DEPARTMENT: Administration

BY: Rich Inman
PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Adopt a Resolution allocating 100-percent of the portion of funds the County 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; and designate fifteen-percent of its safety net payment to Title III projects under this Act.

Please see attached staff report.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board adopted Resolution 03-297 on August 12, 2003, allocating 100-percent of the 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 and designating fifteen-percent to Title III projects.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

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

Allocate a portion of the funds for local projects to Title II projects – a Resource Advisory Committee (RAC) must be formed with members representing from both National Forests that are located in the County.

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

List Attachments, number pages consecutively
Staff Report
Resolution

CLERK’S USE ONLY:
Res. No. 10456
Ord. No. ___
Vote – Ayes: ___
Noes: ___
Abs: ___
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
August 24, 2004

To: Board of Supervisors

From: Mary Hodson, Deputy CAO

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

Recommendation:
Adopt a Resolution allocation 100-percent of the portion of funds the county 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; and designate fifteen-percent of the safety net payment to Title III projects under this Act.

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 2003-04, Mariposa County received $621,771, of which local schools and the County Road Fund each received $264,253. The remaining fifteen-percent -- $93,270, 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
MARIPOSA COUNTY RESOLUTION NO. 04-396

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 great attention being given to single uses; and

WHEREAS, this approach has had a devastating 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 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 either fifteen-percent or twenty-percent of these funds being allocated to local projects, which would 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 fifteen-percent of its safety net payment to be allocated to Title III projects under this Act; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Governor of the State of California by such date as may be necessary for it to reach the United States Secretary of Agriculture by September 30, 2004; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to all jurisdictions in this county receiving Forest Reserve payments.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 24th day of August 2004, by unanimous vote.

GARRY R. PARKER, Chairman

Attest: MARGIE WILLIAMS, Clerk of the Board

Approved as to legal sufficiency: THOMAS P. GUARINO, County Counsel
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: RICH INMAN, County Administrative Officer
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000 DISTRIBUTION OF FUNDING
Resolution No. 04-396

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on August 24, 2004

ACTION AND VOTE:

Adopt a Resolution Allocating 100-Percent of the Portion of Funds the County 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; and Designate Fifteen-Percent of its Safety Net Payment to Title III Projects under this Act (County Administrative Officer)

BOARD ACTION: (M)Balmain, (S)Stetson, Res. 04-396 was adopted. Supervisor Bibby requested that an itemized list of the funding disbursements be provided, and she stated she wants to make sure that the funds can be used for other activities such as search and rescue on private land and for work camps, possible with Probation. Mary Hodson, Deputy County Administrative Officer, provided input relative to the request and allowance for activities. Ayes: Unanimous.

cc: Ann Veneman, United States Secretary of Agriculture
    Arnold Schwarzenegger, Governor of California
    Christine Nota, USDA Forest Service
    Patrick Holland, Mariposa County Unified School District
    Kent Woolsey, Road Superintendent
    Mary Hodson, Deputy County Administrative Officer
    Ken Hawkins, Auditor
    File