

1                   **“Certified Rangeland Management Specialty, Program for Certification of**  
2   **Professional Rangeland Managers 2013”**

3                   **Registration of Professional Foresters Rules:**

4                   **Title 14, California Code of Regulations (14 CCR), Chapter 10**

5   **August 8th, 2013**

6                   **Amend:**

7                   **§ 1651           Certified Rangeland Management Specialty.**

8                   **(a)** A “Certified Rangeland Manager (CRM)” is a person who provides  
9 services pursuant to 14 California Code of Regulations (CCR) 1602, at  
10 the request of the landowner or hiring agent, relating to the  
11 application of scientific principles to the art and science of  
12 managing rangelands and range. A Certified Rangeland Manager shall  
13 perform professional services only in those subjects in which he or  
14 she is competent by training and experience.

15                   **(b)** When a CRM is providing range management services related to  
16 the production of forage and livestock on forested landscapes, a RPF  
17 shall be consulted if there are potential impacts on related forest  
18 resources.

19                   **(c)** Qualification as a Certified Rangeland Manager may be achieved  
20 by submitting evidence of certification by the California Section of  
21 the Society for Range Management (CA-SRM) as a Certified Rangeland  
22 Manager pursuant to its “Program for Certification of Professional  
23 Rangeland Managers” (PCPRM) dated ~~June 5, 1992 and amended on November~~  
24 ~~4, 1993.~~ April 13, 2013.

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1                   **“Certified Rangeland Management Specialty, Program for Certification of**  
2   **Professional Rangeland Managers 2013”**

3                   **Adopted by PFEC and CRM Panel April 13<sup>th</sup>, 2013**

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6   The California-Pacific Section of the Society for Range Management (CalPac-SRM) seeks to  
7   promote and strengthen professional standards in all activities devoted to rangeland resources.

8   The CalPac-SRM's professional certification program is designed to evaluate the education and  
9   professional experience of rangeland managers.

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11   A professional rangeland manager applies scientific principles to the art and science of  
12   managing rangelands and range. Rangelands are lands supporting grass, shrub, and savanna  
13   vegetation types. Range is land grazed by livestock. This program of certification is a service  
14   provided by the CalPac-SRM as a means for demonstrating the special expertise required to  
15   practice as a professional rangeland manager.

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17   Certification constitutes recognition by the CalPac-SRM that, to its best knowledge, an applicant  
18   meets minimum educational, experience, and ethical standards adopted by the CalPac-SRM for  
19   professional rangeland managers. Licensing may be granted by the California Board of  
20   Forestry and Fire Protection following certification of qualifications by the CalPac-SRM,  
21   successful completion of a prescribed written examination, adherence to the ethical  
22   requirements, and payment of state license renewal fees. The CRM Program was adopted by  
23   the Board of Forestry and Fire Protection as a Certified Specialty pursuant to the Professional  
24   Foresters Law, Public Resources Code Sections 762 and 772. This program serves the unique  
25   needs for certification of professional rangeland managers in California, ~~and is not intended to  
compete with the Society for Range Management's programs for Certified Professional in~~

1 ~~Rangeland Management (CPRM) and Certified Range Management Consultant (CRMC). Note~~  
2 ~~neither the CPRM nor CRMC are recognized by the State of California and do not meet the~~  
3 ~~requirements for practicing rangeland management in California.~~

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5 **I. Purpose:**

6  
7 Establish minimum standards for professional rangeland managers and provide a process for  
8 rangeland managers to demonstrate professional competency.

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10 **II. Certification:**

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12 Certificates will be issued for Certified Rangeland Manager (CRM) to those applicants who meet  
13 the educational and experience requirements and pass the written examination.

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15 ~~The designation of Associate Rangeland Manager (ARM) has been given by the CalPac SRM in~~  
16 ~~a separate program (not endorsed by the California Board of Forestry and Fire Protection) to~~  
17 ~~those applicants who meet the education requirements only.~~

1 **III. Requirements for Eligibility:**

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3 Evidence of eligibility will be furnished by the applicant as a completed application form and  
4 pertinent supporting documents. The CalPac-SRM's Certification Panel ~~Certification Panel~~  
5 may, at its discretion, request additional supporting information. ~~Certification does not constitute~~  
6 ~~a guarantee by CalPac-SRM that the applicant meets any certain standard of competence or~~  
7 ~~possesses any specific knowledge.~~

8  
9 ~~Requirements for certification, periodic renewal, and decertification may be changed upon~~  
10 ~~majority vote of the CalPac-SRM Board of Directors.~~

11  
12 ~~All rangeland management professionals working in California are encouraged to apply for the~~  
13 ~~CRM certification as soon as they are eligible and/or begin work in California.~~

14  
15 **A. Education Required for CRM:**

- 16  
17 1. Completion of a course of study in a college or university leading to a  
18 bachelor's or higher degree.
- 19  
20 2. A degree in range management; or a degree in another related subject  
21 which included completion of coursework, including the following topics:  
22 (a) rangeland ecology and rangeland vegetation management; (b)  
23 rangeland plant physiology; (c) rangeland animal management; (d)  
24 rangeland policy and planning; (e) economics of sustainable rangeland  
25 productivity; and (f) rangeland measurements.

1           **B.     Experience Required for CRM:**

- 2
- 3           1.     Five years (60 months full-time equivalent) of qualifying professional
- 4                     experience.
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- 6           2.     Qualifying experience begins after completion of minimum educational
- 7                     requirements.
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- 9           3.     All qualifying experience must be directly related to range and/or
- 10                    rangeland management and include demonstration of the application of
- 11                    rangeland management principles. ~~Some experience~~Experience in a
- 12                    ~~California~~-rangeland type found in California is required.
- 13
- 14           4.     Qualifying experience is defined as the performance of activities
- 15                    demonstrating professional competence in the science, art, and practice
- 16                    of managing and using for human benefit the natural resources that occur
- 17                    on and in association with rangeland and range, and more particularly
- 18                    classified as:

19

20                               (a) Rangeland vegetation management, which includes the

21                               management of vegetation composition and productivity, animal

22                               habitat, re-vegetation, and the control of undesirable plants.

23

24                               (b) Rangeland animal management, which includes the

25                               management of wild and domestic herbivores, including

1 development of grazing systems, and practices for managing and  
2 controlling livestock on range.

3  
4 (c) Rangeland ecology, which includes the protection of natural  
5 vegetation, ecosystem restoration and rehabilitation, and  
6 investigations into ecosystem and landscape processes.

7  
8 (d) Rangeland policy and planning, which includes the  
9 development of rangeland and range management plans, analysis  
10 and interpretation of laws and policies pertaining to rangeland and  
11 range management, and economics as it relates to the  
12 management of rangelands for sustainability, including  
13 productivity.

14  
15 (e) Rangeland measurements, which includes rangeland resource  
16 assessment and analysis of range condition.

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18 5. Education toward a higher degree may be substituted for up to 2 years  
19 (24 months) of experience.

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21 Other combinations of education and experience may, at the discretion of CalPac-SRM's  
22 Certification Panel, ~~on a case-by-case basis~~, be accepted as equivalent to the requirements  
23 listed above.

24  
25 **C. Professional References Required for CRM:**

1 Three letters of reference by professional rangeland managers attesting to the  
2 applicant's qualifications. At least one letter must be from a currently licensed  
3 CRM.

4  
5 **D. Ethical ~~and Continuing Education~~ Requirements for CRM:**

- 6  
7 1. All CRM applicants must pledge to conduct their activities in accordance  
8 with the Code of Ethics of the Society for Range Management, the 2002  
9 revision of which is quoted below.

10  
11 "Each member ~~will~~shall:

- 12 *i.* Foster an environment where all people are encouraged to  
13 participate in the Society and management and enjoyment of  
14 rangelands;
- 15 *ii.* Use her/his knowledge, skills, and training when appropriate to  
16 find ways to harmonize people's needs, demands, and actions  
17 with the maintenance and enhancement of natural and managed  
18 rangeland ecosystems;
- 19 *iii.* Promote competence in the field of range management by  
20 supporting high standards of education, employment, and  
21 performance;
- 22 *iv.* Manage or perform services consistent with the highest  
23 standards of quality, integrity, and with respect for the rangeland  
24 plant and animal resources, the employer, and the public; soil,  
25 water, air;

1 v. Disseminate information to promote understanding of, and  
2 appreciation for, values of rangelands to those with a direct  
3 involvement in range management, and to the general public as  
4 well;

5 vi. Offer professional advice only on those rangeland issues in  
6 which they are informed and qualified through professional  
7 training and experience;

8 vii. In any communication, give full and proper credit to, and avoid  
9 misinterpretation of, the work, ideas, and achievements of others;  
10 and

11 viii. Encourage the use of sound biological information in  
12 management decisions."  
13

14 2. The CRM learns about new developments in rangeland science and  
15 management through participation in professional society and continuing  
16 education activities. ~~The Certification Panel strongly encourages all  
17 CRMs to consistently pursue opportunities for continuing education and to  
18 maintain currency in the professional discipline. The Panel recommends  
19 that CRMs use the recording system for continuing education credits of  
20 the national SRM CPRM program.~~  
21

22 E. **CRM Examination:** Each applicant for CRM ~~will~~shall be required to pass an  
23 examination developed and graded by CalPac-SRM's Certification Panel, and  
24 covering topics pertaining to the skills and knowledge required for certification.  
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IV. ~~CalPac-SRM's Certification Panel~~Certification Panel:

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2 The CalPac-SRM's Certification Panel ~~certification panel~~ shall be comprised of at least six  
3 licensed CRM's, chosen to represent a broad cross-section of employment, expertise, and  
4 interests. The CalPac-SRM's Certification Panel ~~panel~~ shall determine the eligibility of all  
5 applicants and shall have authority to confer and renew certification as professional rangeland  
6 managers. The ~~p~~ CalPac-SRM's Certification Panel ~~panel~~ will have authority to review allegations  
7 of misconduct and take appropriate actions, including de-certification.

8  
9 Members of the CalPac-SRM's Certification Panel ~~Certification Panel~~ will be appointed to  
10 staggered three-year terms by the Board of Directors of the CalPac-SRM with the express  
11 concurrence of the Professional Foresters Examining Committee representing the Board of  
12 Forestry and Fire Protection. The CalPac-SRM's Certification Panel ~~Panel's~~ decisions and  
13 recommendations will be subject to the approval of the Board of Directors.

14  
15 The CalPac-SRM's Certification Panel ~~Certification Panel~~ shall establish procedures for its  
16 operation, including readily available application forms and instructions ~~to be made readily~~  
17 ~~available~~, conduct of the CRM examination, and handling of appeals and complaints. The  
18 CalPac-SRM's Certification Panel ~~Panel~~ will respond within a reasonable time period to all  
19 formal inquiries, applications, and examinations.

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21 **V. Schedule of Fees:**

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23 A. Application fees shall be: CRM: \$50.00 for members of the California-Pacific  
24 Section, \$100.00 for non-members (paid to CalPac-SRM).

25 B. Professional Foresters Registration Program fees are as follows:

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2 ~~1. Pursuant to Title 14 of the California Code of Regulations, Section~~  
3 ~~1605(b)(3), the CRM Examination fee is \$200 (paid to Professional~~  
4 ~~Foresters Registration).~~

5  
6 21. Pursuant to Title 14 of the California Code of Regulations, Section  
7 1605(b)(7), the 2-year CRM specialty certificate renewal fee is \$70 (paid  
8 to Professional Foresters Registration).

9  
10 Cal-Pac SRM fee schedules are subject to change by recommendation of the Certification  
11 Panel and approval by the Board of Directors of the CalPac-SRM. Professional Foresters  
12 Registration Program fee schedules are subject to statutory limits defined in the Professional  
13 Foresters Law, Public Resources Code Section 782, and may only be changed within these  
14 limits by regulatory action of the Board of Forestry and Fire Protection.

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16 **VI. Appeals of Denial of Eligibility or Certification and CRM Examination Results:**

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18 A. Appeals of denial of eligibility for the state licensed Certified Rangeland Manager  
19 (CRM) examination shall be conducted in accordance with the Registration of  
20 Professional Foresters Rules, Title 14, California Code of Regulations, Sections  
21 1626 and 1647.

22  
23 B. An applicant for state licensing as a Certified Rangeland Manager (CRM) who  
24 fails to pass the examination has the right to appeal the results. Appeals of the  
25 results of the Certified Rangeland Manager examination shall be conducted in

1 accordance with the Registration of Professional Foresters Rules, Title 14,  
2 California Code of Regulations, Sections 1644 and 1647.

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4 **VII. Violations of Professional Standards:**

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6 Violations of professional standards by a CRM may result in disciplinary actions pursuant to the  
7 provisions of the Professional Foresters Law, California Public Resources Code, Sections 775-  
8 779, and the Registration of Professional Foresters Rules, Title 14, California Code of  
9 Regulations, Sections 1612-1614.

10  
11 ~~Failures of responsibility include: fraud, deceit, gross negligence, misrepresentation, material~~  
12 ~~misstatement of fact, incompetence, violations of relevant code (Public Contract Code, Business~~  
13 ~~and Professions Code, and Health and Safety Code), or failure of fiduciary responsibility.~~

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15 A ~~charge~~complaint of such violations or other misconduct against a CRM may be filed by  
16 transmitting to any member of CalPac-SRM's Certification Panel a sealed statement of the  
17 ~~charge~~complaint. Such a statement must be accompanied by an affidavit of the complainant  
18 setting forth the allegations on which the ~~charge~~complaint is based, including dates, and the  
19 specific conduct involved. Copies of the ~~charge~~complaint, affidavit, and supporting  
20 documentation shall be transmitted to the members of the CalPac-SRM's Certification  
21 ~~Panel~~Certification Panel. The CalPac-SRM's Certification Panel ~~Panel~~ shall review the  
22 ~~charge~~complaint and determine, by majority vote if necessary, if disciplinary action against a  
23 CRM may be warranted. Upon the CalPac-SRM's Certification Panel ~~Certification Panel's~~  
24 finding that disciplinary action against a CRM may be warranted, the disciplinary review process  
25 shall continue subject to the following conditions:

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A. The disciplinary process for violations of professional standards by a CRM is governed by the California Public Resources Code, Title 14 of the California Code of Regulations, California Evidence Code, California Code of Civil Procedure, and California Government Code. The CRM license is a vested property right that is protected by a guarantee of “due process” under the aforementioned laws and regulations. The Board of Forestry and Fire Protection (Board) is the body responsible for enforcement of disciplinary action against a CRM’s license. The ~~CalPac-SRM’s Certification Panel~~ Certification Panel provides disciplinary recommendations to the Professional Foresters Examining Committee who in turn makes recommendations to the Board.

B. A complaint is a confidential matter pursuant to Government Code Sections 6254(f), and 11183. The identity of the person filing the complaint remains confidential throughout the investigation pursuant to California Evidence Code, Section 1041. This may become public information if Administrative Hearing testimony from the complainant is required or if the person’s identity is otherwise pertinent to the case.

# Background Document on the Update and Review of CRM Program For Certification of Professional Rangeland Managers

## Professional Foresters Law

### **772. Certified specialist; registration; specialties.**

Instead of being registered as a professional forester, an applicant may request to be registered as a certified specialist in one or more fields of forestry. Nothing in this article shall authorize the board to certify or otherwise license wildlife biologists, fisheries biologists, botanists, ecological restorationists, stream restorationists, hydrologists, or geologists. Registration in a specialty area does not prohibit a professional forester from providing services within that professional forester’s area of expertise. Any public agency or professional society may submit for board recognition its independent certification program as full qualification without examination for the board’s certificate of specialization. That certification as a specialist shall be granted provided the board determines the program fully protects the public interest in that area of practice encompassed by the program. Those certificants are subject to board registration and discipline with review by that specialty.

## Registration of Professional Forester Rules

### **1605. Fees.**

(a) All fees required by provisions of the Code and rules of the Board shall be transmitted by money order, bank draft, or check and shall be made payable to Professional Foresters Registration.

(b) The following schedule of fees is hereby adopted pursuant to section 782 of the Code.

(1) Application for Registration and License as a Professional Forester . . . . .	\$200
(2) Annual Rate for License as a Professional Forester . . . . .	95
(3) Application for Exam for Specialty Certificate . . . . .	.200
(4) Annual rate for Specialty Certificate . . . . .	35
(5) Duplicate License or Specialty Certificate . . . . .	5
(6) Renewal of License as a Professional Forester . . . . .	190
(7) Renewal of Specialty Certificate . . . . .	70
(8) Penalty fee for failure to apply for renewal as a Licensee or for a specialty certificate is \$25 for each full month of delinquency not to exceed \$150.00 total penalty fee.. . . .	.25
(9) Reinstatement Application following Withdrawal . . . . .	15

(c) The renewal fee for registration and/or certification as a forestry specialist shall be waived when a license or certificate is issued less than ninety (90) days before the date on which it will expire.

(d) Application fees for registration, certification as a forestry specialist, or reinstatement following withdrawal, shall be retained by the Board regardless of the disposition of the application.

### **1612. Discipline.**

The committee may, upon its own motion, and shall upon motion of the Board or upon the verified complaint in writing of any person, cause investigation to be made of the actions of any person licensed as a professional forester. The committee shall make recommendations to the Board for any action provided by law.

### **1612.1 Disciplinary Guidelines.**

The Board establishes these guidelines to ensure that consequences in any disciplinary action of a Registered Professional Forester are known, and to facilitate uniformity of penalties. While recognizing that Administrative Law Judges must be free to exercise their discretion in a particular case, the Board desires that these guidelines be followed to the extent possible, and that any departures therefrom be noted and explained in the proposed decision.

The Board further desires that matters in extenuation and mitigation, as well as those in aggravation, be fully considered and noted in the proposed decision. The primary importance is the adverse effect the Registered Professional Forester's actions had, or will continue to have, on the protection of the public interest.

**(a)** If convicted of a felony as defined in Section 778(a) and governed by Section 778.5, Public Resources Code, ranges of disciplinary action for conviction(s) are:

Maximum: Revocation of the license.

Minimum: Revocation stayed for 2 years on the following conditions:

**(1)** Actual suspension for 1 year.

**(2)** The respondent shall obey all laws and regulations related to the practice of forestry.

**(b)** If found guilty of fraud, deceit, or gross negligence in his or her practice, governed by Public Resources Code, Section 778(b), the ranges of disciplinary action for the violation(s) are:

Maximum: Revocation of the license.

Minimum: 6 months suspension stayed for 1 year on the following conditions:

**(1)** Actual suspension for 60 days.

**(2)** Within one year of the effective date of the Board's decision, the respondent shall successfully complete a training program, approved in advance by the Board as being specifically related to the area(s) of professional failure.

**(3)** Respondent must practice, for up to one year, with the review of work products by a Registered Professional Forester, or other specialist, as approved by the Board.

**(4)** The respondent shall obey all laws and regulations related to the practice of forestry.

**(c)** If found guilty of misrepresentation or material misstatement of fact in his or her practice, governed by Public Resources Code, Section 778(b), the ranges of disciplinary action for the violation(s) are:

Maximum: Revocation of the license.

Minimum: 90 days suspension stayed for 1 year with 15 days actual suspension, and one or more of the following:

**(1)** Within one year of the effective date of the Board's decision, the respondent shall successfully complete a training program, approved in advance by the Board as being specifically related to the area(s) of professional failure.

**(2)** Respondent must practice, for up to one year, with review of work products by a Registered Professional Forester, as approved by the Board.

**(3)** The respondent shall obey all laws and regulations related to the practice of forestry.

**(d)** If found guilty of incompetence governed by Section 778(b), Public Resources Code, in his or her practice, the ranges of disciplinary action for violation(s) are:

Maximum: Revocation of the license.

Minimum: Revocation stayed up to 3 years with license suspension until the completion of all of the following conditions:

**(1)** The respondent shall successfully complete a training program, approved in advance by the Board, specifically related to the area of incompetency, and

**(2)** The respondent shall take and be notified of passing the Registered Professional Foresters examination, and

**(3)** Respondent must work, at least six months full time equivalent, under the supervision of a Registered Professional Forester, with review of work products, as approved by the Board.

**(4)** The Respondent shall obey all laws and regulations related to the practice of forestry.

(e) If found guilty of fraud or deceit in obtaining a license, governed by Section 778(c), Public Resources Code, the ranges of disciplinary action for violation(s) are:

Recommended Action: Revocation of license.

(f) If found guilty of aiding or abetting a violation of, or material failure to comply with the provisions of the Professional Foresters Law, governed by Section 778(d) and (e), Public Resources Code, the ranges for disciplinary action for violation(s) are:

Maximum: Revocation of the license

Minimum: 15 days actual suspension

(g) If found guilty of failure to materially comply with any provision of the Professional Foresters Law, the Board may issue a private reprimand when the respondent commits a failure of responsibility which warrants a level of discipline lesser than suspension. If the evidence is insufficient to support a private reprimand or an accusation, the executive officer may send a confidential letter expressing the committee's concerns. If there are insufficient grounds for discipline, the executive officer shall send a letter of exoneration to the respondent.

(h) In any of the above actions, the respondent shall submit such special reports as the Board may require. Said reports shall be designed to provide information as to those facets of his/her work which resulted in the disciplinary action.

#### **1612.2. Notification of Disciplinary Action.**

(a) Conditions of staying an order which suspends or revokes a license on any of the grounds for disciplinary action specified in Section 778, Public Resources Code, shall require:

(1) Respondent to submit to the Board, not later than thirty (30) days after the decision becomes effective, a complete list of all business and/or client names, addresses, and phone numbers with whom a current contractual or employment relationships exists. Furthermore, respondent shall notify the Board within ten (10) days of any new contractual or employment relationships over the duration of the stayed order. This information may be used to aid the Board in monitoring the performance of respondent over the period of the stayed order.

(2) Board to notify each business and/or client name submitted, or at its option require respondent to notify with Board approved language and proof of notification, of the offense(s), findings and discipline imposed.

(b) The Board shall provide public notice of disciplinary actions. The Board shall comply with the following standards when providing public notice:

(1) When the RPF is exonerated, their name and the specifics of the cases will not be made public. A summary of the case will be noticed in "Licensing News", and will include the following:

(A) Case number.

(B) Allegation: citing possible cause(s) of action under 14 CCR §1612.1.

(C) Authority: citations of applicable statutory and regulatory sections.

(D) Action: announcement of the exoneration and a general summary of the facts of the case.

(2) When disciplinary action results in the issuance of a PFEC Letter of Concern or Private Board Reprimand, the name of the RPF and specifics of the case will not be made public. A summary of the case will be noticed in "Licensing News", and will include the following:

(A) Case number.

(B) Allegation: citing possible cause(s) of action under 14 CCR §1612.1.

(C) Authority: citations of applicable statutory and regulatory sections.

(D) Action: announcement of the disciplinary action taken and a general summary of the facts of the case.

(3) When disciplinary action results in license suspension or revocation, the name of the RPF and the specifics of the case will be made public. A summary of the case will be noticed in the "Daily Recorder", "Licensing News", the meeting minutes of the Board, and announced in open session of the Board meeting at which the discipline was approved. These notices will include the following:

- (A) Case number.
- (B) RPF name and license number.
- (C) City of business at the time of notice.
- (D) Allegation: citing possible cause(s) of action under 14 CCR §1612.1.
- (E) Authority: citations of applicable statutory and regulatory sections.
- (F) Action: announcement of the disciplinary action taken and a specific summary of the

facts of the case.

(4) The information summarized in “Licensing News” under (b)(1), (b)(2), and (b)(3) above shall be available upon request to the public.

(c) The Board may provide notice to the news media of disciplinary actions. The Board shall comply with the following standards when providing notice to the media.

(1) Media releases shall occur in all instances when disciplinary action results in the following:

(A) Suspension or revocation based on any of the following cause(s):

(i) conviction of a felony as defined in Section 778(a) and governed by Section 778.5 of the Public Resources Code.

(ii) fraud.

(iii) deceit.

(iv) gross negligence.

(v) incompetence.

(B) The PFEC has recommended revocation or a suspension greater than 30 days for any cause under 14 CCR §1612.1.

(2) The media release shall be approved by the by the Board, and shall contain all information cited in subsection (b)(3).

(3) The media release shall be submitted to a newspaper of general circulation in the county(ies) where the infraction(s) occurred.

### **1613. Felony Substantial Relationship Criteria.**

For the purposes of denial, suspension or revocation of a license pursuant to Division 1, Chapter 2.5, Article 3, Sections 774, 775, and 778 of the Public Resources Code (PRC), a felony shall be considered to be substantially related to the qualifications, functions, or duties of a registered professional forester (RPF), if, to a substantial degree, it evidences present or potential unfitness to perform the functions authorized by Article 3 of the Public Resources Code.

Such felonies may include, but not be limited to; felony convictions which demonstrate dishonesty or breach of fiduciary responsibility or which involve any of the following:

(a) violations of PRC 778, or felony sections of the Business and Professions Code, Health and Safety Code, and Public Contracts Code;

(b) damage to natural resources including, but not limited to, arson;

(c) violations related to:

(1) Division 1, Chapter 2.5, Article 3 of the Public Resources Code or

(2) Division 4, Part 2, Public Resources Code, or

(3) Division 1.5, Title 14, California Code of Regulations.

### **1614. Criteria for Rehabilitation.**

When considering the specified conditions of denial or reinstatement from suspension or revocation of a license, the board, in evaluating the rehabilitation of the applicant and present eligibility for a license will consider the following criteria:

(a) The nature and severity of the act(s) or crime(s) under consideration as grounds for denial or reinstatement.

(b) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration for grounds for denial or reinstatement which also could be considered as grounds for denial or reinstatement.

- (c) The time that had lapsed since the commission of the act(s) or crime(s).
- (d) The extent to which the applicant or licensee has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.
- (e) Evidence, if any, of rehabilitation submitted by the applicant.

#### **1650. Specialties.**

(a) As an alternative to being registered as a RPF, any person qualified pursuant to this Article is eligible for certification in a specialty. Both RPFs and non-RPFs are eligible for certification in a specialty. Only a person registered as a Certified Specialist may use this title of that specialty.

A certificate in each specialty created will be issued by the Board pursuant to the standards contained in Section 772 of the Code. Specialties will be created by regulation as the need arises.

(b) To protect the public interest, the following certified specialties shall be implemented and overseen by the Executive Officer, with the assistance of the Examining Committee:

**(1) Certified Rangeland Management Specialty**

(c) For independent certification programs submitted by a professional society or public agency pursuant to Section 772 of the Code, the following process shall apply:

**(1)** When a professional society or public agency establishes an internal certification panel for any or all of the following purposes: reviewing an applicant's qualifications, administering an examination to evaluate an applicant's professional understanding, awarding certifications, reviewing allegations of misconduct, and administering discipline; the panel members shall have first been certified by the Board as meeting the professional qualifications and standards for that Certified Specialty before undertaking their responsibilities pursuant to this Section.

The certification of the panel members may be done by a subcommittee of the PFEC appointed by the Board and composed of resource professionals in good standing representing a broad cross section of employment and expertise in that specialty. All subsequent panel members shall also be certified in this manner.

**(2)** The PFEC shall be notified by the appropriate society or public agency of any Certified Specialist who is guilty of violations of professional standards and issued discipline pursuant to the respective certification program. The Certified Specialists shall be subject to disciplinary actions by the Board as defined in this chapter for violation of those standards, or for violation of those standards promulgated by the Board pursuant to Section 778 of the Code.

**(3)** The PFEC shall be notified of any proposed actions to be taken by a professional society or public agency which may affect the specialty certification program of the society or public agency, including but not limited to modification of the requirements for certification or professional accountability. Any modification to a specialty certification program must be approved by the PFEC prior to implementation or the program may be rejected by the Board. The modifications shall not significantly alter the qualifications and accountability within the original certification.

**(4)** Prior to March 1 of each calendar year, those Professional Societies and public agencies with independent certification programs shall submit to the PFEC a report which describes the previous calendar year accomplishments of the certification program, including but not limited to the number of applicants for certification, the approvals, denials, copies of examinations, and a summary of disciplinary actions, to insure the program fully protects the public interest. Failure to submit the report may result in a full review which may result in the rejection of the Certification program by the Board.

**(d)** All Certified Specialists are subject to annual registration and fees for renewal of Specialty Certificates pursuant to 14 CCR, Sections 1605 and 1607.

#### **1651. Certified Rangeland Management Specialty.**

(a) A "Certified Rangeland Manager (CRM)" is a person who provides services pursuant to 14 California Code of Regulations (CCR) 1602, at the request of the landowner or hiring agent, relating to

the application of scientific principles to the art and science of managing rangelands and range. A Certified Rangeland Manager shall perform professional services only in those subjects in which he or she is competent by training and experience.

(b) When a CRM is providing range management services related to the production of forage and livestock on forested landscapes, a RPF shall be consulted if there are potential impacts on related forest resources.

(c) Qualifications as a Certified Rangeland Manager may be achieved by submitting evidence of certification by the California Section of the Society for Range Management (CA-SRM) as a Certified Rangeland Manager pursuant to its "Program for Certification of Professional Rangeland Managers" (PCPRM) dated June 5, 1992 and amended on November 4, 1993.

**Final Statement of Reasons (1994)**  
For Adoption of Rules  
Sections 1600, 1602, 1650, 1651 of Forest  
Practice Rules

BOARD OF FORESTRY  
FINAL STATEMENT OF REASONS  
FOR ADOPTION OF RULES  
Sections 1600, 1602, 1650 and 1651 Public Resources Code

**I. PROBLEM DESCRIPTION**

In an effort to clarify the roles of the RPF and other resource professionals regarding wildland resource management the Board sponsored legislation, (AB 1903), that became effective on January 1, 1992. AB 1903 provided a mechanism for the recognition and certification of resource professionals in fields closely allied to forestry. This certification process could be developed by the Board itself, or the Board could recognize a public agency's or a professional society's independent certification program as meeting the professional qualifications and accountability established by the Board, thereby protecting the public's interest in that area of professional practice (PRC 762 & 772).

The Board received a request from the Society for Range Management to evaluate their Certified Rangeland Manger (CRM) Program for inclusion as a State Certified program pursuant to the Board's authority granted under AB 1903. The Professional Foresters Examining Committee completed its evaluation of the Society's program, including public input at its July, August, and September 1992 meetings, and drafted proposed regulations that were recommended for further public hearing and approval by the Board. This would establish a State Certified Rangeland Manager program based upon the Society's professional qualifications, standards, and accountability, and which would clarify who is professionally accountable for proper protection of the range resources they are charged with treating.

In order to clarify the roles of the RPF and the range professional as they pertain to the management of range and rangelands, and to comply with the provisions of AB 1903 in response to the request by the Society of Range Management, it is necessary to revise and develop rules to clarify the scope of forestry practice, to develop the process by which independent certification programs are qualified, and to accept the Society for Range Management Certified Rangeland Manager (CRM) Program.

**II. SPECIFIC PURPOSE AND STATEMENT OF NECESSITY FOR PROPOSED ACTION:**

**14 CCR 1600** is being amended to improve the clarity of several definitions and to import the abbreviations for several common terms used throughout the rules of the Board. Also an additional term is being added to delineate resources as they pertain to the Certified Specialties.

The definition of range and rangeland was not incorporated in this section because the definitions are already incorporated into the Society for Range Managements "Program for Certification of Professional Rangeland Managers." The definition of "forested landscape" was incorporated into changes in the Professional Foresters Law, PRC 754 in 1993 pursuant to Senate Bill 1094, so

it was not necessary to incorporate it herein.

The definition of "Forest Resources" is necessary to provide a basis for setting boundaries in the subsequent rules which allow a Certified Specialist (i.e. Certified Rangeland Manager) to practice without the requirement of either a license for professional forestry or utilizing a Registered Professional Forester (RPF). Without these definitions there will be a question created as to where the Certified Specialist designation is sufficient and also where there would be no reasonable expectation of impacts on forests or their related resources.

**14 CCR 1602** needs to be modified in two ways. First, several editorial changes are needed to improve clarity and readability. Second, there is a need to specify that the practice of forestry as it relates to conduct of investigations in forestry matters is dependent upon the ability to create physical (environmental) effects or that it applies to specific physical conditions (site-specific purposes). Without this type of limitation the public could construe forestry as being the utilization of forestry principles in ways that would not physically impact the "forested landscape" of California. For example, teaching forestry is not considered an action which requires an RPF license at this time. Inserting the descriptive language maintains consistency with this exemption.

The new language regarding the scope of professional practice for RPF's and Certified Specialists is necessary to provide a basis from which the resource professional may determine their qualifications for practice in a particular area. It also specifies when RPF's may need to utilize the services of other qualified experts, further protecting the public interest in the maintenance and enhancement of the environment.

**14 CCR 1650 (a)** must be amended to remain consistent with the changes in law allowing the certification of specialties under the Professional Foresters law. The existing code states that **only** a forester is eligible for certification in a specialty. Subsequent legislation set additional standards on how the Board would provide for the certification of specialists under Board of Forestry registration. This section also specifies that a person must be registered as a Certified Specialist to use the title of that Specialty. This is necessary to protect the public interest so that the public can be assured that when an individual uses the Specialty title, that person has the appropriate qualifications. The language is modified to remain consistent with the changes in statute.

**14 CCR 1650 (b)** must be added to meet the standards of the changes in statute. Modified PRC Section 772 requires that a specialty provide for the protection of the public's interest. Subsection (b) is needed to provide the Board the forum to make the declaration of protection of public interest and to identify those specialties. Other specialties may be added after the CRM.

**14 CCR 1650 (c)(1)** is needed to detail the standards under which a program for certification by a professional society or public agency may be certified (PRC 772). For each Certified Specialist Program it is necessary to provide for the review of qualifications, award of

certificates, and administration of discipline by a set of peers within a professional area to insure the individuals meet the established level of competence. This can best be done by a panel of those peers who practice the profession on a daily basis. The Board believes at this time that a panel of peers would also reduce the size and workload of the existing Professional Foresters Examining Committee (PFEC) and the Professional Foresters Registration office. It is also necessary to set standards for persons who will serve on such a peer review panel. The Board, or a sub-committee of the PFEC, will determine if the proposed members of the review panel maintain the professional level necessary to screen applicants. Section 763 PRC states it is within in the range of duties of the PFEC to perform such a function, as well as maintain needed representatives of such specialties within its membership to perform such evaluations.

**14 CCR 1650(c)(2)** is necessary to meet the statutory criteria that certified specialists be subject to the same disciplinary standards as an RPF. The sections sets out the statutory standard and for clarity provides that the PFEC will perform those duties. It further requires that professional societies for a certified specialty notify the Board of Forestry of any disciplinary actions taken on their own. This is needed to insure all potential misconduct be exposed to the required disciplinary action.

**14 CCR 1650(c)(3)** requires that the PFEC be notified of any proposed changes a professional society wishes to make in a certification program accepted by the Board. This rule is necessary to monitor the societies or agencies certification programs. Without the rule changes could be made which would create a conflict and cause the Board to reconsider certification of a specialty.

**14 CCR 1650(c)(4)** requires an annual report to the PFEC for each calendar year. The March 1st deadline provides ample time for the report to be prepared by each Certified Specialty program. The report is to outline certification actions taken by that society or agency during the year. This is needed to allow the Board to monitor the activity level of the society and to insure that the society or agency programs are viable and effectual.

**14 CCR 1650(d)** establishes the fee schedule for Certified Specialists as identified in CCR 1605. The processing fee for registration renewal would be the same, but no application fee is necessary because the appropriate professional society would be responsible for qualifying applicants.

**14 CCR 1651** is necessary to set standards for a CRM. Subsection (a) identifies the authority of a CRM to provide range management services on rangelands and range. This sets the physical limits on where range management may be practiced without consideration of the need for a RPF license.

Subsection (b) requires that an RPF be consulted where range management practices have an impact on other forest resources. This provides the public assurance that an RPF will be involved where the Specialist's practice may have an impact on forest resources outside the scope of that Specialty.