



Jennifer Burns <jburns@amadorgov.org>

Fwd: Assembly Bill 1066 and Senate Bill 265

1 message

Richard Forster <rforster@amadorgov.org>
To: Jennifer Burns <jburns@amadorgov.org>

Wed, Jul 5, 2017 at 11:07 AM

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From: **Staci Heaton** <sheaton@rcrcnet.org>

Date: Wed, Jul 5, 2017 at 8:32 AM

Subject: Assembly Bill 1066 and Senate Bill 265

To: T Riggs <triggs@co.tuolumne.ca.us>, Jennifer Montgomery <jmontgomery@placer.ca.gov>, John McEldowney <JMcEldow@placer.ca.gov>, Kevin Packard <kpackard@mariposacounty.org>, "Michael C. Oliveira" <mcoliveira@co.calaveras.ca.us>, Randy Hanvelt <ghanvelt@co.tuolumne.ca.us>, Richard Forster <rforster@amadorgov.org>, "Rodriguez, Young" <yrodrigu@placer.ca.gov>, "Rush, Bret" <brush@co.fresno.ca.us>, "jgletne@co.kern.ca.us" <jgletne@co.kern.ca.us>, Kevin Cann <kcann@mariposacounty.org>, "Pomaville, David@Fresno County" <dpomaville@co.fresno.ca.us>, Brittany Dyer <Brittany.Dyer@co.madera.ca.gov>, Deborah Poochigian <district5@co.fresno.ca.us>

Good morning, TMTF County family!

I have some good news on the legislative front involving both Assembly Bill 1066 and Senate Bill 265.

First, AB 1066, the legislation by Assemblymember Aguiar-Curry that would make tree removal activities subject to prevailing wage under the Public Works code, has officially been amended to narrow the scope of the bill to tree removal activities that occur in conjunction with an existing public works project that is already subject to prevailing wage. I've attached the amended version, and RCRC has formally removed our concerns from the bill. We worked with a few other stakeholders as well as some agency folks to get this accomplished, so standalone tree removal projects are no longer included in this definition.

In addition, Assemblymember Aguiar-Curry has also agreed to co-author Senate Bill 265, Senator Berryhill's bill to reduce the CDAA match for Tuolumne County to 10% for tree mortality projects. Her co-authorship has also brought the very helpful amendment of opening the bill up to all counties included in the Governor's Emergency Proclamation, so the bill is now opened up to all the high hazard counties. The bill will be moving to the Assembly Appropriations Committee next, so it would be EXTREMELY helpful if you could get letters of support into the committee to get it to the Assembly floor. An important point to make is that the CDAA funds have already been appropriated, so reducing the match doesn't actually cost the state any additional funds—it simply gives more counties the opportunity access the funds by making the match more manageable. I've also attached the amended version of SB 265. RCRC will be sending a letter of support as well.

Let me know if you have any questions or need more info.



July 5, 2017

The Honorable Tom Berryhill
Member, California State Senate
State Capitol, Room 3067
Sacramento, CA 95814

RE: Senate Bill 265 – SUPPORT

Dear Senator Berryhill,

The Amador County Board of Supervisors wholeheartedly supports your Senate Bill 265 and appreciates it being coauthored by Assembly Member Aguiar-Curry.

SB 265 will allow counties affected by the tree mortality crisis to have access to additional funding. The state share increase from 75% to 90% for the removal of dead and dying trees in connection with the Governor's Proclamation of a State of Emergency issued on October 30, 2015 is warranted because of the danger to the citizens of California who travel on the county roadways. Counties are working hard to remove trees that pose a dangerous situation for the traveling public, but the resources to do the job are dwindling because of the magnitude of the problem.

We thank you and Assembly Member Aguiar-Curry for recognizing that counties affected by the tree mortality issue are in need of additional assistance to deal with this situation as more trees are identified as dead or dying at every periodic survey. The tree mortality crisis is a California problem and all citizens of the state who visit the affected counties are subject to peril if the affected trees are not timely removed.

Amador County also urges support by all legislators for SB 265 to ensure continued efforts by counties as they deal with this crisis.

Sincerely,

Richard M. Forster, Chairman
Amador County Board of Supervisors

cc: The Honorable Assembly Member Cecilia Aguiar-Curry
Rural County Representatives of California
California State Association of Counties

AMENDED IN ASSEMBLY JUNE 29, 2017

SENATE BILL

No. 265

Introduced by Senator Berryhill
(Principal coauthor: Assembly Member Bigelow)
(Coauthor: Assembly Member Aguiar-Curry)

February 8, 2017

An act to amend Section 8686 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 265, as amended, Berryhill. Disaster relief.

The California Disaster Assistance Act provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified events for which the state share is up to 100% of state eligible costs.

This bill would provide that the state share for the removal of dead and dying trees in ~~the County of Tuolumne~~ *connection with the Governor's Proclamation of a State of Emergency issued on October 30, 2015*, is no more than 90% of total state eligible costs.

~~This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Tuolumne.~~

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

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

1 SECTION 1. Section 8686 of the Government Code is amended
2 to read:

- 1 8686. (a) For any eligible project, the state share shall amount
2 to no more than 75 percent of total state eligible costs.
- 3 (b) Notwithstanding subdivision (a), the state share shall be up
4 to 100 percent of total state eligible costs connected with the
5 following events:
- 6 (1) The October 17, 1989, Loma Prieta earthquake.
7 (2) The October 20, 1991, East Bay fire.
8 (3) The fires that occurred in southern California from October
9 1, 1993, to November 30, 1993, inclusive.
10 (4) The January 17, 1994, Northridge earthquake.
11 (5) Storms that occurred in California during the periods
12 commencing January 3, 1995, and February 13, 1995, as specified
13 in agreements between this state and the United States for federal
14 financial assistance.
15 (6) The storms that occurred in California in December 1996
16 and early January 1997, as specified in agreements between this
17 state and the United States for federal financial assistance.
18 (7) The winter storms and flooding that occurred from February
19 1, 1998, to April 30, 1998, inclusive, as specified in agreements
20 between this state and the United States for federal financial
21 assistance.
22 (8) The wildfires that occurred in southern California
23 commencing October 21, 2003, as specified in agreements between
24 this state and the United States for federal financial assistance.
25 (9) The December 22, 2003, San Simeon earthquake, as
26 specified in agreements between this state and the United States
27 for federal financial assistance.
28 (10) The severe storms, flooding, debris flows, and mudslides
29 that occurred during December 27, 2004, to January 11, 2005,
30 inclusive, in southern California, as specified in agreements
31 between this state and the United States for federal financial
32 assistance.
33 (11) The severe storms, flooding, landslides, and mud and debris
34 flows that occurred in southern California during the period from
35 February 16, 2005, to February 23, 2005, inclusive, as specified
36 in agreements between this state and the United States for federal
37 financial assistance.
38 (12) The severe storms, flooding, mudslides, and landslides that
39 occurred in northern California during the period from December
40 17, 2005, to January 3, 2006, inclusive, as specified in agreements

1 between this state and the United States for federal financial
2 assistance.

3 (13) The severe storms and flooding that occurred in northern
4 and central California during the period from March 29, 2006, to
5 April 16, 2006, inclusive, as specified in agreements between this
6 state and the United States for federal financial assistance.

7 (c) Notwithstanding subdivisions (a) and (b), the state share
8 shall be up to 90 percent of total state eligible costs connected with
9 the removal of dead and dying trees ~~in the County of Tuolumne:~~
10 *pursuant to the Governor's Proclamation of a State of Emergency*
11 *issued on October 30, 2015.*

12 (d) For any federally declared disaster subsequent to January
13 1, 1995, that the Legislature has designated in subdivision (b), the
14 state shall assume the increased share specified in subdivision (b)
15 in those cases where the Federal Emergency Management Agency
16 or another applicable federal agency has approved the federal share
17 of costs.

18 (e) The state shall make no allocation for any project application
19 resulting in a state share of less than two thousand five hundred
20 dollars (\$2,500) under this section.

21 ~~SEC. 2. The Legislature finds and declares that a special statute~~
22 ~~is necessary and that a general statute cannot be made applicable~~
23 ~~within the meaning of Section 16 of Article IV of the California~~
24 ~~Constitution because of the unique circumstances facing the County~~
25 ~~of Tuolumne due to extreme drought conditions and the declining~~
26 ~~health of trees within that county as a result of those conditions.~~