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Assembly
California Legislature

October 3, 2013

George 'YG' Gentry
Executive Officer
California Board of Forestry
1416 9th Street, Room 1506-14
Sacramento, CA 95814

RE: Authors' Intent of AB 744 (Forest Fire Prevention Exemption Pilot Project)

Dear Mr. Gentry,

As the joint authors of AB 744, the Forest Fire Prevention Exemption Pilot Project, we write to provide some additional context and guidance to the Board of Forestry (Board) as you begin the necessary rulemaking-assuming Governor Brown signs AB 744 into law.

The primary goal AB 744 is to accomplish fuel reduction projects and increase the health and resilience of unnaturally and inappropriately dense forest stands. AB 744 was not intended to broadly exempt commercial timber operations from the standard regulatory process; rather it is intended to test the hypothesis that allowing the timber operator to harvest some trees slightly larger than allowed under the existing exemption would change the economics of the operation enough to facilitate fuel reduction treatments across larger portions of the landscape.

We note that while AB 744 provides statutory authority for such an exemption, the Legislature looks to the Board to develop, in consultation with the appropriate trustee agencies, the additional regulatory guidance that will allow the fuel reduction exemption to be implemented with minimum risk to public trust resources, while accomplishing the goal of reducing the severity of catastrophic wildfire.

In particular, please be aware that AB 744 did not include the same highly prescriptive language regarding post-harvest slash treatment that is required under §1038(i). Rather than legislating such level of detail, we defer to the Board to develop standards that ensure that post-harvest slash treatment is thorough enough to accomplish the desired reduction in fire severity, while addressing the habitat needs of key wildlife in the region, all while being practical about the cost of treatment.

It is our hope that this pilot project facilitates activities that reduce excess fuels and help restore the resilience of our forests. We look to the expertise of the Board, Department and review team agencies to craft the remaining details of the exemption in a way that will accomplish such results with the minimum potential for misuse.

Thank you for your work on behalf of the state's forests. If you have any questions, please don't hesitate to contact our offices.

Sincerely,

BRIAN DAHLE
Assemblymember, 1st District

RICHARD S. GORDON
Assemblymember, 24th District

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