



County of Fresno

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Legislation Details (With Text)

File #: 20-0243 **Name:** Revenue Agreement with the California Department of Forestry and Fire Protection

In control: Public Health

On agenda: 6/9/2020 **Final action:** 6/9/2020

Enactment date: **Enactment #:** Agreement No. 20-208, Resolution No. 20-126

Title: Approve and authorize the Chairman to execute a revenue Agreement with the California Department of Forestry and Fire Protection, for 2019-2020 Fire Prevention Grant Program funds to remove and dispose of dead and dying trees, effective upon execution through March 15, 2024 (\$2,565,920); Approve and authorize the Chairman to execute the Governing Body Resolution, Nondiscrimination Compliance Statement, and Drug Free Workplace Certification

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Agreement A-20-208 with CalFire, 3. Resolution No. 20-126

Date	Ver.	Action By	Action	Result
6/9/2020	1	Board of Supervisors	Approved as Recommended	Pass

DATE: June 9, 2020

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 2019-2020 Fire Prevention Grant Program funds to remove and dispose of dead and dying trees, effective upon execution through March 15, 2024 (\$2,565,920).

2. Approve and authorize the Chairman to execute the Governing Body Resolution, Nondiscrimination Compliance Statement, and Drug Free Workplace Certification.

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 contracted removal of dead and dying trees within 300 feet of permanent private structures, roadways, and public or private infrastructure in Eastern Fresno County, 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 \$2,565,920. The competitive grant allocation does not require matching funds; however, DPH proposes to utilize \$108,300 in Health Realignment to offset Department staff costs associated with grant administration, contract coordination, and project oversight. The grant allows for full reimbursement of direct costs (\$2,291,000) but limits administrative cost recovery to 12% or \$274,920 of total direct costs. Sufficient appropriations and estimated revenues will be included in the PWP Org 5512 FY 2020-21 requested budget to offset direct costs associated with contracted services.

DISCUSSION:

On December 2, 2019, the Director of DPH submitted an application to CAL FIRE requesting a total of \$2,565,920 for the removal and disposal of dead and dying trees that are within 300 feet of permanent private structures, roadways, and public or private infrastructure, and ground fuels removal. In addition, the application requested funding to add a specialized position with the technical expertise to be a liaison to the U.S. Forest Service, CAL FIRE, PG&E, Southern California Edison, Resource Conservation Districts, Bureau of Land Management, Fire Safe Councils, and other local agencies as it pertains to promoting good forest management, and to educate private landowners on how to manage their lands.

The application covers the communities of Auberry, Meadow Lakes, Shaver Springs, Tollhouse, Pine Ridge, Shaver Lake, Cressmans, Bretz Mountain Village, Quartz Mountain, Wildflower Village, Millwood, Pinehurst, Etheda Springs, Cedarbrook, Dunlap, Miramonte, Deer Crossing and Squaw Valley in Eastern Fresno County.

Approximately 3,500 dead and dying trees and 125,000 cubic yards of ground fuels cleanup material has been identified for removal around 4,600 homes and along 20 roads. The County has also identified 4 miles of fire escape routes within communities that have not been treated in years. These projects will provide these communities with a reduced risk of hazard trees impacting habitable structures, safer ingress and egress routes along local roads, safer community egress on fire escape routes, and less fuel loads within communities. The Departments propose to continue contracting for the assessment, identification, removal, and disposal of dead and dying trees and ground fuels cleanup projects within these high hazard communities.

The County has utilized General Fund, State Responsibility Area, Local Assistance for Tree Mortality, Fire Prevention Grant Program, and California Disaster Assistance Act funding for the removal and disposal of dead and dying trees since April 2016. Approximately 26,000 trees and 13,000 cubic yards of ground fuel has been removed and disposed along County and private roads, near homes, and infrastructure.

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.

In February 2020, the U.S. Department of Agriculture announced that the U.S. Forest Service had identified an additional 15 million dead trees statewide since its last aerial survey in late 2018. The increase brings the total number of dead and dying trees, since 2010, to over 162 million on 9.7 million acres of Federal, State, Local, and private lands. Approximately 25,000 dead and dying trees have been identified for removal in the high hazard zones adjacent to roads and structures in and around communities in the County. However, available

funds will only help address a portion of trees in need of removal.

The recommended agreement is effective upon execution through March 15, 2024. The budget line items within the recommended agreement 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 agreement upon providing a 30-day written notice.

REFERENCE MATERIAL:

BAI #24, May 12, 2020
BAI #37, February 4, 2020
BAI #31, August 9, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with CAL FIRE - #5GG19114
On file with Clerk - CAL FIRE Governing Body Resolution

CAO ANALYST:

Raul Guerra