

Board of Forestry and Fire Protection

NOTICE OF PROPOSED ACTION

**Exam Fee Amendments, 2026
Board of Forestry and Fire Protection
Title 14 of the California Code of Regulations
Division 1.5, Chapter 10
Articles 1 and 2**

NATURE OF PROCEEDING

Notice is hereby given that the California State Board of Forestry and Fire Protection (Board) is proposing to take the action described in the Informative Digest.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comments must be received by the Board via mail, facsimile, or hand delivery no later than September 22, 2026.

Written comments may be delivered via e-mail at the following address:

PublicComments@BOF.ca.gov

Written comments may be submitted via U.S. Mail to the following address:

Board of Forestry and Fire Protection
Attn: Jane Van Susteren
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
715 P Street
Sacramento, CA 95814

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period. Any request should be made to the contact information provided above.

AUTHORITY AND REFERENCE (pursuant to GOV § 11346.5(a)(2) and 1 CCR § 14)

Authority cited: Sections 759 and 768 Public Resources Code.

Reference: Sections 767, 769, and 782, Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW (pursuant to GOV 11346.5(a)(3)(A)-(D))

Professional Foresters Law (Public Resources Code [PRC] § 750, et seq.), declares the existence of a public interest in the management and treatment of the forest resources and timberlands of this state and to provide for the regulation of persons who practice the profession of forestry and whose activities have an impact upon the ecology of forested landscapes and the quality of the forest environment, and through that regulation 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.

Pursuant to PRC § 759, the Board is authorized to adopt rules and regulations to affect the provisions of the article (the Professional Foresters Law), including the regulation of persons who practice the profession of forestry and whose activities have an impact upon the ecology of forested landscapes and the quality of the forest environment (PRC § 751).

Additionally, within the Professional Foresters Law, PRC § 763 directs the Board to “establish an examining committee,” which shall “Examine all applicants for registration as professional foresters and for specialty certificates,” and “Recommend to the board applicants for the license of professional forester and applicants for specialty certificates who fulfill the requirements of this article.” This requirement is fulfilled by the Professional Foresters Exam Committee (PFEC). Under PRC § 767, “An applicant for a license pursuant to this article shall apply to the board. Such application shall be accompanied by the payment of a fee in an amount fixed by the provisions of this article.” Under PRC § 769, applicants shall “Furnish evidence of having completed seven years of experience in forestry work” with the additional requirements that “At least three of the seven years of experience shall include having charge of forestry work, or forestry work under the supervision of a person registered, or qualified for, but exempt from, registration under the provision of this article.” Applicants must also have “successfully completed such examination or examinations as are prescribed by the board.”

PRC § 780 directs that the fees raised by licensing and administering the professional foresters exam shall be deposited in the Professional Forester Registration Fund in the State Treasury. Current analysis by the Department of Finance indicates that this fund will be insolvent by 2027. A highlighted area of concern is the application fee for registration; at present, this application fee does not cover the costs of developing and administering the RPF exam. The estimated cost, per applicant, of exam development, administration, and grading is \$468. The current fee is \$200, which was the statutory maximum until 2026. The Board increased the fee to this level in 1992. Cost-cutting measures have been applied including seeking test-administering facilities within state government to minimize cost of renting exam space, use of department staff as proctors, and use of surplus computers over handwritten exams to streamline grading efforts.

In 2025, SB 124 amended PRC § 782 to increase the permitted range for the application fee for registration or for each certificate of specialization from \$50-\$200 to \$50-\$600 to address budget shortfalls in the cost of administering the exam.

Catastrophic wildfire in California is a significant threat to life, public health, infrastructure, private property, and natural resources. This threat has grown in recent years and is likely to continue due to factors such as widespread and unprecedented tree mortality, extensive loading of fuels within the wildland, continued population growth, changing land use patterns, drought, and shifts in climatic conditions. Limiting the impacts of wildfires via reducing high fuel loads and dead and downed fuels in Timberland has become an important focus of the management of Timberland (Agee and Skinner 2005).

To address this threat, California's Wildfire and Forest Resilience Action Plan calls for Utility Related Wildfire Mitigation. As such, forestry within California has expanded to address management of "danger trees" pursuant to 14 CCR § 895, trees along utility corridors that are dead or dying and are at increased risk of triggering wildfire ignitions. Historically, experience as an arborist has not qualified toward requirements necessary to apply to be a Professional Forester but given the expansion of arborist work to include wide-scale assessment of forest tree health and determining which trees must be safely removed, the PFEC decided to allow two years of arboriculture in forested landscapes for public safety as qualifying work experience.

The problems are as follows:

- 1) The application fee for registration for the professional foresters exam does not cover the costs of developing and administering the exam. As a result, the Professional Foresters Registration Fund is slowly losing funds and will be insolvent by 2027.
- 2) Under the current wildfire regime, as well as other factors, the practice of forestry has changed. The current professional foresters regulations' list of qualifying forestry experiences does not reflect all of the pathways by which people currently gain forestry experience.

The purpose of the proposed action is twofold:

- 1) The application fee for registration is increased, pursuant to changes to PRC § 782 by SB 124, to better reflect the actual cost of administering the exam.
- 2) Qualifying forestry experience under Professional Foresters Law is expanded to include additional wildfire protection measures, as well as to provide additional information documenting circumstances where the supervising forester is not employed by the same entity as the applicant.

The effect of the proposed action is that the Professional Foresters Registration Fund is projected to remain solvent after 2027, and that additional applicants will qualify for the Professional Foresters Licensing Exam.

The benefit of the proposed action is an appropriately funded program, with fees reflecting the cost of licensing exam administration, that can continue to license foresters and maintain a licensing program that ensures protection of California's forest resources. It will also allow a more inclusive group of applicants, which reflect California forestry as it responds to an ongoing wildfire crisis.

There is no comparable Federal regulation or statute.

Board staff conducted an evaluation on whether the proposed action is inconsistent or incompatible with existing State regulations pursuant to **GOV § 11346.5(a)(3)(D)**. State regulations related to the proposed action were, in fact, relied upon in the development of the

proposed action to ensure the consistency and compatibility of the proposed action with existing State regulations.

Otherwise, Board staff evaluated the balance of existing State regulations related to measures concerning the Professional Foresters Exam within State regulations that met the same purpose as the proposed action. Based on this evaluation and effort, the Board has determined that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. The proposed regulation is entirely consistent and compatible with existing Board rules.

Statute to which the proposed action was compared: Chapter 8, Part 2, Division 1, Public Resources Code.

Regulations to which the proposed action was compared: Articles 1 and 2, Chapter 10, Division 1.5, Title 14, California Code of Regulations.

MANDATED BY FEDERAL LAW OR REGULATIONS

The proposed action is not mandated by Federal law or regulations.

The proposed action neither conflicts with, nor duplicates, Federal regulations.

There are no comparable Federal regulations concerning conversion of timberland. No existing Federal regulations meeting the same purpose as the proposed action were identified.

OTHER STATUTORY REQUIREMENTS (pursuant to GOV § 11346.5(a)(4))

There are no other matters as are prescribed by statute applicable to the specific State agency or to any specific regulation or class of regulations.

LOCAL MANDATE (pursuant to GOV § 11346.5(a)(5)).

The proposed action does not impose a mandate on local agencies or school districts.

FISCAL IMPACT (pursuant to GOV § 11346.5(a)(6))

There is no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

A local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by the act, within the meaning of Section 17556 of the Government Code.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

The proposed action will not result in costs or savings in Federal funding to the State.

The proposed action will not result in costs to any State agency. The proposed action represents a continuation of existing forest practice regulations related to the conduct of timber operations and will not result in any direct or indirect costs or savings to any state agency.

HOUSING COSTS (pursuant to GOV § 11346.5(a)(12))

The proposed action will not significantly affect housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE (pursuant to GOV §§ 11346.3(a), 11346.5(a)(7) and 11346.5(a)(8))

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states (by making it costlier to produce goods or services in California).

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE RELIED UPON TO SUPPORT INITIAL DETERMINATION IN THE NOTICE THAT THE PROPOSED ACTION WILL NOT HAVE A SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS (pursuant to GOV § 11346.2(b)(5) and GOV § 11346.5(a)(8))

Contemplation by the Board of the economic impact of the provisions of the proposed action through the lens of the decades of contemplating forest practice in California that the Board brings to bear on regulatory development.

STATEMENTS OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT (EIA)

The results of the economic impact assessment are provided below pursuant to **GOV § 11346.5(a)(10)** and prepared pursuant to **GOV § 11346.3(b)(1)(A)-(D)**. The proposed action:

- Will not create jobs within California (GOV § 11346.3(b)(1)(A));
- Will not eliminate jobs within California (GOV § 11346.3(b)(1)(A));
- Will not create new businesses (GOV § 11346.3(b)(1)(B));
- Will not eliminate existing businesses within California (GOV § 11346.3(b)(1)(B));
- Will not affect the expansion or contraction of businesses currently doing business within California (GOV § 11346.3(b)(1)(C));
- Will yield nonmonetary benefits (GOV § 11346.3(b)(1)(D)). The proposed action would maintain funding for the Professional Forester Registration Fund, thereby maintaining a licensed workforce to manage the health of California's forests, improving environmental outcomes. The proposed action will not affect the health and welfare of California residents or worker safety.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS (pursuant to GOV § 11346.5(a)(9))

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. No adverse impacts are to be expected.

BUSINESS REPORT (pursuant to GOV §§ 11346.5(a)(11) and 11346.3(d))

The proposed action does not impose a business reporting requirement.

SMALL BUSINESS (defined in GOV 11342.610)

The proposed regulation may affect small business, though small businesses, within the meaning of GOV § 11342.610, are not expected to be significantly affected by the proposed action.

Small business, pursuant to 1 CCR § 4(a):

- (1) Is legally required to comply with the regulation;
- (2) Is not legally required to enforce the regulation;
- (3) Does not derive a benefit from the enforcement of the regulation;
- (4) May incur a detriment from the enforcement of the regulation if they do not comply with the regulation.

ALTERNATIVES INFORMATION

In accordance with **GOV § 11346.5(a)(13)**, the Board must determine that no reasonable alternative it considers, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attn: Jane Van Susteren
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-8007

The designated backup person in the event Ms. Van Susteren is not available is Andrew Lawhorn, of the Board of Forestry and Fire Protection. Mr. Lawhorn may be contacted at the above address or phone.

AVAILABILITY STATEMENTS (pursuant to GOV § 11346.5(a) (16), (18))

All of the following are available from the contact person:

1. Express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion.
2. Initial Statement of Reasons, which includes a statement of the specific purpose of each adoption, amendment, or repeal, the problem the Board is addressing, and the rationale for the determination by the Board that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed.
3. The information upon which the proposed action is based (pursuant to **GOV § 11346.5(b)**).
4. Changed or modified text. After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text—with the changes clearly indicated—available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full

text as modified, will be sent to any person who testified at the hearings, submitted comments during the public comment period, including written and oral comments received at the public hearing, or requested notification of the availability of such changes from the Board of Forestry and Fire Protection. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

FINAL STATEMENT OF REASONS

When the Final Statement of Reasons (FSOR) has been prepared, the FSOR will be available from the contact person on request.

INTERNET ACCESS

All of the material referenced in the Availability Statements is also available on the Board web site at: <https://bof.fire.ca.gov/regulations/proposed-rule-packages/>