

DEPARTMENT: Administration

BY: Rick Benson

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: Ratify letter by the Board Chairman transmitting comments regarding the proposed State Responsibility Area (SRA) fees to the California Board of Forestry and Fire Protection.

The California Board of Forestry and Fire Protection is in the process of reviewing the proposed State Responsibility Area fees for fire prevention. They are proposing to move the fees through the process as emergency item. This would allow for limited public comment as opposed to the normal process.

The Regional Council of Rural Counties requested that all member counties submit comments regarding this action. However, due to the emergency designation there was not adequate time to prepare a letter and submitted to your Board for approval. Therefore, the attached letter was prepared and submitted by the Board Chairman on behalf of Mariposa County. It is requested that your Board approve this letter.

BACKGROUND AND HISTORY OF BOARD ACTIONS In instances when there is a perceived consensus of the Board and there is not adequate time to acquire Board approval the Board Chairman has commented on pending legislation on behalf of the County. These comments are then submitted for ratification after the fact.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: If the attached letter is not approved it will be rescinded.

Financial Impact? () Yes () No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$		List Attachments, number pages consecutively
Additional Funding Needed: \$		Letter to California Board of Forestry and Fire Protection
Source:		
Internal Transfer		
Unanticipated Revenue	_____ 4/5's vote	
Transfer Between Funds	_____ 4/5's vote	
Contingency	_____ 4/5's vote	
() General () Other		

CLERK'S USE ONLY:

Res. No.: 11-596 Ord. No. _____
 Vote - Ayes: 5 Noes: _____
 Absent: _____ Abstained: _____
 Approved
 Minute Order Attached No Action Necessary

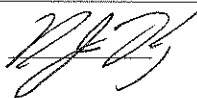
COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments: _____

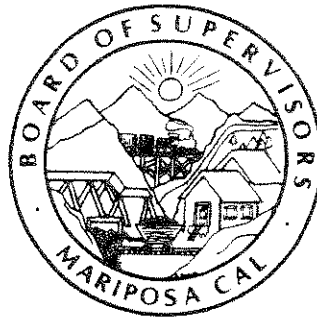
The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
 Attest: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California

By: _____
 Deputy

CAO: 

Mariposa County Board of Supervisors



RICHARD J. BENSON
County Administration Officer

MARGIE WILLIAMS
Clerk of the Board

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District 2 LYLE TURPIN
District 3 JANET BIBBY
District 4 KEVIN CANN
District 5 JIM ALLEN

December 1, 2011

George Gentry, Executive Officer
California Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94424-2460

Dear Mr. Gentry,

As a rural area, the people of Mariposa County have a keen interest in the proposed fee for properties within the State Responsibility Area (SRA) of CalFire. Most of Mariposa County is in the SRA.


The proposed fee is being considered as an emergency measure. By doing so, your committee will have the ability to take action at an accelerated pace with very limited public input. We are of the opinion that there is not a need to categorize this fee for fire prevention services as an emergency. Given that this fee will have an impact on nearly every California resident living in a rural area, we believe that the public should be given the opportunity to become fully informed and contribute to the decision-making process.

This Board and our citizens also have questions regarding the use of these funds for fire prevention services and how that will impact Mariposa County. While CalFire plays an important role in fire prevention activities, many efforts are coordinated locally. Substantial activities are coordinated through our local fire department and with the local Fire Safe Council. We are unsure that a new fee of this magnitude can be justified for CalFire fire prevention services.

Finally, we have concerns regarding the appropriateness of this fee. It appears to cross the line between what is truly a fee and what should be more properly characterized as a tax. We recognize the State's need to fund its programs, but if this proposal has not been fully vetted it will surely be challenged. If challenges are successful it will leave the State in an even less desirable financial position. By having a traditional, rather than an accelerated, public input process the likelihood of successful future challenges may be reduced.

Therefore, the Mariposa County Board of Supervisors respectfully requests that the California Board of Forestry and Fire Protection use the 180 day window to enter into a more comprehensive rulemaking process allowing for meaningful public participation in the development of permanent regulations.

Sincerely,



Jim Allen
Chairman

cc: Board of Supervisors, RCRC