

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

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June 12, 2024

Terrence O'Brien, Chair
State Board of Forestry and Fire Protection
P. O. Box 944246
Sacramento, CA 94244-2460

Re: "Less Than 3-acre Conversion Exemption Amendments, 2024"

Dear Chair O'Brien:

The California Department of Forestry and Fire Protection (CAL FIRE) supports the Board's proposed rulemaking entitled, "Less Than 3-acre Conversion Exemption Amendments, 2024." CAL FIRE has been aware of the regulated public's interest in being able to develop their ownership over time through additional conversion exemptions. CAL FIRE appreciates the Board's attention to the regulated public's concerns while providing the necessary sideboards to limit the ability of landowners to chain convert their property in lieu of preparing a Timber Harvest Plan. CAL FIRE feels the Board has found a good balance in the additional allowances within the conversion exemption, while safeguarding the public's and the state's interest in maintaining timberland.

In summary, the proposed regulations:

- Clarify the definition of "timberland conversion" and where it applies. (14 CCR §1100 Definitions)
- Require that a county representative is listed if a person from the county has not been delegated. (§1104.1(a)(1)(D))
- Require notification of completion to CAL FIRE no later than thirty (30) days from the actual date of completion of timber operations. (§1104.1(a)(5)(L))
- Allow a landowner to convert on a contiguous ownership if certain conditions are met. (§1104.1(a)(11))
- Allow a landowner to request an extension of the exemption time period, up to a maximum of two years, to allow the timber operations and conversion activities to be completed. (§1104.1(a)(12))
- Allow a landowner to submit additional Less Than 3 Acre Conversion Exemptions on the same parcel, to not exceed a total of three (3) acres converted, if certain conditions are met. (§1104.1(b))

CAL FIRE believes the proposed rulemaking could result in less violations of the Forest Practice Act and Rules by allowing landowners to develop their property over a longer period of time instead of converting all three acres at one time. This also may lead to less acreage being converted as the public would be better able to plan their development. The safeguards placed in the proposed regulations are expected to limit the ability of landowners

to circumvent the Timber Harvest Plan process through chain conversion. The addition of requiring a county name be placed on the form, whether a county has delegated a person or not, ensures that the county is involved in the process with their authority for zoning on compatible land uses.

Thank you for providing the Department an opportunity to comment on this important rule package. A representative from CAL FIRE will be at the hearing should any questions arise.

Sincerely,

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MATTHEW REISCHMAN
Deputy Director, Resource Management