



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 2 TO THE PERSONAL SERVICES CONTRACT BETWEEN THE COUNTY OF NEVADA AND FIRE SAFE COUNCIL OF NEVADA COUNTY PERTAINING TO FUELS REDUCTION SERVICES WITHIN THE PONDEROSA WEST GRASS VALLEY DEFENSE ZONE PROJECT, ALLOCATING RESPONSIBILITY FOR FUELS REDUCTION SERVICES TO THE FIRE SAFE COUNCIL OF NEVADA COUNTY FOR THE ENTIRE 1,200 ACRES OF THE PROJECT AREA, INCREASING THE MAXIMUM CONTRACT AMOUNT FROM \$979,900 TO \$3,343,553, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AMENDMENT

WHEREAS, on January 8, 2019, Governor Newsom implemented Executive Order N-05-19 to direct CAL FIRE to issue a 45-day report with recommendations to prevent and mitigate wildfire to the greatest extent possible with an emphasis on environmental sustainability and public health; and

WHEREAS, the CAL FIRE Community Wildfire Prevention & Mitigation Report, published on March 22, 2019, included 35 priority projects across the state to reduce public safety risk in over 200 communities, of which the “Ponderosa West Grass Valley Defense Zone” is included; and

WHEREAS, on March 22, 2019, Governor Newsom proclaimed a State of Emergency to exist in California due to a vast-tree die-off throughout the state, which increased the risk of wildfires, and made funding available to begin fuels reduction within the Ponderosa West Grass Valley Defense Zone; and

WHEREAS, on July 9, 2019, the Nevada County Board of Supervisors, per Resolution 19-402, approved a \$1 million-dollar agreement between the County and CAL FIRE pertaining to fuels reduction services covering 300 acres within the Ponderosa West Grass Valley Defense Zone area; and

WHEREAS, also on July 9, 2019, the Nevada County Board of Supervisors, per Resolution 19-403, approved acceptance of a \$2,536,477 agreement between the County and CAL FIRE pertaining to fuels reduction services covering the remaining area of the Ponderosa West Grass Valley Defense Zone; and

WHEREAS, Governor Gavin Newsom’s March 22, 2019, Proclamation of a State of Emergency included the suspension of Division 13 Environmental Quality provisions (commencing with section 21000) of the California Public Resources Code, and regulations adopted pursuant to that Division, to the extent they apply to the priority fuels reduction projects; and

WHEREAS, On August 8, 2019, the Secretary for Natural Resources, California Natural Resource Agency, found that the entirety of the 1,200 acres of the Project area is eligible under the Governor's March 22, 2019, State of Emergency Proclamation, including the suspension of the above-mentioned Division 13 Environmental Quality provisions and regulations adopted thereto; and

WHEREAS, the County is incorporating environmental protective measures into the Project, including those protective measures described in CAL FIRE's "Protective Practices for CAL FIRE's 35 Emergency Fuels Reduction Projects" to ensure the environment is adequately protected; and

WHEREAS, the Parties desire to enter into this Amendment No. 2 to amend their Agreement to allocate responsibility to the Fire Safe Council of Nevada County for completing the fuels reduction services for the entirety of 1,200 acres of the Project area, and to increase the maximum contract amount by \$2,363,653, for a new maximum contract amount not to exceed \$3,343,553.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that the Amendment No. 2 to the Personal Services Contract between County of Nevada and the Fire Safe Council of Nevada County pertaining to Fuels Reduction Services – Ponderosa West Grass Valley Defense Zone Project, extending the fuels reduction treatment to the entire 1,200 acres of the Project area, as set forth in the amendments to the Schedule of Services, and increasing the Maximum Contract Amount from \$979,900 to \$3,343,553 (an increase of \$2,363,653), as set forth in the revised Exhibit "B" Schedule of Charges and Payments, effective December 17, 2019 through March 30, 2022, be and hereby is approved and that the Chair of the Board of Supervisors be and is hereby authorized to execute the Agreement on behalf of the County of Nevada.

BE IT FURTHER RESOLVED that the Nevada County Board of Supervisors finds and determines that the Project is exempt from CEQA pursuant to the Governor's March 22, 2019, Proclamation of a State Emergency, suspending Division 13 Environmental Quality provisions (commencing with section 21000) of the California Public Resources Code, and regulations adopted pursuant to that Division, and as found on August 8, 2019, by the Secretary for Natural Resources, California Natural Resource Agency to apply to the entirety of the 1,200 acre Project, because the County will include environmental protections incorporated by CAL FIRE for the Project, including those protective measures described in CAL FIRE's "Protective Practices for CAL FIRE's 35 Emergency Fuels Reduction Projects" to ensure the environment is adequately protected.

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