



Resource Management Agency

COUNTY OF TULARE AGENDA ITEM

BOARD OF SUPERVISORS

LARRY MICARI
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: July 30, 2024

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	N/A
Published Notice Required	N/A
Advertised Published Notice	N/A
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	Yes
Personnel Resolution attached	N/A
Agreement(s) attached	Yes

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

SUBJECT: Approve an Agreement with Sierra Nevada Conservancy for the Watershed Improvement Program Capacity Subgrant

REQUEST(S):

That the Board of Supervisors:

1. Approve an agreement with the Sierra Nevada Conservancy for the Watershed Improvement Program Capacity Subgrant, in an amount not to exceed \$466,103 to support the planning and execution of forest health projects focusing on capacity building and project pipeline development, effective upon execution by all parties through October 31, 2027.
2. Authorize the Chair to sign the Agreement; and
3. Approve the necessary budget adjustment per the attached AUD 308 (4/5ths vote required).
4. Direct the Resource Management Agency to provide a signed copy of the agreement to the Clerk of the Board.

SUMMARY:

On September 6, 2023, staff participated in a regional tour with the Sierra Nevada Conservancy (SNC) Board. During the tour SNC and County staff discussed various forest health needs throughout the County. SNC received approximately \$11 million in grant funding from the Department of Conservation's Regional Forest and Fire Capacity Program (RFFCP). The SNC initiated a process to identify subrecipients of the RFFCP funding.

Subsequently, the County participated in an assessment process focusing on capacity building and project pipeline development in the region. Tulare County was informed of its eligibility to submit a formal proposal for Round 3 funding under the RFFCP. The

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proposal aimed to identify strategic activities eligible for financial support from the RFFCP.

On May 7, 2024, your Board authorized Resolution No. 2024-0379 for the submission of a grant application for the following projects:

- Capacity-building tasks to establish a foundation for organizational longevity and efficiency, providing guidance for program expansion and stakeholder involvement. The project, **Tulare County Forest Health Task Force** (\$172,444) was chosen for integration into the capacity-building category to enhance its organizational structure and effectiveness.
- A project pipeline to advance projects from concept through design, environmental review, and finally implementation. Staff submitted three projects for SNC to consider. The SNC selected the **Upper Grouse Valley Project** (\$251,286). This project covers 981 acres of federal land. The proposed project includes design activities such as forest inventory, stand exams, timber cruise, and unit layout. This will prepare the project for environmental review and permitting.

In addition to the project costs above, the funding agreement includes administrative overhead at 10% or \$42,373.

All activities supported by the grant must be completed by July 31, 2027, with all associated reports due by the contract expiration on October 31, 2027. Additionally, the funding encompasses tribal engagement with stipends, staff participation in regional monitoring workshops, the development of a Regional Priority Plan, and a project portfolio. Acquiring this funding will significantly bolster the County's endeavors to improve forest health and enhance community fire protection initiatives.

The Sierra Nevada Conservancy agreement terms deviates substantially from County contract protocol as follows:

1. The County signs first.
2. The term of the Agreement is 3 years.
3. The County indemnifies SNC, the State, and all of their members, agents, officers and employees for any losses, claims and liabilities, except for those caused by a negligent or wrongful act, and shall pay for any losses, costs and expenses, including attorneys' fees.
4. The County waives its right to any express or implied contribution or indemnity from SNC and the State arising under Government Code sections 895.2 and 895.6.
5. Grantee waives any and all claims and recourses against SNC and the
6. State, including the right to contribution for loss or damage to persons or property, unless it is the result of gross negligence. SNC may suspend or terminate the Agreement with 7 days written notice.
7. Time is of the essence with respect to the project implementation completion date.

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8. Actions arising out of this Agreement shall be filed and maintained in the County of Placer, California, or the United States District Court for the Eastern District.

FISCAL IMPACT/FINANCING:

There are no net County costs to the General Fund. The County will receive a total allocation amount of \$466,103 from the Sierra Nevada Conservancy for eligible costs subject to grant guidelines. The attached AUD 308 requests revenue and expenditure increases totaling \$466,103 grant activities.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

These initiatives are interconnected with the strategic business plan across two key areas: 1. Organizational Performance aimed at enhancing organizational efficiency by fostering communication, collaboration, and decision-making processes to advance the objectives of the Tulare County Forest Health Task Force. 2. Safety and Security focused on ensuring the well-being of the public through a unified approach to emergency preparedness, response, recovery, and mitigation efforts, addressing both natural calamities and human-induced disasters to minimize landscape fuel risks.

ADMINISTRATIVE SIGN-OFF:

/s/ Reed Schenke

Reed Schenke, P.E.
Director

Cc: County Administrative Office

Attachments: AUD 308
Agreement