

**DEPARTMENT:** Administration

**BY:** Rick Benson

**PHONE:** 966-3222

**RECOMMENDED ACTION AND JUSTIFICATION:**

Adopt a Resolution designating 15-percent of the "full" payment the County receives through participation in the Secure Rural Schools and Community Self-Determination Act of 2000 (HR 2389) entirely to Title III projects.

Please see attached staff report.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The Board adopted Resolution No. 06-415 on September 5, 2006, designating 15-percent of the County's full payment through participation in the Secure Rural Schools and Community Self-Determination Act of 2000 entirely to Title III projects.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Allocate a different amount between 15 and 20-percent to Title III projects. The County Road Fund and School District will receive less funding.

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		
Unanticipated Revenue	_____ 4/5's vote	
Transfer Between Funds	_____ 4/5's vote	
Contingency	_____ 4/5's vote	
( ) General ( ) Other		

**CLERK'S USE ONLY:**

Res. No.: 07-372 Ord. No. \_\_\_\_\_  
 Vote - Ayes: 5 Noes: \_\_\_\_\_  
 Absent: \_\_\_\_\_  
 Approved  
 Minute Order Attached  No Action Necessary

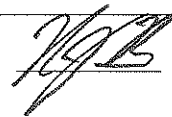
The foregoing instrument is a correct copy of the original on file in this office.

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

**COUNTY ADMINISTRATIVE OFFICER:**

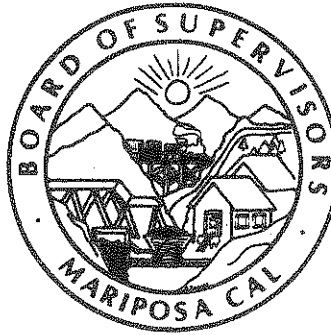
Requested Action Recommended  
 No Opinion  
 Comments:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CAO: 

# Mariposa County Board of Supervisors

District 1 ..... BRAD ABORN  
District 2 ..... LYLE TURPIN  
District 3 ..... JANET BIBBY  
District 4 ..... DIANNE FRITZ  
District 5 ..... BOB PICKARD




RICHARD J. BENSON  
County Administrative Officer

MARGIE WILLIAMS  
Clerk of the Board

P.O. Box 784  
MARIPOSA, CALIFORNIA 95338  
(209) 966-3222  
1-800-736-1252  
FAX (209) 966-5147  
[www.mariposacounty.org/board](http://www.mariposacounty.org/board)

August 7, 2007

To: Board of Supervisors

 From: Mary Hodson, Deputy CAO

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

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Recommendation:

Adopt a Resolution designating 15-percent of the "full" payment the County receives through participation in the Secure Rural Schools and Community Self-Determination Act of 2000 (HR 2389) entirely to Title III projects..

Background:

In 1908 Congress enacted 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 were highly variable since they were 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 to provide an opportunity to fund forest habitat improvement projects and/or certain forest related expenses. The bill has been extended one more year with Public Law 110-28.

HR 2389 allows counties to opt for a Safety Net Payment – a dependable, predictable payment (full payment) 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. 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.

On March 6, 2001, the Board of Supervisors adopted several Resolutions pertaining to the Secure Rural Schools and Community Self-Determination Act of 2000 one of which was to receive the Safety Net Payment or full amount. 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 2006-07, Mariposa County received \$650,784, of which local schools and the County

Road Fund each received \$276,583. The remaining fifteen-percent -- \$97,618, was deposited into the Forest Reserve Fund for use on local forest projects.

Discussion:

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 projects. Each year the Board of Supervisors must decide what percentage (either fifteen or twenty-percent) 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 30<sup>th</sup> 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 reviews 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. The Board of Supervisors decides how to allocate these funds in one or more of six categories of county services.

- ⇒ 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.
- ⇒ Forest related educational opportunities – establish and conduct forest-related after school programs.
- ⇒ 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.

MARIPOSA COUNTY RESOLUTION NO. 07 - 372

**A RESOLUTION DESIGNATING THE AMOUNT OF FUNDING  
TO BE ASSIGNED TO TITLE III PROJECTS AND  
DESIGNATING THE PERCENTAGE OF ALLOCATIONS TO TITLE III 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 greater attention being given to single uses; and

**WHEREAS**, this approach has had a devastating impact on funding for schools and roads in forest counties; and

**WHEREAS**, the 106<sup>th</sup> 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 decisions 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 in National Forests that are within county boundaries; and

**WHEREAS**, the Secure Rural Schools and Community Self-Determination Act of 2000 makes provisions for safety net payments to counties with between fifteen and twenty-percent of the funding allocated to local projects, which will enhance the health and safety of United States National Forests.

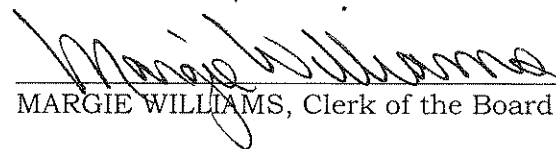
**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors of Mariposa County, which has elected to receive the full safety payment under the provisions of the Secure Rural Schools and Community Self-Determination Act of 2000, hereby designates fifteen-percent of its safety net payment be allocated entirely to Title III projects under this Act; and

**BE IT FURTHER RESOLVED**, that this Resolution be transmitted to the United States Secretary of Agriculture by September 30, 2007.

**PASSED AND ADOPTED** by the Board of Supervisors of Mariposa County a political subdivision of the State of California, this 7<sup>th</sup> day of August 2007, by unanimous vote.

  
\_\_\_\_\_  
JANET BIBBY, Chairman

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
THOMAS P. GUARINO, County Counsel