

Please support Senate Bill 711 by writing a letter to your senator with copies to Senator Sheila Kuehl and Governor Gray Davis (State Capitol, Sacramento, CA 95814). Following is an abridged version of the bill –the full bill is available on-line at <http://www.assembly.ca.gov/acs/acsframeset2text.htm>

SB 711 (Kuehl)

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 21080.06 is added to the Public Resources Code, to read:

21080.06. (a) This division applies to an action by the State Board of Forestry and Fire Protection for conversion of timberland, as defined in Section 4526 and as required under Article 9 (commencing with Section 4621) of Chapter 8 of Part 2 of Division 4, and for conversion of oak woodlands, as defined in subdivision (h) of Section 1361 of the Fish and Game Code.

(b) (1) On or before January 1, 2005, the Department of Forestry and Fire Protection shall adopt regulations pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code to implement subdivision (a), and for the department to issue a permit for the conversion of oak woodlands.

(2) The regulations may specify the conditions under which the conversion of 50 acres or less of oak woodlands would not have a significant effect on the environment, and the conditions under which the conversion of three acres or less of oak woodlands would not be subject to this section.

(3) The regulations shall provide alternatives that comply with this division for mitigating the conversion of timberland under subdivision (b) of Section 4628.

(4) (A) The regulations shall provide alternatives for mitigating the conversion of timberland and oak woodlands that comply with this division.

(B) An alternative for mitigating the conversion of timberland pursuant to subparagraph (A) shall include a monetary contribution to the California Forest Legacy Program established under Division 10.5 (commencing with Section 12200) that would be expended pursuant to the California Forest Legacy Program Act of 2002 and the guidelines and criteria of the Wildlife Conservation Board, provided that all of the following conditions are met:

(i) The mitigation is consistent with this division and includes at least the same amount as, and provides equivalent biological value as, the acreage proposed for conversion.

(ii) The landowner provides funds for an appraisal approved by the department and for acquisition and management of the timberland.

(iii) The landowner's monetary contribution is received prior to final approval of the timberland conversion application.

(C) An alternative for mitigating the conversion of oak woodlands under subparagraph (A) shall include a monetary contribution to the Oak Woodlands Conservation Fund, as established under subdivision (a) of Section 1363 of the Fish and Game Code, for the purposes specified under subdivision (d) of that section and the guidelines and criteria of the Wildlife Conservation Board, provided that all of the following conditions are met:

(i) The mitigation is consistent with this division and includes at least the same amount as, and provides equivalent biological value as, the acreage proposed for conversion.

(ii) The landowner provides funds for an appraisal approved by the department and for acquisition and management of the oak woodlands.

(iii) The landowner's monetary contribution is received prior to final approval of the oak woodlands conversion application.

(c) This section, and the regulations adopted pursuant to this section, may not be construed as a limitation on the power of a public agency to comply with this division or any other provision of law.

All matter omitted in this version of the bill appears in the bill as introduced in the Senate, February 21, 2003 (JR 11)