

ANNEX JJJJ

TIMBER REMOVAL AND SALE

A. PURPOSE

When in the public interest, the FEMA III Regional Director may approve grants to the State or political subdivisions for the purpose of removing from privately owned lands timber damaged as a result of a major disaster. Bent, twisted or downed timber of commercial value can be salvaged or cleared when approved by the Regional Director. This also includes the construction of approved temporary access roads required for removal of the damaged timber.

B. CONCEPT OF OPERATIONS

1. Prior to starting cleanup and timber salvage operations, the State prepares and submits an action plan through the Governor's Authorized Representative to the FEMA III Regional Director.
2. The State's action plan
 - a. Indicates priority areas where fire, pest and wildlife hazards are most severe;
 - b. Places reasonable limitations on the extent of cleanup;
 - c. Describes work practices to be employed;
 - d. Establishes a scale of unit costs (e.g. by acre).
3. Federal/State damage survey teams inspect all areas to be cleared in order to establish a valid basis for work approval or, in cases where clearing has been started or completed, to determine a reasonable basis for work approval or disapproval.
4. Inspection reports include:
 - a. A complete description of the affected land;
 - b. A complete description of eligible work;
 - c. An estimate of the salvage;
 - d. An estimate of work costs.
5. State and political subdivisions may reimburse any person for expenses incurred in removing damaged timber. The reimbursement is limited to net expenses; i.e., the

amount by which expenses exceed any insurance recovery and salvage value of timber removed or to be removed.

6. If the property owner elects to dispose of damaged timber rather than salvaging it, the estimated potential salvage value will be subtracted from the costs of approved work.
7. Approved costs of constructing temporary roads necessary to reach or remove damaged timber are eligible for reimbursement.
8. Inspection and audits of completed timber removal projects are used to verify claims for reimbursement.
9. Slash (branches and other residue left on a forest floor after the cutting of timber) created by approved timber removal may be disposed of by not more than one of the following practices when approved by the Regional Director;
 - a. Prescribed burning;
 - b. Drum chopping;
 - c. Racking, windrowing, and burning.
10. When slash is to be burned, appropriate permits will be obtained from the appropriate agencies and other precautions and notifications made as required by law.
11. No slash should be placed where it will interfere with existing drainage facilities.

C. TASK ASSIGNMENTS

State

1. The West Virginia Division of Forestry prepares the required action plan.
2. The State Forester (or his alternate) represents the State in joint Federal-State damage surveys.
3. Service Foresters, under supervision of a District Forester, assist in removing damaged timber by:
 - a. Furnishing technical guidance including marketing assistance;
 - b. Preparing sale notices and timber sale contracts;
 - c. Providing pest and disease control information.

4. When conditions are such that the Service Foresters cannot assist; the Division of Forestry will contact consulting Foresters to assist with sale notices and timber sale contracts.
5. Licensed and certified loggers and contractors will be used.
6. Timber sales and timber operations will comply with current logging laws and regulations.

D. AUTHORITIES AND REFERENCES

1. PL 93-288, as amended, Section 418, Timber Sale Contracts
2. Code of Federal Regulations, Title 44, Sections 206.62, 206.63, 206.64
3. West Virginia Code, Chapter 20, Natural Resources
4. West Virginia Code, Chapter 19, Division of Forestry