

AMENDED IN SENATE AUGUST 22, 2012

AMENDED IN ASSEMBLY MAY 15, 2012

AMENDED IN ASSEMBLY APRIL 25, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2168

Introduced by Assembly Members Chesbro and Dickinson

February 23, 2012

An act to add Section 4582.70 to the Public Resources Code, relating to forestry and fire protection, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2168, as amended, Chesbro. Forestry: timber harvesting plans.

~~The~~

(1) *The Z'berg-Nejedly Forest Practice Act of 1973* prohibits a person from conducting timber operations unless a timber harvesting plan prepared by a professional forester has been submitted to, and approved by, the Department of Forestry and Fire Protection.

This bill would require the Director of Forestry and Fire Protection, if the director determines a preharvest inspection is necessary to review a timber harvesting plan, to coordinate with a specified interdisciplinary team to ensure that all necessary members of the team that request participation are present for the inspection. The bill would require a review team member who requests participation to make a good faith effort to participate in the scheduled preharvest inspection. The bill would authorize the director, if there are compelling reasons why a member of the review team cannot attend the initial inspection, and the director articulates those reasons, in writing, to the person who submitted

the plan, to schedule an additional onsite visit to complete the initial inspection.

(2) *This bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ~~majority~~^{2/3}. 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 4582.70 is added to the Public Resources
2 Code, to read:

3 4582.70. If the director determines that a preharvest inspection
4 is necessary to review a timber harvesting plan, the director shall
5 coordinate with the interdisciplinary team required to be established
6 pursuant to Section 1037.5 of Title 14 of the California Code of
7 Regulations to ensure that all necessary members of the team that
8 request participation are present for the inspection. A review team
9 member who requests participation shall make a good faith effort
10 to participate in the scheduled preharvest inspection. If there are
11 compelling reasons why a member of the review team cannot
12 attend the initial inspection, and the director articulates those
13 reasons, in writing, to the person who submitted the plan, the
14 director may schedule an additional onsite visit to complete that
15 initial inspection.

16 *SEC. 2. This act is an urgency statute necessary for the*
17 *immediate preservation of the public peace, health, or safety within*
18 *the meaning of Article IV of the Constitution and shall go into*
19 *immediate effect. The facts constituting the necessity are:*

20 *In order for this act to be applicable as soon as possible in the*
21 *2012–13 fiscal year and thereby facilitate the orderly*
22 *administration of timber harvest reviews at the earliest possible*
23 *time, it is necessary that this act take effect immediately.*