DEPARTMENT: Administration

BY: Lee Stetson
PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Adopt a Resolution designating 15-percent of the “full” payment the County receives through participation in the Secure Rural Schools and Community Self-Determination Act of 2000 (HR 289) to Title III projects.

Please see attached staff report.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board adopted Resolution 05-391 on August 16, 2005, designating 15-percent of the County’s full payment through participation in the Secure Rural Schools and Community Self-Determination Act of 2000 (HR 2389) to Title III projects.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Allocate 20-percent to Title III projects – the County Road Fund and School District will receive less funding.

Financial Impact? ( ) Yes (X) No Current FY Cost: $                              Annual Recurring Cost: $
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded
Amount in Budget: $   Additional Funding Needed: $  
Source: Internal Transfer
Unanticipated Revenue 4/5’s vote
Transfer Between Funds 4/5’s vote
Contingency 4/5’s vote
( ) General ( ) Other

CLERK’S USE ONLY:
Res. No.: Ord. No. 
Vote – Ayes: Noes: 
Absent: 
Approved ( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: ____________________

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: Deputy

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended

No Opinion

Comments:

CAO: 

Revised Dec. 2002
MARIPOSA COUNTY RESOLUTION NO. 2006-15

A RESOLUTION DESIGNATING THE AMOUNT OF FUNDING
TO BE ASSIGNED TO TITLE II AND TITLE III PROJECTS AND
DESIGNATING THE PERCENTAGE OF ALLOCATIONS TO LOCAL PROJECTS

WHEREAS, counties having United States National Forests within their boundaries have been receiving Forest Reserve funds for roads and schools under the provisions of the Agricultural Reapportionment Act of 1908; and

WHEREAS, in the past decade federal land use policy has shifted away from a multiple use approach to one in which decisions are made on a centralized basis with greater attention being given to single uses; and

WHEREAS, this approach has had a devastatingly negative impact on funding for schools and roads in forest counties; and

WHEREAS, the 106th Congress of the United States passed the Secure Rural Schools and Community Self-Determination Act of 2000, which seeks to maintain multiple use land management and reconnect local communities with management decision made about their national forests; and

WHEREAS, Congress has made provisions for local projects under Title II and Title III of the Secure Rural Schools and Community Self-Determination Act of 2000, which will enhance the safety and health of forests as well as enhance activities conducted within the National Forests that are within county boundaries; and

WHEREAS, the Secure Rural Schools and Community Self-Determination Act of 2000 makes provisions for safety net payments to counties for up to six years with between fifteen-percent to twenty-percent of these funds being allocated to local projects, which will enhance the health and safety of United States National Forests.

NOW, THEREFORE BE IT RESOLVED, that Mariposa County will allocate 100-percent of the portion of funds which it receives for local projects through participation in the Secure Rural Schools and Community Self-Determination Act of 2000, full safety net payment for authorized projects pursuant to Title III of the Act;

BE IT FURTHER RESOLVED, that the Board of Supervisors of Mariposa County, which has elected to receive safety net payments under the provisions of the Secure Rural Schools and Community Self-Determination Act of 2000, hereby designates that fifteen-percent of its safety net payment be allocated to Title III projects under this Act; and

BE IT FURTHER RESOLVED, that this Resolution be transmitted to the United States Secretary of Agriculture by September 30, 2006; and

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 5th day of September 2006, by unanimous vote.

LEE STETSON, Chairman

Attest: MARGIE WILLIAMS, Clerk of the Board

Approved as to legal sufficiency: THOMAS P. GUARINO, County Counsel
To: Board of Supervisors

From: Mary Hodson, Deputy CAO

Subject: Secure Rural Schools and Community Self-Determination Act of 2000

Recommendation:
Adopt a Resolution designating 15-percent of the “full” payment the County receives through participation in the Secure Rural Schools and Community Self-Determination Act of 2000 (HR 2389) to Title III projects.

Background:
Congress enacted in 1908 a law that requires 25-percent of the revenue derived from National Forest lands be paid to the States for use by counties in which those lands are situated for the benefit of public schools and roads. These revenues are commonly referred to as Forest Reserve Funds. With the reduction in timber harvest over the last ten years, overall payments are highly variable since they are tied to fluctuating and controversial timber sales. The Secure Rural Schools and Community Self-Determination Act of 2000 (HR 2389) was enacted to provide stable funding for schools and roads through the year 2006 and will provide an opportunity to fund forest habitat improvement projects and/or certain forest related expenses incurred by the County.

The County has seen a steady decline in Forest Reserve Funds due to the decline in timber harvesting. The new law simplifies the payment basis and allows counties to opt for a Safety Net Payment – a dependable, predictable payment (full payment amount) based on the average of the highest three payments received between the years 1986 and 1999, or to receive their historical twenty-five-percent payment. Counties that elect to receive the full payment amount and who receive more than $100,000 (which includes Mariposa County) are required to allocate fifteen to twenty-percent of this funding towards forest related county projects and/or forest projects.

On March 6, 2001, the Board of Supervisors adopted several Resolutions pertaining to the Secure Rural Schools and Community Self-Determination Act of 2000.
⇒ #01-57 to receive the Safety Net Payment or full amount.
⇒ #01-58 to allocate fifteen-percent of the Safety Net Payment to local projects.
⇒ #01-59 to set the Resource Advisory Committee boundaries the same as the County boundaries.
⇒ #01-60 to designate that 100-percent of the portion of funds designated for local projects be allocated to Title III projects.

The twenty-five percent payment in past years had been approximately $199,000. Of this amount, half went to local schools and half to the County Road Fund. In Fiscal Year 2000-01, the County Road Fund received $82,463 for Forest Reserve receipts. By electing to receive the Safety Net Payment, the Board of Supervisors increased the amount of funding for local schools, the County Road Fund, and local forest related projects. In Fiscal Year 2005-06, Mariposa County received $644,361, of which local schools and the County Road Fund each received $273,855. The remaining fifteen-percent -- $96,651, was deposited in the Forest Reserve Fund for use on local forest projects.

Discussion:
Each year the Board of Supervisors must decide what percentage (either fifteen or twenty-percent) of available funding for local projects to allocate to Title II and/or to Title III projects. This decision must be forwarded to the United States Secretary of Agriculture by September 30th of each year, or this funding will revert to the United States Treasury. Local projects are either federal land projects (Title II) or county projects (Title III).

Title II funds go directly to the United States Department of Agriculture (USDA) and are allocated by local USDA Forest Administrators to pay for federal land projects. With these federal land projects, at least fifty-percent of the projects shall be road maintenance, decommissioning or obliteration; or restoration of streams and watersheds. Federal land projects can be on federal land or state and private lands where projects would benefit federal land resources. The Resource Advisory Committee (RAC) consists of fifteen members appointed by the Secretary of Agriculture and this committee review and makes recommendations on all Title II projects. Mariposa County has not formed a RAC due to the complexity of the membership and the fact that there are two national forests in Mariposa County.

Title III funds come directly to the County. As long as the funds are spent in one or more of six categories of county services, the Board of Supervisors decides how to allocate these funds. The six categories are:
⇒ Search, rescue, and emergency services performed on Federal lands and paid for by the County.
⇒ Community service work camps – salaries and benefits of county employees who supervise adults/juveniles performing mandatory community service on Federal lands.
⇒ Easement purchases – to improve non-motorized access to public lands for recreational purposes; conservation easements.
⇒ Fire prevention and county planning – educate homeowners on the consequences of wildfire; planning efforts to reduce impact of development on adjacent Federal lands.
⇒ Community forestry – non-Federal cost-sharing requirements of Section 9 of the Cooperative Forestry Assistance Act of 1978.

mbh
September 12, 2006

Mr. Mike Johanns
United States Secretary of Agriculture
1400 Independence Ave SW
Washington, DC 20250

Dear Mr. Johanns:

Enclosed is a copy of Mariposa County Board of Supervisors Resolution 06-415 passed and adopted on September 5, 2006, by unanimous vote, allocating 15-percent of the “full” portion of funds the county receives for local projects through participation in the Secure Rural Schools and Community Self-Determination Act of 2000 to fund Title III projects.

Sincerely,

LEE STETSON
Chairman

Enclosure

Cc: Christine Nota, USDA Forest Service
    Dr. Holland, Superintendent of Mariposa County Unified School District
    Mary Hodson, Deputy CAO
    Dana Hertfelder, Public Works Director