



County of Fresno

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Legislation Details (With Text)

File #: 19-0742 **Name:** Revenue Agreement with the California Department of Forestry and Fire Protection

In control: Public Health

On agenda: 8/6/2019 **Final action:** 8/6/2019

Enactment date: **Enactment #:** Agreement No. 19-387, Resolution No. 19-298

Title: Approve and authorize the Chairman to execute a revenue Agreement with the California Department of Forestry and Fire Protection, for 2018-2019 Fire Prevention Grant Program funds to remove and dispose of dead and dying trees on the State Route 168 corridor, effective upon execution through March 15, 2022 (\$1,680,000); and, execute the Governing Body Resolution

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Agreement A-19-387 with Cal FIRE SR 168 Corridor - 5GG18104, 3. Resolution No. 19-298

Date	Ver.	Action By	Action	Result
8/6/2019	1	Board of Supervisors	Conducted Hearings	Pass

DATE: August 6, 2019

TO: Board of Supervisors

SUBMITTED BY: David Pomaville, Director, Department of Public Health
Steven E. White, Director, Department of Public Works and Planning

SUBJECT: Revenue Agreement with the California Department of Forestry and Fire Protection

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute a revenue Agreement with the California Department of Forestry and Fire Protection, for 2018-2019 Fire Prevention Grant Program funds to remove and dispose of dead and dying trees on the State Route 168 corridor, effective upon execution through March 15, 2022 (\$1,680,000).**

- 2. Approve and authorize the Chairman to execute the Governing Body Resolution.**

Approval of the recommended actions would allow the Departments of Public Health (DPH) and Public Works and Planning (PWP) to receive California Department of Forestry and Fire Protection (CAL FIRE) Fire Prevention Grant Program funds. The grant will fund the removal of dead and dying trees within 300 feet of permanent private structures, roadways, and public or private infrastructure on the State Route (SR) 168 corridor, with no increase in Net County Cost. This item pertains to locations in District 5.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended actions, the County would not be eligible for additional funding to contract for the removal and disposal of dead and dying trees. The Fire Prevention Grant Program is the only available grant funding source at this time that allows for removal and disposal of dead and dying trees on private property.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The recommended agreement represents a grant award in the amount of \$1,680,000. The competitive grant allocation does not require matching funds; however, DPH proposes to utilize \$27,750 in Health Realignment to offset a portion of Department staff costs associated with grant administration and contract coordination. The grant allows for full reimbursement of direct costs (\$1,500,000) but limits administrative cost recovery to 12% or \$180,000 of total direct costs. Direct cost revenues will offset PWP contract services. Sufficient appropriations and estimated revenues are included in DPH Org 5620 FY 2019-20 Recommended Budget to cover the proposed staff costs and indirect costs and in PWP Org 5512 FY 2019-20 Recommended Budget to cover contracted services.

DISCUSSION:

On December 17, 2018, DPH submitted two applications to CAL FIRE requesting a total of \$2,520,056 for the removal of dead and dying trees that are within 300 feet of permanent private structures, roadways, and public or private infrastructure. The first application, in the amount of \$1,680,000, covered the Auberry, Meadow Lakes, Shaver Springs, Tollhouse, Pine Ridge, Shaver Lake, Cressman, Bretz Mountain Village, Quartz Mountain, and Wildflower Village communities on the SR 168 corridor. The second application, in the amount of \$840,056, covered the Millwood, Pinehurst, Etheda Springs, Cedarbrook, Dunlap, Miramonte, Deer Crossing, and Squaw Valley communities on the SR 180 corridor. On May 30, 2019, the Departments were notified that the application for the SR 168 corridor in the amount of \$1,680,000 was selected for funding. However, the application for the SR 180 corridor received a lower score by the selection committee because it had less volume of tree mortality, ground fuels, and population density.

Approximately 17,139 dead and dying trees and 75,000 cubic yards of ground fuels cleanup have been identified for removal within the SR 168 corridor high hazard zones. The grant allows for the removal and disposal of trees and tree debris around private residences and private roads. Approximately 1,567 residences have been identified for assessment of tree hazard removal work. The Departments propose to continue contracting for the assessment, identification, removal, and disposal of dead and dying trees and cleanup projects within high hazard communities.

On August 9, 2016, your Board authorized the Purchasing Manager to establish Master Service Agreements for Registered Professional Foresters (RPF) and Licensed Timber Operators (LTO) to expedite the removal and disposal of dead and dying trees. RPFs will assess, identify, count, and mark dead and dying trees that are within 300 feet of habitable structures, infrastructure, and roads. LTOs will fall trees that have been identified for removal by the RPFs and will dispose of them in the most economical manner. LTOs will also clean up dead trees and slash on the ground to lower the fuel load during a fire. The Departments also propose the utilization of grant funds to partially offset staff costs associated with the coordination of contracted tree removal services up to the 12% or \$180,000 limit for administrative costs.

Since April 2016, the County has utilized General Fund monies, State Responsibility Area and Local Assistance for Tree Mortality grants, and California Disaster Assistance Act funding for the removal and disposal of dead and dying trees. Approximately 17,000 trees have been removed along County and private roads, near homes, and infrastructure.

In February 2018, the U.S. Department of Agriculture announced that the U.S. Forest Service had identified an additional 18 million dead trees statewide since its last aerial survey in late 2017. The increase brings the total number of dead and dying trees, since 2010, to over 147 million on 9.7 million acres of California's drought stricken forests. Approximately 30,000 dead and dying trees have been identified for removal on the high hazard zones adjacent to structures in and around communities in the County. However, available funding will only help address a portion of trees in need of removal.

The recommended agreement is effective upon execution through March 15, 2022. The budget line items within the recommended agreements may be modified up to 10% without exceeding the annual maximums. Additionally, the agreement contains language whereby the County indemnifies the State for any claims arising from the agreement. The County, however, is waiving its right to seek indemnity from the State for claims arising from the agreement. The agreement may be suspended or terminated by the State if the County fails to comply with the terms. The County may terminate the agreements upon providing a 30-day written notice.

REFERENCE MATERIAL:

BAI #43, February 26, 2019

BAI #31, August 9, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Cal FIRE SR 168 Corridor - 5GG18104

On file with Clerk - CAL FIRE Governing Body Resolution

CAO ANALYST:

Sonia M. De La Rosa