

DOCUMENTS REQUIRED FOR TIMBERLAND CONVERSION PERMIT (TCP) 5472

(No. 3 June 1991)

The timberland conversion package submitted from the region chief to the Director will consist of the following documents:

- Application for Timberland Conversion Permit (RM-53), which includes timberland conversion plat and timberland conversion plan.
 - *"Compatible use" means that conversions for development, such as mobile home sites, recreational vehicle parks, motels, industrial buildings, etc., should be restricted to areas adjacent to or near similar existing development. Examples of conversion use that might otherwise be considered compatible with timber growing on adjacent areas are pastures, reservoirs, campground and picnic areas, and other kinds of open space use.
- CDF field appraisal report.
- Environmental Checklist form (CEQA guidelines Appendix to Chapter 3), description of mitigating measures for a Negative Declaration is used, or draft EIR if CDF is lead agency (see [Section 5475.4](#)). If an EIR is needed, the Director's office should be notified early to enable issuance of the notice of preparation.
- Portions of U.S. Geologic Survey topographic map, letter size, with name of quadrangle and outline of conversion area shown in black. Do not use color marking; it will not photocopy.
- Zoning status of the land proposed for conversion as to TPZ, coastal zone, or local zoning, with the allowable use(s) or the existing (and proposed) zoning status.
- If local government or some other governmental agency is the lead agency, all environmental documents must be filed with the TCP application. This shall include a copy of the notice of determination, as filed with the Office of Planning and Research.

TIMBERLAND CONVERSION PERMIT APPLICATION

5472.1

(No. 3 June 1991)

Form RM-53, Application for Timberland Conversion Permit, is the prescribed application and affidavit. The requirements of GC § 65943 for time limits and for notifying applicants of needed additional information or corrections must be complied with. The application and affidavit must be properly and thoroughly completed with all required information. The signature(s) must be notarized only if the owner(s) executes the application in another state. The names of all landowners of record must show on the application. Each owner must sign the application unless the signer attaches a notarized written power of attorney authorizing the signer to sign for the other owners.

The applicant's name at the top must be that of the property owner. The property owner or his/her authorized agent must sign the application. If an authorized agent is the signer, a statement by the owner must be included giving the agent power of attorney to act for the owner in signing the application. A corporate officer or an authorized agent with his/her title must sign an application from a corporation. A partner or an authorized agent must sign an application from a partnership. Conversion applications for property in escrow (for example, showing a title company as owner) will not be accepted.

The acres of timberland should be only the timbered portion of the ownership to be cut and logged because a conversion area should not include large timberless areas of the ownership. Legal 40-acre subdivision lines or practical physical features such as highways, county roads, major stream courses, or well-defined ridges within the ownership should be used as boundaries, when convenient. If timber in the area to be cut is patchy, spotty, or very irregular, but generally well distributed over the conversion area, the boundaries should be drawn simply to contain all conversion cutting without including large timberless areas. The acreage on the plat should be that on the application. Owners should submit one signed application with a timberland conversion plat and timberland conversion plan. The owner may wish to keep a copy of each for his/her records. The region office may want to make copies of the complete application before sending the conversion package to the Director. The Director's office will include copies of these documents when sending copies of the conversion permit to the region.

The department provides a timberland conversion plat for the applicant to conveniently affix to his/her application. The map must show the area where trees are to be cut for the conversion. The plat should be used unless some other map will more clearly show the conversion area and legal land subdivision or other parcel system. Such a map should have a scale and be properly identified "Timberland Conversion Map" with the timberland owner's name clearly shown in the title. The timbered area actually to be cut for conversion must be clearly delineated with diagonal hatching lines or by other suitable means and shown in a map key at the bottom of the plat. The scale should be large enough to clearly represent the conversion area and must be included. The squares on the plat can be used to represent a forty, quarter, or full section.

The timberland conversion plan is a CDF prescribed form that the timberland owner must complete as part of the application. The treatment measures must be outlined therein to show the timberland owner's bona fide intention to change the timberland to a nontimber growing use. Other environmental protection measures agreed to or required for acceptance of the permit application must be included. Measures applicable to the timber operation will be specified in the THP. The timberland conversion plan is part of the owner's evidence of bona fide intention required in 14 CCR § 1106(a)(1). The plan must be submitted as part of the timberland conversion permit application.

The conversion plan should be reviewed with the owner, usually by the forester having service forestry responsibilities, especially if it is incomplete, inadequate, or if there are unanswered questions about the bona fide intention of the proposed conversion. Contacts with the owner should emphasize the need for the conversion plan to show the bona fide intent and feasibility of the proposed change in land use and the mitigation of adverse environmental effects.

The following conversion plan items need special attention:

- The name throughout the application must be that of the property owner, the name to whom the permit is to be issued.
- "Item 3, Page 4, acres of timberland to be converted," must show only the acres of timbered land actually proposed to be cut and converted to the new use.
- Item 9 in the general section of the plan must show month and year when logging will be completed, rather than the length of time required to complete logging. The next space must show when the change to nonforest use will be accomplished.
- Applicants must complete the general section of the plan and such other sections applicable to the intended conversion purpose. Sections that do not apply must be labeled "NA" or "Not Applicable."

APPRAISAL OF CONVERSION

5472.2

(No. 3 June 1991)

A separate written appraisal report and recommendation through contact with the owner and field examination will be made by a CDF RPF.

The appraisal report will give a concise, factual picture of the conversion area: whether the information submitted seems to show bona fide intention, a judgment of feasibility for success, or the need for additional proof. The report will include a clear, concise description of the cover type, including timber species, density, age and size composition, slopes, aspects, soils, and especially any significant problems that may affect conversion. The purpose is somewhat different from the environment analysis. Therefore, the conversion appraisal should be a separate report.

The appraisal report will be valuable for the region chief's recommendation to the Director for approval or denial. It will be part of the timberland conversion application packet sent to the Director.

DOCUMENTATION REQUIRED FOR SUBDIVISION EXEMPTION FROM CONVERSION PERMIT **5472.3**

(No. 3 June 1991)

The Notice of Exemption from Timberland Conversion Permit for Subdivision, submitted from the region chief to the Director, will include the following documents:

- Notice of determination filed with the Office of Planning and Research; if no permits are required from a state agency, the county may administer environmental procedures and the notice of determination filed with the appropriate county clerk.
- County or city approval of tentative subdivision map listing conditions of approval.
- Required use permit, and other required county or city approvals.
- Form RM-91, providing information on the property location, ownership data, and an ownership affidavit.

TIMBER HARVESTING PLAN (THP) REQUIREMENTS **5472.4**

(No. 3 June 1991)

Whenever it appears that the purpose of a proposed timber operation is to convert the land to a nontimber growing use (14 CCR § 1103.1), a THP will neither be accepted for filing nor approved until a timberland conversion permit has been issued, or after the filing of an adequate notice of exemption from timberland conversion permit for subdivision. This is needed in the environmental review process or in coordination with zoning changes since practices may be documented or recommended in connection with the conversion and new land use that may be incompatible with the granting of a permit, or that should be incorporated into the THP.

THPs submitted for conversion before either the timberland conversion permit is issued or an adequate notice of exemption has been filed will be returned with a written notice that the THP will not be accepted for filing until these requirements are satisfied. The prescribed time limit for such return of a THP will be watched carefully so that the THP is not accepted for filing by default. The Board of Forestry has adopted regulations establishing and governing the review team process for THPs. The board regulations provide no exceptions from the review team process; consequently, the department cannot exempt THPs for timberland conversion from review.

THPs for conversion are subject to the same review team process as nonconversion THPs. CEQA mitigating measures applicable to timber operations will be a part of the THP.

A conversion under a previously approved THP will be a substantial deviation and require amendment of the THP (see [Section 5462](#) of this handbook and 14 CCR § 1036 and 1039) under the following conditions:

- The timberland owner decided upon conversion after the THP was approved.
- The THP still is in effect.
- A Report of Satisfactory Completion of Stocking has not yet been filed.

The landowner has the right to amend the THP for conversion under these conditions. The THP amendment and conversion cannot be denied when the conversion is in compliance with the conversion laws and regulations.

FORMS AND/OR FORMS SAMPLES: RETURN TO ISSUANCE HOME PAGE FOR FORMS/FORMS SAMPLES SITE LINK.

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