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June 7, 2022

**Board of Forestry and Fire Protection**

**Less Than 3-acre Conversion Maintenance 2022**

**Title 14 of the California Code of Regulations**

**Division 1.5, Chapter 4, Subchapter 7, Article 7**

**Amend § 1100**

**§ 1100. Definitions.**

The following are definitions of words and terms as used in this article:

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(g) (1) “Timberland Conversion” means:

~~(1)~~ (A) Within non-TPZ Timberland, transforming Timberland to a nontimber growing use through Timber Operations where:

~~(A)~~ (1.) Future timber harvests will be prevented or infeasible because of land occupancy and activities thereon; or

~~(B)~~ (2.) Stocking requirements of the applicable district forest practice Rules will not be met within five years after completion of Timber Operations; or

~~(C)~~ (3.) There is a clear intent to divide Timberland into ownerships of less than three acres ~~(1.214 ha.)~~.

~~(2)~~ (B) Within TPZ lands, the immediate rezoning of TPZ lands, whether Timber Operations are involved or not, except as exempt from a Timberland conversion permit under 14 CCR § 1104.1. For exemptions pursuant to 14 CCR § 1104.1 on TPZ lands, the definition in paragraph (1) shall apply to those TPZ lands.

 (2) “Timberland Conversion” does not include the cutting or removal of trees that facilitate nontimber growing uses of a parcel if each of the following are satisfied:

 (A) A Timberland Conversion, as defined in Paragraph (1), has been completed on that parcel previously during the same ownership. The Timberland Conversion must have been completed pursuant to 1104.1(a), 1104.2, or under a Timberland Conversion Permit as described within this Article. The trees proposed for cutting or removal shall be located within the mapped footprint of the Timberland Conversion.

 (B) The parcel is not designated as TPZ land.

(C) The parcel is less than three acres in size.

(D) The felled trees are not sold, bartered, exchanged, or traded.

(E) The existing nontimber growing use of the parcel is residential or commercial, as evidenced by the presence of a ~~permanent~~ legally permitted or authorized residential or commercial building ~~constructed~~ on the parcel. The nontimber growing use resulting from the cutting or removal of trees shall not eliminate or displace the existing residential or commercial use of the parcel.

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Note: Authority cited: Section 4621, Public Resources Code. Reference: Sections 700, 701, 4526, 4621, 4622, 4623, 4624, 4624.5, 4625, 4626, 21062, 21063, 30103 and 30243, Public Resources Code; and Sections 51100, 51111 and 51134(b), Government Code.