

Measure P381

INSTRUCTIONS:

Please carefully read the following description of a ballot measure that was written by a disinterested expert. Feel free to take notes or outline passages as you read.

This should take approximately 10 minutes.

BALLOT MEASURE P381

BACKGROUND

California contains about 19 million acres of forestland that can support logging operations. Of this total:

- Two million acres are in parks, wilderness areas, or other areas where logging is prohibited.
- Nine million acres are owned by the federal government where logging is regulated by the United States Forest Service.
- Eight million acres are owned by private individuals or by the state. Logging activities on these timberlands are regulated by the California Department of Forestry and Fire Protection (CDFFP), according to rules adopted by the Board of Forestry (BOF). The regulations cover several aspects of logging operations.

Harvesting Plan Review. Logging on nonfederal lands is prohibited unless it complies with a timber harvesting plan (THP) prepared by a registered professional forester and approved by the Director of the CDFFP. The THP must provide various information, including the amount of timber to be cut, the cutting method, erosion control measures, and special provisions to protect unique areas or wildlife that exist within the harvest area. The THP is valid for three years, and a separate THP must be approved for each specific piece of property that the timberland owner intends to log. The CDFFP has 25 days to review the plan and to consider information provided by other agencies and the public.

Cutting Methods. Loggers are allowed to use different methods to harvest timber. Among others, these methods include clearcutting, which involves cutting all the trees on a site at one time, and the selection method, which involves periodically cutting selected trees on a site. Regardless of which method is used, the timberland owner must ensure that a specified minimum number of trees are growing on the land within five years after the logging operations.

Forest Improvement Program. In addition to regulating logging, the CDFFP also provides matching grants to nonindustrial timberland owners (owners of less than 5,000 acres of timberland) to help improve their timber production. Currently, the CDFFP spends about \$3 million annually for this program.

PROPOSAL

In summary, this measure:

- Revises current restrictions on logging operations on nonfederal lands.
- Requires the state to conduct studies on “greenhouse gases” and establishes a new fee to pay for these studies.
- Authorizes the sale of \$300 million in general obligation bonds to pay for a grant program to public and private entities for forest improvements.
- Places new restrictions on state acquisitions of private lands.
- Contains language stating how conflicts between it and two other measures on this ballot are to be resolved.

Restrictions on Logging. This measure generally prohibits, beginning January 1, 1994, industrial timberland owners (owners of more than 5,000 acres of timberland) from logging their lands unless the harvesting operations comply with a “Long-term Industrial Timber Management Plan” (TMP) approved by the CDFFP. The TMP must include, among other things, (1) a wildlife management plan prepared by a wildlife biologist who is certified by a professional society and (2) an analysis of the impacts reasonably expected to result from implementing the plan. Unlike a THP required under current law, which is valid for three years and which covers only one specific piece of property, the TMP required by this measure would be valid for an unlimited time period and could cover all of the timberland owner's property.

In addition, this measure (1) prohibits clearcutting in privately owned old-growth forests and (2) places certain restrictions on clearcutting in other privately-owned forests. Under the measure, however, harvesters would not be precluded from using methods currently approved by the BOF in which all trees on a could be harvested over a three-year period. The measure also prohibits clearcutting in areas within 100 feet of state highways, parks, and publicly owned recreational areas. Finally, the measure requires the BOF, by 1996, to assess various potential impacts of restricting clearcutting.

“Greenhouse Gas” Studies and One-time Fee. This measure requires the state to contract for studies on (1) the effect of forests in California on greenhouse gases (air pollutants that may contribute to changes in climate), (2) the relationship of timber growing and harvesting in California to greenhouse gases, and (3) alternative management programs for forestland that will minimize the production of greenhouse gases. The measure also imposes, from November 7, 1990 through December 31, 1991, a \$3 per acre fee for all acreage covered by THPs submitted during that period. Revenue from this fee would be used to pay for the studies on greenhouse gases.

Forest Improvement Bond Programs. The bond money from this measure would be used for (1) loans and grants to nonindustrial timberland owners to help them improve timber production on their lands (\$120 million), and (2) a new program of grants to public agencies and nonprofit organizations for urban and rural tree planting and forest restoration projects (\$180 million). The CDFFP would administer these grant programs.

The state is obligated to pay the principal and interest costs on general obligation bonds. General Fund revenues would be used to pay these costs. These revenues come primarily from the state personal income and corporate taxes and the state sales tax.

Restrictions on State Acquisitions of Private Lands. This measure also restricts for 10 years the state's power to acquire, without the agreement of the timberland owner, privately owned timberlands in the redwood region of northern California.

Conflicts With Other Measures on This Ballot. This measure contains language that states how conflicts between this measure and other measures on this ballot are to be resolved. Specifically, the measure provides that if both it and either Proposition P373 (the Forest and Wildlife Protection and Bond Act of 1990) or Proposition P371 (the Environmental Protection Act of 1990) are passed by the voters and this measure receives more votes than the other measures, then it would invalidate (1) all the provisions of Proposition P373 and (2) those provisions in Proposition P371 pertaining to the acquisition of old-growth redwood forests. The legal effect of this language is uncertain. This is because the State Constitution provides that only the conflicting provisions of the measure that receives the greater vote prevails.



STOP!

Please go to the online survey, enter the 4-character code for this ballot measure (printed at the top and bottom of this page) and answer the survey questions.