



CALIFORNIA
LICENSED
FORESTERS
ASSOCIATION

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December 10, 2003

John D. Smith
Interim Director
California Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Dear Mr. Smith:

The California Licensed Foresters Association (CLFA) supports the continued use of the petition and review process, conducted under State Regulations Section 11340, and specifically under Section 11340.5. This Section restricts arbitrary implementation of restrictions and procedures as authorized regulations by state agency personnel. Currently the State's budget crisis, and a 20% reduction in budget for the Office of Administrative Law (OAL) has caused a curtailment of OAL processing of petitions detailing regulatory abuse of discretion.

We urgently need a process whereby citizens of the state can challenge state agency interpretation of intent of law when they promulgate internal guidelines and interpretation, as rules and regulations. Rules and regulations should be based upon sound science and have basis in law. We are very concerned because various interpretations of rules and regulation can have, and have had, negative effects on the lives of our clients, employers, as well as on forestland fertility and productivity.

The referenced code sections are current state statutes and CLFA would like to request the acting director make the decision to re-activate the code section and review process.

Respectfully yours

Gary F. Howard, RPF # 1017
President, CLFA

The California Licensed Foresters Association, with approximately 800 members, represents the common interests of Registered Professional Foresters in the State of California. The Association provides opportunities for continuing education and public outreach to its membership, which includes diverse professionals affiliated with public agencies, private timber companies, consultants and the academic community. Governed by an elected Board of Directors, CLFA was established in 1980 after the passage of the landmark California Professional Foresters Law.