

MARIPOSA COUNTY

Board of Supervisors · (209) 966-3222



RESOLUTION - ACTION REQUESTED 2015-22

MEETING: January 13, 2015

TO: The Board of Supervisors

FROM: Kevin Cann, District IV Supervisor

RE: Resolutions Supporting SRS and PILT

RECOMMENDATION AND JUSTIFICATION:

Adopt Two Resolutions Supporting the Secure Rural Schools and Community Self-Determination Act of 2000 (SRS) and the Federal Payment in Lieu of Taxes (PILT) Programs. Congress approved PILT funding in the 2015 Federal Budget, but did not reauthorize this funding for future fiscal years. Reauthorization of funding for the SRS program was not approved by Congress. The House of Representatives has pledged to reform federal forestry policy which will likely include some aspect of SRS reauthorization, and it is unknown what if any action the Senate will take on this issue.

The Rural County Representatives of California (RCRC) is executing a campaign to urge the 114th Congress to reauthorize SRS and provide a long-term stable source of PILT funding for counties, and has asked member counties to adopt resolutions supporting these two programs.

Attached are two Resolutions supporting these programs as well as providing additional information on these programs. PILT funding is included in General Purpose Revenue and is considered discretionary. SRS funding is divided equally between the local school district and the County's road fund (approximately \$140,000 each), with a small portion (15-percent) currently being used to fund the Mariposa County Fire Safe Council and the South West Interface Team (SWIFT) Coordinator.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has historically adopted Resolutions supporting funding that is used to fund critical services for the citizens of Mariposa County. Most recently, the Board approved a letter of support for these programs on November 18, 2014.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the Resolutions. Mariposa County may not be included as a supporter

of these programs in RCRC's campaign.

FINANCIAL IMPACT:

None.

ATTACHMENTS:

SRS Resolution Support 2015 (DOC)

PILTResolution Support 2015 (DOC)

CAO RECOMMENDATION

Requested Action Recommended

Mary Hodson

Mary Hodson, Interim CAO 1/8/2015

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier

MARIPOSA COUNTY RESOLUTION NO. 15-22
A RESOLUTION SUPPORTING THE SECURE RURAL SCHOOLS AND
COMMUNITY SELF-DETERMINATION ACT OF 2000

WHEREAS, Counties across the United States expressed concern that large areas of land designated under the 1891 Forest Reserve Act would no longer be available for economic development, thwarting all future tax proceeds intended to support local community development; and

WHEREAS, Congress took action to mitigate the impact on county government, and in 1907 began providing counties with 10 percent of gross receipts from timber harvests in national forests to help offset the revenue loss, which then grew to more than 25 percent through enactment of the National Forest Revenue Act of 1908 to support county roads and public schools; and

WHEREAS, from 1908 to 2000, the United States Forest Service managed forest resources on national forest lands for long-term revenues and during that same period of time counties across the United States shared in these revenues in lieu of tax revenues that could have otherwise been generated had these lands remained in private hands; and

WHEREAS, in the 1990s, the volume and value of timber harvested on national forest lands was drastically reduced, which led Congress to enact the Federal Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. Sec. 7101 et seq.), which provided a six-year guarantee payment option that was independent of the revenue generated on the national forest lands; and

WHEREAS, the Secure Rural Schools and Community Self-Determination Act of 2000, which has been extended several times, most recently by the "Helium Stewardship Act of 2013 (Public Law 113-40), expired on September 30, 2013, resulting in a lapse in funding in 2014 and future years to critical programs in schools and counties across the United States, including California; and

WHEREAS, California's forested counties and schools located within those counties are dependent on federal revenue-sharing programs, including federal forest payments, for maintaining local roads, and providing vital local services and programs; and

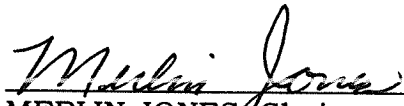
WHEREAS, County public works programs will be crippled without stable, predictable, long-term funding supported by the Federal Secure Rural Schools and Community Self-Determination Act, causing the local road network to suffer long-term degradation, and putting communities at risk for public safety emergencies due to cuts in staffing and operational activities; and

WHEREAS, specifically Mariposa County will lose critical funding to rehabilitate local roads of which 43.6 percent are now rated in the category of "Poor" or "Very Poor/Failed" based upon a recently conducted pavement management report; and


WHEREAS, a number of efforts were made in the 113th Congress in both the United States House of Representatives and the United States Senate to reauthorize the Federal Secure Rural Schools and Community Self-Determination Act of 2000 Act.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Mariposa County, a political sub-division of the State of California, respectfully urges the 114th Congress to reauthorize and fund the Federal Secure Rural Schools and Community Self-Determination Act of 2000 to provide a long-term, stable source of funding for counties and schools to maintain vital programs and avoid any interruption in county services and school operations.

PASSED AND ADOPTED this 13th day of January 2015 by unanimous vote.


MERLIN JONES, Chairman

ATTEST:


RENÉ LAROCHE, Clerk of the Board

APPROVED AS TO FORM:


STEVEN W. DAHLEM, County Counsel

MARIPOSA COUNTY RESOLUTION NO. 15-22
A RESOLUTION SUPPORTING THE
FEDERAL PAYMENT IN LIEU OF TAXES PROGRAM

WHEREAS, much of the land in the western United States is owned by the Federal government, and it is common that some counties located in the west have more than 90 percent of their jurisdiction occupied by federal land; and

WHEREAS, because this land is held by the United States Government, it is removed from the local property tax rolls and exempt from local property taxes; and

WHEREAS, a number of federal agencies, including the U.S. Forest Service, the U.S. Park Service, the Bureau of Land Management, and the U.S. Fish & Wildlife Service, account for nearly 640 million acres owned and occupied in the United States; and

WHEREAS, in 1976 Congress passed and President Ford signed legislation to create the Federal Payment in Lieu of Taxes program (PL 94-565) to provide payments to counties and other local governments to offset losses in tax revenues due to the presence of tax-exempt federal land within their jurisdictions; and

WHEREAS, the Federal Payment in Lieu of Taxes program replaces the lost property tax revenue and provides county government funding for essential services such as law enforcement, firefighting, search-and-rescue operations, construction and maintenance of roads, and other vital services; and

WHEREAS, of the 1 million acres comprising Mariposa County, nearly 550,000 acres of this land is in public ownership including Yosemite National Park, and two National Forests – Sierra and Stanislaus, and currently Mariposa County receives \$1.1 million through the Federal Payment in Lieu of Taxes program that is included in the nearly \$24 million budgeted as discretionary revenue that funds critical services for health and safety, veterans' and senior services, and library services; and

WHEREAS, the Federal Payment in Lieu of Taxes program was reformed in 2008 under the Emergency Economic Stabilization Act (PL 110-343) to modify the program from a discretionary program which is subject to annual appropriations of Congress to a fully-funded mandatory program until Federal Fiscal Year 2012; and

WHEREAS, there have been two one-year reauthorizations, the most recent as part of the enactment of both H.R. 3979, the National Defense Authorization Act, and H.R. 83, the Federal Fiscal Year 2015 Omnibus Spending Bill, which, when combined, provide nearly \$450 million in Federal Fiscal Year 2015 funding for the Federal Payment in Lieu of Taxes program; and

WHEREAS, a number of efforts were made in the 113th Congress in both the United States House of Representatives and the United States Senate to reauthorize the Federal Payment in Lieu of Taxes program for several consecutive years as a mandatory program in order for counties to budget accordingly.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Mariposa County, a political sub-division of the State of California, respectfully urges the 114th Congress to reauthorize and fund the Federal Payment in Lieu of Taxes program for several years, commencing with Federal Fiscal Year 2016, in order to provide a long-term, stable source of funding for counties in order to maintain vital programs and avoid any interruption in county services.

PASSED AND ADOPTED this 13th day of January 2015 by unanimous vote.



MERLIN JONES, Chairman

ATTEST:



RENÉ LAROCHE, Clerk of the Board

APPROVED AS TO FORM:



STEVEN W. DAHLEM, County Counsel