

# **PUBLIC RESOURCES CODE**

## **SECTION 4799.06-4799.12**

**4799.06.** This chapter shall be known and may be cited as the California Urban Forestry Act of 1978.

**4799.07.** The Legislature finds and declares that:

(a) Trees serve as a vital resource in the urban environment and as an important psychological link with nature for the urban dweller.

(b) Trees are a valuable economic asset in our cities. They help maintain or increase property values and attract business and new residents in urban areas.

(c) Trees play an important role in energy conservation by the modification of temperature extremes, humidity, and winds. This role is particularly important in reducing the amount of energy consumed in heating and cooling buildings and homes, and potentially in producing a local fuel and energy source.

(d) Trees directly reduce air pollution by removing airborne particulates from the atmosphere and helping to purify the air.

(e) Trees also help reduce noise, provide habitat for songbirds and other wildlife, reduce surface runoff and protect urban water resources, and enhance the aesthetic quality of life in the city.

(f) Growing conditions in urban areas for trees and associated plants have worsened so that many California cities are now losing more trees than are replaced.

**4799.08.** The purpose of this chapter is to:

(a) Arrest the decline of our urban forest resources, facilitate the planting of trees in the city, and improve the quality of the environment in urban areas through establishment and improved management of urban forest resources.

(b) Facilitate the creation of permanent jobs in tree maintenance and related urban forestry activities in neighborhood, local, and regional urban areas.

(c) Maximize the potential of tree and vegetative cover in reducing energy consumption and producing fuel and other products.

(d) Encourage the coordination of state and local agency activities in urban forestry and related programs and encourage maximum citizen participation in their development and implementation.

(e) Prevent the introduction and spread within this state of the Dutch elm disease caused by the fungus *Ceratocystis ulmi* and to reduce or eliminate the loss of elm trees resulting from the disease.

(f) Prevent infestations and spread of pine pitch canker within this state, and to reduce the loss of pine trees resulting from the pitch canker disease.

**4799.09. As used in this chapter:**

(a) "Urban forestry" means the cultivation and management of trees in urban areas for their present and potential contribution to the physiological, sociological, and economic well-being of urban society.

(b) "Urban forest" means those native or introduced trees and related vegetation in the urban and near-urban areas including, but not limited to, street trees, park trees, residential trees, natural riparian habitats, and trees on other private and public properties.

(c) "Urban area" means an urban place, as that term is defined by the United States Department of Commerce, of 2,500 or more persons.

**4799.10. (a)** The department may implement a program in urban forestry to encourage better tree management and planting in urban areas, to assist the cities in seeking innovative solutions to problems such as tree maintenance and vandalism, to encourage demonstration projects to maximize the benefits of urban forests, and to otherwise accomplish the purposes of this chapter.

The department shall assume the primary responsibility in carrying out the intent of this chapter in cooperation with other private and public entities or persons and appropriate local, state, and federal agencies such as the Cooperative Extension, the Department of Parks and Recreation, the Department of Transportation, resource conservation districts, and the United States Forest Service.

(b) The department shall be the agent of the state and shall have full power to cooperate with those agencies of the federal government which have powers and duties concerning urban forestry, and shall perform all things necessary to secure for this state the benefits of federal urban forestry programs.

To facilitate implementation of this chapter, the director may enter into agreements and contracts with any public or private organization including local agencies having forestry-related jurisdictional responsibilities and established and operating urban forestry programs. The director shall consult with those agencies when carrying out this chapter in their respective areas.

(c) The director shall take all steps necessary to prevent or retard the introduction, establishment, and spread of the Dutch elm disease including the detection and removal of infected and high-hazard elm trees.

(d) The director may enter into agreements with any local agency to prevent or retard the introduction, establishment, and spread of the eucalyptus longhorn borer and pine pitch canker, including the detection and removal of infected and high-hazard eucalyptus and pine trees. The agreements shall assure that the department will not need additional funds to participate in the program.

(e) The department and the Department of Food and Agriculture shall cooperate in setting quarantine boundary lines and in enforcing the provisions relating to quarantine and pest abatement contained in Division 4 (commencing with Section 5001) of the Food and Agricultural Code when a quarantine is established with regard to the Dutch elm disease.

(f) The department may use available recipients of the Aid to Families with Dependent Children or General Assistance Program who are participating in state or county work experience programs for carrying out the purposes of this chapter. The participation of registrants for the Greater Avenues of Independence program, under Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of

Division 9 of the Welfare and Institutions Code, shall be consistent with their participant contract requirements. Persons being used by the department pursuant to this subdivision shall not be in the same crew as persons being used pursuant to subdivision (g).

(g) Whenever it is feasible to do so, the department may utilize inmates and wards assigned to conservation camps in implementing this chapter.

4799.11. (a) The department shall provide technical assistance to urban areas with respect to:

(1) Planning for regional, county, and local land use analysis projects related to urban forestry.

(2) Preparation of urban tree plans and the selection of trees in large-scale landscaping and reforestation efforts.

(3) Development and coordination of training programs for neighborhood and local agency tree planting and maintenance crews.

(4) Advice to cities, counties, districts, and regional entities, homeowner neighborhood groups, and nonprofit organizations on tree disease, insect problems, tree planting, and maintenance.

(5) The role of forest ecology in planning for the future of urban areas, including air quality, watershed problems, and energy conservation.

(6) Retention of native trees and riparian habitats.

(7) Any other matter relating to the purposes of this chapter.

(b) The department and other state agencies are also authorized to assist local tree maintenance programs by making surplus equipment available on loan where feasible for regional and local urban forestry, including nonprofit organizations involved in urban tree care.

4799.12. The director, with advice from other appropriate state agencies and interested parties, may make grants to provide assistance of 25 to 90 percent of project cost for projects meeting guidelines established by the board upon recommendation by the director. The board shall establish such guidelines by December 31, 1979. Grants may be made to cities, counties, districts, and nonprofit organizations. Contributions required as a condition of grants made pursuant to this section may be made in the form of material, services, or equipment, as well as funds. Authorized assistance shall include:

(a) Funding for development of urban tree plans which include coordination of local agency efforts and citizen involvement.

(b) Provision of seedling and tree stock.

(c) Funding and other assistance for demonstration projects in urban forestry with special attention given to energy conservation and wood and fiber utilization projects.

(d) Other categories of projects recommended by the director and approved by the board.