



## DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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August 19, 2019

Dr. Keith Gilles, Chairman  
State Board of Forestry and Fire Protection  
P. O. Box 944246  
Sacramento, CA 94244-2460

Re: "NTMP Amendments, 2019" Rulemaking Proposal

Dear Chairman Gilles:

The California Department of Forestry and Fire Protection (CAL FIRE) supports the rulemaking proposal entitled "NTMP Amendments, 2019." The rule text amendments provide points of additional clarity to the existing Forest Practice Rules for Nonindustrial Timber Management Plans (NTMP). Among them is a new provision for a "Designated Agent," a concept developed during committee deliberations on the Working Forest Management Plan (WFMP). This proposed rule text amendment is an important modification that will assist the Department in its review and ongoing evaluation of NTMPs with multiple non-industrial tree farmers.

The Department has worked with non-industrial landowners in their use of the Notice of Timber Operations (NTO) to achieve harvest activities similar to those allowed under Exemptions. The Department believes the NTO can be used as the vehicle for "Exemption-type" timber harvests. To further facilitate NTO use for this purpose, the Department suggests the Board consider a Notice of Timber Operations format specifically for use with Exemptions. The Department could work with Board staff to develop such a template to allow for Exemption use while maintaining consistency with the statutory requirement for NTO submissions on NTMP lands.

The definition of "Management Unit" in section 1094.2 could be included or referenced in section 1090.01 for clarity.

The "Designated Agent" definition provides for the separation of divided ownerships as separate Management Units. The Board may consider incorporating the proposed revisions to 14 CCR § 1090.5 (w)(1) as indicated in the underlined text below:

**(1) Boundaries of management plan(s) and management unit(s).** Boundaries of Management Units shall not exceed a single ownership which may include, but is not limited to, entities comprised as a single ownership of divided interest, natural-persons with undivided interests, or a legally established artificial-person (such as limited liability companies, corporations, partnerships, or trusts).

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Thank you for providing the Department an opportunity to comment on this rulemaking proposal. A representative from CAL FIRE will be at the hearing should any questions arise, and we look forward to working with the Board to help finalize the NTMP amendments.

Sincerely,



HELGE ENG  
Deputy Director  
Resource Management