MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: RESOLUTION FILE

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Off Agenda Items from September 17, 2002
Resolution No. 02-352, 02-353, 02-354, -02-355, and 02-356

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on September 17, 2002

ACTION AND VOTE:

Off agenda items: Supervisor Pickard advised of request for off-agenda action to approve letters supporting AB 1282/health care services, and AB2630/airport project funding. Supervisor Stewart advised of request for off-agenda action to approve letters relative to S.2640/YARTS, advising that he had scheduled this matter for September 24th; however, he just found out that a hearing was scheduled for Congress this week on this matter. Supervisor Balmain advised of a request for off-agenda action to approve a letter opposing SB1828/Native American tribe’s veto power over the use of non-tribal lands. (M)Pickard, (S)Balmain, the Board waived rules requiring 72 hours agenda noticing to consider these requests, finding action is a matter of timeliness as the legislation is pending consideration of the Governor and Congress. Discussion was held relative to the request to waive the rules. Supervisor Reilly expressed concern with taking action to waive the rules to consider these matters as the legislation has been in process since January, and she feels it should be noticed to the public. Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly.

- Supervisor Pickard initiated discussion relative to AB1282 (Cardoza), which would require the Department of Managed Health Care to adopt regulations that establish an extended geographic accessibility standard for access of health care providers served by a health care service plan in counties with a population of less than 500,000, and would require a health service plan to hold a public meeting if it intends to withdraw coverage from that county. Trudy Williams, speaking as a citizen, urged the Board to support this legislation as the health insurance situation affects the citizens, and has personally affected her family’s coverage. (M)Pickard, (S)Balmain, Res. 02-352 was adopted supporting AB1282, with direction for a letter to be sent to the Governor/Ayes: Unanimous.

- Supervisor Pickard initiated discussion relative to AB2630 (Cogdill), which may be able to assist the County in further developing our rural airport security projects through the Federal Aviation Administration
Grant Funds. (M)Pickard, (S)Balmain, Res. 02-353 was adopted supporting AB2630, with direction for a letter to be sent to the Governor/Ayes: Unanimous.

- Supervisor Stewart initiated discussion relative to S.2640 (Feinstein), which would allow Yosemite National Park the same funding considerations for transportation systems as those allowed Zion National Park. Supervisor Reilly noted that this legislation is also for the school funding which the Board previously took action on. (M)Reilly, (S)Pickard, Res. 02-354 was adopted supporting S.2640, with direction for letters to be sent to Senator Murkowski and Senator Bingaman/Ayes: Reilly, Balmain, Stewart, Pickard; Abstained: Parker.

- Supervisor Balmain initiated discussion relative to SB1828 (Burton), which would provide Native American tribes veto power over the use of non-tribal lands. (M)Parker, (S)Balmain, Res. 02-355 was adopted opposing SB1828, with direction for a letter to be sent to the Governor requesting his veto of this bill/Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly.

- Supervisor Balmain advised of request for another off-agenda item to approve a letter supporting AB1776, which would give local governments in specified small counties the ability to fill vacancies on their Board of Supervisors by appointment or special election 180 days after the date the vacancy occurred if the Governor has not made an appointment. (M)Balmain, (S)Pickard, Board waived rules requiring 72 hours agenda noticing to consider this matter finding action is a matter of timeliness as this legislation is pending the Governor’s consideration/Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly. Discussion was held relative to the request to waive the rules. Supervisor Reilly expressed concern with waiving the rules to consider this matter. Motion by Balmain to support AB1776, was held for the following input. Trudy Williams, speaking as a constituent, stated she feels that as a voter and as a taxpayer of the County, the best way is to hold an election. However, she questioned how expensive that would be. She further stated that speaking as a private citizen, she does not support the legislation. (M)Balmain, (S)Pickard, Res. 02-356 was adopted supporting AB1776, with direction for a letter to be sent to the Governor. Supervisor Reilly expressed concern that the legislation goes beyond providing for an opportunity for a special election. Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly.

cc: File
September 18, 2002

The Honorable Gray Davis  
Governor of the State of California  
State Capitol  
Sacramento, CA 95814

RE: Senate Bill 1828 (Burton) – Request Your Veto

Dear Governor Davis,

On behalf of the Board of Supervisors of Mariposa County, I respectfully request that you veto Senate Bill 1828.

This bill would provide Native American tribes veto power over the use of non-tribal lands. Their veto authority over CEQA projects, including Timber Harvest Plans (THP’s) would be greater than any other group, including locally elected officials. Native American tribes are already consulted and their specific archeological sites are protected prior to project approval by the California Department of Forestry and Fire Protection.

The effects of this bill in regards to harvesting timber on private property concern us. I urge you to veto this legislation and thank you in advance for your support.

Sincerely,

Robert C. Stewart  
Chair  
Mariposa County Board of Supervisors

cc: Bill Denison, Supervisor District 3, Plumas County

RCS/pm
Fax

To: Governor Davis
From: Patricia Moretti, Deputy Clerk of the Board
Fax: 916-445-4633
Pages: 3 including cover sheet
Phone: Date: 09/18/02
Re: CC:

XX Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Requests on Legislation Action
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Total 0'48" Pages Sent: 3 Pages Printed: 0

Fax

From: Patricia Moret, Deputy Clerk of the Board
Tel: 916-445-4633
Fax: 916-445-4633
Date: 09/18/02

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Requests or Legislation Action
September 18, 2002

The Honorable Gray Davis
Governor of the State of California
State Capitol
Sacramento, CA 95814

RE: Senate Bill 1828 (Burton) – Request Your Veto

Dear Governor Davis,

On behalf of the Board of Supervisors of Mariposa County, I respectfully request that you veto Senate Bill 1828.

This bill would provide Native American tribes veto power over the use of non-tribal lands. Their veto authority over CEQA projects, including Timber Harvest Plans (THP’s) would be greater than any other group, including locally elected officials. Native American tribes are already consulted and their specific archeological sites protected prior to project approval by the California Department of Forestry and Fire Protection.

The effects of this bill in regards to harvesting timber on private property concern us. Being a rural county, I urge you to veto this legislation and thank you in advance for your support.

Sincerely,

Robert C. Stewart
Chair
Mariposa County Board of Supervisors

RCS/pm
The Honorable Gray Davis
Governor of the State of California
State Capitol
Sacramento, CA 95814

Subject: Senate Bill 1828 (Burton) – Request Veto

Dear Governor Davis:

SB 1828 is on your desk for consideration and I respectfully request that you veto the bill. This bill would provide Native American tribe veto power over the use of non-tribal lands. Their veto authority over CEQA projects, including Timber Harvest Plans (THP’s) would be greater than any other group, including locally elected officials. Native American tribes are already consulted and their specific archeological sites protected prior to project approval by California Department of Forestry and Fire Protection. Unfortunately, it has been evident that some Native American groups still consider entire mountains and even mountain ranges and rivers to be sacred. SB 1828 will jeopardize the approval of hundreds of THP’s each year and result in lost time and high legal costs for private landowners. This legislation presents uncertainty that encourages the sale of productive, sustainable timber growing businesses that provide important products, jobs and community stability. They are forced to be “willing seller’s” to “nature conservancies” that are waiting to buy these distressed properties. The conservancy limits the use of the property, removes the property from the tax rolls and families, communities, the counties, California and our nation are the losers.

I am a Professional Licensed Forester (PLF) and served as President and CEO for California Forestry Association prior to changing careers. I know that private landowners are dependent upon the assumption that if they meet the CEQA requirements that are prepared by a licensed professional forester and reviewed by a multi-agency team, their THP will be approved. SB 1828 removes that certainty.

I can assure you Governor Davis, if the intent of California is to stop the harvesting of timber on private property, as has been accomplished on federal lands by the same people that have pushed this bill, then signing of SB 1828 is appropriate. However, assuming that you are expecting business to help put our State of California back into a balanced budget, you will protect the threat to private property rights posed in this bill and veto SB 1828.

I respectfully thank you in advance for that important decision.

Sincerely,

Bill Dennison
Plumas County Supervisor; District 3