

ENFORCEMENT POLICY AND OBJECTIVES

5501

(No. 6 January 1999)

The Director has determined that it is the department's policy to pursue vigorously the prompt and positive enforcement of the Forest Practice Act, the forest practice rules, related laws and regulations, and environmental protection measures applying to timber operations on the non-federally owned lands of the state. This enforcement policy is directed primarily at preventing and deterring forest practice violations, and secondarily at prompt and adequate correction of violations when they occur.

PRIMARY ENFORCEMENT OBJECTIVES

5501.1

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- Conserve and maintain the productivity of the timberlands while preventing or mitigating damage to associated resources.
- Administer enforcement so as to achieve the best possible compliance, using available department resources and making full use of the applicable laws and regulations.

Aggressive and prompt enforcement action is expected to prevent proliferated and aggravated problems and to develop public confidence in the forest laws and the department's administration of them. When substantial violations are found, positive enforcement measures will be initiated promptly and penalties sought.

SECONDARY ENFORCEMENT OBJECTIVES

5501.2

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The secondary objectives are as follows:

- Inform each timber owner and each operator before he/she harvests a timber crop of the forest law requirements applicable to them individually, to the timberland, and to any parties to whom the timber owner may sell his/her crop.
- Inform each timber owner and each operator before he/she harvests a timber crop of the fire risks and hazards directly associated with timber operations, particularly emphasizing fire hazard reduction requirements, and all applicable fire laws.
- Inform the timber owners and timber operators that they may be jointly and severally liable for correction of forest and fire law violations on the timberlands from which the timber is being harvested.

- Inform all currently licensed timber operators conducting timber operations of the forest and fire law requirements that apply to their timber operations. At least one forest practice inspection of each timber operation will be made with the timber operator or his/her designated agent.
- Make a preharvest inspection on each timber operation, if needed, followed by at least three additional inspections, including one inspection after completion of the operation. Provide prompt notification of forest and fire law violations.
- Require reasonable and prompt compliance with the forest and fire laws.
- Use procedures for enforcement of the forest and fire laws that will best prevent further violations or repetition of violations while ensuring due process.

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