



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY**

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Agricultural Commissioner

Building

Environmental Health

Farm Advisor

Planning

Public Works

November 8, 2021

Attn: Regulations Priority Review
Board of Forestry and Fire Protection
PO Box 944246
Sacramento, CA 94244-2460
Emailed to: PublicComments@bof.ca.gov

To Whom It May Concern,

In response to the October 6, 2021 Board of Forestry and Fire Protection (Board) 2021 Regulations and Priority Review request for comments and in line with the Legislature's direction that the Board and department should strive to go beyond the status quo sequestration rate per Section 4512.5 (e) of the Public Resource Code (PRC) in an effort to proactively managing the forests to adapt to stressors, please see the following comments and suggestions from the County of Nevada Community Development Agency:

1. While the Forest Practice Act was meant to protect natural resources from logging activities, its application today does not always make sense and the Less than 3 Acre Conversion Exemption and Timber Harvest Permit processes are too onerous, responses take too long, and the process is too costly. For example, we had a property owner in the center of one of our small towns fined for the removal of one tree to accommodate expansion of a critical downtown business. How did the removal of this tree damage any natural resources? It didn't, in fact the tree was in the middle of the city and was planted there in between concrete and pavement. Removal of the tree was not a logging activity and it cost the property owner to remove and dispose of it (in addition to the cost of the fine). Please simplify the overall processes so that this type of situation is avoided in the future.
2. Instead of an exemption process, revise the PRC and practices so that applicants are not required to spend significant time and money filling out an exemption request that ends up being approved administratively. It is unnecessary and provides no value to require a Registered Professional Forester and Licensed Timber Operator to fill out the exemption form.
3. Revise PRC Section 4584 to:
 - a. Expand the definition of "site preparation" to include local jurisdiction approved projects of less than 3 acres where there is no timber operation or commercial use for the timber as the one-time conversion process is too onerous and costly. We are in a situation where we must pay to get rid of trees and they are typically not being removed for commercial purposes.
 - b. Add an exemption for incorporated and urban areas. It doesn't make sense to require a Conversion Exemption for these types of areas.

4. Revise the 3 Acre Conversion Exemption approval period to 5 years as one year to complete the work is not realistic as the development process can take a long time. Also, remove the one-time exemption process as this is holding up development and forest management efforts in Nevada County for no purpose.
5. Better educate jurisdictions and the development industry on requirements.
6. Simplify the Timber Harvest Permit, conversion and exemption processes and improve the applications and available information. It is unfortunate that the best information out there for property owners comes from local jurisdictions trying to explain the States requirements.
7. Routing the Conversion applications to the County for approval is helpful for large projects where grading might occur and helps eliminate conflicts between the two.

If you have any questions regarding our comments, please reach out to me at (530)-265-1222.

Sincerely,



Trisha Tillotson, PE
Community Development Agency Director