

DEPARTMENT: Administration

BY: Rick Benson  
PHONE: 966-3222

**RECOMMENDED ACTION AND JUSTIFICATION:**

Adopt a resolution electing to receive the full county payment under the reauthorization of the Secure Rural Schools and Community Self-Determination Act (SR2008) and of the full county payment to allocate 8-percent to Title II projects and 7-percent to Title III projects.

Please see the attached staff report for additional information.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The Board of Supervisors adopted Resolution 10-408 on August 24, 2010, electing to receive the full county payment and of this payment allocating 8-percent to Title II projects and 7-percent to Title III projects.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Do not adopt the Resolution. The County will be considered to have elected to return 15-percent of its share to the U.S. Treasury in lieu of allocating 15 to 20-percent for Title II and/or Title III projects.

Financial Impact? ( ) Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		Staff Report
Source:		Resolution
Internal Transfer _____		Allocation Options Spreadsheet
Unanticipated Revenue _____ 4/5's vote		Letter from USDA
Transfer Between Funds _____ 4/5's vote		
Contingency _____ 4/5's vote		
( ) General ( ) Other		

**CLERK'S USE ONLY:**

Res. No.: 11-438 Ord. No. \_\_\_\_\_  
Vote - Ayes: 4 Noes: \_\_\_\_\_  
Absent: Mapiron  
mw Approved  
( ) Minute Order Attached ( ) No Action Necessary

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

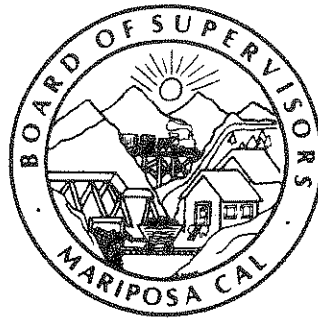
Date: \_\_\_\_\_  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California  
By: \_\_\_\_\_  
Deputy

**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended  
 No Opinion  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CAO: [Signature]

# Mariposa County Board of Supervisors



RICHARD J. BENSON  
County Administration Officer

MARGIE WILLIAMS  
Clerk of the Board

P. O. Box 784  
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[www.mariposacounty.org/board](http://www.mariposacounty.org/board)

District 1 ..... LEE STETSON  
District 2 ..... LYLE TURPIN  
District 3 ..... JANET BIBBY  
District 4 ..... KEVIN CANN  
District 5 ..... JIM ALLEN

September 6, 2011

To: Rick Benson, County Administrative Officer

From: Mary Hodson, Deputy County Administrative Officer

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

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The reauthorization of the Secure Rural Schools and Community Self-Determination Act of 2000 was included in the economic stimulus package that was approved by Congress and signed into law (P.L. 110-343) by the President on October 3, 2008 (SR2008). SR2008 will provide declining payments to counties with federal forest lands over four federal fiscal years (FFY) 2008 through 2011. FFY are from October 1st through September 30th.

SR2008 varies significantly from the prior safety net legislation (HR2389) and listed below are a few of the key features.

- A new and complicated distribution formula is established, but California and seven other states will not receive their payments under the new formula until 2011. For FFY 2008 – 2010, the “transition” states will receive payments that decline from the payment received in FFY 2006.

FFY 2008: 90-percent of amount received for FFY 2006 = \$585,706

FFY 2009: 81-percent of amount received for FFY 2006 = \$527,135

FFY 2010: 73-percent of amount received for FFY 2006 = \$475,072

FFY 2011: New formula – estimated amount is \$356,334

Attached is a spreadsheet of how this money can be allocated.

- Gives counties the opportunity to opt to stay on traditional harvest receipt shares (25-percent payment) or accept the safety net payments. Electing to accept the safety net payments is irreversible for the life of the legislation (through FFY 2011). The majority of counties in California will receive more funding electing the safety net payment, which is what Mariposa County has traditionally done.
- Counties are still required to elect to allocate between 20 to 15-percent of their safety net payment amount for Title II and/or Title III projects, however

counties are now limited in how the project funds can be split between Title II and Title III. No more than 7-percent of the safety net payment amount can be applied to Title III projects, with the remaining amount allocated to Title II projects.

Title II projects require the formation of a Resource Advisory Committee (RAC) which is governed by the Meyers-Milius-Brown Act and consists of 15 members appointed by the Secretary of Agriculture. All Title II projects must be recommended by the RAC and approved by the Secretary of Agriculture. Approved uses of Title II project funds may be found under section 202 of SR2008. Mariposa County is now a member of the Tuolumne-Mariposa RAC and has a weed eradication project currently being funded with Title II money.

- Title III projects have been reduced to three approved categories: (1) Carry out programs under the Firewise Communities program through education and assistance to homeowners regarding ways to reduce risks to wildfire; (2) Reimburse counties for the cost of search, rescue, and emergency services including firefighting, on federal lands; and (3) develop community wildfire protection plans in coordination with the Forest Service and/or the Bureau of Land Management (BLM). Additionally, all project funds must be obligated by September 30, 2012, or the funds will be returned to the United States Treasury.

mbh  
Attachment

**MARIPOSA COUNTY RESOLUTION NO. 11 - 438**

**A RESOLUTION FOR FEDERAL FISCAL YEAR 2011 ELECTIONS FOR  
NATIONAL FOREST RELATED SAFETY-NET PAYMENTS**

**WHEREAS**, Congress enacted in 1908 and subsequently amended a law that requires that 25-percent of the revenue derived from National Forest lands be paid to states for use by the counties in which the lands are situated for the benefit of public schools and roads; and

**WHEREAS**, the United States Congress recognized a need to stabilize education and road maintenance funding through predictable payments to the affected counties; and to achieve that goal enacted the Secure Rural Schools and Community Self-Determination Act of 2000, which has been amended and re-authorized for federal fiscal years (FFY) 2008 – 2011 (“SR2008”); and

**WHEREAS**, Title I of SR2008 gives each eligible county the right to elect to receive either its traditional share of revenue from the National Forest lands pursuant to the Act of May 23, 1908, and Section 13 of the Act of March 1, 1911 (the “25-percent payments”), or instead to receive a guaranteed minimum share of the State payment pursuant to Sections 102(a)(1)(B) and 103 (the “full county payment amount”); and

**WHEREAS**, an election to receive the full county payment amount is effective for all FFY through FFY 2011, and an election to receive the 25-percent payment is binding for two years; and

**WHEREAS**, any county electing to receive the full county payment that is \$100,000 or more, must further elect to expend an amount not less than 15-percent nor more than 20-percent of its full county payment amount as project funds; and

**WHEREAS**, Title I, Section 102(d) of SR2008 requires that counties electing to receive the full county payment of \$100,000 or more must allocate its project funds for projects in accordance with Title II and Title III, and return the balance of project funds unspent under Title II and Title III to the Treasury of the United States, and communicate such allocation to the Secretary of the United States Department of Agriculture; and

**WHEREAS**, Title II provides for special projects on federal lands or that benefit resources on federal lands, and are recommended by local resource advisory committees (“RACs”); and

**WHEREAS**, RACs recommend projects for consideration by the Secretary of Agriculture, with project funding supplied in whole or in part out of monies allocated for such purposes by participating counties; and

**WHEREAS**, Title III provides for county projects, some of which are associated with federal lands, with Title III authorizing expenditures for search, rescue, and emergency services on federal lands, fire prevention and planning under the Firewise Communities program, and development of community wildfire protection plans; and

**WHEREAS**, a county with a full county payment amount of \$350,000 or more may not allocate more than 7-percent of its full county payment for Title III projects.

**NOW, THEREFORE BE IT RESOLVED**, that the County of Mariposa hereby elects to receive the guaranteed minimum full county payment amount pursuant to SRS2008 Sections 102(a)(1)(B) and 103.

**BE IT FURTHER RESOLVED**, the County of Mariposa has elected to receive the full county payment amount that is \$100,000 or more, and hereby allocates 15-percent of its full county payment amount for expenditures on projects under Title II and Title III. The County of Mariposa will return none (zero-percent) of its full county payment amount to the Treasury of the United States.

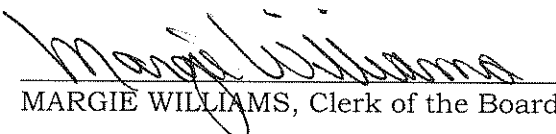
**BE IT FURTHER RESOLVED**, of the 15-percent allocated to Title II and Title III projects, the County of Mariposa further allocates between Titles for FFY 2011 (for expenditure after FFY 2011) on the following basis: 8-percent of full county payment amount for expenditure on Title II projects and 7-percent of the full county payment amount for expenditure on Title III projects.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, this 6<sup>th</sup> day of September 2011 by the following vote.

AYES:	STETSON, BIBBY, CANN, ALLEN
NOES:	NONE
ABSENT:	TURPIN
ABSTAINED:	NONE

  
\_\_\_\_\_  
JIM ALLEN, Chairman

ATTEST:

  
\_\_\_\_\_  
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM:

  
\_\_\_\_\_  
STEVEN W. DAHLEN, County Counsel

Allocation Options of Safety Net Payments

85% to Title I with the remaining 15% to Title II and Title III projects:

	Safety-Net Payment	85% to Title I	Title I Split Between		8% to Title II	7% to Title III
			Schools	Roads		
FFY 2008	\$585,706	\$497,850	\$248,925	\$248,925	\$46,856	\$40,999
FFY 2009	\$527,135	\$448,065	\$224,032	\$224,032	\$42,171	\$36,899
FFY 2010	\$475,072	\$403,811	\$201,906	\$201,906	\$38,006	\$33,255
FFY 2011	\$356,334	\$302,884	\$151,442	\$151,442	\$28,507	\$24,943

80% to Title I with the remaining 20% to Title II and Title projects:

	Safety-Net Payment	80% to Title I	Title I Split Between		13% to Title II	7% to Title III
			Schools	Roads		
FFY 2008	\$585,706	\$468,565	\$234,282	\$234,282	\$76,142	\$40,999
FFY 2009	\$527,135	\$421,708	\$210,854	\$210,854	\$68,528	\$36,899
FFY 2010	\$475,072	\$380,058	\$190,029	\$190,029	\$61,759	\$33,255
FFY 2011	\$356,334	\$285,067	\$142,534	\$142,534	\$46,323	\$24,943

The 25% traditional harvest receipt payment for Mariposa County in FFY 2008 is \$97,933.



United States  
Department of  
Agriculture

Forest  
Service

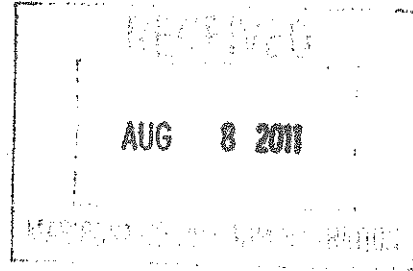
Pacific  
Southwest  
Region

Regional Office, R5  
1323 Club Drive  
Vallejo, CA 94592  
(707) 562-8737 Voice  
(707) 562-9240 Text (TDD)

File Code: 6550

Date: August 3, 2011

Jim Allen  
District 5 County Supervisor  
Board of Supervisors, Mariposa County  
P.O. Box 784  
Mariposa, CA 95338



Dear Supervisor Allen:

In order to prepare for payments to the states under the Secure Rural Schools and Community Self Determination (SRS) Act, as amended and reauthorized as part of Public Law 110-343, the U. S. Forest Service, Pacific Southwest Region is requesting that your office notify the Forest Service by September 30, 2011 of your allocations under Title II and Title III for the 2011 payments. These payments should be transmitted to California in or about December 2011.

Following are details about this request as outlined in the legislation:

Each eligible county elected by December 2008 to receive one of the following payments: a share of the state's 25-percent rolling average payment, or a share of the "State payment." Your county elected the "State payment" option and this has included an approximate 10% decrease each year for the first three years. In the fourth and final year the formula changes and for most counties the decrease is approximately 25%. Enclosed is a chart that shows your county's estimated payments in 2011 as a "State payment" county.

As a participating county that receives a share of the *State payment* that is greater than \$100,000 you must make **additional election to allocate among titles by September 30** as explained below:

- **\$100,000 or less.** If the county share of the *State payment* is \$100,000 or less, the county may, but is not required to, allocate its share in the same manner as a county with a share that is greater than \$100,000 but less than \$350,000.
- **>\$100,000 and <\$350,000.** If the county share of the *State payment* is greater than \$100,000 but less than \$350,000, the county must allocate 15 percent to 20 percent of its share to Title II, Title III, or a combination of the two titles. The total percentage allocated to Title II and/or Title III must be no less than 15 percent and no greater than 20 percent.
- **\$350,000 or greater.** If the county share of the *State payment* is \$350,000 or greater, the county must allocate 15 percent to 20 percent of its share to Title II, Title III, or a combination, except that the allocation for Title III projects may not exceed 7 percent. The total percentage allocated to Title II and Title III combined must be no less than 15 percent and no greater than 20 percent.



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By law, participating counties receiving more than \$100,000 as its share of the *State payment* must allocate a portion of its payment to Titles II and/or III by September 30 each year. Counties that fail to submit these elections (allocations) by the deadline will be deemed to have elected to return 15 percent of its share to the U.S. Treasury in lieu of allocating 15 to 20 percent for Title II and/or Title III projects.

Keeping in mind the legislative direction outlined above please notify the Forest Service of the following:

- 1) How much you elect to set aside this year, (between 15-20%); and
- 2) How you want it allocated between Title II and Title III funds.

Due to strict timeframes this information may be submitted by email to [cnota@fs.fed.us](mailto:cnota@fs.fed.us) or faxed to (916) 498-6675 with a follow-up hard copy.

Please send hardcopy information to:

USDA Forest Service  
Attn: Christine Nota  
650 Capital Mall, Room 8-200  
Sacramento, CA 95814

Please feel free to contact Christine Nota of my staff at (916) 498-5901 for any questions.

Sincerely,



<sup>for</sup> RANDY MOORE  
Regional Forester

Enclosure

cc: County Administrative Officer



**Secure Rural Schools and Community Self-Determination Act Projections  
for State Share Counties, FY 2011**

S t a t e	Eligible County	2010 Payment	Estimated 2011 Payment
CA	Alpine	\$730,413	\$547,779
CA	Amador	\$480,441	\$360,329
CA	Butte	\$675,302	\$506,419
CA	Calaveras	\$257,078	\$192,776
CA	Colusa	\$190,282	\$142,722
CA	Del Norte	\$2,236,480	\$1,677,332
CA	El Dorado	\$3,048,296	\$2,286,132
CA	Fresno	\$2,075,728	\$1,556,779
CA	Glenn	\$541,789	\$406,310
CA	Humboldt	\$1,588,338	\$1,191,201
CA	Kern	\$326,795	\$245,102
CA	Lake	\$748,494	\$561,330
CA	Lassen	\$2,923,784	\$2,192,760
CA	Madera	\$840,082	\$630,028
CA	Mariposa	\$475,072	\$356,334
CA	Mendocino	\$521,814	\$391,349
CA	Modoc	\$2,522,139	\$1,891,572
CA	Monterey	\$27,161	\$20,366
CA	Nevada	\$581,425	\$435,998
CA	Placer	\$1,242,357	\$931,764
CA	Plumas	\$5,475,137	\$4,106,186
CA	San Luis Obispo	\$16,817	\$12,612
CA	Santa Barbara	\$55,742	\$41,751
CA	Shasta	\$3,027,136	\$2,270,309
CA	Sierra	\$1,393,872	\$1,045,346
CA	Siskiyou	\$6,992,573	\$5,244,278
CA	Tehama	\$1,806,412	\$1,354,759
CA	Trinity	\$5,830,434	\$4,372,673
CA	Tulare	\$819,790	\$614,831
CA	Tuolumne	\$1,933,451	\$1,450,090
CA	Ventura	\$50,215	\$37,678
CA	Yuba	\$180,254	\$135,123
		\$49,615,104	\$37,210,018