

CLOSURES

5025

(May 1988)

Closure of state forestland to certain public use or entry is authorized by PRC §4332 and 4333. Closure methods require time and formality to such an extent that they should be used only under genuine justification. The action requires the process of filing the closure in the California Code of Regulations (CCR) as a regulation having the affect of law. Revocation of the closure requires the reversal of the entire process, including publication. CDF field employees contemplating a request for closure should keep this in mind.

CAMPING, HUNTING, TRAPPING, FIREARMS

5025.1

(May 1988)

Under PRC §4332, in the interests of public peace and safety, the Director, with the consent of the Governor, may order any area in any state forest closed to camping, hunting, trapping, or the use of firearms. This order does not preclude entry upon state forests for fishing or uses other than camping, hunting, trapping, or use of firearms. This law should only be put into effect in the immediate vicinity of a conservation camp or area of concentrated work or public assembly, where justified. See CCR §1448-9 for the location of such closures.

Requests for closures will be directed to the Director with a description of the area to be closed, the type of closure needed, and the justification for the closure (public peace or safety).

Any order issued under this law will be published twice, separated by a period of not less than one week or more than two weeks, in at least one newspaper of general circulation in any county affected by the order. The order will be posted in such public places in each county as the Director may order and along roads and trails passing through areas declared closed. Form FM-27 is a sign that was developed for posting state forest areas closed under PRC §4332. Also see [Section 5014.5](#) of this handbook.

HUNTING, FISHING, AND ENTRY

5025.2

(May 1988)

The closure procedure under PRC §4297 was created to preclude public use of private forestlands during the periods of especially high fire hazard. This law is put into effect only as an emergency measure since its proclamation immediately generates unhappy public reaction when it curtails hunting and fishing privileges.

There appears to be no reason why PRC §4297 could not be utilized as a legal vehicle to obtain closure of a state forest, except that such a step would obviously have to be well justified in the eyes of neighboring landowners. This is especially true inasmuch as other laws expressly indicate that state forests will provide reasonable recreation use to the public.

UNAUTHORIZED MOTOR VEHICLES ON TRAILS

5025.3

(May 1988)

Hiking and horseback riding trails on state forestlands may be closed to unauthorized motor vehicles in accordance with CVC §23127. All closures must be approved by the Director. Requests should be made by letter, with a map showing the specific trails involved. When a closure request is approved, closed trails will be posted at both entrances and exits and at intervals of not more than one mile.

Motor vehicles will be operated only on roads and in parking areas constructed for motor vehicle use. Trail bikes, motorcycles, jeeps, pickups, and other passenger-carrying motor vehicles will not be operated on any road or trail posted as closed to the public for such use in accordance with CCR §1431.

Violation of the closure is a misdemeanor. If a violation is committed in the presence of a peace officer, he, she may issue a citation (form LE-33) or file a complaint with the district attorney. A forest officer may file a complaint based upon information and belief against alleged violators when violations are not committed in the officer's presence.

Use of the citation by personnel having CDF peace officer status is encouraged when appropriate because it saves time and immediately affects the violator.

RESTRICTED USE AND PROHIBITED AREA

5025.4

(May 1988)

To ensure safety and health of persons, to avoid interference in the development, construction, or research of timber management, or to provide for security, safeguarding, and preservation of property within a state forest or portions thereof, the forest manager or his/her superiors, with suitable notice to the Director, may order any portion of a state forest closed to a particular activity or to public use or entry for one year or less, in the manner set forth in 14 CCR §1438 and 1439 respectively.

ORDER OF CLOSURE

5025.5

(May 1988)

The Order of Closure must cover the following requirements:

- The period of closure.
- Classes of persons designated by the forest manager or his/her superiors who may enter or remain in the closed area in the conduct of certain activities or official duties.
- Description of the area(s) closed.

The "[Order of Closure](#)" is the model to be used as a guide in developing an appropriate order to fit a specific situation and meet legal requirements.

The following steps for closure must be taken:

- Post official copy of the order at the state forest headquarters.
- Notices designating the area closed will be posted at all points of entry, or such other places that will gain greater public attention. A special poster, "Area Closed to Unauthorized Personnel," (item 89-71) has been printed to facilitate notifying the public of the closed area. All posted notices will be removed as soon as the period of closure ends.

The department should use discretion and be selective, restricting public entry only where necessary and when fully justified. There should be no hesitation to use this method of temporary closure, whenever appropriate.

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

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