



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE
LAKE AND STREAMBED ALTERATION PROGRAM



Information Regarding Emergency Work

Fish and Game Code section 1610 exempts certain types of emergency work from the notification requirement in section 1602. Specifically, notification is not required before beginning any of the following emergency work:

- 1) immediate emergency work necessary to protect life or property;
- 2) immediate emergency repairs to public service facilities necessary to maintain service as a result of a disaster in an area in which the Governor has proclaimed a state of emergency; and/or
- 3) emergency projects undertaken, carried out, or approved by a state or local governmental agency to maintain, repair, or restore an existing highway, as defined in Vehicle Code section 360, within the existing right-of-way of the highway, that has been damaged as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, within one year of the damage.

Although notification is not required **before** beginning the emergency work, the Department of Fish and Wildlife (CDFW) must be notified in writing within 14 days **after** the work begins (“emergency notification”). The notification requirement can be met by completing and submitting the attached Emergency Notification form to the [CDFW regional office](#) that serves the county where the emergency work occurs.

If CDFW does not receive the emergency notification within 14 days after the work begins, or the work did not constitute emergency work, the entity responsible for the work may be subject to criminal or civil prosecution. Hence, it is important that the work meets the definition of “emergency.”

“Emergency” means “a **sudden, unexpected** occurrence, involving a clear and imminent danger, demanding **immediate** action to prevent or mitigate the loss of, or damage to, life, health, property, or essential public services. ‘Emergency’ includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.” (Public Resources Code section 21060.3 (emphasis added)). See also Fish and Game Code section 1601, subdivision (c).

Although emergency work is exempt from the notification requirement in Fish and Game Code section 1602, the entity responsible for completing the emergency work must comply with other applicable local, state, and federal laws, including other provisions in the Fish and Game Code, such as section 5650 (prohibiting the discharge or release of deleterious substances or materials) and section 5901 (prohibiting the construction or maintenance of any device or contrivance that prevents or impedes fish passage).

CDFW recommends that emergency work be conducted in accordance with the guidelines below to minimize impacts to fish and wildlife resources.

- 1) The person(s) completing the emergency work should prevent raw cement, concrete, or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substance which can be deleterious to aquatic life from contaminating soil and/or entering a river, stream, lake or other waters of the state. (See Fish and Game Code section 5650.)
- 2) The person(s) completing the emergency work should minimize the disturbance or removal of vegetation in completing the work.



FOR DEPARTMENT USE ONLY

<i>Date Received</i>	<i>Reviewed</i>	<i>Followed Up</i>
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Assigned to:</i>		

NOTIFICATION OF EMERGENCY WORK

Complete EACH field, unless otherwise indicated, and submit ALL required enclosures and attachments to the [CDFW regional office](#) that serves the area where the project will occur. Attach additional pages to notification, if necessary.

1. PERSON, BUSINESS, OR AGENCY RESPONSIBLE FOR EMERGENCY WORK

If the emergency work is being conducted by a business, agency, or utility, please include the name of your designated representative.

Name	
Business/Agency	
Street Address	
City, State, Zip	
Phone Number	
Email	

2. LOCATION OF EMERGENCY WORK

Address or description of project location. *(Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway.)*

Continued on additional page(s)

River, stream, or lake affected by project				
What water body is the river, stream, or lake tributary to?				
Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts ?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown	
County				
USGS 7.5 Minute Quad Map Name	Township	Range	Section	¼ Section
<input type="checkbox"/> Continued on additional page(s)				
Meridian <i>(check one)</i>	<input type="checkbox"/> Humboldt <input type="checkbox"/> Mt. Diablo <input type="checkbox"/> San Bernardino			



2. LOCATION OF EMERGENCY WORK (continued)

Assessor's Parcel Number(s)		
<input type="checkbox"/> Continued on additional page(s)		
Geographic coordinates (<i>Provide the latitude and longitude coordinates for the property where the project(s) will take place. CDFW utilizes decimal degrees and WGS 84 datum. Access Google Maps Help if you need assistance in finding your coordinates.</i>)		
Latitude/Longitude	<i>Latitude: ##.#####</i>	<i>Longitude: -###.#####</i>
	<i>Latitude: ##.#####</i>	<i>Longitude: -###.#####</i>
	<i>Latitude: ##.#####</i>	<i>Longitude: -###.#####</i>

3. NATURE OF EMERGENCY WORK

Date emergency began or was first discovered	
Date emergency work began	
Date emergency work was or will be completed	
Briefly describe the type of emergency (e.g., flooding or earth movement)	
<input type="checkbox"/> Continued on additional page(s)	
Identify the type of property affected by the emergency by marking the appropriate boxes below.	
<input type="checkbox"/> Bridge, culvert, or other water crossing <input type="checkbox"/> Dwelling or other building <input type="checkbox"/> Levee or other bank protection <input type="checkbox"/> Road <input type="checkbox"/> Farmland <input type="checkbox"/> Utility <input type="checkbox"/> Other (describe): _____	
<input type="checkbox"/> Continued on additional page(s)	
Describe the emergency work.	
<input type="checkbox"/> Continued on additional page(s)	



3. NATURE OF EMERGENCY WORK (continued)

Briefly describe the dimensions (e.g., length and width) of the area or areas affected by the emergency and the work area.

Continued on additional page(s)

Describe any work you intend to complete after the emergency to restore the affected area.

Continued on additional page(s)

4. SIGNATURE

I hereby certify that to the best of my knowledge the information in this emergency notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the person, business, or agency responsible for the emergency work. *I understand that if CDFW does not receive this emergency notification within 14 days after the emergency work begins, or the work did not constitute emergency work, I and/or the person, business, or agency responsible for the emergency work may be subject to criminal or civil prosecution.*

Signature of Applicant or Applicant's Authorized Representative

Date

Print Name