

**Sierra County
Board of Supervisors'
Agenda Transmittal &
Record of Proceedings**

MEETING DATE: December 4, 2018	TYPE OF AGENDA ITEM: <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Timed <input type="checkbox"/> Consent
DEPARTMENT: Department of Public Works and Transportation	
APPROVING PARTY: Tim H. Beals, Director	
PHONE NUMBER: 530-289-3201	

AGENDA ITEM: Discussion and direction to staff on formal communication with the Secretary for Agriculture and Secretary of the Interior and USFS Chief on County's continued position regarding fire severity, fire prevention, and biomass removal and disposal.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other

BACKGROUND INFORMATION: Sierra County was the first or among the first of the Sierra Nevada Counties to proclaim state of local emergency due in part to inadequate management of public lands. These same concerns are well conveyed letter from the Board of Supervisors to then Chief of the Forest Service Tony Tooke in November of 2017.

FUNDING SOURCE:
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND:
AMOUNT: \$ N/A

ARE ADDITIONAL PERSONNEL REQUIRED? <input type="checkbox"/> Yes, -- -- <input checked="" type="checkbox"/> No	IS THIS ITEM ALLOCATED IN THE BUDGET? <input type="checkbox"/> Yes <input type="checkbox"/> No IS A BUDGET TRANSFER REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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SPACE BELOW FOR CLERK'S USE

BOARD ACTION: <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2018- _____ Agreement 2018- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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COMMENTS:

CLERK TO THE BOARD _____ DATE _____

BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA

**PROCLAMATION OF LOCAL EMERGENCY
COUNTY OF SIERRA
STATE OF CALIFORNIA**

RESOLUTION 2014- 066

WHEREAS, County Ordinance 403 and Sierra County Code, Section 8.16.010 and following empowers the County Director of Emergency Services to request that the Board of Supervisors proclaim the existence or threatened existence of a local emergency when the County is affected or likely to be affected by a public calamity; and,

WHEREAS, the County Director of Emergency Services and the Board of Supervisors of the County of Sierra do hereby find that conditions of extreme peril to the safety of persons, property and public infrastructure have arisen affecting the communities of the County, the national forest system lands within the County, and the private timber and agricultural lands within the County caused by the uncontrolled build-up of natural fire fuels, posing a severe and ongoing threat of catastrophic wildfire in the County and in California; and,

WHEREAS, the management of lands, particularly regarding fire protection and fuel reduction, on national forest system lands under the jurisdiction of the United States Department of Agriculture-Forest Service is wholly inadequate, has long-been ignored, and is significantly under funded, placing Sierra County in significant peril and at great risk in the event that catastrophic wildfires occur in thereby destroying public resources, private property, businesses, and the natural environment; and,

WHEREAS, the irretrievable loss of productive forest lands for generations evidenced by the loss of goods and services originating from the public lands impacted by catastrophic wildfire; the insurance losses from catastrophic wildfires; the loss of valuable natural resources; the damage and/or loss of public and private property; the long-term devastation to local economies; the long-term negative impacts on the livelihood of local residents; and, the significant expenditure of public funding resulting from fire suppression efforts as well as infrastructure and resource restoration has risen to a critical point that demands an effective response and cooperative strategy among all levels of government to identify, plan, fund, and implement an effective public land fire protection strategy plan which includes planning, assessments, fuels reduction, and enhanced fire suppression and emergency response; and,

WHEREAS, these potential conditions are beyond the control of the services, personnel, equipment and facilities of Sierra County and the Federal and State agencies having fire suppression jurisdiction within the County and immediate region and the physical and fiscal impacts to the County of Sierra will be severe including but not limited to public utilities, public services, protection of property, emergency medical response, public schools, transportation, and the direct and indirect threats to business, lives, and property; and,

WHEREAS, the threat of wild land fire continues to be the highest priority assigned under the "Sierra County Hazard Mitigation Plan" developed in conformance with the

FEMA program entitled “Threat and Hazard Identification and Risk Assessment (THIRA)” program and this proclamation is made at a time when fuel conditions are extreme and all evidence clearly suggests that Sierra County is in peril and the County, including the “Sierra Nevada region” has never been more at risk with no relief in progress; and,

WHEREAS, the Governor of California declared a drought emergency for the entire State on January 17, 2014, and this declaration was based on the actual occurrence of the driest year on record in California, and while water-related actions have been initiated, no measurable strategy for long term and sustainable wild land fire-severity reduction appears eminent within Sierra County and within the boundaries of the Sierra Nevada as defined by the official boundaries of the Sierra Nevada Conservancy, a California State Agency, (which includes Sierra County and twenty one (21) other California counties) and hereinafter referred to as “Sierra Nevada region” and there exists no complementary action by Federal agencies to assess and react to the severity and perilous conditions facing the “Sierra Nevada region” related to catastrophic wildfire so therefore this proclamation implements a condition above and well beyond the scope of the January 2014 State drought-declaration of emergency; and,

WHEREAS, during the existence of said local emergency, the powers, functions, and duties of the Sierra County Office of Emergency Services shall be those prescribed by State law-Government Code 8630, Sierra County ordinances, and Sierra County resolutions and the County Director of Emergency Services shall proceed with formal notification to the State Office of Emergency Services, State legislative representatives, and the Governor of California with a request that he proclaim the County of Sierra to be in a state of emergency.

THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF SIERRA HEREBY PROCLAIMS AND DECLARES a local state of emergency based upon the foregoing findings as there exists, extreme conditions of peril to the safety of persons, private property, national forest system lands, valuable watersheds, and public infrastructure within the County of Sierra.

BE IT FURTHER DECLARED that the individual counties comprising the “Sierra Nevada region” as defined herein being situated within the boundary of the Sierra Nevada Conservancy are urged to evaluate the risk and peril experienced within each individual county and determine if such a proclamation of local emergency is warranted and appropriate.

BE IT FURTHER DECLARED that the Governor of California is requested to confirm a state of emergency and seek a Presidential concurrence regarding the existing conditions in Sierra County and the “Sierra Nevada region”, providing the highest possible priority and recognition of the extreme peril being encountered by providing a comprehensive and coordinated strategy directed by the Federal government, in cooperation with State and local government, which emulates the former and successful “Lake Tahoe Presidential Forum” for the deteriorating natural conditions impacting the Lake Tahoe region and conducted in 1997, providing a plan, tasking agencies with specific direction, providing long-term funding, establishing a streamlined process for project delivery directed towards a long-term and sustainable reduction of fire hazard and fuel loading to protect public and private resources as well as the lives and property of Sierra County citizens and the public.

Adopted on the 22nd day of July, 2014 by the following vote:

AYES: Supervisors..Huebner, Beard, Schlefstein, Roen

NOES: None

ABSENT: Supervisor..Adams

ABSTAIN: None

COUNTY OF SIERRA



Paul Roen
Chairman, Board of Supervisors

APPROVED AS TO FORM:


James A. Curtis
County Counsel

ATTEST:


Heather Foster
Clerk of the Board

**PROCLAMATION OF LOCAL EMERGENCY
COUNTY OF SIERRA
STATE OF CALIFORNIA**

WHEREAS, on July 22, 2016, the Board of Supervisors of the County of Sierra issued a proclamation of local emergency as follows which is identified as Sierra County Resolution 2014-066, and which is hereby updated and ratified; and,

WHEREAS, County Ordinance 403 and Sierra County Code, Section 8.16.010 and following empowers the Director of Emergency Services to request that the Board of Supervisors proclaim the existence or threatened existence of a local emergency when the County is affected or likely to be affected by a public calamity; and,

WHEREAS, the Director of Emergency Services and the Board of Supervisors of the County of Sierra do hereby find that conditions of extreme peril to the safety of persons, property and public infrastructure have arisen affecting the communities of the County, the national forest system lands within the County and region, and the private timber and agricultural lands within the County caused by the uncontrolled build-up of natural fire fuels, posing a severe and ongoing threat of catastrophic wildfire in the region and in California; and,

WHEREAS, the management of lands, particularly regarding fire protection and fuel reduction, on National Forest system lands under the jurisdiction of the United States Department of Agriculture-Forest Service is wholly inadequate, has long-been ignored, and is significantly under funded, placing Sierra County and the region in significant peril and at great risk in the event that catastrophic wildfires occur in the region thereby destroying public resources, private property, businesses, and the natural environment; and,

WHEREAS, the irretrievable loss of productive forest lands for generations evidenced by the loss of goods and services originating from the public lands impacted by catastrophic wildfire; the insurance losses from catastrophic wildfires; the loss of valuable natural resources; the damage and/or loss of public and private property; the long-term devastation to local economies; the long-term negative impacts on the livelihood of local residents; and, the significant expenditure of public funding resulting from fire suppression efforts as well as infrastructure and resource restoration has risen to a critical point that demands an effective response and cooperative strategy among all levels of government to identify, plan, fund, and implement an effective public land fire protection strategy plan which includes planning, assessments, fuels reduction, and enhanced fire suppression and emergency response; and,

WHEREAS, these potential conditions are beyond the control of the services, personnel, equipment and facilities of Sierra County and the Federal and State agencies having fire suppression jurisdiction within the County and region and the physical and fiscal impacts to the County of Sierra will be severe including but not limited to public utilities, public services, protection of property, emergency medical response, public schools, transportation, and the direct and indirect threats to business, lives, and property; and,

WHEREAS, this declaration and proclamation is made at a time when fuel conditions are extreme and all evidence clearly suggests that the Sierra Nevada region is in peril and the region has never been more at risk with no relief in progress; and,

WHEREAS, on October 20, 2015, Governor Brown issued an Executive Order related to unprecedented tree mortality due to drought conditions, directed state agencies to begin collaborating and partnering with local government to take action to remove dead and dying trees threatening public safety and infrastructure and approved California Disaster Assistance Act funding to assist in these efforts; and,

WHEREAS, tree mortality from bark beetle infestation has accelerated in 2016 in Sierra County which has augmented exponentially the previously identified peril and extreme risk with which Sierra County and the entire Sierra Nevada Region must contend; and

WHEREAS, during the existence of said local emergency, the powers, functions, and duties of the emergency organization of Sierra County shall be those prescribed by State law-Government Code 8630, County ordinances, and County resolutions and the County OES Director will proceed with formal notification to the State Office of Emergency Services, the legislative representatives, and the Governor of California with a request that he proclaim the County of Sierra to be in a state of emergency.

THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF SIERRA HEREBY PROCLAIMS AND DECLARES a local state of emergency based upon the foregoing findings as there exists extreme conditions of peril to the safety of persons, private property, national forest system lands, valuable watersheds, and public infrastructure within the County of Sierra.

BE IT FURTHER DECLARED that the Governor of California is requested to confirm a state of emergency and seek a Presidential concurrence regarding the existing conditions in Sierra County and the Sierra Nevada region, providing the highest possible priority and recognition of the extreme peril being encountered by providing a comprehensive and coordinated strategy, funding, a streamlined process for project delivery directed towards a long-term and sustainable reduction of fire hazard and fuel loading required to protect the public and private resources as well as the lives and property of Sierra County citizens and the public.

BE IT FURTHER DECLARED that said local State of Emergency shall be deemed to continue to exist until its termination is proclaimed by the Board of Supervisors of the County of Sierra.

Dated: December 6, 2016

By: 

Lee Adams
Sierra County Board of Supervisors

Attest: Adopted at a regular meeting of the Sierra County Board of Supervisors on December 6, 2016 in Downieville, California:



Heather Foster
Clerk of the Board of Supervisors

SIERRA COUNTY

Board of Supervisors
P.O. Drawer D
Downieville, California 95936
Telephone (530) 289-3295
Fax (530) 289-2830



November 7, 2017

United States Department of Agriculture
Forest Service
National Headquarters
Sidney R. Yates Federal Building
201 14th Street SW
Washington, DC 20250-1111

Attention: Mr. Tony Tooke
Chief of the Forest Service

Dear Chief Tooke:

Please accept sincerest congratulations from the Sierra County Board of Supervisors on your appointment as Chief of the Forest Service which we understand to have taken effect on August 21, 2017. This Board of Supervisors is motivated and hopeful that changes in management of the Forest Serviced under your leadership will attain the laudable goals announced recently by the Secretary of Agriculture including "getting the forests working again, making the forests more productive, and, creating more jobs with a focus on being good neighbors and working with local government to ensure the utmost collaboration."

Sierra County, California is an area of 1000 square miles of which in excess of seventy per cent is public land under the direction and administration of the Forest Service within the boundaries of the Tahoe, Plumas, and Humboldt-Toiyabe National Forests. The County is vastly rural with a population of 3500 positioned at the headwaters of the Truckee River, Feather River, and Yuba River drainages and located within the northern Sierra Nevada range. Agriculture, timber management, and outdoor recreation are the economic engines of the County economy. Being defined by California law as a "frontier County" the relationship between the Forest Service and the County is of paramount concern and importance to the very survival and prosperity of the County and its rural communities.

We understand that you may be visiting California in mid-November to conduct meetings and observe and discuss forest issues. Accordingly, this Board of Supervisors would sincerely request an opportunity to meet with you during your upcoming trip to enable County officials to succinctly summarize concerns and provide you with first-hand knowledge of the frustration we are experiencing with the execution (or lack of) of

national policy related to resource matters and the Forest Service. We would be honored to arrange meeting accommodations for such an opportunity. Realizing the value of your time, we would strive to limit it to thirty minutes at an appropriate location within this region. We feel that this would be a very productive opportunity for you and your staff by enabling first-hand understanding of the impacts of Forest Service actions or inactions from the perspective of the most rural county in California.

The County is very fortunate in having close working relationships and interaction with local Ranger District staff. The District Ranger of the Sierraville Ranger District as well as the District Ranger of the Yuba River Ranger District (both within the Tahoe National Forest) provide exemplary efforts to coordinate with local government. These two District Rangers are excellent ambassadors for the Forest Service. The mounting frustration and difficulty that we experience with the Forest Service is not at the local level but is with the inefficiency, inconsistency, and the complete lack of understanding and empathy by Forest Service management for critical issues impacting the County and region. Repeated efforts to communicate and seek satisfactory policy execution on a host of critical issues are falling far short of reasonable expectations. We are seeing not only a paralysis within the agency, but a lack of accountability and a virtual failure to discharge its basic mission. This condition has a significant, cumulative impact on the County. It directly impacts the ongoing relationship between the Forest Service and the County, creates difficult working conditions, and increases a lack of confidence in the agency and its ability to properly manage the resources under its jurisdiction.

We have grouped issues into broad categories so that we can prudently represent in brief summary fashion, the County's concerns for your consideration:

- 1) Aggressive and sustainable program to reduce risk of catastrophic wildfire by implementation of effective fuels reduction and biomass utilization strategies
- 2) Secure Rural Schools funding and the need for renewed recognition of the healthy and productive relationship intended to be implemented between the Federal government and rural communities that commenced with the creation of the National Forest system, including but not limited to sustainable jobs, healthy rural forested communities, infusion of revenues and programs related to commerce and economic health, and recognition of the ongoing commitments and obligations of the federal government to address the financial offsets to having large tracts of land within counties devoted to national forest and public uses
- 3) The financial impacts of forest stewardship contracts, forest receipt payments to counties and how receipts are calculated
- 4) Forest Receipt Payments to Counties, and Transient Occupancy Collections
- 5) Ranger Station location in western Sierra County and the damages and inefficiencies caused to government operations as well as increased federal costs caused by relocating ranger station offices from a Forest Service owned facility in the Sierra County seat (historic Downieville) to a remote, privately leased office location outside of the Tahoe National Forest boundary
- 6) Locality Pay Differential and County transient occupancy collections at Forest Service recreational sites and campgrounds

- 7) Grazing allotment inequities and lack of any access to resources provided through the Farm Bill, including biomass subsidy similar to those provided to solar, wind, and geothermal resources
- 8) Wildland fire funding in the Federal budget like other similar natural disasters
- 9) Marijuana enforcement and prosecution and the consistently declining economic support for local law enforcement contracts particularly where Federal ownership within the County is in excess of seventy per cent
- 10) Travel management (OHV) planning process including OSV uses
- 11) NEPA process and the need for consideration for streamlining programs related to fire salvage, grazing allotments, and increasing treatments for biomass removal to reduce fire fuels

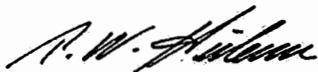
In summary, we look forward to a renewed and productive working relationship and partnership with the Forest Service and we trust that the serious issues provided herein will be given serious consideration, opening new channels of communication with your staff. The status quo will not work and it is abundantly clear that the many issues facing Sierra County and the greater Sierra region pertaining to forest management and watershed health, including declining social, economic, and environmental conditions, are directly proportional to the reduction in consistent and effective policy implementation and resource management by the Forest Service. This has created a most volatile condition and has placed the forest communities and resources of this region at risk like never before.

Thank you and we offer this document as a request and summary of critical issues and a hopeful beginning of new direction for the Forest Service, in particular, how it collaborates with local government. We look forward to your reply.

Thank you.

Sincerely,

Sierra County
Board of Supervisors



Peter W. Huebner
Chairman of the Board