Hullquist, Tyler@CALFIRE

From: Rudolph Giuliani [redacted]
Sent: Tuesday, November 10, 2026 2:50 PM
To: Public Comments@BOF
Subject: 15-Day Notice Proposed Fee Amendments

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Board members,

The proposed rule revisions to the professional forester regulations are still deceitful and exist outside of the Board's regulatory authority. Reject the authorization to add utility arboriculture under the umbrella of professional forestry experience and quit trying to play cutesy games with the regulations.

Please first consider the purpose and scope of the Professional Foresters Act, or the entire purpose for the regulation of the profession: TO ENHANCE THE CONTROL OF AIR AND WATER POLLUTION, THE PRESERVATION OF SCENIC BEAUTY, THE PROTECTION OF WATERSHEDS BY FLOOD AND SOIL EROSION CONTROL, THE PRODUCTION AND INCREASED YIELD OF NATURAL RESOURCES, INCLUDING TIMBER, FORAGE, WILDLIFE, AND WATER, AND OUTDOOR RECREATION, TO MEET THE NEEDS OF THE PEOPLE. To take a deep dive beyond the 2nd sentence of the Act, PRC 753 further refines the scope of regulation in providing a definition of Forestry as managing forested landscapes and the treatment of forest cover in general. Now lets keep those ideas in our back-pocket.

Following the Board's initial authorization of the 45-Day rule text, FART submitted public comments to the effect that the inclusion of utility management for public safety within the scope of experience for professional forestry exceeded the authority of the Board. In apparent direct response, the language was revised, but in a manner which does not address the primary issue related to the amendment: CUTTING DOWN TREES TO PROTECT POWER LINES IS NOT RELATED TO MANAGING FORESTED LANDSCAPES OR THE TREATMENT OF FOREST COVER IN GENERAL. Simply removing the phrase "for public safety" does not change the activity itself, which is inherently unrelated to forestry, which can be demonstrated within the proposed language itself.

The Board proposes to include "the identification for cutting or removal or both of hazard trees on Forested Landscapes" to the list of activities which may provide the experience in Forestry (PRC 753) to qualify an applicant for examination as a Professional Forester. First off, and this is a popular question, what is a hazard tree? And if it were only that simple, you must further consider: what is a hazard tree in relation to forested landscapes and forest cover in general (or to put it another way: what is a hazard tree consistent with the statutory definition of Forestry)? Are these trees so decadent that they may be providing habitat to forested landscapes at levels that are hazardous to the forest itself? Is there concern that so much complex structure may be provided in the state's forests that they are at risk of being overrun by wildlife that become too successful reproductively? Might such trees create so much scenic beauty that men are driven to madness? Who knows.

What we do know, however, is that a hazard exists only in relation to a target, or that which is threatened by these nefarious, hazardous trees. If the term is meant to describe those trees which may exist as hazardous in relation to wildfires, I would hope that the Board of Forestry and Fire Protection would

understand how foolish it is to address landscape level (or even local level) management of wildfire risk and hazard by individual “hazard tree” cutting or removal. Considering the scope and purpose of the Act itself, one could argue that trees may exist as hazards to recreational resources. If this is the case, then this must be made explicit within the implementation of the statute. If this is not the case, then it is not consistent with the term as generally understood by the regulated public, which is trees that exist as hazards to utility infrastructure. Interestingly, this is also the previous explicit description of this exact activity under the current regulatory proposal.

Provided that utility infrastructure is the target considered by the potential “hazard” trees, it is unclear how the protection of (mostly) private utility infrastructure is the consideration of landscape level forest management consistent with the scope of the Act, or could provide meaningful experience to such management. I would argue that it is simply not conformant. The identification of these trees is exclusively related to the protection of private property and is done without consideration to the values of the forested landscape which provide the purpose of authority to regulate professional forestry. Additionally, any secondary or tertiary damage which may result from damage to utility infrastructure, such as outages or wildfire, occurs EXPLICITLY AS A RESULT OF THE UTILITY INFRASTRUCTURE ITSELF, and is entirely unrelated to forested landscapes or forested values and is still outside the scope of the professional foresters act or the regulations related to “forest proetection”. This is to say that without the infrastructure, effects to the forest would not occur, therefore the true “hazard”, when it comes to the Wildland-Utility-Interface (WUI) is the infrastructure itself. Maybe the Board would be better off including the siting of utility infrastructure as professional forester experience.

Considering that the Board has been advised of the incompatibility of the proposed revisions with their statutory authority and chose to revise the regulations in a way which fundamentally ignores the incompatibility of the regulations with authority, I am curious as to why the Board, or those who would seek to influence the Board, are so insistent upon such revisions. Are there any parties that would seek to introduce additional oversight into their processes? Rational, non-masochistic people generally seek to avoid additional restrictions placed upon themselves, so the desired regulations surely seek to provide some benefit to an entity (given that they do not benefit the forested landscape as described above). One of the big benefits of professional regulation is the additional assumption of liability that is absorbed both by the professional and the body which provides regulation. The professional assumes additional liability in regulatory conformance, and the Board assumes liability for the discipline and oversight of the individual. Are there any entities, related to utility infrastructure, which would benefit from the dispersal of liability onto individuals and public entities? Are there any such entities which have historically had issues with providing investor return rather than infrastructure improvement to the point that their failing infrastructure represents such a significant liability that they would go to great lengths to squirm out of their obligations? If only there were answers to these questions.

I urge the Board to discontinue this pursuit and not further waste taxpayer resources on this endeavor.

Hugs and kisses,

Rudyard Guilfoyle