



MEMORANDUM
PUBLIC WORKS AND FACILITIES
ENGINEERING DIVISION
County of Placer

TO: Board of Supervisors

DATE: December 18, 2018

FROM: Ken Grehm, Director of Public Works and Facilities

By: Alice Atherton, Associate Civil Engineer

SUBJECT: Engineering / Agency Use Authorization Application / Tree Mortality Removal Project

ACTION REQUESTED

Adopt a Resolution authorizing the Director of Public Works and Facilities or designee to submit and execute a Use Authorization Application with the Bureau of Reclamation for hazardous tree removal activities on Bureau of Reclamation land, and incur expenses for an amount not to exceed \$50,000. This Use Authorization Application cost is included in the Emergency Services FY 2018-19 Final Budget.

BACKGROUND

On October 30, 2015 Governor Edmund G. Brown Jr. declared a state of emergency and sought federal action to help mobilize additional resources for the safe removal of dead and dying trees. Four years of drought have made trees in many regions of California susceptible to infestation by native bark beetles, which are normally constrained by the defense mechanisms of healthy trees. The United States Forest Service recently estimated that more than 129 million trees have already died in California due to current conditions. To date, approximately 10,500 dead or dying trees have been identified as a threat to the County's infrastructure, with approximately 1,000 of them on Bureau of Reclamation (BOR) land within Placer County. This action would enable the County to protect the County's infrastructure.

On September 27, 2016 your Board approved a plan to remove hazardous trees that could damage or destroy County infrastructure. This plan was developed with federal stakeholders in the County's Monthly Tree Mortality Task Force meetings, specifically including the Bureau of Reclamation.

The purpose of this application is to increase the level of coordination between the County and BOR. This Use Authorization Application (UAA) allows the County to perform studies and complete the federal environmental compliance (NEPA) process, mark trees, pay use fees and BOR administration costs, and implement necessary administration and/or field requirements on BOR land. Increased coordination at the State and Federal levels to address the hazard trees may allow for a waiver of said fees and costs. The County is requesting a waiver of fees from the BOR for this project; this waiver has not yet been confirmed. Costs associated with NEPA studies are a responsibility of the County. The exact cost of the BOR application and NEPA compliance has not been determined but is estimated to be under \$50,000.

ENVIRONMENTAL IMPACT

On January 17, 2014, Governor Brown signed a proclamation declaring a State of Emergency authorized by Government Code section 8571, the Governor's Proclamation suspended the California Environmental Quality Act (CEQA). Work within Federal lands will require NEPA compliance; this work has not been performed yet.

FISCAL IMPACT

The total estimated cost of this UAA is less than \$50,000. Tree removal activity costs are not considered in this UAA cost. This project is funded (75%) through the California Disaster Assistance Act (CDAA) program, the remaining 25% will come from the Tree Mortality Removal Project, PJ00020. The total cost of this project is \$3,082,000 and has been budgeted in the Emergency Services FY 2018-19 Final Budget. This is a multi-year project.

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ATTACHMENTS

Resolution

Bureau of Reclamation (BOR) Use Authorization Application

Placer County Tree Mortality Bureau of Reclamation Parcels Map

Before the Board of Supervisors County of Placer, State of California

In the matter of: A Resolution authorizing the Director of Public Works and Facilities or the Director of the Office of Emergency Services to submit and execute a Use Authorization Application with the Bureau of Reclamation for hazardous tree removal activities on Bureau of Reclamation land, and incur expenses for an amount not to exceed \$50,000.

Resolution No.: _____

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:

Clerk of said Board

BE IT RESOLVED, by the Board of Supervisors, County of Placer, State of California, that this Board authorizes the Director of Public Works and Facilities or the Director of the Office of Emergency Services to submit and execute a Use Authorization Application with the Bureau of Reclamation for hazardous tree removal activities on Bureau of Reclamation land, and incur expenses for an amount not to exceed \$50,000.

USE AUTHORIZATION APPLICATION

Applicants: Use this form to apply for possession or occupancy of, or for extraction or disturbance of natural resources from land, facilities, or waterbodies under the jurisdiction of the Bureau of Reclamation (Reclamation). For examples of uses requiring Reclamation authorization, and for information concerning other uses, see "General Information" on the next page.

Fill out the following application completely. Use "N/A" if a question does not apply. If additional space is needed, attach separate sheet(s) of paper, as necessary. Refer to the second page of this form for detailed instructions.

1. Information about the applicant requesting the use:

Applicant or Representative: Alice Atherton

Company or Entity Name: Placer County, California

Address: 3091 County Center Dr Ste 220

City, State, and Zip Code: Auburn, CA 95603

Telephone Numbers Evening: (530) 745-7511

FAX: (530) 745-3540

Email address: aatherto@placer.ca.gov

Tax ID or Social Security Number (as applicable): 94-6000527

2. Is this request for a new use authorization or a renewal of an existing use authorization? Renewal ☐ New ☒

If renewal, issuing office

Date of use authorization

3. Location of the proposed use: *[A map or drawing showing the location of the proposed use is required.]*

County roads in Placer County that cross Bureau of Reclamation lands. (map attached)

4. Purpose of proposed use:

Removal of dead hazard trees within falling distance of Placer County Roads and infrastructure on Bureau of Reclamation lands.

5. Description of the proposed use: *[Provide full description.]*

Placer County is requesting fee waived authorization to remove dead trees along Placer County roads and adjacent to County infrastructure that run through Bureau of Reclamation lands. This would include working with BOR staff to develop a project schedule, complete environmental planning, resource surveys, contracting to cut and remove dead trees and follow up monitoring. County staff and contractors (working on behalf of the county) will work with BOR staff to complete all aspects of the project including the project specifics (# of trees, avoidance areas, public notifications, etc). No landings would be built for this work and project mitigations would protect sensitive resources.

6. Dates of proposed use [during the following times and dates (specify below)]:

START			END		
DATE	TIME		DATE	TIME	
(Month, Day, Year)	AM	PM	(Month, Day, Year)	AM	PM
12/01/2018	08:00	22:00	12/31/2023	08:00	22:00

7. Name of Insurance Carrier:

CSAC-EIA

8. Have you, or your organization, forfeited any portion of any previous permit, bond, or surety submitted for use of Federal lands, or is any investigation or legal action pending against you or your organization for use of Federal lands? Yes ☐ No ☒

[If "Yes", attach details on separate sheet.]

9. Applicant Certification: I certify that the information given in this application is true, complete, and correct to the best of my knowledge and belief and is given in good faith. I acknowledge that I (we) am (are) required to comply with any conditions or stipulations that are required by the Bureau of Reclamation when the use authorization is issued. The non-refundable application fee is included: Yes ☒ No ☐

If "No", reason:

Date

Signature of Applicant

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

Paperwork Reduction Act (Act): This information is needed to evaluate use requests such as those listed on this application. Responses are necessary to receive or maintain a benefit; without this information Reclamation may not grant your request. Under the Act, the reporting burden to the public for this form is estimated to average 2 hours per response, including time for reviewing instructions, and completing and reviewing the form. In accordance with the Act, Reclamation may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget control number.

Privacy Act Statement

Information obtained by this form is protected by the Privacy Act of 1974 systems of records INTERIOR/WBR-17 and INTERIOR/WBR-32 and will be used to maintain land status information and proof of use authorization for legal purposes. If you fail to complete the information requested, Reclamation may refuse to grant a use authorization.

USE AUTHORIZATION APPLICATION

GENERAL INFORMATION

1. Examples of uses that may be applied for using FORM 7-2540 (this form). The following uses of Reclamation's lands, facilities, and waterbodies are commonly requested by using this use authorization application. This list is intended to provide examples of such uses and should not be considered as all inclusive:

- Commercial filming and photography;
- Commercial guiding and outfitting;
- Commercial or organized sporting events;
- Agricultural uses;
- Organized recreational activities, public gatherings, & other special events;
- Removal of, or exploration for, sand, gravel, and other mineral materials;
- Timber harvesting, or removal of commercial forest products or other vegetative resources; and
- Any other uses deemed appropriate by Reclamation, subject to the exclusions listed in the Code of Federal Regulations (43 CFR 429.4).

2. Uses that may be applied for using Standard Form (SF) 299. Use SF 299 to request a use authorization for the placement, construction, and use of energy, transportation, water, or telecommunication systems and facilities. You may access SF 299 at <http://www.gsa.gov/portal/forms/download/117318>.

3. The issuance of a use authorization is at Reclamation's discretion. There is no guarantee that Reclamation will approve any application to use Reclamation lands, facilities, or waterbodies. If an initial review determines that your requested use is inappropriate for consideration or likely to interfere with Reclamation project purposes or operations, Reclamation will not grant the use authorization.

4. Administrative costs. If Reclamation finds your proposed use is potentially compatible with Reclamation project purposes or operations, we will advise you of any additional estimated administrative costs in excess of the initial non-refundable \$100 application fee, which you will be required to pay before processing of your application continues. Administrative costs include, but are not limited to: use fee determination; compliance with National Environmental Policy Act and the National Historic Preservation Act; and Reclamation's review, preparation and issuance of the use authorization. Should your requested use be denied at any time during the review process, Reclamation will notify you in writing of the basis for the denial and reimburse any unspent administrative costs.

5. Use Fee (Value of the use authorization). In addition to the administrative costs, applicants will also be required to pay for the value of the use of the lands, facilities, or waterbodies based on the value of the use prior to issuance of the use authorization. 43 CFR 429, Subpart E describes the procedures that will be used to process and recover the value of use authorizations.

GENERAL INSTRUCTIONS

1. Complete the Use Authorization Application. Complete all parts of the use authorization application. If a particular question or response does not apply to the proposed use, please indicate "not applicable" or "N/A". Attach additional sheets if more space is needed. If you have additional questions, please contact your local Reclamation office. Some uses may require that you provide the name of your insurance carrier. A complete list of offices can be found at the following web site address: <http://www.usbr.gov/main/regions.html#list>. The use authorization regulations are at: <http://www.usbr.gov/lands/429.pdf>.

2. Enclose a non-refundable application fee of \$100, payable to the Bureau of Reclamation. Submit the application, non-refundable application fee of \$100, and any attachments to the Reclamation office responsible for the location of the proposed use. (Unless previously waived under 43 CFR 429, Subpart F). The non-refundable application fee will cover the estimated minimum administrative costs to Reclamation to review your application. Failure to submit the required application fee and adequate information will cause delays in evaluation of the application. *No activity may begin until Reclamation issues a fully executed use authorization document.*

SPECIFIC INSTRUCTIONS (by corresponding item number from first page)

3. Location of the proposed use. Submit two copies of all maps or drawings and other information clearly demonstrating the location for the proposed use, including township, range, and section. Under 43 CFR 429.13(a), Reclamation may request additional information needed to process your application, such as legal land descriptions and detailed construction specifications.

5. Description of the proposed use. Examples of additional information to provide, depending upon the use, are as follows:

- maximum number of anticipated participants/spectators/crew;
- number and types of vehicles to be on site;
- description of props, tents, tractors, trailers, and other equipment;
- description of facilities you intend to provide, such as sanitation facilities, emergency personnel, food services or vendors, or other applicable information (attach plans); and
- description of your intended use of Reclamation on-site roads or trails.

