

AGENDA TRANSMITTAL FORM

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| <input checked="" type="radio"/> Regular Agenda |
| <input type="radio"/> Consent Agenda |
| <input type="radio"/> Blue Slip |
| <input type="radio"/> Closed Session |
| Meeting Date Requested: <u>02/10/2015</u> |

To: Board of Supervisors

Date: 02/04/2015

From: Chuck Iley, County Administrative Officer
(Department Head - please type)

Phone Ext. x470

Department Head Signature _____

Agenda Title: Level II Infill Correctional Facilities Project

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Discussion and possible action relative an update by Mr. Bob Sleppy, CDCR, Facilities Planning and Management, regarding the Level II Infill Correctional Facilities Project at the Mule Creek State Prison Infill Site-Secondary Effluent Spray Field Enhancement Measures.

Recommendation/Requested Action: _____

Fiscal Impacts (attach budget transfer form if appropriate) _____ Staffing Impacts _____

| | |
|--|--|
| Is a 4/5ths vote required? Yes <input type="radio"/> No <input type="radio"/> | Contract Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Resolution Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Ordinance Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A |
| Committee Review? Name _____ N/A <input type="checkbox"/> Committee Recommendation: _____ | Comments: _____ _____ |

Request Reviewed by:

Chairman [Signature] Counsel 68

Auditor [Signature] GSA Director [Signature]

CAO _____ Risk Management [Signature]

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

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|---------------------------------------|--------------------------------|-----------------|
| Meeting Date <u>2/10/15</u> | Time _____ | Item # <u>8</u> |
| Board Action: Approved Yes ___ No ___ | Unanimous Vote: Yes ___ No ___ | |
| Ayes: _____ | Resolution _____ | Ordinance _____ |
| Noes _____ | Resolution _____ | Ordinance _____ |
| Absent: _____ | Comments: _____ | Other: _____ |

| | | |
|----------------------|---|--|
| Distributed on _____ | A new ATF is required from _____ Department | I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. |
| Completed by _____ | For meeting of _____ | ATTEST: _____ Clerk or Deputy Board Clerk |

FACILITY PLANNING, CONSTRUCTION AND MANAGEMENT

P.O. Box 942883

Sacramento, CA 94283-0001



NOTICE OF PREPARATION OF A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

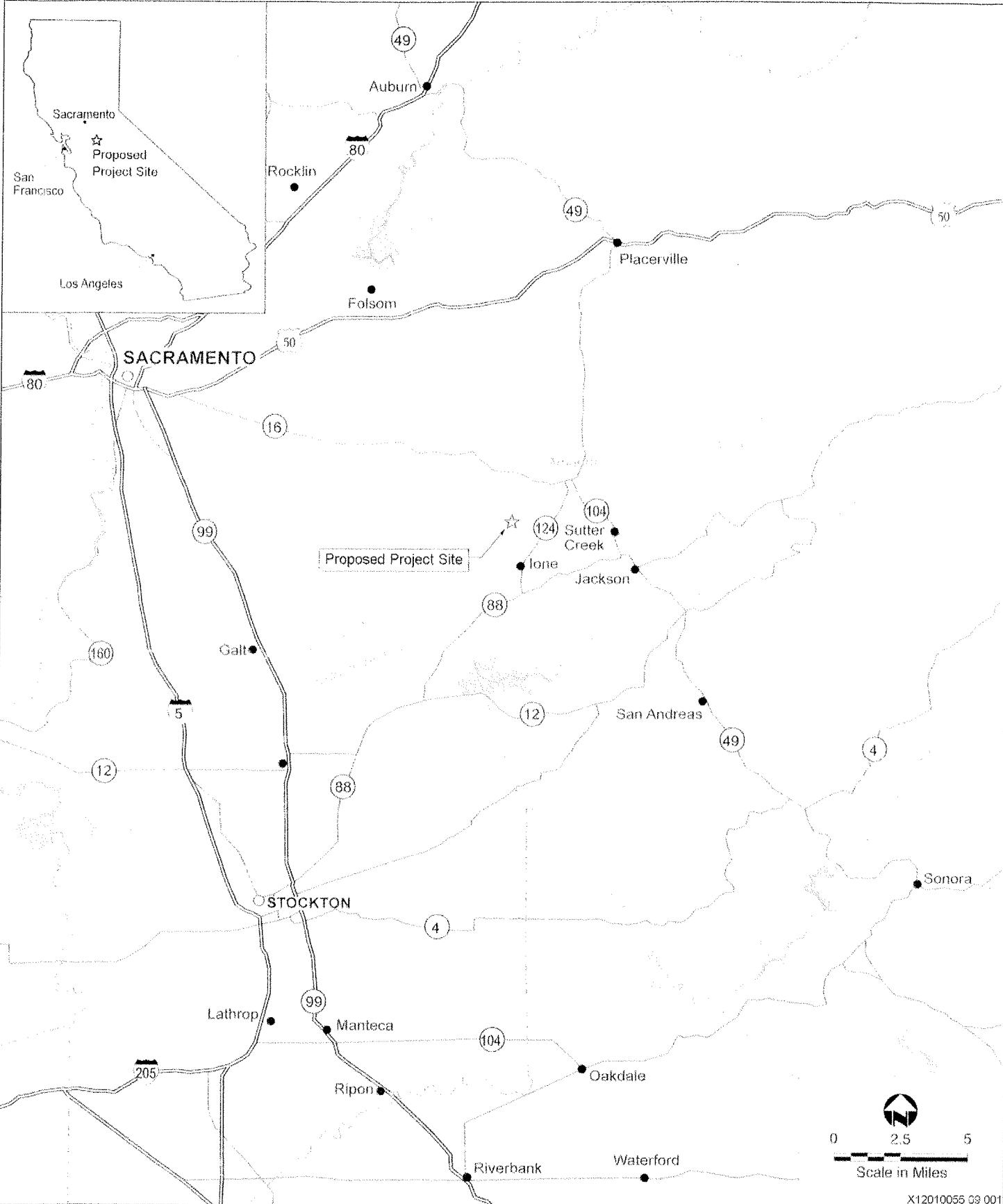
LEVEL II INFILL CORRECTIONAL FACILITIES PROJECT AT THE MULE CREEK STATE PRISON INFILL SITE - SECONDARY EFFLUENT SPRAY FIELD ENHANCEMENT MEASURES

GENERAL INFORMATION

- To:** Office of Planning and Research, Responsible Agencies, and Trustee Agencies
- Project Title:** Level II Infill Correctional Facilities Project at the Mule Creek State Prison Infill Site - Effluent Spray Field Enhancement Measures
- Lead Agency:** California Department of Corrections and Rehabilitation (CDCR)
Facility Planning, Construction and Management
9838 Old Placerville Road, Suite B
Sacramento, CA 95827
Contact: Robert Sleppy (916) 255-1141
- Purpose of Notice:** In accordance with provisions of the California Environmental Quality Act (CEQA), CDCR is distributing a Notice of Preparation (NOP) to solicit comments on the scope of a Subsequent Environmental Impact Report (SEIR) for installation and operation of up to approximately 60 to 70 acres of new secondary effluent spray fields as well as enhancements to the existing spray fields within existing CDCR property at Mule Creek State Prison (MCSP). This NOP is intended to satisfy the requirements of CEQA, (Public Resources Code, Division 13, Section 21000–21177), and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000–15387).
- Project Location:** The project site is located within the eastern/southeastern portion of existing state prison property at 4001 State Route 104, Lone, CA 95640 (see Exhibits 1 and 2).

PROJECT BACKGROUND

MCSP is served by an existing secondary wastewater treatment plant (WWTP) that operates under Waste Discharge Requirements (WDRs) described in the Central Valley Regional Water Quality Control Board's (CVRWQCB's) Order No. 5-00-088 (April 2000). The WWTP treats the combined wastewater flows from MCSP, the Preston Youth Correctional Facility (PYCF), and the California Department of Forestry and Fire Protection (CAL FIRE) Academy. The PYCF was closed in June 2011, and CDCR has no current plans for reuse or alternative use of the facility. However, the facility still generates minimal sewage flows, as well as wet-weather flows, that are treated at the MCSP treatment plant. Sewage generated by the new Level II dormitories will be conveyed to the prison's WWTP for treatment in the same manner as the treatment of sewage from the other three sources.



X12010055 03 001

Exhibit 1

Project Vicinity Map



The WWTP is currently designed for an average dry-weather flow of 740,000 gallons per day (or 0.74 million gallons per day [mgd]) and peak wet-weather flow of 2.2 mgd. The plant's design consists of an oxidation ditch, two clarifiers, chlorination facilities (for disinfection), a belt filter press operation for dewatering sludge, and a 4,000-gallon hypochlorination storage tank. Solids produced by the WWTP are dewatered with a belt filter press and then stored in a covered, concrete-lined drying area. When the material is sufficiently dried it is collected by a licensed compost contractor and hauled to Kern County to be converted into Class A compost. The plant's facilities include a large, on-site reservoir (approximately 475 acre foot capacity) for storage of treated secondary effluent; this reservoir is situated on prison grounds immediately north of the WWTP.

Disinfected secondary effluent from the WWTP is currently disposed of by either discharge to on-prison grounds spray irrigation fields or by conveyance to the City of Lone's tertiary treatment plant. Prior to the start of construction of the Level II infill facility and other infrastructure improvements there were 296 acres of spray fields available within the state prison property that were permitted for the disposal of disinfected secondary effluent. The spray fields consist of grassland/oak woodland where effluent can be irrigated within specific designated areas on a rotational basis to assure uniform application and prevent overwatering.

CDCR plans to continue the practice of disinfection of all treated secondary effluent prior to its application to on-site prison spray fields and for the portion conveyed to Preston Reservoir.

The previously certified environmental impact report entitled, Level II Correctional Facilities Project, Site-Specific Evaluation of Level II Infill Correction Facilities at Mule Creek State Prison, (SCH# 2012122038) ("Infill EIR" for the "MCSP Project") stated that construction of the new facilities would result in an approximately 100-acre reduction to the existing secondary effluent spray fields at the prison. The Infill EIR proposed the use of an existing 100+ acre agricultural field located roughly two miles southwest of the infill site on Greenrock Ranch. (See Infill EIR, pp.2-11 to 2-12, [Exhibit 2-5], 3.2-1, 3.7-16 to 3.7-17). Subsequent detailed engineering has determined that only 60-70 acres of new spray fields are needed to meet the permitted capacity of the WWTP. The SEIR will consider the potential direct and indirect effects of the revised proposed spray fields and enhancements to existing spray fields from those previously considered in the Infill EIR prior to adoption of the MCSP Project.

The Preston Reservoir provides interim storage for the portion of the treated secondary effluent intended for additional treatment at the tertiary plant. Processed effluent from the tertiary plant is used to irrigate the Castle Oaks Golf Course. CDCR operates this reservoir under a three-party agreement that includes the City of Lone and the Amador Regional Sanitation Authority. The terms of this agreement do not extend to the operation of secondary effluent spray fields on prison grounds.

CDCR is undertaking upgrades to the WWTP beginning in 2015 that will consist of a number of mechanical improvements (e.g., secondary clarifier, chlorine contact basin, new pumps and controls, etc.) to enhance the operation of the plant and improve water conservation. While CDCR anticipates the completed WWTP will represent a significant improvement to the overall operations, CDCR is not planning to seek an increase in the permitted treatment capacity of the facility. CDCR expects the permitted capacity, once the facility is permitted by the CVRWQCB, to remain at 0.74 mgd daily flows and 2.2 mgd peak flows.

OBJECTIVES

The primary objective of the proposed measures is to assure the WWTP at the prison would meet its permitted capacity of 0.74 mgd through enhancement of the existing effluent spray field system. These measures include (1) install up to approximately 60 to 70 acres of new secondary effluent spray fields, and (2) enhance the effectiveness of the remaining portion of the prison's spray fields by undertaking improvements to existing sprinkler and return-water systems. The proposed enhancement measures are intended to achieve the following objectives:

- ▲ Improve the overall effectiveness of the secondary effluent irrigation system to ensure wastewater from all entities served by the prison's WWTP meets all applicable water standards and quality regulations;
- ▲ Provide sufficient disposal capacity for that portion of secondary effluent that must be irrigated to land within the state-owned prison grounds in normal and multiple wet/dry year conditions to meet MCSP's needs at full occupancy of all its facilities along with flows originating from the fire academy and juvenile facility; and
- ▲ Utilize vacant/underutilized property within state-owned property associated with MCSP for the cost efficient disposal of treated secondary effluent.

DESCRIPTION OF PROPOSED ENHANCEMENT MEASURES

Construction of the Level II dormitories and a new electrical substation on the grounds of MCSP has resulted in the displacement of areas previously used for the irrigation of disinfected secondary effluent within the prison grounds. To account for the combined loss of previous disposal areas and to assure the WWTP at MCSP can operate at a level necessary to serve the population of the existing prison and the anticipated additional inmates that will be housed in the Level II dormitories currently under construction, CDCR estimates that up to approximately 60 to 70 acres of new effluent spray fields are necessary. The candidate spray fields will be assessed in light of variations in terrain, soils, depth to groundwater, environmental constraints and other factors to identify those areas that are appropriate for secondary effluent irrigation.

The areas to be evaluated for new spray fields are generally bounded by the new Level II dormitories, Preston Reservoir, the fire academy, and PYCF; one additional extension of an existing spray field (Field 4) to northeast of the Level II dormitories is also under consideration, see Exhibit 3. The remaining effluent spray fields that may be enhanced are shown in Exhibit 4. In comparison, the Infill EIR evaluated an existing agricultural field situated approximately two miles southwest of the infill site for the potential use as a new replacement effluent spray field. While the City of Lone has expressed concerns for the long-term availability of this site CDCR will continue to consider this field as an alternative to the proposed enhancement of spray fields within prison grounds.

The majority of the areas under consideration for use as secondary effluent spray fields have served as wildland fire training areas for the adjacent CAL FIRE academy. Previous activities in these areas include, but are not limited to, cutting fire lines (by hand and with heavy equipment), development of training roads, setting demonstration fires, and creating realistic fire response/rescue situations,

CDCR will also evaluate and potentially modify portions of the remaining secondary effluent spray fields to enhance their respective operational performance and regulatory compliance by improving irrigation uniformity/coverage, capturing and re-using irrigation runoff, reducing the practice of periodically till each field, and introducing grass species adapted to effluent spray fields.

The proposed enhancement measures would require the installation of new piping, pumps, irrigation equipment, and related infrastructure to serve the new spray fields. New piping for these fields would connect to existing spray field distribution network; the main distribution piping would typically be placed within existing unpaved roadways (approximately 3' to 5' below grade). Within the proposed spray fields the distribution piping would connect to smaller piping placed either on top of the ground or buried to provide a fixed-set irrigation system that would be used for distribution of the disinfected secondary effluent. Spray heads would consist of rotating sprinklers in a pattern that would maximize uniform distribution of the secondary effluent to each field. CDCR anticipates that installation of the irrigation piping and associated infrastructure would involve limited native tree (e.g., oaks, grey pines, etc.) removal. Enhancement of existing spray fields may include, but is not limited to, installation of new sprinklers, automation of irrigation valves, improvements to run-off control features, etc.

Installation of the new spray fields would involve limited initial soil disturbance; long-term disturbance is expected to be minimal. All trenching for installation of the irrigation network would be monitored for cultural resources by qualified professionals and/or sacred lands observers. Pre-construction assessment of cultural and biological resources is intended to minimize disturbance of significant resources, including existing recorded cultural resource sites.

The new fields would not be located in areas determined to meet the regulatory standards for wetlands. Pathways for new irrigation piping required to serve the new spray fields will also avoid disturbance of protected wetland habitat and jurisdictional waters of the United States. No mass-grading of the existing terrain is planned for installation of new spray fields.

Enhancement of the existing effluent spray fields would be limited to sprinkler modification/replacement, modification of run-off control features, planting new cover crops, and upgrading sprinkler control systems. Only minor ground-disturbing activities are anticipated for implementation of the enhancement aspects of the proposed enhancement measures.

As with the existing fields, effluent disposal activities within the proposed new spray fields would generally occur weekly between the months of March and October depending on soil moisture conditions of each field. Under the current WDR secondary effluent may also be irrigated during other months but only during periods between (approximately 48 hours) significant rainfall events. Irrigation cycles would be monitored to assure runoff does not exceed the boundaries of each respective spray field in accordance with CVRWQCB requirements. The new spray fields would be maintained by MCSP's existing WWTP facility staff and mowed periodically to prevent vegetation from hindering the effectiveness of the sprinklers spraying of effluent. Mowing activities would involve the use of a tractor with an agricultural-type mower. Use of an agricultural-type mower would result in minimal ground disturbance.

Installation of the piping and other infrastructure needed for the new effluent spray fields is planned for the fall of 2015 with initial operation of the spray fields proposed in the spring of 2016. As noted, a revised WDR approved by the CVRWQB would be required for the operation of the new spray fields. Enhancement of the existing effluent spray fields would also occur during this period.

POTENTIAL APPROVALS AND PERMITS REQUIRED

The following is a list of potential approvals and/or permits that may be required as part of implementation of the proposed enhancement measures:

- ▲ CDCR: Approval of proposed effluent spray field enhancement measures, adoption of environmental findings and mitigation measures, and, if necessary, adoption of Statement of Overriding Consideration.
- ▲ US Army Corps of Engineers: Confirmation of jurisdictional wetland boundaries.
- ▲ US Fish and Wildlife Service: Issuance of take permits if species protected under the Endangered Species Act are likely to be affected by installation and/or operation of the proposed enhancement measures.
- ▲ California Department of Fish and Wildlife: Issuance of any necessary take permits for species protected under the California Endangered Species Act or any necessary Lake and Streambed Alteration Agreements under Department of Fish and Game Code Section 1600-1616.
- ▲ CVRWQCB: Secure general construction permits and amendments to existing waste discharge requirements for the MCSP WWTP and new spray fields.
- ▲ Air Quality Management District: Secure, if necessary, applicable air quality permits from the local district.

POTENTIAL ENVIRONMENTAL EFFECTS

CDCR has concluded that the proposed enhance measures may have the potential to result in significant impacts to three resource areas: biological resources, cultural resources/sacred lands, and hydrology/water quality.

Pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162, no subsequent or supplemental EIR is required to a previously certified EIR unless one of the events listed in section 15162, subdivision (a), occurs. In this circumstance, because CDCR has concluded that the proposed spray field enhancement measures may have the potential to result in new significant adverse effects not analyzed in the Infill EIR, a SEIR has been found to be required. The Infill EIR already has comprehensively analyzed all potential impacts relating to the use of approximately 100 acres of agricultural land situated off-site of the prison grounds to replace the irrigation areas lost in Spray Fields 4 and 5 (the construction area for the Level II dormitories). CDCR has decided to prepare a SEIR to analyze the proposed changes to the location of the new spray fields as analyzed in the Infill EIR.

The SEIR will analyze the potential environmental impacts that may result from the incremental changes to the MCSP Project, but were not covered by the previously certified Infill EIR. These issues are: biological resources, cultural resources, and hydrology/water quality. The SEIR will evaluate the potentially significant direct, indirect, and cumulative environmental impacts associated with construction and implementation of the proposed effluent spray field enhancement measures, as described above. Mitigation measures will be recommended, where appropriate, to avoid or substantially reduce significant adverse environmental effects of the proposed effluent spray field enhancement measures.

BIOLOGICAL RESOURCES

The SEIR will include a review of existing biological resource studies and regulations related to biological resources that occur within the project area. The findings of field studies will also be incorporated into the environmental analysis. The document will evaluate potential impacts on sensitive biological resources resulting from installation and operation of new spray fields at MCSP, including potential impacts on wildlife species from installation of piping and mowing activities.

CULTURAL RESOURCES

The SEIR will evaluate the potential for impacts to cultural resources, prehistoric and historic, to occur as a result of implementation of the effluent spray field enhancement measures. Background research will include record searches at the appropriate California Historical Resources Information System Information Center, as well as searches of the Native American Heritage Commission's Sacred Lands database, contact with appropriate Native American representatives, and pedestrian surveys will be conducted of the proposed spray field areas and corridors where piping may be installed. CDCR anticipates that consultation with representatives of the Lone Band of Miwok Indians as well as other local tribal representatives will occur during the preparation of the cultural resource assessment.

HYDROLOGY AND WATER QUALITY

The SEIR will evaluate the potential impact of the effluent spray field enhancement measures on the hydrology and water quality characteristics of the project area the potential for degraded water quality. The SEIR will identify the requirements for preventing soil erosion during installation and during the operation of the potential enhancement components.

OTHER ENVIRONMENTAL ISSUES

CDCR has conducted preliminary review of the proposed effluent spray field enhancement measures and has determined it is not likely to result in significant environmental effects to the following resources, and/or would not substantially increase an impact already addressed in the certified Infill EIR:

- ▲ Aesthetics: Installation and use of the new spray fields, as well as enhancements to existing fields would result in only minor alterations to the existing appearance of the prison grounds. The new fields would generally not be visible from any public viewpoint such as State Route 104 or Waterman Road.
- ▲ Agriculture and Forestry Resources: The proposed enhancement measures would not result in the loss of agricultural or forestry resources. Substantial vegetation removal would not occur as a result of construction or operation of the proposed spray field enhancement measures.
- ▲ Air Quality: Construction activities associated with the new spray fields and enhancement of the existing fields would be relatively minor and would not result in substantial generation of criteria pollutant emissions. Moreover, construction of spray fields was already addressed in the certified Infill EIR, and the SEIR will simply addresses changes in the location of the spray fields. No new criteria pollutants would be generated during operation of the proposed project.
- ▲ Geology/Soils/Mineral Resources: The proposed enhancement measures would not increase the risk of exposure of people and/or structures to geologic hazards nor would it involve the use of septic systems. Because the proposed project would not involve substantial construction, excavation, or other ground disturbance, potential loss of mineral resources is not anticipated.
- ▲ Greenhouse Gases: The proposed enhancement measures would be relatively minor and would not result in substantial generation of greenhouse gases. Moreover, construction of spray fields was already addressed in the certified Infill EIR, and the SEIR simply addresses changes in the location of the spray fields. No notable greenhouse gases would be generated by operation of the spray fields.
- ▲ Hazards and Hazardous Materials: The proposed new spray fields would not increase the risk of exposure to hazardous materials or increase hazards at the project site. All effluent disposal operations would be conducted in accordance with applicable California Code of Regulations and waste discharge requirements. The proposed enhancements to the existing fields would further insure compliance with water quality regulations. Setbacks from all roadways and other areas typically occupied by staff and visitors would be provided around the perimeter of each new spray field in conformance with state environmental health regulations.
- ▲ Land Use and Planning: The proposed new spray fields and other improvements would not conflict with existing planning efforts or physically divide an established community because improvements would occur within the existing prison/CAL FIRE training grounds.
- ▲ Noise: The nearest sensitive receptors (dormitories at CALFIRE) to the proposed new spray fields are located approximately 1,000 feet from proposed construction activities, and based on the limited construction activities proposed (e.g. one backhoe/excavator), no substantial construction-related noise impacts would be anticipated. Maintenance activities would be of a similar scale and frequency to activities already conducted within the project area, and no increase in operational noise is anticipated.
- ▲ Population/Housing/Employment: Existing maintenance staff at MCSP would be responsible for operation of the new spray fields. No increases in local population and employment or increased demand for housing would occur as a consequence of the proposed enhancement measures.

- ▲ Public Services and Recreation: Because the proposed enhancement measures would not increase local on-site population or result in additional on-site structures, no increases in the demand for public services or recreational opportunities would be anticipated.
- ▲ Transportation/Traffic: The proposed enhancement measures would be operated by existing, on-site staff at MCSP and would not result in additional vehicle trips to and from the prison grounds. No impacts to the local or regional transportation network would occur as a consequence of the proposed enhancement measures.
- ▲ Utilities/Service Systems: The proposed enhancement measures would provide additional secondary effluent disposal capacity at MCSP and would not result in increased demand for utilities as a result of their construction or operation.

Because none of these resources are expected to be substantially affected by the proposed enhancement measures, CDCR does not propose addressing them in the SEIR.

ALTERNATIVES TO BE EVALUATED IN THE SEIR

In accordance with the CEQA Guidelines Section 15126.6, the SEIR will describe a reasonable range of alternatives to the proposed enhancement measures that are capable of meeting most of the proposed enhancement measure objectives, but would avoid or substantially lessen any of the significant effects of the proposed enhancement measures. The SEIR will also identify any alternatives that were considered but rejected by the lead agency as infeasible and briefly explain the reasons why.

OPPORTUNITY FOR PUBLIC COMMENT

Interested individuals, groups, and agencies may provide CDCR with written comments on topics to be addressed in the SEIR. In accordance with time limits mandated by State law (e.g. minimum 30-day public review of a NOP), comments should be provided no later than **5:00 p.m. on February 20, 2015**. Agencies that will need to use the SEIR when considering permits or other approvals for the proposed enhancement measures should provide CDCR with the name of a staff contact person. Please send all comments to:

California Department of Corrections and Rehabilitation
Office of Facility Planning, Construction and Management
9838 Old Placerville Road, Suite B
Sacramento, CA 95827

Email: Robert.Sleppy@cdcr.ca.gov
Contact: Robert Sleppy at (916) 255-1141

Copies of current and future environmental documents related to the MCSP Project and proposed effluent spray field enhancement measures will be available for review at the following location during the public review periods.

Ione Branch Library
25 East Main Street
Ione, CA 95640
(209) 274-2560

Jackson Branch Library
530 Sutter Street
Jackson, CA 95642
(209) 223-6400

CDCR will also be conducting a public scoping meeting during public review of the NOP in the City of Lone area. The objective of the meeting is to brief interested parties on the proposed effluent spray field enhancement measures and obtain the views of agency representatives and the public on the scope and content of the SEIR and the potentially significant environmental impacts. The following identifies the times and locations for the NOP scoping meeting:

February 5, 2015, 6:00 p.m.
Evalynn Bishop Hall
Howard Park
600 South Church Street
Lone, CA 95640

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 02/03/2015

From: Michael W. Israel Phone Ext. 536
(Department Head - please type)

Department Head Signature Michael W. Israel

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|----------------------------------|----------------|
| <input checked="" type="radio"/> | Regular Agenda |
| <input type="radio"/> | Consent Agenda |
| <input type="radio"/> | Blue Slip |
| <input type="radio"/> | Closed Session |
| Meeting Date Requested: | |
| <u>2-10-15</u> | |

Agenda Title: CUPA Inspection and Enforcement Plan Updates

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 Review of proposed updates and possible adoption of a resolution approving changes to the Inspection and Enforcement plans adopted by the Board in 2009.

Recommendation/Requested Action:

Adopt resolution

Fiscal Impacts (attach budget transfer form if appropriate)

None

Staffing Impacts

None

Is a 4/5ths vote required?

Yes No

Contract Attached: Yes No N/A
 Resolution Attached: Yes No N/A
 Ordinance Attached: Yes No N/A

Committee Review?

N/A

Name Land Use & Community Development

Comments: _____

Committee Recommendation:

Approve updates

Request Reviewed by:

Chairman [Signature] Counsel _____

Auditor [Signature] GSA Director [Signature]

CAO [Signature] Risk Management [Signature]

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

Environmental Health

FOR CLERK USE ONLY

Meeting Date 2/10/15 Time _____ Item # 9

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on _____

A new ATF is required from _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.

Completed by _____

Department _____
 For meeting _____
 of _____

ATTEST: _____
 Clerk or Deputy Board Clerk

Save

Print Form



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
ENVIRONMENTAL HEALTH DEPARTMENT

PHONE: (209) 223-6439
FAX: (209) 223-6228
WEBSITE: www.amadorgov.org
EMAIL: ACEH@amadorgov.org

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

MEMORANDUM

TO: Amador County Board of Supervisors

FROM: Michael W. Israel, Environmental Health Department *MWI*

DATE: February 3, 2015

SUBJECT: CUPA Inspection and Enforcement Plans

During the routine triennial CUPA evaluation in March, 2014, it was determined that the Inspection and Enforcement program plans were in need of updates to reflect the implementation of CERS, to clearly state required staff training & qualifications for the UST portion of the program and to correct some outdated code citations. A staff initiated change to Section II of the Inspection plan provides a more general outline of the program and eliminates the facility count which would require constant revision to remain accurate. The proposed changes, shown in track change format, were reviewed by the Land Use and Community Development Committee and recommended for approval by the Board.

BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA

IN THE MATTER OF:

A RESOLUTION APPROVING UPDATES TO THE)
AMADOR COUNTY UNIFORM PROGRAM AGENCY)
INSPECTION AND ENFORCEMENT PLAN) RESOLUTION NO. _____

WHEREAS, The Environmental Health Department is the Certified Unified Program Agency (CUPA) for Amador County as authorized under California Health and Safety Code section 25404; and

WHEREAS, California Health and Safety Code section 25404.2(a)(3) requires that the CUPA develop and implement a single, unified inspection and enforcement program to ensure coordinated, efficient, and effective regulation of hazardous materials and hazardous waste; and

WHEREAS, Section 15200, Title 27, California Code of Regulations requires the development of a written plan to implement an inspection and enforcement program as well as annual review and update of said plan, as necessary; and

WHEREAS, The existing inspection and enforcement plans were developed by the Hazardous Materials Advisory Committee in cooperation with CUPA staff intended to achieve compliance with a minimum of impact on the regulated community; and

WHEREAS, The existing plans have been reviewed and changes proposed to reflect needed updates.

NOW, THEREFOR, BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that said Board approves the updates to the Amador County Unified Program Inspection and Enforcement Plans.

The foregoing resolution was duly passed and adopted by the Board of Supervisors in the County of Amador at a regular meeting thereof, held on the _____ day of _____, 2015, by the following vote:

AYES:
NOES:
ABSENT:

CHAIRMAN, Board of Supervisors

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 02/04/2015

From: Brian Oneto, Chairman
(Department Head - please type)

Phone Ext. x470

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| <input checked="" type="radio"/> Regular Agenda <input type="radio"/> Consent Agenda <input type="radio"/> Blue Slip <input type="radio"/> Closed Session Meeting Date Requested: <u>02/10/2015</u> |
|--|

Department Head Signature _____

Agenda Title: Rural County Representatives of California

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 Discussion and possible action relative to an update by Chairman Brian Oneto relative to a recent meeting of the RCRC Board of Directors.

Recommendation/Requested Action: _____

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| Fiscal Impacts (attach budget transfer form if appropriate) | Staffing Impacts |
|---|------------------|

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| Is a 4/5ths vote required? Yes <input type="radio"/> No <input type="radio"/> | Contract Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Resolution Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Ordinance Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A |
| Committee Review? Name _____ N/A <input type="checkbox"/> Committee Recommendation: _____ | Comments: _____ _____ |

Request Reviewed by:

| | |
|-----------------------------|------------------------------------|
| Chairman <u>[Signature]</u> | Counsel _____ |
| Auditor <u>[Signature]</u> | GSA Director <u>[Signature]</u> |
| CAO <u>[Signature]</u> | Risk Management <u>[Signature]</u> |

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

| | | |
|---------------------------------------|--------------------------------|------------------|
| Meeting Date <u>2/10/15</u> | Time _____ | Item # <u>10</u> |
| Board Action: Approved Yes ___ No ___ | Unanimous Vote: Yes ___ No ___ | |
| Ayes: _____ | Resolution _____ | Ordinance _____ |
| Noes: _____ | Resolution _____ | Ordinance _____ |
| Absent: _____ | Comments: _____ | |

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| Distributed on _____ | A new ATF is required from _____ Department _____ For meeting _____ of _____ | I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. ATTEST: _____ Clerk or Deputy Board Clerk |
| Completed by _____ | | |

State Legislative Update

January 16, 2015

CEQA

CA SB 122

AUTHOR: Jackson [D]
TITLE: California Environmental Quality Act: Records
SUMMARY:

Requires the lead agency, at the request of a project applicant and consent of the lead agency, to prepare a record of proceedings concurrently with the preparation of a negative declaration, mitigated negative declaration, environmental impact report, or other environmental document for projects.

STATUS:

01/15/2015 INTRODUCED.
Analyst: Nick
Lobbyist: Kathy
Position: Watch 01/16/2015

Disaster Relief

CA AB 18

AUTHOR: Dodd [D]
TITLE: Disaster Relief: South Napa Earthquake
SUMMARY:

Adds the August 24, 2014, South Napa Earthquake, to the list of events for which the state shore of eligible cost is up to 100%. Exempts the county from a specified planning requirement as a condition of receiving this level of assistance.

STATUS:

12/01/2014 INTRODUCED.
Analyst: Santinia
Lobbyist: Cyndi
Position: Support 12/08/2014

Health Care

CA AB 72

AUTHOR: Bonta [D]
TITLE: Medi-Cal: Demonstration Project
SUMMARY:

Requires the State Department of Health Care Services to submit an application to the federal Centers for Medicare and Medicaid Services for a waiver to implement a demonstration project that, among other things, continues the state's momentum and successes in innovation achieved under the demonstration project for better care coordination for seniors and persons with disabilities.

STATUS:

12/18/2014 INTRODUCED.
Analyst: Santinia
Lobbyist: Cyndi
Position: Watch 12/19/2014

Indian Gaming

CA AB 76

AUTHOR: Mathis [R]
TITLE: Tribal Gaming: Regulatory Costs
SUMMARY:

Makes technical nonsubstantive changes to existing law that ratifies a number of tribal-state gaming compacts between the State and specified Indian tribes. Creates in the State Treasury the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from Indian tribes pursuant to the terms of gaming compacts.

STATUS:

01/05/2015 INTRODUCED.
Analyst: Santinia
Lobbyist: Cyndi
Position: Watch 01/06/2015

Marijuana

CA AB 26

AUTHOR: Jones-Sawyer [D]
TITLE: Medical Cannabis

SUMMARY:

Enacts the Medical Cannabis Regulation and Control Act. Creates a related division within the Department of Alcoholic Beverage Control to register persons for the cultivation, manufacture, testing, transportation, storage, distribution, and sale of medical cannabis with the State. Relates to the taxation of such product. Creates a related fund. Requires the implementation of related regulations. Requires specified record keeping. Provides the conditions and procedures for recommending marijuana to patients.

STATUS:

12/01/2014 INTRODUCED.
Analyst: Randall
Lobbyist: Paul
Position: Watch 12/02/2014
Staff: Staci
AUTHOR: Bonta [D]

CA AB 34

TITLE: Medical Cannabis: State Regulation

SUMMARY:

Declares the intent of the Legislature to enact legislation that would establish a comprehensive and uniform state regulatory structure to govern the cultivation, processing, testing, and distribution of medical cannabis.

STATUS:

12/01/2014 INTRODUCED.
Analyst: Randall
Lobbyist: Paul
Position: Watch 12/04/2014
Staff: Staci

Public Health

CA AB 70

AUTHOR: Waldron [R]
TITLE: Medi-Cal: Hospital Reimbursement

SUMMARY:

Makes technical, nonsubstantive changes to a statement of legislative intent enacting a method for reimbursing hospitals for inpatient and outpatient services provided to Medi-Cal beneficiaries on a prospectively negotiated

contractual basis.

STATUS:

12/18/2014 INTRODUCED.
Analyst: Santinia
Lobbyist: Cyndi
Position: Watch 12/19/2014

Water

CA AB 78

AUTHOR: Mathis [R]
TITLE: Groundwater Basins
SUMMARY:

Makes technical nonsubstantive changes to existing law that requires the Department of Water Resources to categorize each basin or subbasin as high-, medium-, low-, or very low priority and to establish ground water the initial priority for each basin.

STATUS:

01/05/2015 INTRODUCED.
Analyst: Nick
Lobbyist: Kathy

CA SB 13

AUTHOR: Pavley [D]
TITLE: Groundwater
SUMMARY:

Authorizes the State Water Resource Control Board to designate a basin as a probationary basin and to develop an interim plan. Provides a local agency or groundwater sustainability agency a specified time to remedy deficiencies. Provides that if the Department of Water Resources determines that all or part of a basin or sub-basin is not being monitored, then it would require the Department to determine whether there is sufficient interest in establishing a groundwater sustainability plan.

STATUS:

12/01/2014 INTRODUCED.
Analyst: Nick
Lobbyist: Kathy
Position: Pending 12/02/2014

CA SB 20

AUTHOR: Pavley [D]
TITLE: Wells: Reports: Public Availability
SUMMARY:

Amends an existing law which requires a person who digs, bores, or drills a water well, cathodic protection well, or a monitoring well to file a report of completion with the Department of Water Resources. Requires the Department to make reports available to the public. Requires the Department to redact from the report specified information pertaining to the well owner.

STATUS:

12/01/2014 INTRODUCED.
Analyst: Nick
Lobbyist: Kathy
Position: Watch 12/02/2014



To: RCRC Board of Directors
From: RCRC Governmental Affairs Staff
Steve Palmer and Thane Young, Van Scoyoc and Associates
Date: January 20, 2015
Re: H.R. 83: The Federal Omnibus Spending Bill and Interior Appropriations -
Informational Item

Summary

This memo provides a summary of key policy provisions contained in H.R. 83, the Fiscal Year 2015 Federal Omnibus Spending Package.

Background

In December, Congress passed and President Obama signed into law H.R. 83, referred to as the Fiscal Year 2015 Federal Omnibus Spending Bill. The measure contained 11 of the 12 appropriations bills to maintain government programs.

Issue

RCRC staff has provided an overview of a number of key provisions of importance to California's rural counties below.

Transportation, Housing and Urban Affairs Appropriations

Highway and Transit Formula Programs:

The bill contains \$40.3 billion for the federal-aid highway program, and \$8.6 billion for transit formula grants. Each of these amounts is authorized by MAP 21 (and subsequent extensions). As such, Caltrans and transit agencies will see a continuation of current funding for FY 2015. This funding will be drawn from the Highway Trust Fund, which will become insolvent in late May. After that date, program levels will be dependent on Congress finding a source of funding to replenish the Highway Trust Fund.

Amtrak:

The bill appropriates \$1.39 billion to Amtrak, which provides service in several RCRC counties. Although this is the same amount Amtrak received in FY 2014, the mix of funds has changed; Amtrak will receive less in operating subsidies and an increase in capital funding.

TIGER Grants:

The bill appropriates \$500 million for TIGER Grants for FY 2015, \$100 million less than the amount appropriated in FY 2014. The bill maintains eligibility for all transportation infrastructure projects.

Aviation Provisions:

The bill appropriates \$3.35 billion for the Airport Improvement Program, which is the same amount as in FY 2014. The bill also provides \$255 million for the Essential Air Service subsidy program. A total of \$144 million is provided in FY 2015 to fund the continued operation of air traffic control towers operated under contract with the FAA. The bill provides \$5.5 million for the Small Community Air Service Development Program, which is intended to help small airports increase commercial air service.

HUD Programs:

The bill provides \$3.0 billion for the Community Development Block Grant Program, which is only \$30,000 below the FY 2014 funding level. The HOME Investment Partnerships Program is funded at \$900 million, a reduction of \$100 million.

Interior, Environment and Related Agencies Appropriations

Payment In Lieu of Taxes:

Section 11 of the legislation provides \$372 million for the payment in lieu of taxes (PILT) program, in addition to the \$70 million that was included in the National Defense Authorization Act. This makes a total of \$442 million available for PILT for FY 2015. This is an increase of \$5 million over the \$437 million for PILT in FY 2014.

Bureau of Land Management:

The bill directs the Bureau of Land Management (BLM) to make any available grazing allotments to a grazing permit or lease holder who has lost the ability to use their permit or lease site due to drought or wildfire.

The bill provides \$19,746,000 for land acquisition by the BLM for recreational access projects which will enhance access to existing public lands that have inadequate access for hunting, fishing and other recreational purposes. Of this total, \$4,652,000 is slated for projects in the California Southwest Desert including the California Wilderness, Santa Rosa and San Jacinto Mountains, Pacific Crest National Scenic Trail and the San Sebastian Marsh/San Felipe Creek.

Fish and Wildlife:

The bill appropriates \$58.7 million for State and Tribal Wildlife Grants. This includes \$49.1 million for formula grants, \$5.4 million for competitive grants, and \$4.1 million for tribal grants. This is the same amount that was appropriated in FY 2014.

The bill provides \$15.7 million for construction at National Wildlife Refuge Systems and National Fish Hatchery Systems. Among the projects scheduled to receive funding in FY 2015 is \$2 million for the Modoc National Wildlife Refuge.

The bill provides funding to the US Fish and Wildlife Service for Aquatic Habitat and Species Conservation including \$3 million for the Klamath Basin Restoration Program and \$2 million for the Quagga and Zebra Mussel Program. Related to this is a provision

that directs the Secretary of the Interior to develop minimum protocols for federal, state, local and private entities for inspection and decontamination of invasive mussels.

The bill includes a House policy rider prohibiting the issuance of final and proposed rules by the Fish and Wildlife Service that would place the sage grouse on the Endangered Species List. The bill does include \$15 million for the Bureau of Land Management to conserve sage grouse habitat to continue efforts to protect the species and its natural environment.

Wildfire Funding:

The legislation funds the Department of the Interior's Wildland Fire Management program at \$804.8 million, an increase of nearly \$64 million from the amount appropriated in FY 2014. This includes \$291.7 million for suppression operations, and an additional \$92 million for the FLAME Wildfire Suppression Reserve Fund, which provides funds for the suppression of the largest, most catastrophic fires.

The bill dedicates \$2.6 billion for Forest Service Wildland Fire Management, which is almost \$171 million above the FY 2014 appropriated level. This is a separate appropriation from the amount appropriated for the Interior Department's Fire Management Program. This appropriation is for fire suppression on or adjacent to National Forest System lands.

Additionally, the bill provides \$361.7 million for hazardous fuels management activities, \$15 million of which is designated for biomass utilization grants, and \$65 million for the acquisition of a new air tanker fleet to support wildfire operations. Between the suppression and Forest Service's FLAME funds, the 10-year average for suppression costs are fully funded for both the Interior and Forest Service.

National Park Service:

The National Park Service will receive \$2.61 billion, \$55 million more than the FY 2014 enacted level, and equal to the President's Budget Request.

The bill provides over \$15 million for construction which includes \$2 million for the Modoc National Wildlife Refuge; \$138,339,000 to the National Park Service for construction, of which includes \$5,575,000 for Yosemite National Park; and provides \$98,960,000 for land acquisition and state assistance, of which \$8,261,000 is slated for the Joshua Tree National Park, Mojave National Preserve and Redwood National Park.

Environmental Protection Agency:

The EPA will receive an appropriation of \$8.2 billion, \$20 million less than the FY 2014 enacted level, but \$250 million more than the President's budget request. The bill does not include provisions limiting the EPA/Corps of Engineers proposed rule on Waters of the United States.

The bill provides \$12,700,000 for a competitive grant program to provide technical assistance for improved water quality or safe drinking water to both rural and urban communities as well as private well owners. The grant program has a 10 percent minimum match and the funds are to be allocated within 180 days of enactment of the legislation. The bill dedicates the majority of the funding (\$11 million) - for grants for

not-for-profit organizations on a national or multi-state regional basis for training and technical assistance for water systems in rural and urban communities. The remaining \$1.7 million is for grants to qualified not-for-profit organizations to provide technical assistance to individual private well owners.

Forest Service:

Nearly \$232.7 million will be provided for State and Private Forestry. Included in this amount is \$46 million for Forest Legacy projects. According to the Forest Service's Proposed Projects for this program for FY 2015, the Ryan Creek Conservation Easement (in Humboldt County) would receive funding with this level of appropriations.

The bill provides \$27.75 million for land management planning and \$151 million for inventory and monitoring. The bill sets the expectation that the Forest Service will work with impacted communities prior to and during the travel management planning process.

The bill directs the Forest Service to report to Appropriations Committees 90 days after the enactment regarding their steps to include law enforcement as an integral part of their forest planning process, particularly with respect to illegal marijuana goals.

Additionally, the bill directs the Forest Service to continue work on landscape restoration projects that produce measurable economic, ecological and social benefits, and directs the Forest Service to improve the Forest Stewardship Program.

Office of Surface Mining Reclamation and Enforcement:

The bill funds regulatory grants to states for regulation and enforcement of surface mining, and provides \$27.4 million for the Abandoned Mine Reclamation Fund.

Agriculture Appropriations

Animal and Plant Health:

The legislation includes \$871.3 million – a \$49.5 million increase above the fiscal year 2014 enacted level – for the Animal and Plant Health Inspection Service. This funding will support programs to control or eradicate plant and animal pests and diseases that can cripple California producers and entire agricultural industries. This also includes increases to fight citrus greening and an epidemic porcine virus, both impacting agriculture in California.

Farm Service Agency (FSA):

The legislation provides \$1.5 billion for FSA, which is \$22 million above the FY 2014 enacted level. This funding will support more than \$6 billion in loan authorizations for farm, conservation, and emergency loan programs for California farmers and ranchers.

Rural Development:

The bill provides a total of \$2.4 billion for rural development programs, which is \$173 million above the President's request. These development programs help create an environment for economic growth by investing in basic infrastructure, providing loans for rural businesses and industries, and helping to balance the playing field for buyers in rural housing markets across California.

The agreement provides \$464,857,000 for the Rural Water and Waste Disposal Program Account to fund a number grants and loans including Solid Waste Management Grants, High Energy Cost Grants, Water Well System Grants and Water and Waste Disposal Grants among others.

Food Safety and Inspection:

The legislation includes more than \$1 billion for the Food Safety and Inspection Service, \$5.8 million above the fiscal year 2014 enacted level. These mandatory inspection activities help ensure the safety and productivity of the country's \$186 billion meat and poultry industry. The funding provided will maintain more than 7,800 frontline inspection personnel for meat, poultry, and egg products at more than 6,400 facilities across the country.

The legislation also continues a restriction on the Grain Inspection, Packers and Stockyards Administration (GIPSA) from implementing certain regulations related to the 2010 proposed GIPSA rule that dealt with contracts in the livestock and poultry industries.

Commodity Futures Trading Commission (CFTC):

CFTC is funded at \$250 million, which is \$30 million below the President's budget request. The legislation also promotes transparency, with a directive requiring a vote by the full Commission – instead of just staff – on financial regulations that greatly increase regulatory burdens for ranchers, farmers, and job creators.

Conservation Programs:

The bill provides \$859 million for the Natural Resources Conservation Service to help farmers, ranchers, and private forest landowners conserve and protect their land. This includes \$12 million for dam rehabilitation to help rural communities ensure their small watershed projects meet current safety standards.

Energy and Water Development and Related Agencies

Corps of Engineers:

The bill includes \$122,000,000 for the Corps of Engineers (Corps) for investigations (planning and design). Of this total, \$3,531,000 is slated for California for a variety of projects including Yuba River Fish Passage (Englebright and Daguerre Point Dams; Sacramento River Bank Protection Project; Northern California Streams, Lower Cache Creek, Yolo County; and the American River Watershed among others. The funding also includes \$100,000 for CALFED and \$100,000 for Lake Tahoe for coordination studies with other agencies.

The bill includes \$1,639,489,000 for the Corps for construction. Of this total, \$148,726,000 is slated for California for a variety of projects including American River Watershed (Folsom Dam Raise and Modifications); Napa River, Salt Marsh Restoration; Sacramento River Bank Protection Project; and the Yuba River Basin, among others.

The bill includes \$2,908,511,000 for the Corps for operation and maintenance. Of this total, \$124,131,000 is slated for over 40 projects in California. A few of the projects include Black Butte Lake, Humboldt Harbor and Bay, Merced County Streams, and the

Yuba River. The funding also includes \$1,462,000 for Nevada and California regarding Martis Creek Lake.

Bureau of Reclamation:

The bill includes \$978,131,000 for water and related resources to mitigate the impacts of the Persistent Western Drought through a combination of voluntary water conveyances, additional storage, and increased efficiencies in both agricultural and urban purposes. Of this total, \$132,324,000 is slated for a variety of projects in California. The projects include a number of Central Valley Projects such as Delta Division, Friant Division – San Joaquin River Restoration Settlement, Sacramento River Division, San Joaquin Division, Shasta Division, Orland Project and Salton Sea Research Project. The bill also includes \$50 million for the Western Drought Response for any authorized purpose that is deemed to have the most direct and immediate impact and \$37 million for the California Bay-Delta Restoration Program.

Staff Recommendation

RCRC Government Affairs staff encourages members to contact us if they have any questions regarding spending and policy provisions contained in the Omnibus Spending Package.

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 02/04/2015

From: Brian Oneto, Chairman
(Department Head - please type)

Phone Ext. x470

| | |
|----------------------------------|----------------|
| <input checked="" type="radio"/> | Regular Agenda |
| <input type="radio"/> | Consent Agenda |
| <input type="radio"/> | Blue Slip |
| <input type="radio"/> | Closed Session |
| Meeting Date Requested: | |
| <u>02/10/2015</u> | |

Department Head Signature _____

Agenda Title: Federal PILT/SRS Update and Reauthorization Status

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Discussion and possible action relative to the subject topic and consideration of adoption of Resolutions encouraging the 114th Congress to reauthorize and fund the Federal Secure Rural Schools and Community Self-Determination Act of 2000. And to fund the Federal Payment in Lieu of Taxes program for several years, commencing with Federal Fiscal Year 2016, in order to provide a long term, stable source of funding for counties and schools to maintain vital programs and avoid any interruption in county services and school operations.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required? Yes No

Contract Attached: Yes No N/A
 Resolution Attached: Yes No N/A
 Ordinance Attached: Yes No N/A

Committee Review? Name _____ N/A

Comments: _____

Committee Recommendation: _____

Request Reviewed by:

Chairman [Signature] Counsel _____
 Auditor [Signature] GSA Director [Signature]
 CAO [Signature] Risk Management [Signature]

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

RCRC, State and Federal Legislators

FOR CLERK USE ONLY

Meeting Date 2/10/15 Time _____ Item # 11

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____
 Noes _____ Resolution _____ Ordinance _____
 Absent: _____ Comments: _____

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 A new ATF is required from _____ Department For meeting of _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.
 ATTEST: _____
 Clerk or Deputy Board Clerk



United States Department of Agriculture

Office of Communications
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Washington, DC 20250-1300
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Web: <http://www.usda.gov>

Press Release

Release No. 0011.15

Contact:
Office of Communications (202)720-4623

US Forest Service Announces Payments to States to Support Local Schools and Roads

Payments set to be Reduced Substantially as Program Reauthorization was not Passed

WASHINGTON, January 15, 2015 -- Agriculture Secretary Tom Vilsack announced today that more than \$50 million will be paid to 41 states and the Commonwealth of Puerto Rico to support local schools and roads under the Twenty-Five Percent Fund Act of 1908. The 1908 Act requiring 25-percent payments is permanent law and will guide 2014 distribution of payments, as the Secure Rural Schools and Community Self-Determination Act authority expired on September 30, 2014.

The Administration supported a 5-year reauthorization of the program to transition payments to counties in the fiscal year (FY) 2015 President's Budget. However, it has not been reauthorized and in the absence of SRS, payments to states revert to pre-existing law under the 1908 Act that mandates 25-percent payments to the states from receipts from national forests in each state. Seven-year rolling averages of receipts from national forests located in each state are required to calculate the 25-percent payments for the benefit of public schools and public roads. Unlike SRS, these payments do not allow states an election to allocate funds for work similar to Title II (conservation work on national forests) or Title III (county projects for Firewise programs, emergency services or community wildfire protection plans) authorized in the Secure Rural Schools and Community Self-Determination Act.

This year, the estimated total amount of all 25-percent payments to all eligible states is about \$50 million, compared to around \$300 million available for the entire SRS program last year.

In the late 1980s, due largely to declines in timber sale receipts, 1908 Act payments began to drop significantly and fluctuate. In 1994, Congress responded by providing "safety net payments" to counties in northern California, western Oregon and western Washington. In 2000, Congress passed the Secure Rural Schools and Community Self-Determination Act that provided enhanced, stabilized payments to more states. It also created a forum for community interests to participate collaboratively in the selection of natural resource projects on the National Forests, and has assisted in community wildfire protection planning. This is the first year since then that the act was not reauthorized. [Here is information on funding amounts by State.](#)

The mission of the Forest Service, part of the U.S. Department of Agriculture, is to sustain the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations. The agency manages 193 million acres of public land, provides assistance to state and private landowners, and maintains the largest forestry research organization in the world. Public lands the Forest Service manages contribute more than \$13 billion to the economy each year through visitor spending alone. Those same lands provide 20 percent of the Nation's clean water supply, a value estimated at \$7.2 billion per year. The agency has either a direct or indirect role in stewardship of about 80 percent of the 850 million

forested acres within the U.S., of which 100 million acres are urban forests where most Americans live.

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Main Menu

2014 vs. 2015 Payments for Roads and Schools

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Payment comparison by state, 2014 and 2015

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About the Agency

| State | *2015 Payment (1908 Act) | 2014 SRS Payments (Titles I, II, and III) |
|----------------|--------------------------|---|
| Alabama | \$589,058 | \$1,767,311 |
| Alaska | \$535,167 | \$14,244,726 |
| Arizona | \$1,341,927 | \$14,920,201 |
| Arkansas | \$2,964,271 | \$7,629,409 |
| California | \$8,684,643 | \$35,619,493 |
| Colorado | \$5,056,051 | \$13,399,187 |
| Florida | \$725,574 | \$2,451,630 |
| Georgia | \$169,987 | \$1,454,308 |
| Idaho | \$2,031,639 | \$28,312,943 |
| Illinois | \$230,525 | \$263,427 |
| Indiana | \$35,424 | \$252,237 |
| Kentucky | \$112,419 | \$1,764,442 |
| Louisiana | \$1,202,521 | \$1,915,439 |
| Maine | \$30,619 | \$67,166 |
| Michigan | \$2,285,472 | \$3,847,718 |
| Minnesota | \$1,119,816 | \$2,429,801 |
| Mississippi | \$1,125,125 | \$5,713,570 |
| Missouri | \$859,966 | \$3,332,479 |
| Montana | \$2,067,371 | \$21,342,884 |
| Nebraska | \$21,282 | \$193,089 |
| Nevada | \$404,852 | \$4,015,098 |
| New Hampshire | \$369,659 | \$500,716 |
| New Mexico | \$662,826 | \$10,449,928 |
| New York | \$1,951 | \$17,776 |
| North Carolina | \$482,093 | \$1,800,539 |
| North Dakota | \$58 | \$381 |
| Ohio | \$62,906 | \$258,815 |
| Oklahoma | \$452,470 | \$1,076,358 |
| Oregon | \$5,890,065 | \$67,871,382 |
| Pennsylvania | \$1,806,957 | \$2,953,063 |
| Puerto Rico | \$41,778 | \$141,185 |
| South Carolina | \$1,149,326 | \$1,807,757 |
| South Dakota | \$893,054 | \$1,776,734 |
| Tennessee | \$149,207 | \$1,157,176 |
| Texas | \$599,439 | \$2,485,335 |
| Utah | \$953,670 | \$10,935,246 |
| Vermont | \$173,343 | \$317,063 |
| Virginia | \$282,272 | \$1,576,594 |
| Washington | \$2,137,181 | \$21,549,496 |
| West Virginia | \$282,712 | \$1,967,440 |
| Wisconsin | \$1,145,747 | \$1,920,670 |
| Wyoming | \$1,258,190 | \$4,528,376 |
| Total | \$50,388,613 | \$300,048,590 |

*Note: The FY 2015 payments do not include Special Act payments to Arkansas (\$6,124),

Minnesota (\$5,701,050), and Washington (\$2,470).

| State | County | Anticipated SRS Payment 2015 | 25% County payment 2015 (with Sequester) | Loss |
|--------------|---------------|---|---|--------------|
| California | Alpine | \$467,839 | \$184,751 | (283,088) |
| California | Amador | \$307,729 | \$124,182 | (183,547) |
| California | Butte | \$432,540 | \$53,342 | (379,198) |
| California | Calaveras | \$164,662 | \$48,837 | (115,825) |
| California | Colusa | \$121,878 | \$3,796 | (118,082) |
| California | Del Norte | \$1,432,495 | \$37,427 | (1,395,068) |
| California | El Dorado | \$1,952,474 | \$794,787 | (1,157,687) |
| California | Fresno | \$1,329,531 | \$421,902 | (907,629) |
| California | Glenn | \$347,023 | \$11,939 | (335,084) |
| California | Humboldt | \$1,017,352 | \$24,836 | (992,516) |
| California | Kern | \$209,316 | \$56,247 | (153,069) |
| California | Lake | \$479,420 | \$14,729 | (464,691) |
| California | Lassen | \$1,872,722 | \$215,838 | (1,656,884) |
| California | Madera | \$538,083 | \$200,696 | (337,387) |
| California | Mariposa | \$304,290 | \$96,273 | (208,017) |
| California | Mendocino | \$334,229 | \$10,253 | (323,976) |
| California | Modoc | \$1,615,464 | \$87,386 | (1,528,078) |
| California | Monterey | \$17,397 | \$35,837 | 18,440 |
| California | Nevada | \$372,410 | \$86,351 | (286,059) |
| California | Orange | \$795,746 | \$123,167 | (672,579) |
| California | Plumas | \$3,506,898 | \$392,901 | (3,113,997) |
| California | Shasta | \$1,938,921 | \$192,156 | (1,746,765) |
| California | Sierra | \$892,794 | \$579,141 | (313,653) |
| California | Siskiyou | \$4,478,836 | \$98,109 | (4,380,727) |
| California | Tehama | \$1,157,031 | \$215,464 | (941,567) |
| California | Trinity | \$3,734,471 | \$219,592 | (3,514,879) |
| California | Tulare | \$525,086 | \$375,456 | (149,630) |
| California | Tuolumne | \$1,238,401 | \$67,691 | (1,170,710) |
| California | Yuba | \$115,455 | \$17,991 | (97,464) |
| | | \$31,700,493 | \$4,791,077 | (26,909,416) |

Federal Payment in Lieu of Taxes Program
Resolution for RCRC-Member County Adoption
(TEMPLATE)

WHEREAS, Much of the land in the western United States is owned by the federal government, and it is common that some counties located in the west have more than 90 percent of their jurisdiction occupied by federal land; and

WHEREAS, Because this land is now held by the United States Government, it is removed from the local property tax rolls and exempt from local property tax; and

WHEREAS, A number of federal agencies, including the U.S. Forest Service, the U.S. Park Service, the Bureau of Land Management, and the U.S. Fish & Wildlife Service, account for nearly 640 million acres owned and occupied in the United States; and

WHEREAS, In 1976 Congress passed and President Ford signed legislation to create the Federal Payment in Lieu of Taxes program (PL 94-565) to provide payments to counties and other local governments to offset losses in tax revenues due to the presence of tax-exempt federal land within their jurisdictions; and

WHEREAS, The Federal Payment in Lieu of Taxes program replaces the lost property tax revenue and provides county government funding for essential services such as law enforcement, firefighting, search-and-rescue operations, construction and maintenance of roads, and other vital services; and

WHEREAS, Specifically {INSERT SPECIFIC COUNTY EXAMPLES HERE}

WHEREAS, The Federal Payment in Lieu of Taxes program was reformed in 2008 under the Emergency Economic Stabilization Act (PL 110-343) to modify the program from a discretionary program which is subject to annual appropriations of Congress to a fully-funded mandatory program until Federal Fiscal Year 2012; and

WHEREAS, There have been two one-year reauthorizations, the most recent as part of the enactment of both H.R. 3979, the National Defense Authorization Act, and H.R. 83, the Federal Fiscal Year 2015 Omnibus Spending Bill, which, when combined, provide nearly \$450 million in Federal Fiscal Year 2015 funding for the Federal Payment in Lieu of Taxes program; and

WHEREAS, A number of efforts were made in the 113th Congress in both the United States House of Representatives and the United States Senate to reauthorize the Federal Payment in Lieu of Taxes program for several consecutive years as a mandatory program in order for counties to budget accordingly:

NOW, THEREFORE, BE IT RESOLVED that the Amador County Board of Supervisors respectfully urges the 114th Congress to reauthorize and fund the Federal Payment in Lieu of Taxes program for several years, commencing with Federal Fiscal Year 2016, in order to provide a long-term, stable source of funding for counties in order to maintain vital programs and avoid any interruption in county services.

Secure Rural Schools and Community Self-Determination Act of 2000
Resolution for RCRC-Member County Adoption
(TEMPLATE)

WHEREAS, Counties across the United States expressed concern that large areas of land designated under the 1891 Forest Reserve Act would no longer be available for economic development, thwarting all future tax proceeds intended to support local community development; and

WHEREAS, Congress took action to mitigate the impact on county government, and in 1907 began providing counties with 10 percent of gross receipts from timber harvests in national forests to help offset the revenue loss, which then grew to more than 25 percent through enactment of the National Forest Revenue Act of 1908 to support county roads and public schools; and

WHEREAS, From 1908 to 2000, the United States Forest Service managed forest resources on national forest lands for long-term revenues and during that same period of time counties across the United States shared in these revenues in lieu of tax revenues that could have otherwise been generated had these lands remained in private hands; and

WHEREAS, In the 1990s, the volume and value of timber harvested on national forest lands was drastically reduced, which led Congress to enact the Federal Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. Sec. 7101 et seq.), which provided a six-year guarantee payment option that was independent of the revenue generated on the national forest lands; and

WHEREAS, The Secure Rural Schools and Community Self-Determination Act of 2000, which has been extended several times, most recently by the "Helium Stewardship Act of 2013 (Public Law 113-40), expired on September 30, 2013, resulting in a lapse in funding in 2014 and future years to critical programs in schools and counties across the United States, including California; and

WHEREAS, California's forested counties and schools located within those counties are dependent on federal revenue-sharing programs, including federal forest payments, for maintaining local roads, and providing vital local services and programs; and

WHEREAS, County public works programs will be crippled without stable, predictable, long-term funding supported by the Federal Secure Rural Schools and Community Self-Determination Act, causing the local road network to suffer long-term degradation, and putting communities at risk for public safety emergencies due to cuts in staffing and operational activities; and

WHEREAS, Specifically {INSERT SPECIFIC COUNTY EXAMPLES HERE}

WHEREAS, A number of efforts were made in the 113th Congress in both the United States House of Representatives and the United States Senate to reauthorize the Federal Secure Rural Schools and Community Self-Determination Act of 2000 Act:

NOW, THEREFORE, BE IT RESOLVED that the AmadorCounty Board of Supervisors respectfully urges the 114th Congress to reauthorize and fund the Federal Secure Rural Schools and Community Self-Determination Act of 2000 to provide a long-term, stable source of funding for counties and schools to maintain vital programs and avoid any interruption in county services and school operations.

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 02/04/2015

From: Brian Oneto, Chairman
(Department Head - please type)

Phone Ext. x470

| | |
|----------------------------------|----------------|
| <input checked="" type="radio"/> | Regular Agenda |
| <input type="radio"/> | Consent Agenda |
| <input type="radio"/> | Blue Slip |
| <input type="radio"/> | Closed Session |
| Meeting Date Requested: | |
| <u>02/10/2015</u> | |

Department Head Signature _____

Agenda Title: State Water Board Grazing Regulator Action Project (GRAP)

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Discussion and possible action relative to approval of the Chairman's signature on a letter of opposition regarding the subject project relating to development of a regulatory program for grazing operations.

Recommendation/Requested Action: _____

| | |
|---|------------------|
| Fiscal Impacts (attach budget transfer form if appropriate) | Staffing Impacts |
|---|------------------|

| | |
|--|---|
| Is a 4/5ths vote required? Yes <input type="radio"/> No <input type="radio"/> | Contract Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Resolution Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Ordinance Attached: <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Comments: _____ |
| Committee Review? Name _____ N/A <input type="checkbox"/> Committee Recommendation: _____ | |

Request Reviewed by:

| | |
|-----------------------------|------------------------------------|
| Chairman <u>[Signature]</u> | Counsel <u>CG</u> |
| Auditor <u>Brian Oneto</u> | GSA Director <u>[Signature]</u> |
| CAO <u>[Signature]</u> | Risk Management <u>[Signature]</u> |

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

| | | |
|---------------------------------------|--------------------------------|------------------|
| Meeting Date <u>2/10/15</u> | Time _____ | Item # <u>12</u> |
| Board Action: Approved Yes ___ No ___ | Unanimous Vote: Yes ___ No ___ | |
| Ayes: _____ | Resolution _____ | Ordinance _____ |
| Noes: _____ | Resolution _____ | Ordinance _____ |
| Absent: _____ | Comments: _____ | Other: _____ |

| | | |
|----------------------|---|--|
| Distributed on _____ | A new ATF is required from _____ | I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. |
| Completed by _____ | Department _____ For meeting _____ of _____ | ATTEST: _____ Clerk or Deputy Board Clerk |



To: RCRC Board of Directors
From: Staci Heaton
Regulatory Affairs Advocate
Date: January 20, 2015
Re: State Water Board Grazing Regulatory Action Project (GRAP)

Summary

The State Water Resources Control Board (Water Board) is proposing to develop a regulatory program for grazing operations. The Water Board staff has begun public outreach with the goal of developing a final proposal for Board approval sometime in 2016.

Background

The Water Board is tasked with a broad mandate to address all discharges of “waste” that could affect the quality of waters in the state. The definition of “waste” includes sewage and all other waste substances associated with human habitation, or of human or animal origin, or from producing, manufacturing, or processing operations. As such, the Water Board also interprets this mandate as a responsibility to regulate discharges of waste that *could* affect water quality, including indirect discharges from livestock grazing operations to address water quality impairments.

Issue

In late 2014, the Water Board quietly began a process to gather stakeholder information for what they have named the Grazing Regulatory Action Project (GRAP). The real purpose of GRAP is still speculative, but staff has admitted that the ultimate goal is to develop a scheme, such as a waiver of waste discharge, to regulate discharges from livestock grazing operations.

To begin their process, Water Board staff elected to first hold a series of four invitation-only focused listening sessions with groups they considered important to the conversation. The first session was held on November 3, 2014 with environmental and environmental justice stakeholders, followed by sessions with ranch owners, public agencies, and academia. While there was much scuttlebutt about what occurred at these initial meetings, Water Board staff waited until early January 2015 to release the presentations and notes from the sessions.

In mid-December 2014, the Water Board announced a second series of listening sessions open to all interested parties. The sessions were scheduled for San Luis

Obispo, Redding, and Bishop, and required attendees to RSVP to ensure their ability to attend their meeting of choice. RCRC staff attended the session in Redding and noted several potential issues with the GRAP proposal; most notably that Water Board staff did not present relevant data or studies supporting the regulation of grazing operations at this time, and instead plan to seek scientific input from stakeholders. Requirements related to GRAP will also very likely be folded into local government municipal storm water permits, adding compliance costs to an already expensive program. Furthermore, the lack of a written proposal creates uncertainty about the extent of Water Board staff's regulatory plans, particularly concerning costs, monitoring, and reporting burdens on the ranching community.

Water Board staff will be developing an initial written proposal and undertaking the associated CEQA scoping process and public outreach in 2015. Their staff hopes to have a final proposal ready for Water Board approval in 2016.

Presentations from the invitation-only listening sessions, as well as an implementation timeline for GRAP, can be found on the Water Board's GRAP website: http://www.waterboards.ca.gov/water_issues/programs/nps/grap.shtml

Staff Recommendation

RCRC urges members of the Board of Directors to distribute information on the GRAP proposal to the appropriate county staff. RCRC will continue to update the Board on the program's progress throughout the next two years.

Attachments

- GRAP Fact Sheet
- Water Board staff presentation from the January 15, 2015 Redding listening session.



Fact Sheet

Grazing Regulatory Action Project

The State Water Resources Control Board and the nine regional water quality control boards (collectively the Water Boards) are working together on a Grazing Regulatory Action Project (GRAP), which is exploring a range of options to enhance environmental benefits from grazing, protect beneficial uses of surface and groundwater, and address potential impacts to water quality posed by livestock grazing.

The potential impacts to water quality from grazing include sediment loading and the introduction of bacteria and nutrients to streams and wetlands, and physical alteration of the land that can harm habitat and wildlife in and around streams and wetlands.

Examples include:

- Livestock grazing near a stream can break down the stream banks and trample the natural vegetation along the banks, causing erosion and loss of shade. This may slow down flow, make the waterway shallower, and increase light hitting the water, with the result of increased water temperature that causes algae growth. The algae growth in turn can harm fish and wildlife.
- Livestock waste entering streams either directly or indirectly by irrigation or storm water runoff can cause bacteria problems and nutrient buildup, which in turn promotes algae growth, threatens aquatic life, and makes recreational water contact a public health concern.

However, well-managed livestock grazing can also provide important benefits to the people of California. Any discussion of regulatory options must include consideration of these benefits, which include the following:

- Grazing results in more than \$3 billion in goods and services annually to California and much of the nation and provides tens of thousands of jobs. Many livestock grazing operations in California are multi-generational family operations, several of which have been operating for over a hundred years.





- Rangeland supports and preserves a variety of landscapes and habitat types which provide open space and a variety of recreation opportunities. These landscapes can also benefit from the vegetation management and fuel reduction grazing facilitates.

In addition, any discussion of regulatory options must include consideration of the costs to the grazing community of compliance. The GRAP aims to engage stakeholders to explore potential solutions that provide consistent and effective methods of minimizing the harm grazing can do to waterways, while maintaining a viable livestock industry.

Water Boards' Role in Addressing Waste Discharges Related to Grazing

As the principal state agencies with primary responsibility for the coordination and control of water quality in California, the Water Boards have a mandate to address all discharges of "waste" that could affect the quality of the waters of the State. This includes addressing discharges, and potential discharges, of waste associated with livestock grazing on the more than 40 million acres of public and private grazing lands in California.

The definition of waste includes sewage and all other waste substances associated with human habitation, or of human or animal origin, or from producing, manufacturing, or processing operations. The broad mandate to regulate waste applies not only to discharges piped directly to water bodies, but also to "non-point source" discharges, such as those resulting from livestock grazing, that reach the water bodies indirectly.

The Water Boards are able to regulate not only actual discharges to waters of the state, but also discharges of waste that *could* affect the quality of the waters of the state, whether those activities take place on public or private lands. The Water Boards may issue requirements to landowners or operators or both for those potential water quality impairments. Over the years, the Water Boards have regulated a number of activities because of their potential to affect water quality, including irrigated agriculture, building construction, timber harvesting, road management, onsite septic systems, and grazing.

As described above there are a number of water quality impacts related to grazing, including manure deposits that may run off to surface water or percolate to groundwater through precipitation or irrigation, and trampling near a water body that may lead to sediment discharges and loss of riparian vegetation. All of these are within the Water Boards' broad mandate to regulate waste. Under State Water Board policy, all nonpoint source pollution discharges must be regulated.



Types of Regulatory Actions

The Water Boards issue permits called "waste discharge requirements" to control discharges or potential discharges of waste consistent with basin plans. Basin plans are statewide or regional plans that designate the beneficial uses of waters, the water quality objectives to protect those beneficial uses, and the program of implementation needed to achieve them.

The Water Boards may also issue permits called "conditional waivers." In practical terms, conditional waivers generally contain requirements similar to those in waste discharge requirements. But conditional waivers must be renewed every five years and the fees associated with conditional waivers may vary from the fees associated with waste discharge requirements.

The Water Boards may also regulate discharges through a conditional prohibition in the basin plan, which prohibits a category of discharge unless certain conditions, such as a plan to manage that discharge, is in place.

Such regulatory actions may be taken by the regional water boards individually to address water quality impacts specific to their region or may be taken by the State Water Board to address water quality impacts state-wide. The State Water Board may also issue a state-wide policy to guide the actions of the regional water boards in adopting appropriate regulatory actions.

Impaired Water Bodies

The Water Boards also maintain and periodically update a list referred to as the "303(d) list" of water bodies where water quality monitoring data for surface waters indicates that pollutant levels exceed protective water quality standards.

A 303(d) listing generally leads to the development of a Total Maximum Daily Load (TMDL) that specifies the allowable loads of pollutants that may enter that water body and still meet water quality objectives. The TMDL is then incorporated into the basin plans through an implementation plan.

There are currently more than 120 grazing-related impairments (including for fecal bacteria, temperature, sediments, and nutrients) on the 303(d) list. In developing and prioritizing regulatory solutions, the Water Boards will consider the 303(d) list. Where appropriate, a regulatory program for livestock grazing may take the place of the development of TMDLs to address individual impairments related to grazing; however, an assessment at the individual waterbody level would have to consider whether there might be other causes of the impairment or whether water quality standards should be adjusted to reflect existing beneficial uses.



High Quality Waters

In addition to addressing water quality impairments, the Water Boards are required to protect high quality waters. Under state and federal "anti-degradation" requirements, the Water Boards must generally maintain the quality of water bodies where the quality exceeds that required to protect the beneficial uses, unless they can show that some degradation is justified to support a strong interest of the people of California (such as a compelling safety, economic, cultural, or other environmental interest) and that any such degradation is minimized and that water quality objectives are met and beneficial uses are protected. There are numerous high quality streams within public lands, including federally managed wilderness areas that may be impacted by water quality degradation caused by livestock grazing. Many of these high quality streams are the headwaters for the streams and rivers that provide California's drinking water.

Existing Regulatory Programs

To date, a number of regional water boards have adopted programs to regulate grazing activities. The State Water Board has not taken any state-wide regulatory action on grazing. The GRAP was formed to explore all regional and state-wide regulatory options available to enhance the environmental benefits from grazing, protect beneficial uses of surface and groundwater, and address potential impacts to water quality posed by livestock grazing. If a state-wide regulatory approach is not adopted, the regional water boards will individually regulate grazing activities within their jurisdiction.

(This fact sheet was last updated Jan. 7, 2015)

**GRAZING REGULATORY ACTION PROJECT
(GRAP)**

http://www.waterboards.ca.gov/water_issues/programs/nps/grap.shtml

**Regional Stakeholder Meeting
Informational Update**

State Water Resources Control Board
Regional Water Quality Control Boards


1

Purpose and Overview of Today's Session

Purpose:

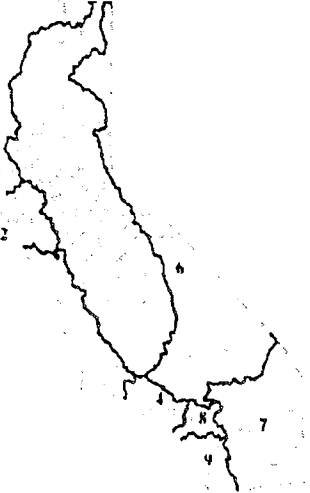
- Background of GRAP
- Summary of Input from Focused Listening Sessions
- Listen to Stakeholder Comments & Questions
- Next Steps

Overview: Who Where What When Why How



Water Boards

Who/Where




The Water Boards

State Water Resources Control Board & Nine Regional Water Quality Control Boards

Primary responsibility for coordination and control of water quality

Mandate to address all discharges of waste

3



Water Boards

What

Grazing Regulatory Action Project (GRAP)

Enhance environmental benefits from grazing, protect beneficial uses of surface and groundwater & address water quality impacts potentially related to livestock grazing.

Facilitate efficiency and consistency while accounting for regional differences.

Collaborative effort to address impaired and priority waters.

4



GRAP will not include:
Overlapping regulations with
Confined Animal Feeding Operations (CAFOs)
or
Irrigated Lands Regulatory Programs



When

GRAP Schedule

| Milestone | Estimated Date |
|--|----------------|
| <ul style="list-style-type: none"> • Focused Outreach Listening Sessions | 2014 |
| <ul style="list-style-type: none"> • Broader Outreach • Call for Science • Development of Options | 2015 |



Why

Well-managed livestock grazing operations can provide benefits to the environment, the economy, and California consumers.

Grazing operations can contribute to impairments of water quality and impact beneficial uses.

7



Why

It's the Law

The Water Boards are mandated to:

- Address discharges of waste
- Address impaired waters
- Protect high quality waters

8

How

In developing GRAP, we will consider:

- Water Board mandates
- Tools already in use
- Stakeholder input

9

We will also consider:

- California Rangeland Water Quality Management Plan (1995)
- Proposed Statewide Waiver For National Forests in 2011
- Online submittal of related science

10

Stakeholder Input Focused Listening Sessions November 2014

Focus Groups: Ranching and related Industries;
Government and Local Agencies; Environmental &
Environmental Justice Organizations; Academia; Tribes

Asked for input on same topics from each Group

11

Definition of Grazing for GRAP

- Commercial operation
- No confidential business information
- Based on risk to water quality
- Season of use/duration of use
- Nexus to water
- Size of operation/not on size of operation
- Types of animals/not on types of animals
- Herd size/not on herd size
- By habitat type
- Include ecosystem services

12

A Successful Regulatory Program

- Both private & public lands/not both
- Regional, not statewide
- Statewide
- Voluntary-not regulatory
- Regulatory – not voluntary
- Reward good practices/not punitive
- Include incentives
- Include incentives for rancher's participation in outreach/education programs
- No cost to operators where water quality standards are being met
- Emphasize management practices with monitoring
- Encourage herding
- Fencing problematic/encourage fencing
- Priority to protect wet areas
- Consider wet/dry areas differently

13

(continued)

- Tiered system that treats high risk operations differently than low risk
- Stable/adequate resources for both short & long term
- Not duplicative/coordinated with other agencies
- Build off of past efforts
- Recognize the benefits of grazing
- Coordinate with rangeland experts
- Statewide bacteria standard
- Stream setbacks
- Self-monitoring
- Focus on areas with problems

14

Monitoring

- Low cost
- Inexpensive & cost effective
- Use *E.coli* as fecal indicator bacteria (FIB)
- Monitor parameters other than bacteria
- Include FIB, temperature, sediment, fish habitat
- Not duplicative
- No monitoring required unless problem
- No monitoring required if Ranch WQ Plan is being implemented
- Focus on areas with highest public health risk
- Focus on areas with intensive public recreation

15

(continued)

- Structure & health of streams
- Specific for type of animal
- Required for public lands only
- Coordinated with land management agencies and watershed groups
- Monitor pack stations in the back country
- Focus on sensitive areas (e.g. alpine wet meadows)
- Include cost-effective computer modeling
- Flexible
- Include structure & health of stream reaches
- Protective of all beneficial uses
- Focus on habitat function

16

Unusual or extreme circumstances

- Catastrophic fire
- Livestock & wildlife diseases
- Climate change
- Drought
- Flooding
- Flexibility in stocking rates

17

Better Collaboration With All Stakeholders

- Hold a lot of small sessions like the Focused Listening Sessions
- Like invitation only/don't like invitation only
- Don't separate stakeholder groups/separate stakeholder groups
- More meetings not in Sacramento/more meetings in Sacramento
- Use the website to share the progress of GRAP and the types of input received from stakeholders
- Keep the process transparent
- Use a listserv

18

listserv

To self-subscribe to the GRAP email subscription list or "listserv", please go to http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml and select "Water Quality", then "Grazing Regulatory Action Project (GRAP)".

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Next Steps

- Stakeholder Sessions
 - Sacramento – November 2014
 - San Luis Obispo, Redding, Bishop - January 2015
- Online submittal of related science –*coming soon!*
- Share summary of input and science on our website
http://www.waterboards.ca.gov/water_issues/programs/nps/grap.shtml
- Develop Options
- Stakeholder Input on Options

20

For questions about the process of developing the GRAP, please contact:

Steve Fagundes Division of Water Quality, State Water Resources Control Board
(916) 341-5487 sfagundes@waterboards.ca.gov

Cindy Wise Lahontan Regional Water Quality Control Board, South Lake Tahoe Office
(530) 542-5408 cwise@waterboards.ca.gov

Ben Letton Central Valley Regional Water Quality Control Board, Redding Office
(530) 224-4129 bletton@waterboards.ca.gov

The State and Regional Water Boards' Executive Sponsors for GRAP:

Patty Kouyoumdjian Executive Officer, Lahontan Regional Water Quality Control Board,
South Lake Tahoe Office (530) 542-5412 pxkouyoumdjian@waterboards.ca.gov

Phil Crader Assistant Deputy Director, Division of Water Quality, State Water Resources
Control Board (916) 341- 5500 pcrader@waterboards.ca.gov

For questions related to stakeholder meeting schedule or locations, please contact:

Esther Tracy Office of Public Participation, State Water Resources Control Board
(916) 341-5908 etracy@waterboards.ca.gov

21

Stakeholder Comments and Questions

- Time Limit of Three (3) Minutes Per Speaker
- Esther Tracy, Moderator

22

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 02/04/2015

From: Brian Oneto, Chairman
(Department Head - please type)

Phone Ext. x470

| | |
|----------------------------------|----------------|
| <input checked="" type="radio"/> | Regular Agenda |
| <input type="radio"/> | Consent Agenda |
| <input type="radio"/> | Blue Slip |
| <input type="radio"/> | Closed Session |
| Meeting Date Requested: | |
| <u>02/10/2015</u> | |

Department Head Signature _____

Agenda Title: Rural Counties' Environmental Services Joint Powers Authority (ESJPA)

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Discussion and possible action relative to designation of the 2015 Delegate and Alternates for the subject JPA.

Recommendation/Requested Action:
Delegation of one delegate and two alternates to the ESJPA

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required? Yes No

Committee Review? Name _____ N/A

Committee Recommendation: _____

Contract Attached: Yes No N/A
 Resolution Attached: Yes No N/A
 Ordinance Attached: Yes No N/A

Comments: _____

Request Reviewed by:

| | |
|-----------------------------|------------------------------------|
| Chairman <u>[Signature]</u> | Counsel <u>GG</u> |
| Auditor <u>JOR</u> | GSA Director <u>Hop</u> |
| CAO <u>[Signature]</u> | Risk Management <u>[Signature]</u> |

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

RCRC, Committee Clerk _____

FOR CLERK USE ONLY

Meeting Date 2/10/15 Time _____ Item # 13

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on _____
Completed by _____
A new ATF is required from _____
Department _____
For meeting _____
of _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.
ATTEST: _____
Clerk or Deputy Board Clerk



To: RCRC Board of Directors
RCRC Alternates
RCRC CAO's
RCRC Clerks of the Board

From: Greg Norton
President & CEO

Date: December 9, 2014

Re: Designation of ESJPA Delegates and Alternates
ACTION REQUIRED

The first ESJPA Board Meeting of 2015 will be held on **March 19th** in Sacramento. Please complete the attached designation form specifying the official Delegate and Alternate for your county.

Upon the official determination by the county, please provide confirmation of your county's election/appointment. Please forward the formal confirmation to RCRC as soon as possible. The confirmation can be sent via e-mail to sbolnik@rcrcnet.org, faxed to (916) 431-0101 and/or mailed to:

Rural County Representatives of California
1215 K Street, Suite 1650
Sacramento, CA 95814
Attn: Sarah Bolnik

Please note that the ESJPA bylaws require that a supervisor be the Delegate. Alternates are generally a staff member who is in charge of solid waste/recycling programs for the county. While there is no limit on the number of county staff who may attend the ESJPA meetings, only the officially designated Delegate or Alternate from each county will have voting rights.

Additionally, please note that all Delegates and Alternates will be required to comply with the ESJPA conflict of interest code and file a Form 700.

Please do not hesitate to contact me at gnorton@rcrcnet.org or Mary Pitto, ESJPA Program Manager, at mpitto@rcrcnet.org if you have any questions or require additional information. Thank you for your assistance in this matter.

Attachments

- ESJPA Designation Form

Designation of 2015 Delegate and Alternates for the
Rural Counties' Environmental Services Joint Powers Authority (ESJPA)
Board of Directors

Date: _____

County: _____

Delegate: Supervisor _____

1st Alternate: _____

2nd Alternate: _____

**An Alternate is generally a staff member who is in charge of solid waste /recycling programs for the member county. While there is no limit on the number of county staff who may attend the ESJPA meetings, only the officially designated Delegate or Alternate will have voting rights. Please note that all Delegates and Alternates will be required to comply with the ESJPA's conflict of interest code and file a Form 700.*

Authorization:

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 02/04/2015

From: Jennifer Burns, Clerk of the Board
(Department Head - please type)

Phone Ext. x470

| |
|---|
| <input checked="" type="radio"/> Regular Agenda |
| <input type="radio"/> Consent Agenda |
| <input type="radio"/> Blue Slip |
| <input type="radio"/> Closed Session |
| Meeting Date Requested: <u>02/10/2015</u> |

Department Head Signature _____

Agenda Title: Minutes

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Review and approval of the January 27, 2015 Board of Supervisors Meeting Minutes.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required? Yes No

Contract Attached: Yes No N/A
Resolution Attached: Yes No N/A
Ordinance Attached: Yes No N/A

Committee Review? Name _____ N/A

Committee Recommendation:

Comments: _____

Request Reviewed by:

Chairman _____ Counsel _____

Auditor _____ GSA Director _____

CAO _____ Risk Management _____

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date 2/10/15 Time _____ Item # 14

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on _____

A new ATF is required from _____
Department _____
For meeting _____
of _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.

Completed by _____

ATTEST: _____
Clerk or Deputy Board Clerk

AGENDA TRANSMITTAL FORM

- | | |
|-------------------------------------|----------------|
| <input checked="" type="checkbox"/> | Regular Agenda |
| <input type="checkbox"/> | Consent Agenda |
| <input type="checkbox"/> | Blue Slip |
| <input type="checkbox"/> | Closed Session |

Meeting Date Requested:

February 10, 2015

To: Board of Supervisors

Date: January 16, 2015

From: George E. Allen, County Surveyor

Phone Ext. 371

(Department Head - please type)

Department Head Signature 

Agenda Title: Public Hearing for a Certificate of Merger for David & Christine Looney

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

The subject agenda item is a Public Hearing for a Certificate of Merger. The property is located on the northerly side of Allan Road, approximately 0.7 of a mile westerly of the junction with Shakeridge Road, in the Lockwood area. Assessor's Parcel No. 21-270-003 and shown road parcel.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required?

Yes

No

Contract Attached: Yes No N/A

Resolution Attached: Yes No N/A

Ordinance Attached: Yes No N/A

Committee Review?

N/A

Name _____

Committee Recommendation:

Comments: _____

Request Reviewed by:

Chairman 

Counsel 

Auditor 

GSA Director 

CAO 

Risk Management 

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

Please transmit two copies of the resolution to Surveying; one set certified.

FOR CLERK USE ONLY

Meeting Date 2/10/15 Time _____ Item # 15

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on _____

A new ATF is required from _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.

Completed by _____

Department _____

ATTEST: _____

For meeting _____

Clerk or Deputy Board Clerk

of _____

Save



SURVEYING DEPARTMENT

COUNTY ADMINISTRATION CENTER

810 Court Street
Jackson, CA 95642-2132
Telephone: (209) 223-6371

January 16, 2015

AFFIDAVIT OF POSTING

Subject: Certificate of Merger – David and Christine Looney

We have posted five copies of the attached Public Hearing Notice.

Sincerely,

George E. Allen
County Surveyor

c.c. Files

GEA/kg



**AMADOR COUNTY
BOARD OF SUPERVISORS**

County Administration Center
810 Court Street • Jackson, CA 95642-9534
Telephone: (209) 223-6470
Facsimile: (209) 257-0619
Website: www.co.amador.ca.us

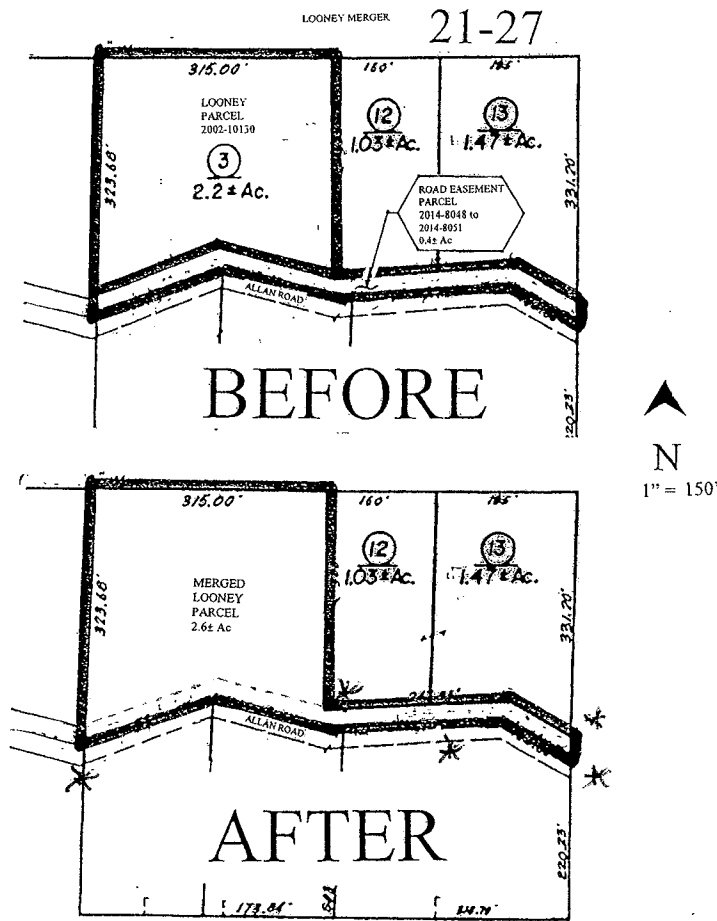
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Supervisors of the County of Amador, State of California, has received a request for a Certificate of Merger from David I. Looney and Christine A. Looney, as Trustees of the David I. and Christine A. Looney Family Trust dated August 2, 2002, and David Looney and Chris Looney. The Merger is a portion of Parcel "C" as described in the Trust Transfer Deed to David I. and Christine A. Looney Family Trust dated August 2, 2002, and recorded August 23, 2002, as Document 2002-0010130; together with the underlying fee title of the northerly half of a fifty-foot (50') wide road easement (Allan Road) within said Parcel "C" as described in the deeds from the heirs of Alma Sousa and recorded December 4, 2014 as Documents 2014-0008048 through 2014-0008051, as Parcel "C" and the fifty-foot (50') wide easement are shown and delineated on the "Record of Survey property of Kirk F. Runsdell, et ux" recorded in Book 12 of Maps and Plats, at page 67, all in the Records of Amador County. The Property is located on the northerly side of Allan Road, approximately 0.7 of a mile westerly of the junction with Shakeridge Road, in the Lockwood area. Assessor's Parcel No. 21-270-003 and shown road parcel.

A Public Hearing to consider said Certificate of Merger will be held at the County Administration Building, 810 Court Street, Jackson, California 95642, on February 10, 2015, at 10:30 a.m. or as soon thereafter as the matter may be heard, at which time any and all interested persons may come and be heard thereon.

If you have any questions, or desire further information, please contact Surveying & Engineering (209) 223-6371.

AMADOR COUNTY BOARD OF SUPERVISORS



Requested By:
BOARD OF SUPERVISORS
When recorded return to:
SURVEYING & ENGINEERING

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION ISSUING CERTIFICATE)
OF MERGER TO DAVID I. LOONEY AND) RESOLUTION NO. 2015-xxxx
CHRISTINE A. LOONEY AS TRUSTEES OF)
THE DAVID I. AND CHRISTINE A. LOONEY FAMILY)
TRUST DATED AUGUST 2, 2002 AND DAVID LOONEY)
AND CHRIS LOONEY)

BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that pursuant to Amador County Code No. 17.94.040 a certificate of merger be approved and hereby is issued to David I. Looney and Christine A. Looney, as Trustees of the David I. and Christine A. Looney Family Trust dated August 2, 2002, and David Looney and Chris Looney, for the parcel described in the certificate of merger; and

BE IT FURTHER RESOLVED that the Clerk of said Board be and hereby is directed to record this resolution and certificate of merger.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 10th day of February, 2015, by the following vote:

AYES: Brian Oneto, John Plasse, Louis D. Boitano,
Richard M. Forster, and Lynn A. Morgan

NOES: None

ABSENT: None

Chairman, Board of Supervisors

Requested by:
BOARD OF SUPERVISORS
Return to:
SURVEYING & ENGINEERING

CERTIFICATE OF MERGER

I,/WE, the undersigned owner(s) of record, hereby declare our intention to merge said real property, heretofore known and described as follows:

Said land to be known hereafter as follows: (SEE DESCRIPTION ATTACHED)

Owner(s)Signature: David I. Looney
Print (name/title) DAVID I. LOONEY
Owner(s)Signature Christine A. Looney
Print (name/title) CHRISTINE A. LOONEY

STATE OF CALIFORNIA)
COUNTY OF SAN FRANCISCO) SS.

On 12-16-14 before me,
Jeanne Dudak, Notary Public, personally appeared
David I. Looney and Christine A. Looney
who proved to me on the basis of satisfactory evidence to be the person(s)
whose name(s) is/are subscribed to the within instrument and acknowledged
to me that he/she/they executed the same in his/her/their authorized capacity(ies),
and that by his/her/their signature(s) on the instrument the person(s), or the entity
upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature Jeanne Dudak (seal)

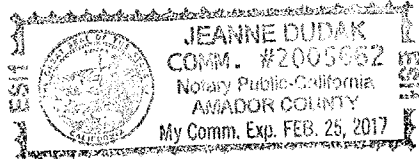


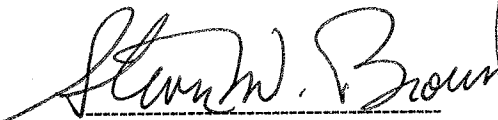
EXHIBIT 'A'

That certain parcel of real property located in the Unincorporated Area of the County of Amador, State of California, more particularly described as follows:

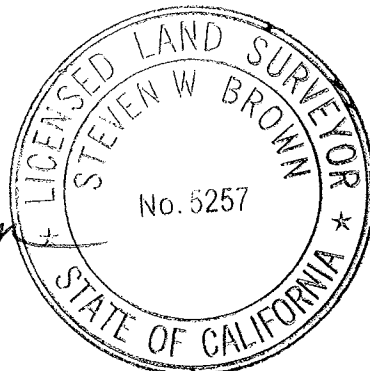
A Parcel of land situated in the County of Amador, State of California, being a portion of the Southeast 1/4 of Section 2, T. 7 N., R. 12E., M.D.B.&M., being more particularly described as follows:

Beginning at the northwest corner of that certain "Looney Family Trust Dated August 2, 2002" Parcel, as said Parcel is shown and delineated on that certain "Record of Survey Property for David I. and Christine A. Looney Family Trust Dated August 2, 2002" filed in Book 63 of Maps and Plats, at Page 86 (63-M-86), Amador County Records, said point being monumented on the ground by a 5/8" steel rebar, with a cap stamped L.S. 5257, said point also being the Point of Beginning, thence along the following 12 courses;

- 1) South 88° 16' 40" East, 315.00 feet, to a point, being monumented on the ground by a 5/8" rebar, with a cap stamped L.S. 5257, thence;
- 2) South 00° 54' 09" West, 297.40 feet, to a point, being monumented on the ground by a 5/8" rebar, with a cap stamped L.S. 5257, thence;
- 3) South 73° 16' 50" East, 3.04 feet, to a point, being monumented on the ground by a 5/8" rebar, with a cap stamped L.S. 5257, thence;
- 4) North 88° 19' 57" East, 251.19 feet, to a point, a point, being monumented on the ground by a 5/8" rebar, with a cap stamped L.S. 5257, thence;
- 5) South 59° 08' 20" East, 98.39 feet, to a point, being monumented on the ground by a 3/4" rebar tagged L.S. 2902, thence;
- 6) South 01° 55' 10" West, 28.57 feet, to a point, being monumented on the ground with a 5/8" rebar with a cap stamped L.S. 5257, thence;
- 7) North 59° 08' 20" West, 104.88 feet to a point, being monumented on the ground by a 5/8" rebar, with a cap stamped L.S. 5257, thence;
- 8) South 88° 19' 57" West, 247.95 feet, to a point, being monumented on the ground by a 5/8" rebar, with a cap stamped L.S. 5257, thence;
- 9) North 73° 16' 50" West, 154.38 feet, to a point, being monumented on the ground by a 5/8" rebar, with a cap stamped L.S. 5257, thence;
- 10) South 70° 44' 34" West, 187.58 feet, to a point, being monumented on the ground by a 5/8" rebar, thence;
- 11) North 02° 28' 50" East, 26.91 feet, to a point, being monumented on the ground by a 3/4" rebar tagged L.S. 2909, thence;
- 12) North 02° 28' 50" East, 323.68 feet, to the Point of Beginning. Being an area of 2.48



Steven W. Brown L.S. 5257
Lic. Exp. 12-31-2015



Nov. 01, 2014

Date

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: February 3, 2015

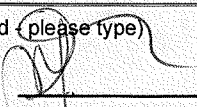
From: Jon Hopkins, Director
(Department Head (please type))

Phone Ext. X759

- | | |
|-------------------------------------|----------------|
| <input checked="" type="checkbox"/> | Regular Agenda |
| <input type="checkbox"/> | Consent Agenda |
| <input type="checkbox"/> | Blue Slip |
| <input type="checkbox"/> | Closed Session |

Meeting Date Requested:

02/10/15

Department Head Signature 

Agenda Title: Board of State and Community Corrections (BSCC) Workshop scheduled at 1:30 pm.

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Please see the attached memorandum.

Recommendation/Requested Action:

Workshop

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts N/A

Is a 4/5ths vote required?

Yes

No

Contract Attached:

Yes

No

N/A

Resolution Attached:

Yes

No

N/A

Ordinance Attached

Yes

No

N/A

Comments:

Committee Review?

N/A

Name _____

Committee Recommendation: _____

Request Reviewed by:

Chairman 

Counsel _____

Auditor _____

GSA Director 

CAO _____

Risk Management 

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

GSA-Jon Hopkins

FOR CLERK USE ONLY

Meeting Date

2/10/15

Time _____

Item #

16

Board Action: Approved Yes ___ No ___

Unanimous Vote: Yes ___ No ___

Ayes: _____

Resolution _____

Ordinance _____

Other: _____

Noes: _____

Resolution _____

Ordinance _____

Absent: _____

Comments: _____

Distributed on _____

A new ATF is required from _____

Department _____

Completed by _____

For meeting _____

of _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.

ATTEST: _____

Clerk or Deputy Board Clerk

GENERAL SERVICES ADMINISTRATION

MAIL: 12200-B Airport Road, Jackson, CA 95642

LOCATION: 12200-B Airport Road, Martell, CA

PHONE: (209) 223-6759 FAX: (209) 223-0749 E-MAIL: jhopkins@co.amador.ca.us



MEMORANDUM

TO: Board of Supervisors
FROM: Jon Hopkins, GSA Director *JH*
DATE: February 3, 2015
RE: Board of State and Community Corrections (BSCC) Workshop

On September 23, 2014 the Board of Supervisors authorized General Services to issue an RFQ for Architectural & Consulting Services for Jail Expansion. Services include seeking funding from SB 863 to assist with this project.

Although SB 863 is similar to AB 900 in scope for Jail construction funding, there are also significant changes with this law. Due to the various agencies involved and complex requirements, the BSCC will be providing the Board of Supervisor's a summary of the requirements and processes required by the State.

A workshop is scheduled for February 10, 2015 at 1:30 pm in the Board of Supervisors Chambers and should take approximately ninety (90) minutes.

BSCC has established an Executive Steering Committee (ESC) that is currently working on refining the requirements for SB 863, however to date the County obligations may include:

1. Adequate funding to support upfront and on-going project costs and;
2. CEQA (including letter from County Counsel) cost to be determined and is not reimbursable;
3. Fees for State GSA to perform real estate due diligence, approximately \$25K and is not reimbursable;
4. Fees for State Fire Marshall review, approximately \$125K and is not reimbursable;
5. Architectural and Consultant fees (including conceptual drawings, needs assessment and SB 863 application preparation) prior to project establishment by State, cost to be determined and is not reimbursable;
6. Off-site infrastructure cost, to be determined and is not reimbursable;
7. Audit by outside contractor at conclusion of the project, cost to be determined and is not reimbursable;
8. Update Capital Facility Fee (CFF) Nexus, approximately \$15K and is not reimbursable;
9. Project inspector, cost to be determined;
10. Contract development including requirements for Project Delivery & Construction including performance expectations and indemnifying the State;
11. Certification of Simple Fee ownership;
12. Operational Statement, Staffing Plan, Operational Cost Analysis and occupancy certification within 90 days of completion;
13. Commitment to maintain tax-exempt status;
14. Resolution from the Board of Supervisors stating various assurances in regards to funding, property ownership, operations, matching funds, and adherence to all other State requirements;
15. Maintenance and on-going staffing;
16. Appraisal;
17. Ground Lease development and Facility Sublease.