



County of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

(831) 454-2200 FAX: (831) 454-3262 TDD: (831) 454-2123

JANET K. BEAUTZ
FIRST DISTRICT

WALTER J. SYMONS
SECOND DISTRICT

MARDI WORMHOUDT
THIRD DISTRICT

TONY CAMPOS
FOURTH DISTRICT

JEFF ALMQUIST
FIFTH DISTRICT

AGENDA: 4/13/99

April 5, 1999

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: AB 748 (KEELEY) - FEES FOR TIMBER HARVESTING PLANS

Dear Members of the Board:

One of our State Assembly representatives, Fred Keeley, has introduced AB 748, which requires the State Department of Forestry and Fire Protection to charge a fee to applicants for timber harvest plans sufficient to cover the full costs of processing the applications and enforcing the plans. A copy of the bill and an explanatory news release are attached.

AB 748 would remove the public subsidy currently provided those wishing to harvest timber in the state. This Board has long recognized the fairness in charging those wishing to develop in our County the costs for processing their development permits. Especially in light of the high market value of timber at this time, it is reasonable that the timber harvesting industry also pay the costs of processing their applications.

Accordingly, I recommend that the Board of Supervisors take the following actions:

1. Adopt the attached resolution supporting the passage of Assembly Bill 748.
2. Direct the Clerk of the Board to distribute the resolution as indicated.

BOARD OF SUPERVISORS
April 5, 1999
Page 2

3. Direct the County Administrative Officer to place the Bill in our legislative tracking system.

Sincerely,

A handwritten signature in black ink that reads "Mardi Wormhoudt". The signature is written in a cursive, slightly slanted style.

MARDI WORMHOUDT, Supervisor
Third District

MW:ted
Attachments

cc: Assembly Member Keeley
Assembly Member Frusetta
Senator McPherson
Governor Davis

1036H3

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO.

On the motion of Supervisor
duly seconded by Supervisor
the following resolution is adopted

RESOLUTION IN SUPPORT OF ASSEMBLY BILL 748 (KEELEY)

WHEREAS, Assembly Bill 748 would require the Department of Forestry and Fire Protection (CDF) to charge fees to persons submitting timber harvesting plans sufficient to pay the full costs of processing and enforcing these plans; and

WHEREAS, under the current system, the general taxpayers subsidize the costs for processing and enforcing timber harvesting plans; and

WHEREAS, the timber harvesting plan process is a substitute for the normal environmental review required under the California Environmental Quality Act (CEQA); and

WHEREAS, normally applicants for projects under CEQA pay the costs of environmental review; and

WHEREAS, current policy is based on the reasonable principle that applicants will enjoy a private financial benefit from the project and should, therefore, pay the costs of processing their applications; and

WHEREAS, CDF reviews an average of 1,240 timber harvest plans a year at an approximate cost to the taxpayers of \$10 million a year; and

WHEREAS, sufficient funding for timber harvest plan review paid for by applicant fees will assure more adequate review of these plans; and

WHEREAS, AB 748 will serve the interests of the citizens of Santa Cruz County and the citizens of the State of California.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Santa Cruz County hereby supports AB 748 and urges its passage.

RESOLUTION IN SUPPORT OF ASSEMBLY BILL 748
Page 2

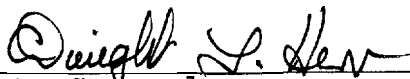
PASSED AND ADOPTED **by** the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of _____, 1999, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS

JEFF ALMQUIST, Chairperson
Board of Supervisors

ATTEST: _____
Clerk of said Board

Approved as to form:



County Counsel

DISTRIBUTION: Assembly Member Fred Keeley
Assembly Member Peter Frusetta
Senator Bruce McPherson
Governor Gray Davis

1036H3

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL**No. 748****Introduced by Assembly Member Keeley**

February 24, 1999

An act to add Section 4592.5 to the Public Resources Code, relating to forest practices.

LEGISLATIVE COUNSEL'S DIGEST

AB 748, as introduced, Keeley. Timber 'harvesting plans: f e e s .

Existing law, the Z'berg-Nejedly Forest Practice Act of 1973, prohibits a person from conducting timber operations, as defined, until the person files a timber harvesting plan with the Department of Forestry and Fire 'Protection in accordance with specified requirements.

This bill would prohibit the department from accepting for review or approving a timber harvesting plan until such time that the person submitting the plan has paid a fee to the department that is sufficient to compensate the department, the appropriate California regional water quality control board, the Department of Fish and Game, and the Division of Mines and Geology for any costs incurred by those agencies in connection with the administration and enforcement of laws governing timber harvesting plans, as specified. The bill 'would require the department to adopt a schedule of timber harvesting plan filing fees, as prescribed.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

AB 748

— 2 —

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4592.5 is added to the Public
2 Resources Code, to read:
3 4592.5. The department shall not accept for review or
4 approve a timber harvesting plan until such time that the,
5 person submitting the plan has paid a fee to the
6 department that is sufficient to compensate the
7 department, the appropriate California regional water
8 quality control board, the Department of Fish and Game,
9 and the Division of Mines and Geology for any costs
10 incurred by those agencies in connection with the
11 administration and **enforcement** of this article, including,
12 but not limited to, the 'costs of promulgating regulations,
13 monitoring compliance, and reviewing and approving
14 timber harvesting plans. The department shall adopt a
15 schedule of timber harvesting plan filing fees that are
16 adequate to meet the requirements of this section. The
1 7 department shall base the amount of those fees on the
18 total amount of timber proposed to be, removed under a
19 timber harvesting plan and the total acreage of land upon
20 which timber is proposed to be harvested.

Assembly
California Legislature
FRED KEELEY
Speaker pro Tem



W 245

NEWS RELEASE

FOR IMMEDIATE RELEASE
March 11, 1999

CONTACT: Fred Keeley
9 16-3 19-2027

Keeley Introduces Legislation to End Public Subsidy of Timber Industry

SACRAMENTO -- Speaker pro Tem Fred Keeley (D-Boulder Creek) has introduced legislation to end the public subsidy of private timber harvesting in California.

Under current state law, timber harvesting may not occur until the California Department of Forestry (CDF) approves a timber harvest plan (THP). The timber harvest plan process is designed to provide review of harvesters' plans as to harvest volume, location, cutting method, erosion control, and wildlife habitat protection. Review of timber harvest plans by CDF is currently paid for entirely by the public.

Keeley's bill, AB 748, would shift the cost of review of timber harvest plans from the taxpayers to the timber industry.

The THP process is, under law and regulation, a substitute for environmental impact reports (EIR's) required by the California Environmental Quality Act (CEQA). In the case of EIR's under CEQA, the applicant for a subdivision, commercial center or other development pays the cost of the processing of their permit. The policy basis for this is that the applicant will enjoy a private financial benefit from project approval.

DISTRICT OFFICE
SANTA CRUZ COUNTY
701 OCEAN STREET
SUITE # 316-B
SANTA CRUZ, CA 95060
PHONE: (631) 425-1503
FAX: (831) 425-2570

CAPITOL OFFICE
STATE CAPITOL, P.O. BOX 942649
SACRAMENTO, CA 94249-0001
PHONE: (916) 319-2027
FAX: (916) 319-2127

<http://www.assembly.ca.gov/damweb/members/a27/>



Printed on Recycled Paper

DISTRICT OFFICE
MONTEREY COUNTY
CSU-MONTEREY BAY
100 CAMPUS-CENTER, BLDG. 56
SEASIDE, CA 93955
PHONE: (631) 384-1980
913

FAX: (631) 384-291

40

“The current situation is a public subsidy of an activity that is of clear commercial benefit to the timber industry. Each time a timber company wants to cut down a new stand of trees, the public pays the cost of the processing of their proposal,” Keeley said.

“This is an example of corporate welfare. You or I would have to pay to get a permit to add a deck to our homes, yet timber harvesters get the processing of their ‘permits’ paid for by the public,” Keeley continued.

CDF currently reviews an average of 1,240 timber harvest plans each year at an approximate cost to the taxpayers of \$10 million dollars a year. Over 7,824,000 acres of timber in California are subject to THP review by CDF.

“It’s about time that the free ride for the timber industry ended. They should start paying for review of their projects just like everyone else,” said Elizabeth Herbert of Citizens for Responsible Forest Management.

AB 748 will prohibit CDF from reviewing or approving a THP until the submitter of the plan has paid a fee that is sufficient to compensate CDF, as well as the other governmental agencies that play a role in reviewing timber harvest plans.

“Through this process, I hope to ensure more adequate review of THPs by the Department of Fish and Game, Water Quality Control Boards and the Division of Mines and Geology. Currently, these agencies are given a role in review of THPs but they are so lacking in adequate funding that it is virtually impossible for them to complete an adequate environmental review,” said Keeley.

END