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Board of Forestry and Fire Protection
Attn: George Gentry, Executive Officer
P.O. Box 944246
Sacramento, CA 94244-2460

sent via publiccomments@bof.ca.gov

Re: additional public comments

Dear Members of the Board of Forestry;

To expound on the suggestions that I offered in a letter yesterday, I would like to add the following:

An alternative approach to address the interpretation that timberland is never 'converted' so long as a landowner allows trees of commercial species to grow on their property would be to address interpretation of PRC Sec. 4621. Which states, in part "any person who owns timberlands to be devoted to uses other than the growing of timber shall file an application for conversion with the board."

Land use regulation (i.e. through zoning and permitting) by the counties is performed on a parcel by parcel basis. The current interpretation of the Forest Practice Act fosters a confusing situation where a portion of a residential parcel is deemed to have been 'converted', if a structure is built, a roadway constructed, permanent non-native vegetation established etc... However, if the landowner retains any trees of a commercial species, that portion of the property is not deemed to have been 'converted' regardless of the landowners use or planned future use of the space.

If the board were to recognize in the form of a finding or policy statement that once a residential parcel of land has been improved with a residence that the parcel is no longer 'devoted' to the growing of timber. Therefore, any future tree removals would be considered in furtherance of the landowner's devotion to a residential use of the property and not requiring filing of application for conversion regardless of the landowner's intent for the removal.

It might make sense to limit this interpretation to residential parcels of these than a certain size such as perhaps 3 acres, consistent with the maximum size of a 'less than three-acre conversion exemption.'

I believe if the Board of Forestry can adopt such a finding, it would reduce the administrative time and expense incurred in enforcing the rules as currently interpreted. This action would result in less confusion by the regulated public and fewer enforcement actions by the Department.

Again, thank you for the opportunity comment and make suggestions for the improvement of the application of the Forest Practice Act.

Sincerely;

A handwritten signature in black ink, appearing to read "Paul A. Violett". The signature is fluid and cursive, with a prominent loop at the end.

Paul A. Violett, Registered Professional Forester #2343