

CHAPTER 0310 - BOARD POWERS AND RESPONSIBILITIES

GENERAL POWERS AND RESPONSIBILITIES

0310.1

Included within the function of the Board of Forestry is the power and responsibility to:

- A. Determine, establish, and maintain an adequate forest policy for the State;
- B. Represent the State's interest in Federal land matters pertaining to forestry;
- C. Protect the State's interest in forest resources on private lands;
- D. Represent the State's interest in the acquisition and management of State forests;
- E. Formulate guidance policies of the Department;
- F. Annually determine the need for forest management research and recommend needed projects to the Governor and Legislature;
- G. Provide for a statewide program of research in the technical aspects of forest management which may be delegated to it by law;
- H. The Board may investigate and report on any technical factors involved in forest management;
- I. The Board may prepare and implement a forest management information storage and retrieval program relating to forest conditions to assist in the formulation of policy;
- J. Implement a public information program on matters involving forest management and maintain an information file on forest management research.

PROFESSIONAL FORESTERS

0310.2

By Regulation the Board may adopt rules for carrying out its duties to examine and license professional foresters. These duties and functions include:

- A. Regular consideration at regular meetings of matters pertaining to professional foresters;
- B. Keeps records pertaining to professional forester registration;
- C. Provide for the issuance of certificates of specialization;
- D. Establish an examining committee;
- E. Receive appeals from examining committee actions;
- F. Require adequate demonstration of experience and knowledge necessary for certification as a professional forester;
- G. Conduct investigations, if needed, of professional foresters and, if necessary, take disciplinary action.

PREVENTION AND CONTROL OF FOREST FIRES

0310.3

Responsibilities of the Board in relation to the prevention and control of forest fires include:

- A. Make and enforce such regulations as are necessary for the organization, maintenance, government, and direction of the fire protective system;
- B. Review and determine approval of a fire plan prepared by the Department;
- C. Provide guidance policy and standards for the Department in carrying out this function;
- D. Designate lands for which the State assumes financial responsibility (SRA);
- E. Prepare a plan for statewide fire protection of SRA;
- F. Evaluate the Safety element of County general plans;
- G. Establishes the criteria and policies by which the director may enter into cooperative agreements and counties may assume responsibility for SRA;
- H. Determines whether intensities of fire protection shall be reduced or withdrawn;
- I. Formulation of standards of what fire conditions constitute a hazard;
- J. Designate hazardous fire areas.
- K. Adopt regulations establishing standards to be used in determining the State's share of costs for site preparation and prescribed burning under the program;
- L. Annually adopt a schedule of the prevailing costs to perform work eligible for cost sharing payments.

Z'BERG-NEJEDLY FOREST PRACTICE ACT

0310.4

The intent of the Forest Practice Act is to create a comprehensive and effective system of regulations of use of timberlands to ensure productivity, sustained yield, and due consideration of watershed, recreation, wildlife, range, aesthetic, and fishery values. In relation to this intent, the Board's duties include:

- A. The division of the State into not less than three forest districts;
- B. In accordance with Section 4551.5 and 4552 of the Public Resources Code, develop and adopt forest practice rules for each forest district;
- C. Continuously review and revise forest practice rules;
- D. Hold public hearings for the adoption or revision of forest practice rules;
- E. Conduct investigations of problems associated with soil erosion for the purpose of developing soil resource conservation standards. Reports will be published and a determination made, if possible, of permissible levels of soil loss. The Board must promulgate soil erosion control regulations for each forest district;
- F. The Board must adopt rules for control of timber operations which will result or threaten to result in unreasonable effects on the beneficial uses of the waters of the State;
- G. Issue licenses for the conduct of timber operations;
- H. Deny issuance of licenses for causes specified in Section 4572 of the Public Resources Code;

- I. In a public hearing, review for conformance timber harvest plans that have been appealed as the result of denial by the Director for lack of conformance with the regulations of the Board or the Forest Practice Act;
- J. Determine approval for a sampling procedure for measuring of stocking;
- K. Define emergencies for the purpose of emergency notice to harvest;
- L. May request the Attorney General to enforce compliance with the Forest Practice Act;
- M. Hold hearings, if requested, to determine the applicability of particular notices to take corrective action;
- N. Defines and reviews civil penalties;
- O. Prescribe procedure for form, content, and fees of conversion applications and, in other ways, regulate conversions.

STATE FORESTS

0310.5

Board powers and duties regarding State forests include:

- A. Determine approval of the Department's forest management plans in State forests;
- B. Determine policies by which the Director administers State Forests;
- C. Approves regulations for management
- D. Enters into agreements with Department of Corrections and the Youth Authority for employment of inmates;
- E. Recommend and promulgate resolutions for acquisition of State forest properties if it is deemed appropriate;
- F. Determine approval of State forest land sales due to unsuitability for forest purposes;
- G. Establish rules for the preservation, protection, and use of State forests.

PROTECTION OF FORESTS AND LANDS

0310.6

Board powers and responsibilities include:

- A. Develop policy in relation to cooperative agreements for insect and disease control;
- B. Determine approval of nursery prices;
- C. Recommend and, if necessary, set conditions for accepting gifts of land for the State Forest System;
- D. Determine policy for insect and plant disease control, declare and dissolve zones of infestation.

FOREST RESOURCE ASSESSMENT

0310.7

Under the Forest Resources Assessment and Policy Act of 1977 (Section 4789 et seq. of the Public Resource Code), the Board is required to create policy to assist the Director in preparing an assessment of forest resources in California.

Included within the Board policy are policies concerning:

- A. Forest resource protection; including protection from fire, insects, and conversion to nonforest use;
- B. Resource enhancement; including policies to increase resources in the areas of timber, watershed, wildlife habitat, recreation, range, and energy;
- C. Research and information; including research in forest management and environmental protection;
- D. Public understanding; including dissemination of information on forest problems and the establishment of public education programs.

PROTECTION AND DEVELOPMENT CORPORATION

0310.8

Board powers and responsibilities include:

- A. Determine, approve, and establish regulations concerning the conduct of corporations involved in the cutting of timber or other work on forest lands;
- B. Not more than two months apart, the Board must regularly examine the operations of such corporations to determine if the forest management plan is being followed;
- C. Make Department reports in regards to these corporations available to the Legislature.

FOREST IMPROVEMENT PROGRAM

0310.9

Board powers and responsibilities include:

- A. Review and approve regulations concerning the California Forest Improvement Program as specified in Section 4799.02 of the public Resources Code;
- B. Review and approve schedules specifying the percentage of costs to be borne by the Department for forest improvement projects;
- C. Every fiscal year, review and approve a schedule of the prevailing costs of performing practices eligible under the program.

URBAN FORESTRY PROGRAM

0310.10

Board powers and responsibilities include:

- A. Promulgate guidelines and procedures to implement the California Urban Forestry act of 1978;
- B. Determine by regulation what type of practices may be financed by urban forestry grant projects;

- C. Determine by regulation which local agencies or groups may be eligible to participate in the program.

CALIFORNIA FOREST LEGACY PROGRAM 0310.11

Board powers and responsibilities include:

- A. Adopts rules for the criteria for easements.

PLANNING AND LAND USE 0310.12

Board powers and responsibilities include:

- A. Reviews safety element of city and county general plans, and provides recommendations to local government.

CLIMATE REGISTRY 0310.13

Board powers and responsibilities include:

- A. With the Department, coordinates with the registry to provide referrals.

TIMBERLAND PRODUCTIVITY 0310.14

Board powers and responsibilities include:

- A. Provides final approval for re-zoning TPZ lands