application not complying with subsection (f).....	\$1000.00
(g)	Failure to comply with container disposal requirements	\$1000.00
(h)	Failure to report chemical spills, misapplications	\$1000.00
4-7-89	Fire Plan	
	Failure to prepare fire prevention and suppression plan.....	\$500.00

4-7-90 Fire Precaution

(b)	Failure to have required fire tools and equipment	\$1000.00
(c)	Failure to comply with general requirements during closed season	\$1000.00
(d)	Failure to comply with required fire precautions	\$1000.00

4-7-91 Fire Suppression

Failure to take fire suppression action, or provide manpower or equipment	\$1000.00
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(Adopted 6/16/05, Resolution 2005-276)