

**Introduced by Committee on Natural Resources and Water  
(Senators Pavley (Chair), Cannella, Evans, Fuller, Hueso,  
Jackson, Lara, Monning, and Wolk)**

February 21, 2014

---

---

An act to amend Section 4597.22 of the Public Resources Code, and to amend Sections 8704.2 and 73514 of the Water Code, relating to natural resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 1345, as introduced, Committee on Natural Resources and Water. Natural Resources.

The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations on timberland unless a timber harvesting plan has been prepared by a registered professional forester and has been submitted to the Department of Forestry and Fire Protection and approved by the Director of Forestry and Fire Protection or the State Board of Forestry and Fire Protection. A violation of the act is a crime.

Existing law authorizes a person who intends to become a working forest landowner, as defined, to file a working forest management plan with the department, with the long-term objective of an uneven aged timber stand and sustained yield through the implementation of the plan. Existing law requires the working forest landowner who owns, leases, or otherwise controls or operates on all or any portion of any timberland within the boundaries of an approved plan, and who plans to harvest any of the timber during a given year, to file a working forest harvest notice, as defined, with the department in writing. Existing law exempts the Southern Subdistrict of the Coast Forest District, as described in regulations, from these provisions.

This bill would correct an erroneous cross reference to the regulations describing the Southern Subdistrict of the Coast Forest District.

Existing law provides the Central Valley Flood Protection Board with the authority to construct and maintain various flood control works. Existing law makes it unlawful for any person or public agency to interfere with, obstruct the performance, maintenance, or operation of, or otherwise take actions that may adversely affect facilities of the State Plan of Flood Control, designated floodways, or streams that are regulated by the board. Existing law authorizes the board to order the removal, modification, or abatement of an encroachment, flood system improvement, or activity causing a violation, as specified, and to collect the costs from the responsible party by whatever legal remedy is available, including, the placement of a lien on the responsible party's property. Existing law authorizes the board or the board's designee to record the lien with the county clerk in the county where the party's property is located.

This bill would make a nonsubstantive change to these provisions.

Existing law, the Wholesale Regional Water System Security and Reliability Act, requires the City and County of San Francisco to adopt a specified program of capital improvement projects designed to restore and improve the bay area regional water system, as defined, and to submit a report, on or before September 1 of each year, to various entities describing the progress made on the implementation of the capital improvement program during the previous fiscal year. Existing law requires a regional wholesale water supplier to annually submit a report to the Legislature and the State Department of Public Health describing the progress made on securing supplemental sources of water to augment existing supplies during dry years. Existing law makes the act inoperative and repeals these provisions on January 1, 2015.

This bill would extend the repeal date of the act to January 1, 2022. By extending the period of time during which certain requirements would apply to regional wholesale water suppliers and the City and County of San Francisco, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 4597.22 of the Public Resources Code  
2 is amended to read:  
3 4597.22. This article shall not apply to the Southern Subdistrict  
4 of the Coast Forest District, as ~~defined~~ *described* in Section ~~845.1~~  
5 ~~895.1~~ of Title 14 of the California Code of Regulations.

6 SEC. 2. Section 8704.2 of the Water Code is amended to read:  
7 8704.2. (a) Pursuant to subdivision (f) of Section 8701.4, the  
8 board or the board’s designee shall have the authority to record a  
9 lien with the county ~~clerk~~ *recorder* in the county of this state where  
10 the person’s or agency’s property responsible for the violation is  
11 located, to recover any and all of the following:  
12 (1) Costs incurred in abating, removing, and restoring a  
13 violation, including, but not limited to, costs incurred in seeking  
14 modification, removal, abatement, or restoration pursuant to this  
15 part.  
16 (2) Costs incurred in the summary abatement of emergencies.  
17 (3) Attorney’s fees associated with actions to enforce this part.  
18 (b) A lien recorded pursuant to this section shall have the same  
19 force, effect, and priority as a judgment lien.  
20 (c) Before recording a lien, the board shall provide notice and  
21 an opportunity for a hearing to contest the amount of the lien.  
22 (1) Notice shall be provided at least 20 days before the hearing  
23 pursuant to Section 8703.  
24 (2) The hearing required by this section may be satisfied by an  
25 enforcement order hearing pursuant to Section 8701.4 or, in the  
26 summary abatement of emergencies, a hearing pursuant to Section  
27 8708.

28 SEC. 3. Section 73514 of the Water Code is amended to read:  
29 73514. This division shall remain in effect only until January  
30 1, ~~2015~~, 2022, and as of that date is repealed, unless a later enacted  
31 statute, that is enacted before January 1, ~~2015~~, 2022, deletes or  
32 extends that date.

33 SEC. 4. No reimbursement is required by this act pursuant to  
34 Section 6 of Article XIII B of the California Constitution because  
35 a local agency or school district has the authority to levy service

- 1 charges, fees, or assessments sufficient to pay for the program or
- 2 level of service mandated by this act, within the meaning of Section
- 3 17556 of the Government Code.

O