



COUNTY OF SAN BERNARDINO

LEGISLATIVE AFFAIRS
385 North Arrowhead Avenue
San Bernardino, CA 92415-0120
(909) 387-4821

BOARD OF SUPERVISORS

Brad Mitzelfelt, Vice Chairman.....First District
Janice Rutherford..... Second District
Neil Derry .....Third District
Gary C. Ovitt .....Fourth District
Josie Gonzales, Chair.....Fifth District

GREGORY C. DEVEREAUX
Chief Executive Officer

December 5, 2011

OAL Reference Attorney
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Fax: 916-323-6826

Members of the State Board of Forestry and Fire Protection
Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

Fax: 916-653-0989

Dear Members,

On behalf of the County of San Bernardino, we wish to offer our public comments on the matter of the proposed emergency regulations and the State Responsibility Area (SRA) Fire Protection Fee.

As you are aware, legislation adopted as part of the budget package imposes a fire prevention fee on the property owners of habitable structures located in the SRAs for fire prevention and protection activities in the SRA. The County opposes this fee and formally supports efforts to repeal this imposition.

The most recent set of Board of Forestry's emergency regulations impose the fee on over 100,000 structures located within San Bernardino County and neighboring Riverside County, subjecting owners of those structures to this new fee. Recent revisions expanded the fee to include hospitals, medical centers, jails, and government buildings, including (oddly enough) fire stations to the list of structures now subject to the "benefit fee."

In San Bernardino County, property owners within the SRAs pay an assessment for fire protection and prevention services and the imposition of this fee has the effect of double taxation without any additional "benefit." These regulations raise a number of equity, administrative, legal and logistical red flags that create long-term fiscal uncertainty as well as the disruption of mutual aid between local, state and federal agencies.

If you have any questions, please do not hesitate to contact Josh Candelaria, Deputy Legislative Director, at (909) 387-4280. The County of San Bernardino thanks you for your attention in this matter.

Sincerely,

JOSIE GONZALES, Chair
Board of Supervisors

NEIL DERRY, Third District
Board of Supervisors

cc: George Gentry, Executive Director, Board of Forestry and Fire Protection

The mission of the government of the County of San Bernardino is to satisfy its customers by providing service that promotes the health, safety, well being, and quality of life of its residents according to the County Charter, general laws, and the will of the people it serves.