

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF DECEMBER 7, 2011

REGULAR MEETING

TO: Ron Briggs, Chairman, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer

PREPARED BY: Erica Sanchez, Policy Analyst

AGENDA ITEM #10A: OTHER BUSINESS – LEGISLATION

RECOMMENDATION

Staff recommends that the Commission receive the following update regarding the State Board of Forestry and Fire Protection's adoption of new SRA Fee Emergency Regulations. This item is for information purposes only, no Commission action is necessary.

REASON FOR RECOMMENDED ACTION AND BACKGROUND

On November 9, 2011, the State Board of Forestry and Fire Protection (BFFP) voted to adopt new emergency regulations to increase the State Responsibility Area (SRA) Fire Prevention Benefit Fee to \$150, an increase from the \$90 fee that rural property owners would have paid under a regulation passed by the BFFP in August 2011.

The new regulations impose a \$150 benefit fee per habitable structure, with a \$35 discount for habitable structures that are within the boundaries of a local agency that provides fire protection services. Multi-dwelling unit structures would be subject to a fee of \$150 for the first dwelling unit and an additional \$25 for each additional dwelling unit.

One other significant change from the August 2011 regulations is the broader definition of "habitable structure," which now includes structures occupied for non-residential uses, such as office buildings, stores, hospitals, clinics, medical centers, libraries, and government buildings, including jails.

The BFFP is expected to submit the revised emergency regulations to the Office of Administrative Law, which has five days to review and approve. Once approved, these regulations are good for 180 days, during which time the BFFP Board must develop and adopt permanent regulations. The permanent regulatory process includes a 45-day public notice period and greater opportunity for public input into the process. Officials with the BFFP and the State Board of Equalization will oversee collection of the fee, with bills possibly going out after the first of the year. The new fee is estimated to raise more than the \$50 million annually.