

CHAPTER 60 - DIVISION OF FOREST RESOURCES

SUBCHAPTER 60A - DIVISION ORGANIZATION

02 NCAC 60A .0101 NAME AND ADDRESS

History Note: Authority G.S. 106-22; 143B-10(j);
Eff. February 1, 1976;
Amended Eff. October 2, 1978;
Readopted Eff. November 6, 1980;
Amended Eff. March 1, 1990; October 1, 1984;
Transferred from 15A NCAC 09A .0101 Eff. May 1, 2012;
Expired Eff. October 1, 2015 pursuant to G.S. 150B-21.3A.

02 NCAC 60A .0102 GENERAL PURPOSE OF THE DIVISION

(a) Organization. The division has a line-staff organization with administrative units at the state, regional, district, county and local project levels. The forest protection and management sub-program consists of several continuous activities administered through a 97-county field organization. The forest tree nursery sub-program, centered in three nursery installations, serves the entire state. The forestation sub-program conducts projects from two field headquarters with support from the entire field organization. The state forest sub-program, concentrated in six state-owned forests, provides several functions for other units of the forest service. The technical and administrative support staff sub-program, administered from the director's office serves all of the administrative units of all sub-programs.

(b) Program Scope. The division protects all non-federal forest land in the 97 counties that cooperate with the department from forest fire, insects, and disease, provides forest management and forestation services to all nonindustrial forest landowners on request; distributes nursery grown tree seedlings to all forest owners, administers the state forest system; prevents the obstructions of streams and drainage ditches in woodland areas; coordinates other state, federal, and industrial forestry programs in the state; and provides leadership in forestry policy and in legislative affairs that affect the entire forestry community.

History Note: Authority G.S. 106-22; 106-895; 106-920; 106-1001; 143B-10;
Eff. February 1, 1976;
Readopted Eff. November 6, 1980;
Amended Eff. October 1, 1984;
Transferred from 15A NCAC 09A .0102 Eff. May 1, 2012;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.

02 NCAC 60A .0103 DEFINITIONS

(a) As used in this Chapter:

- (1) Applicant. Any person applying to purchase or otherwise obtain forest tree seed or seedlings from state forest tree nurseries;
- (2) Clonal Material. Vegetative material taken from forest trees in any seed orchard or from any genetically improved tree;
- (3) County Forest Ranger. A ranger who is administratively responsible for a county forestry program;
- (4) Custom Forest Services. All services which utilize approved silvicultural or protection practices to enhance or improve forest and wildlife habitat conditions, and which are performed for a fee designed to cover performance costs;
- (5) Custom Ranger. An employee of the division trained in forestry practices and equipment use;
- (6) Custom Sale. An order for forest tree seedlings accepted prior to the sowing of seed in the nursery;
- (7) District Forester. A forester employee of the division who is responsible for a district unit of the field organization which comprises a group of county programs;
- (8) Department. The Department of Natural Resources and Community Development;
- (9) Director. The Director of the Division of Forest Resources;

- (10) Division. The division of forest resources of the Department of Natural Resources and Community Development;
- (11) Fire Boss. A forest ranger who has official tactical direction of forest fire suppression activities on an individual fire;
- (12) Forest Law Enforcement Officer. Any person holding the legal appointment of forest law enforcement officer;
- (13) Forest Practices. Any activity conducted on forest land for the purpose of growing, harvesting, or processing timber, including, but not limited to:
 - (A) road and trail construction and maintenance,
 - (B) harvesting,
 - (C) precommercial thinning,
 - (D) reforestation,
 - (E) fertilization,
 - (F) prevention and suppression of disease and insect attacks,
 - (G) salvage of trees,
 - (H) brush control,
 - (I) prescribed burning,
 - (J) fire control presuppression measures;
 Forest practices in this context does not include preparatory work, such as tree marking, surveying, and road flagging, nor does it include removal or harvesting of incidental vegetation from forest lands, such as berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot ordinarily be expected to result in damage of forest soils, timber, or public resources;
- (14) Forest Ranger. Any person holding the legal appointment as a forest ranger;
- (15) Forestation Ranger. A supervisory employee of the division's custom forestry program trained in forestry practices and equipment use;
- (16) Local County Forest Ranger. A ranger responsible for division program activities in a geographically identifiable area, but not necessarily restricted to the county forest ranger;
- (17) Management Forester. A forester employee of the division whose primary duty assignments are in the forest management program;
- (18) Nursery and Tree Improvement Forester. A forester employee of the division who is responsible for the nursery and tree improvement programs;
- (19) Person. Any natural person, corporation, company, association, joint stock association, firm or co-partnership;
- (20) Secretary. The Secretary of the Department of Natural Resources and Community Development;
- (21) Staff Committee. An appointed group of staff employees of the department with a specific assignment of authority and responsibility over and above the regular work assignments of the individual employees.

(b) The definitions and terms used in this Chapter are developed to provide a clear meaning of each term. All technical forestry terms are in agreement with the terminology as detailed in "Terminology of Forest Science, Terminology Practice and Products," Washington, D.C., Society of American Foresters, 1971.

(c) Other definitions relating to specific sections are included in 15A NCAC 09C .0802 and .0901.

History Note: Authority G.S. 106-22; 143B-10(j); Eff. February 1, 1976; Amended Eff. October 2, 1978; Readopted Eff. November 6, 1980; Amended Eff. October 1, 1984; Transferred from 15A NCAC 09A .0104 Eff. May 1, 2012; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015.