

**ATTACHMENT 3B**

**Timberland Conversion Mitigation**

**COPY**R. Len Valdivia  
12042 221-211-025

Edmund G. Brown Jr., Governor

12386 221-221-022

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION****Resource Management**118 Fortuna Blvd  
Fortuna, CA 95540  
(707) 726-1251  
Website: [www.fire.ca.gov](http://www.fire.ca.gov)RUBEN VALDIVIA  
P O BOX 1939  
REDWAY, CA 95560

Date: September 21, 2017

**NOTICE OF INSPECTION**

**Section 4604 of the Public Resources Code (PRC) requires the Department to inspect timber operations for compliance with the Forest Practice Act and rules of the Board of Forestry and Fire Protection.**

Harvest Document: 1-16NON-016-HUM

Inspection Date: September 20, 2017


Inspection Number: 2

On-Site Contact: RUBEN VALADIVA

**FOLLOW UP INSPECTION TO ADDRESS VIOLATION MITIGATION.**

During the follow up inspection I evaluated the work done under the violation mitigation. It was determined that the work performed was acceptable in correcting the illegal side cast and the buried large woody debris. There will be no further inspection from CALFIRE and the violation is considered mitigated and the issue closed.

If you have any questions, please contact Tim Meyers at (707) 946-2204.

Hugh Scanlon  
Unit Chief, Humboldt Del Norte Unitby:   
Tim Meyers RPF #2813  
Forest Practice Inspector**Attachment:**CC: North Coast Region I Headquarters  
HUU RP File  
CAL FIRE Inspector—T. Meyers  
Timberland Owner





**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**  
**Resource Management**

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January 06, 2017

RUBEN VALDIVIA  
P O BOX 1939  
REDWAY, CA 95560



**NOTICE OF VIOLATION OF FOREST PRACTICE LAWS**

Section 4604 of the Public Resources Code (PRC) requires the department to inspect timber operations for compliance with the Forest Practice Act and rules of the Board of Forestry and Fire Protection. Violations may be cause for prosecution as a misdemeanor (Public Resources Code 4601), action against a Timber Operator License (PRC 4573 and 4576), injunction action (PRC 4605 and 4606), or a combination of the foregoing actions. Civil penalties may also be imposed (see PRC 4601.1). The following letter details code sections violated, mitigations required and date by which all work must be completed. These violations only apply to those listed as the "Violator". The "Notice" to others is for informational purposes only.

Harvest Document: 1-16NON-016-HUM

Violator: RUBEN VALDIVIA

Inspection Date: December 08, 2016

Inspection Type: OTHER

Inspection Number: 1

Person Contacted: RUBEN VALDIVIA

**VIOLATION OF PRC 4571 (a) Necessity of License**

**RULE:** : No person shall engage in timber operations until he/she has obtained a license from the board

**VIOLATION:** Ruben Valdivia conducted timber operations without a valid timber operator's license by conducting commercial timber operations on property identified as Humboldt County Assessor Parcel # 221-211-025.

**MITIGATION:** If additional timber operations are needed to complete your project a licensed timber operator is required to do the work.

**COMMENT:** By converting timberland to a use other than the growing of trees, Ruben Valdivia conducted commercial timber operations as defined by PRC 4527. Ruben Valdivia did not have a current timber operator's license as required at the time of operations.

**VIOLATION OF PRC 4581 Necessity of a Timber Harvest Plan**

"The Department of Forestry and Fire Protection serves and safeguards the people and protects the property and resources of California."



**RULE:** Waste organic material, such as uprooted stumps, cull logs, accumulations of limbs and branches, and unmerchantable trees, shall not be buried in logging road or landing fills.

**VIOLATION:** Waste organic material resulting from timberland conversion activities conducted by Ruben Valdivia was buried in the landing fills associated with the conversion area.

**MITIGATION:** All buried and partially buried organic material shall be removed from any landing fills by June 15<sup>th</sup>, 2017.

## SUMMARY

An inspection of property owned by Ruben Valdivia was conducted on December 12, 2016. Mr. Valdivia was present at the time of the inspection where he explained the situation of the property including an illegal conversion of timberland in the location. The property is located approximately 3 miles northwest of Briceland, California. The property is identified as Humboldt County Assessor Parcel Number (APN) 221-211-025. Humboldt County Assessor records were researched and it was determined that Ruben Valdivia was the owner. During the inspection, an area of approximately 1 acre was observed to have been cleared of Douglas-fir and tanoak trees identified in 14CCR 895.1 as Commercial Species. This conversion of timberland was conducted without a Timber Harvest Plan, Timber Conversion Permit or Conversion Exemption, or a valid timber operator's license. The area cleared was to facilitate earthwork and construction of a greenhouse, as well as the establishment of marijuana gardens. In the conversion area, slash and woody debris were buried in the fill material on the east side of the cleared area. Portions of fill material have begun to show signs of failure due to the buried organic material. During the inspection Mr. Valdivia was cooperative and verbally accepted responsibility for the conversion of timberland and associated timber operations as well as a lack of a timber operator's license or conversion permit/exemption. During the inspection photographs were taken of the converted timberland for documentation purposes.

**Additional enforcement options including criminal or civil penalties may be pursued.**

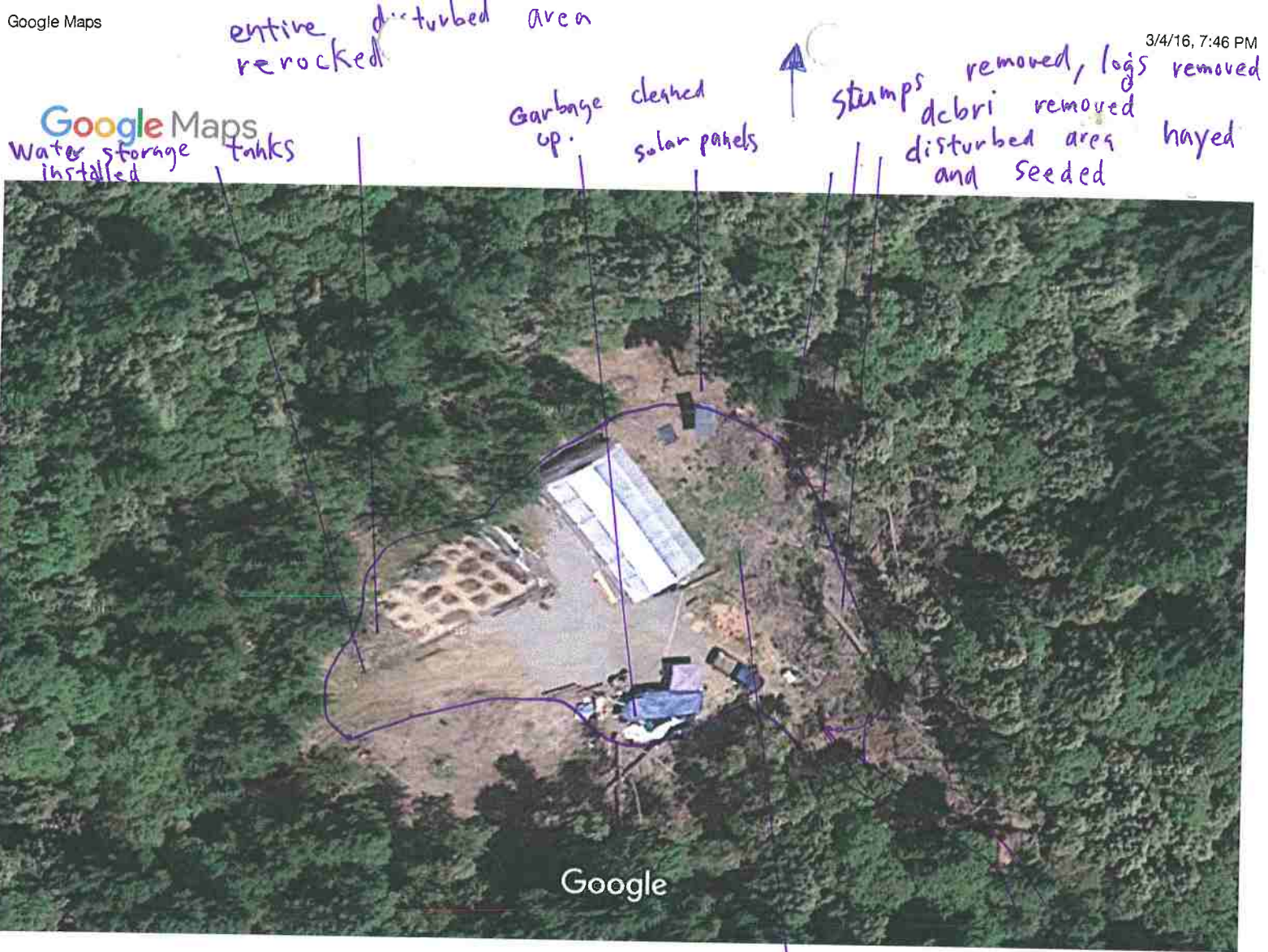
**FURTHER LEGAL ACTION MAY BE PENDING.**

If you have any questions, please contact Tim Meyers at the telephone number listed above.

Tim Meyers  
Unit Chief, Humboldt Norte Unit

Tim Meyers  
2017.01.06 12:25:41  
-08'00'

Tim Meyers RPF# 2813  
Forest Practice Inspector  
Humboldt-Del Norte Unit  
3 Fortuna Blvd  
Fortuna, CA 95540  
Phone (707) 946-2204



Google Maps

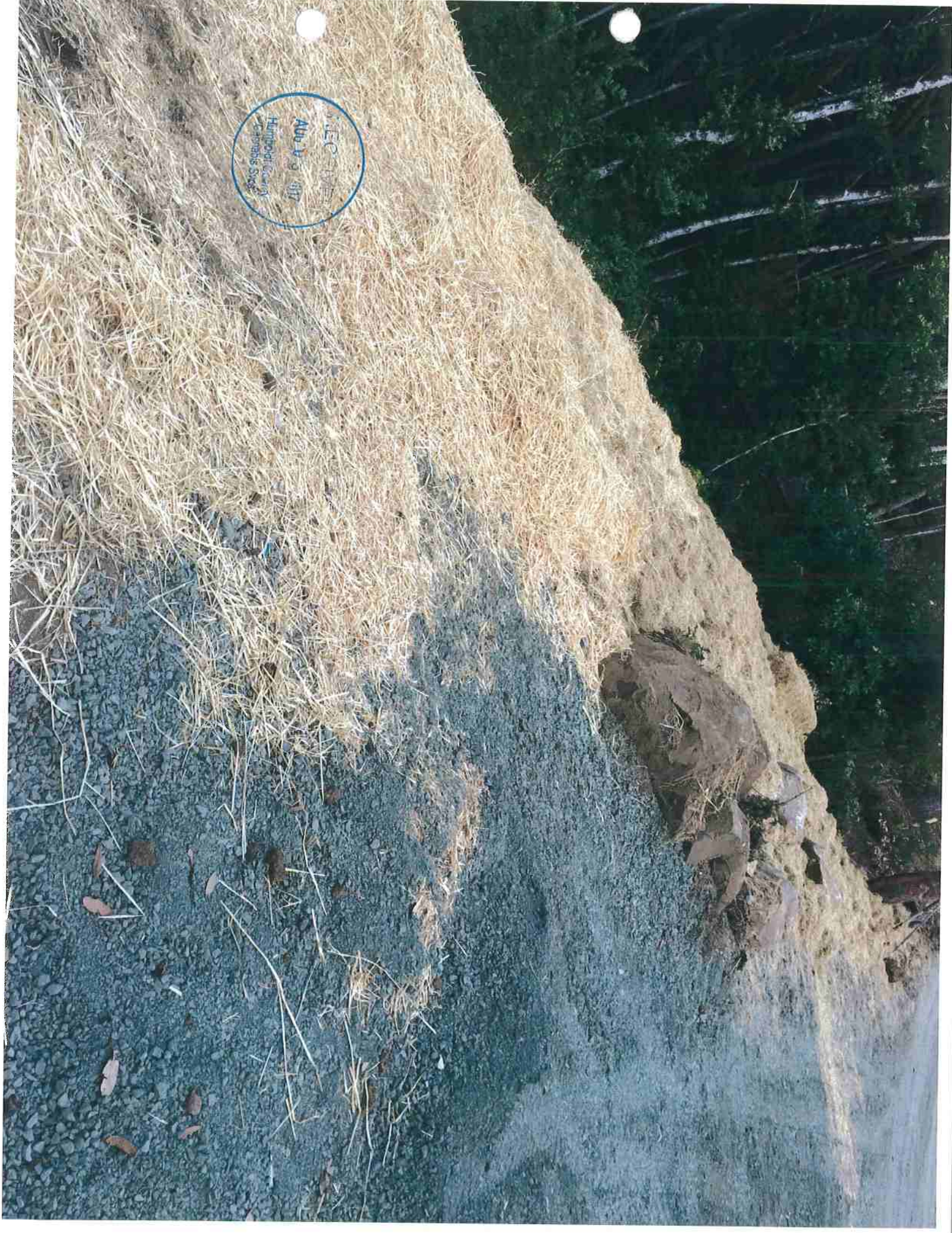
this map shows where Resource Management Mitigation has taken place. photo shows where stumps, debris, or logs were removed

this seeded area was hayed and reseeded





REC-1111  
Abb. 19 1977  
Huntingdon County  
Pennsylvania State





this photograph shows Mitigation efforts. stumps and debris are gone and entire disturbed area is hayed 6" deep over 95% coverage graded area is reseeded. Grass and Clover seed is spread this photo of AP NO 221. 211. 025 was taken August 3. 2017 this is Mitigation priority #1 on Resource Protection Plan.

AP No 221 - 211 - 025



This photograph shows area ① after stumps and debris were removed from edge of fill. 22 bales of hay were spread. Clover seed was also spread.

