



RESOLUTION No. 23-534

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION ACCEPTING THE USDA, UNITED STATES FOREST SERVICE (USFS), PACIFIC SOUTHWEST REGION, FIRE AND AVIATION MANAGEMENT GRANT FOR THE PONDEROSA WEST GRASS VALLEY DEFENSE ZONE EXTENSION PROJECT (23-DG-11052012-154) IN THE AMOUNT OF \$750,000 DURING THE PERIOD AUGUST 29, 2023 THROUGH AUGUST 1, 2025, RATIFYING THE EXECUTION OF THE GRANT AGREEMENT DATED AUGUST 29, 2023, AND AUTHORIZING THE DIRECTOR OF OFFICE OF EMERGENCY SERVICES TO EXECUTE ALL ADDITIONAL DOCUMENTS REQUIRED TO FULFILL THE REQUIREMENTS OF THE GRANT ON BEHALF OF THE COUNTY OF NEVADA

WHEREAS, the County of Nevada responded to the Fiscal Year 2023 Federal Earmark Opportunities under the Appropriations Fund, Subcommittee on Interior and Environment: United States Forest Service – State and Private Forestry (Landscape Scale Restoration Program); and

WHEREAS, the Ponderosa West Grass Valley Defense Zone Extension Project advances the state of California's Forest Action Plan program goal to improve forest resiliency to natural disasters and climate change, is listed in the CAL FIRE Nevada-Yuba-Placer 2021-2023 Strategic Plan, and is ranked the number one priority in the Nevada County Community Wildfire Protection Plan; and

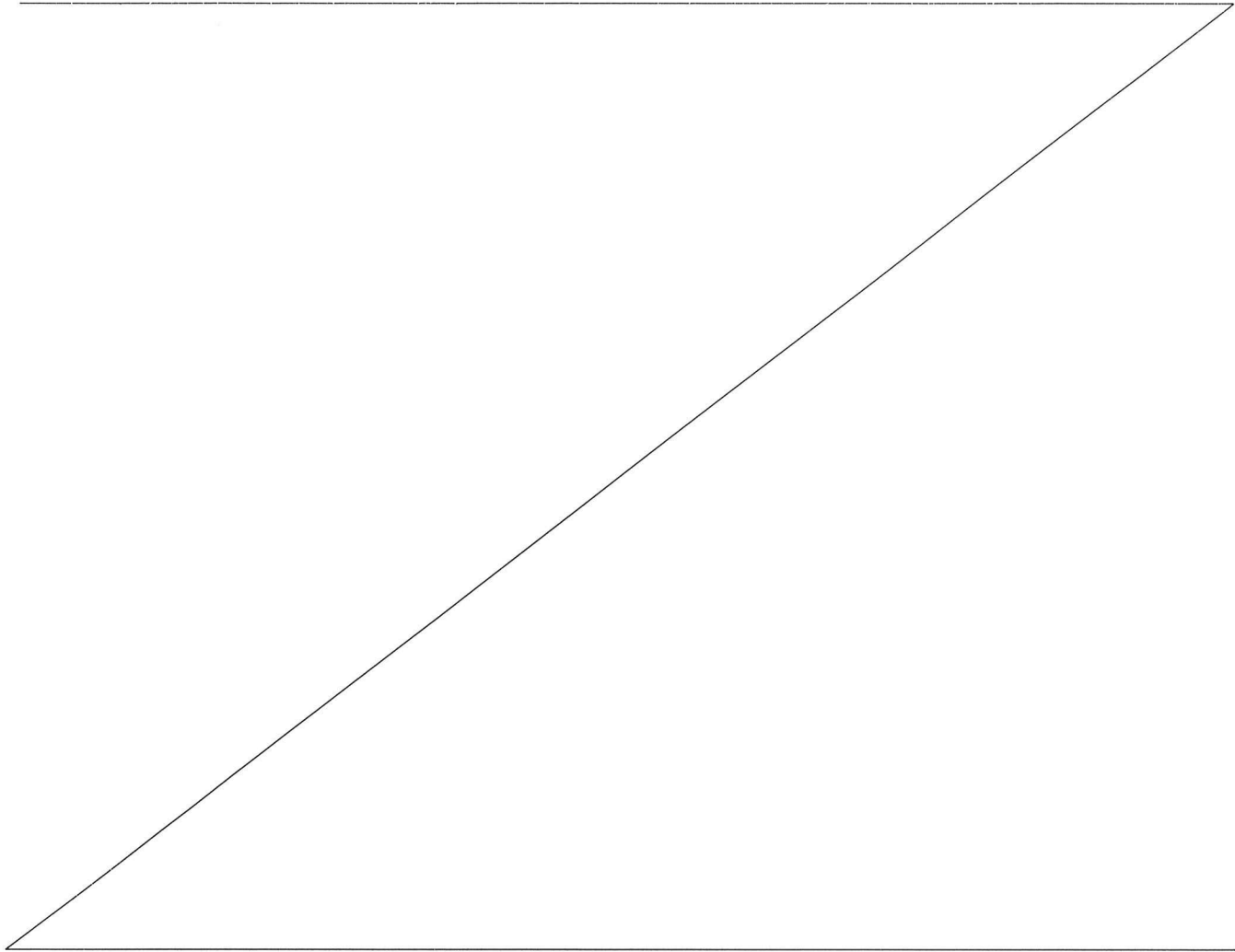
WHEREAS, the County of Nevada Office of Emergency Services request for Fiscal Year 2023 funds was approved as Congressionally Designated Community Project Funds; and

WHEREAS, the County of Nevada subsequently submitted a Grant Packet to USDA, United States Forest Service, Pacific Southwest Region, Fire and Aviation Management, the administrating agency of these funds; and

WHEREAS on August 29, 2023, USDA, United States Forest Service (USFS), Pacific Southwest Region, Fire and Aviation Management awarded the grant for the Ponderosa West Grass Valley Defense Zone Extension Project (23-DG-11052012-154) to the County of Nevada.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, State of California, accepts the USDA, United States Forest Service (USFS), Pacific Southwest Region, Fire and Aviation Management Grant for the Ponderosa West Grass Valley Defense Zone Extension Project in the amount of \$750,000 during the period August 29, 2023 through August 1, 2025, ratifies the execution of the Grant Agreement dated August 29, 2023, and authorizes the Director of Office of Emergency Services to execute the grant agreement and all additional documents required to fulfill the requirements of the grant on behalf of the County of Nevada.

Funding:
0101-20702-414-1000 / 446700 \$750,000



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 24th day of October, 2023, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarthout, Susan Hoek and Hardy Bullock.
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward C. Scofield, Chair

**FEDERAL FINANCIAL ASSISTANCE
AWARD OF DOMESTIC GRANT 23-DG-11052012-154
Between
COUNTY OF NEVADA
And The
USDA, FOREST SERVICE
PACIFIC SOUTHWEST REGION, FIRE AND AVIATION MANAGEMENT**

Project Title: Nevada County Ponderosa West Grass Valley Defense Zone Extension Project

Upon execution of this document, an award to County of Nevada, hereinafter referred to as "Nevada County," in the amount of **\$750,000.00**, is made under the authority of Consolidated Appropriations Act of 2023, P.L. 117-328. The Federal Assistance Listing (formerly Catalog of Federal Domestic Assistance - CFDA) number and name are 10.730, 2023 Community Project Funds. Nevada County accepts this award for the purpose described in the application narrative. Your application for Federal financial assistance, dated May 9, 2023, and the attached Forest Service provisions, 'Forest Service Award Provisions,' are incorporated into this letter and made a part of this award.

This authority requires no match.

This is an award of Federal financial assistance. Prime and sub-recipients to this award are subject to the OMB guidance in subparts A through F of 2 CFR Part 200 as adopted and supplemented by the USDA in 2 CFR Part 400. Adoption by USDA of the OMB guidance in 2 CFR 400 gives regulatory effect to the OMB guidance in 2 CFR 200 where full text may be found.

Electronic copies of the CFRs can be obtained at the following internet site: www.ecfr.gov. If you are unable to retrieve these regulations electronically, please contact your Grants and Agreements Office at wendy.yun@usda.gov.

The following administrative provisions apply to this award:

- A. **LEGAL AUTHORITY**. Nevada County shall have the legal authority to enter into this award, and the institutional, managerial, and financial capability to ensure proper planning, management, and completion of the project, which includes funds sufficient to pay the non-Federal share of project costs, when applicable.
- B. **PRINCIPAL CONTACTS**. Individuals listed below are authorized to act in their respective areas for matters related to this award.



Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Paul Cummings Program Manager Office of Emergency Services 950 Maidu Ave., Ste. 130 Nevada City, CA 95959-8600 (530) 265-1515 paul.cummings@nevadacountyca.gov	Elise Strickler – Financial Administration Contact IGS Chief Fiscal Administrative Officer 950 Maidu Ave., Ste. 130 Nevada City, CA 95959-8600 (530) 265-1705 elise.strickler@nevadacountyca.gov
	Alex Keeble-Toll – Grant Administration Contact Senior Analyst Office of Emergency Services 950 Maidu Ave., Ste. 130 Nevada City, CA 95959-8600 (530) 470-2521 alex.keeble-toll@nevadacountyca.gov

Principal Forest Service Contacts:

Forest Service Program Manager Contact	Forest Service Administrative Contact
Barbara Geringer Assistant Director USDA Forest Service, Region 5 Fire and Aviation Management 1323 Club Drive Vallejo, CA 94592 Mobile Telephone: (202) 577-4827 barbara.geringer-frazier@usda.gov	Wendy Yun Program Management Specialist USDA Forest Service, Region 5 Fire and Aviation Management 1323 Club Drive Vallejo, CA 94592 Mobile Telephone: (916) 712-8392 wendy.yun@usda.gov

- C. **SYSTEM FOR AWARD MANAGEMENT REGISTRATION REQUIREMENT (SAM)**. Nevada County shall maintain current information in the System for Award Management (SAM) until receipt of final payment. This requires review and update to the information at least annually after the initial registration, and more frequently if required by changes in information or award term(s). Additional information about registration procedures may be found at the SAM Internet site at www.sam.gov.
- D. **ADVANCE & REIMBURSABLE PAYMENTS – FINANCIAL ASSISTANCE**. Advance and reimbursable payments are approved under this award. Only costs for those project activities approved in (1) the initial award, or (2) modifications thereto, are allowable. Requests for payment must be submitted on Standard Form 270 (SF-270), Request for Advance or Reimbursement, and must be submitted no more than

monthly. In order to approve a Request for Advance Payment or Reimbursement, the Forest Service shall review such requests to ensure advances or payments for reimbursement are in compliance and otherwise consistent with OMB, USDA, and Forest Service regulations.

Advance payments must not exceed the minimum amount needed or no more than is needed for a 30-day period, whichever is less. If the Recipient receives an advance payment and subsequently requests an advance or reimbursement payment, then the request must clearly demonstrate that the previously advanced funds have been fully expended before the Forest Service can approve the request for payment. Any funds advanced, but not spent, upon expiration of this award must be returned to the Forest Service.

The Program Manager reserves the right to request additional information prior to approving a payment.

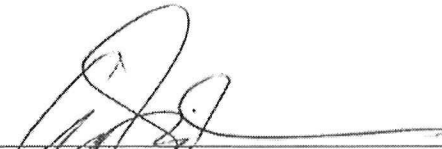
The invoice must be sent by one of three methods:	Send a copy to:
EMAIL (preferred): SM.FS.asc_ga@usda.gov	The Program and Administrative Contact Listed Above
FAX: 877-687-4894	
POSTAL: Albuquerque Service Center Payments – Grants & Agreements 101B Sun Ave NE Albuquerque, NM 87109	

- E. ELECTION OF DE MINIMIS INDIRECT RATE. Nevada County has elected to use the *de minimis* indirect cost rate of 10% of modified total direct costs (MTDC) as allowed under 2 CFR 200.414 (f). This rate must be used consistently for all Federal awards until such time as Nevada County chooses to negotiate for a rate, which they may apply to do at any time. If a new rate is negotiated and utilized the *de minimis* rate can no longer be utilized.
- F. PRIOR WRITTEN APPROVAL. Nevada County shall obtain prior written approval pursuant to conditions set forth in 2 CFR 200.407.
- G. MODIFICATIONS. Modifications within the scope of this award must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 60 days prior to implementation of the requested change. The Forest Service is not obligated to fund any changes not properly approved in advance.
- H. PERIOD OF PERFORMANCE. This agreement is executed as of the date of the Forest Service signatory official signature. Pre-award costs are authorized as of 08/01/2023 pursuant to 2 CFR 200.458.

The end date, or expiration date is **08/01/2025**. This instrument may be extended by a

properly executed modification. *See Modification Provision above.*

- I. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this award. In witness whereof the parties hereto have executed this award.



CRAIG GRIESBACH, Director, Office of
Emergency Services
County of Nevada

7/20/23

Date

Digitally signed by YOLANDA
SALDANA
Date: 2023.08.29 12:26:56 -07'00'

YOLANDA SALDANA

YOLANDA SALDANA, Regional Aviation Officer
US Forest Service, Pacific Southwest Region

Date

The authority and the format of this award have been reviewed and approved for signature.

Digitally signed by LYNNE
SHOLTY
Date: 2023.07.20 16:06:31 -06'00'

LYNNE SHOLTY

LYNNE SHOLTY
Forest Service Grants Management Specialist

Date

ATTACHMENT A: FOREST SERVICE AWARD PROVISIONS

- A. COLLABORATIVE ARRANGEMENTS. Where permitted by terms of the award and Federal law, Nevada County may enter into collaborative arrangements with other organizations to jointly carry out activities with Forest Service funds available under this award.
- B. FOREST SERVICE LIABILITY TO THE RECIPIENT. The United States shall not be liable to Nevada County for any costs, damages, claims, liabilities, and judgments that arise in connection with the performance of work under this award, including damage to any property owned by Nevada County or any third party.
- C. NOTICES. Any notice given by the Forest Service or Nevada County will be sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the Forest Service Program Manager, at the address specified in the award.

To Nevada County, at the address shown in the award or such other address designated within the award.

Notices will be effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

- D. SUBAWARDS. Prior approval is required to issue subawards under this grant. The intent to subaward must be identified in the approved budget and scope of work and approved in the initial award or through subsequent modifications. Approval of each individual subaward is not required, however the cooperator must document that each sub-recipient does NOT have active exclusions in the System for Award Management (sam.gov).

The Cooperator must also ensure that they have evaluated each subrecipient's risk in accordance with 2 CFR 200.332 (b).

Any subrecipient under this award must be notified that they are subject to the OMB guidance in subparts A through F of 2 CFR Part 200, as adopted and supplemented by the USDA in 2 CFR Part 400. Any sub-award must follow the regulations found in 2 CFR 200.331 through .333.

All subawards \$30,000 or more must be reported at fsrs.gov in compliance with 2 CFR 170. See Attachment B for full text.

- E. FINANCIAL STATUS REPORTING. A Federal Financial Report, Standard Form SF-425 (and Federal Financial Report Attachment, SF-425A, if required for reporting multiple awards), must be submitted semi-annually. These reports are due 30 days after the reporting period ending June 30 and December 31. The final SF-425 (and SF-

425A, if applicable) must be submitted either with the final payment request or no later than 120 days from the expiration date of the award. These forms may be found at <https://www.grants.gov/web/grants/forms.html>.

- F. PROGRAM PERFORMANCE REPORTS. The recipient shall perform all actions identified and funded in application/modification narratives within the performance period identified in award.

In accordance with 2 CFR 200.301, reports must relate financial data to performance accomplishments of the federal award.

Nevada County shall submit semi-annual performance reports. These reports are due 30 days after the reporting period ending June 30 and December 31. The final performance report shall be submitted either with Nevada County's final payment request, or separately, but not later than 120 days from the expiration date of the award.

- Additional pertinent information: Please submit reports to Program and Administrative Contacts Listed Above

- G. NOTIFICATION. Nevada County shall immediately notify the Forest Service of developments that have a significant impact on the activities supported under this award. Also, notification must be given in case of problems, delays or adverse conditions that materially impair the ability to meet the objectives of the award. This notification must include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.
- H. CHANGES IN KEY PERSONNEL. Any revision to key personnel identified in this award requires notification of the Forest Service Program Manager by email or letter.
- I. USE OF FOREST SERVICE INSIGNIA. In order for Nevada County to use the Forest Service insignia on any published media, such as a Web page, printed publication, or audiovisual production, permission must be granted by the Forest Service's Office of Communications (Washington Office). A written request will be submitted by Forest Service, Program Manager, to the Office of Communications Assistant Director, Visual Information and Publishing Services prior to use of the insignia. The Forest Service Program Manager will notify Nevada County when permission is granted.
- J. FUNDING EQUIPMENT. Federal funding under this award is not available for reimbursement of Nevada County's purchase of equipment. Equipment is defined as having a fair market value of \$5,000 or more per unit and a useful life of over one year. Supplies are those items that are not equipment.
- K. PUBLIC NOTICES. It is Forest Service's policy to inform the public as fully as possible of its programs and activities. Nevada County is encouraged to give public notice of the receipt of this award and, from time to time, to announce progress and

accomplishments.

Nevada County may call on Forest Service's Office of Communication for advice regarding public notices. Nevada County is requested to provide copies of notices or announcements to the Forest Service Program Manager and to Forest Service's Office Communications as far in advance of release as possible.

- L. FOREST SERVICE ACKNOWLEDGED IN PUBLICATIONS, AUDIOVISUALS, AND ELECTRONIC MEDIA. Nevada County shall acknowledge Forest Service support in any publications, audiovisuals, and electronic media developed as a result of this award. Follow direction in USDA Supplemental 2 CFR 415.2.
- M. NONDISCRIMINATION STATEMENT – PRINTED, ELECTRONIC, OR AUDIOVISUAL MATERIAL. Nevada County shall include the following statement, in full, in any printed, audiovisual material, or electronic media for public distribution developed or printed with any Federal funding.

In accordance with Federal law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.)

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and American Sign Language) should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at <https://www.ocio.usda.gov/document/ad-3027>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

- (1) Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410; or*
- (2) Fax: (833) 256-1665 or (202) 690-7442; or*
- (3) Email: program.intake@usda.gov.*

If the material is too small to permit the full Non-Discrimination Statement to be included, the material will, at a minimum, include the alternative statement:
"This institution is an equal opportunity provider."

N. DISPUTES.

1. Any dispute under this award shall be decided by the Signatory Official. The Signatory Official shall furnish Nevada County a written copy of the decision.
2. Decisions of the Signatory Official shall be final unless, within 30 days of receipt of the decision of the Signatory Official, Nevada County appeal(s) the decision to the Forest Service's Deputy Chief, State, Private, & Tribal Forestry (SPTF). Any appeal made under this provision shall be in writing and addressed to the Deputy Chief, SPTF, USDA, Forest Service, Washington, DC 20024. A copy of the appeal shall be concurrently furnished to the Signatory Official.
3. In order to facilitate review on the record by the Deputy Chief, SPTF, Nevada County shall be given an opportunity to submit written evidence in support of its appeal. No hearing will be provided.
4. A decision under this provision by the Deputy Chief, SPTF is final.
5. The final decision by the Deputy Chief, SPTF does not preclude Nevada County from pursuing remedies available under the law.

O. AWARD CLOSEOUT. Nevada County must submit, no later than 120 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the Federal award.

Any unobligated balance of cash advanced to Nevada County must be immediately refunded to the Forest Service, including any interest earned in accordance with 2 CFR 200.344(d).

If this award is closed without audit, the Forest Service reserves the right to disallow and recover an appropriate amount after fully considering any recommended disallowances resulting from an audit which may be conducted later.

P. TERMINATION. This award may be terminated, in whole or part pursuant to 2 CFR 200.340.

Q. DEBARMENT AND SUSPENSION. Nevada County shall immediately inform the Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should Nevada County or any of their principals receive a transmittal letter or other official federal notice of debarment or suspension, then they shall notify the Forest Service without undue delay.

This applies whether the exclusion, debarment, or suspension is voluntary or involuntary. The Recipient shall adhere to 2 CFR Part 180 Subpart C in regards to review of sub-recipients or contracts for debarment and suspension.

All subrecipients and contractors must complete the form AD-1048, Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion, Lower Tier Covered Transactions. Blank forms are available electronically. Completed forms must be kept on file with the primary recipient.

R. MEMBERS OF CONGRESS. Pursuant to 41 U.S.C. 22, no member of, or delegate to, Congress shall be admitted to any share or part of this award, or benefits that may arise therefrom, either directly or indirectly.

S. TRAFFICKING IN PERSONS.

1. Provisions applicable to a Recipient that is a private entity.

- a. You as the Recipient, your employees, Subrecipients under this award, and Subrecipients' employees may not:
 - (1) Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procure a commercial sex act during the period of time that the award is in effect; or
 - (3) Use forced labor in the performance of the award or subawards under the award.

- b. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a Subrecipient that is a private entity:
 - (1) Is determined to have violated a prohibition in paragraph a.1 of this award term; or
 - (2) Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either:
 - i. Associated with performance under this award; or
 - ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Government wide Debarment and Suspension (Nonprocurement),".

2. Provision applicable to a Recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:

- a. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or

- b. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—
 - (1) Associated with performance under this award; or
 - (2) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),”
3. Provisions applicable to any recipient.
 - a. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
 - b. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - (1) Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - (2) Is in addition to all other remedies for noncompliance that are available to us under this award.
 - c. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.
4. Definitions. For purposes of this award term:
 - a. “Employee” means either:
 - (1) An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - (2) Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
 - b. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
 - c. “Private entity”:
 - (1) Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
 - (2) Includes:
 - i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
 - ii. A for-profit organization.
 - d. “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

T. DRUG-FREE WORKPLACE.

1. Nevada County agree(s) that it will publish a drug-free workplace statement and provide a copy to each employee who will be engaged in the performance of any project/program that receives federal funding. The statement must
 - a. Tell the employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace;
 - b. Specify the actions Nevada County will take against employees for violating that prohibition; and
 - c. Let each employee know that, as a condition of employment under any award, the employee:
 - (1) Shall abide by the terms of the statement, and
 - (2) Shall notify Nevada County in writing if they are convicted for a violation of a criminal drug statute occurring in the workplace, and shall do so no more than 5 calendar days after the conviction.
2. Nevada County agree(s) that it will establish an ongoing drug-free awareness program to inform employees about
 - a. The dangers of drug abuse in the workplace;
 - b. The established policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation and employee assistance programs; and
 - d. The penalties that you may impose upon them for drug abuse violations occurring in the workplace.
3. Without the Program Manager's expressed written approval, the policy statement and program must be in place as soon as possible, no later than the 30 days after the effective date of this instrument, or the completion date of this award, whichever occurs first.
4. Nevada County agrees to immediately notify the Program Manager if an employee is convicted of a drug violation in the workplace. The notification must be in writing, identify the employee's position title, the award number of each award on which the employee worked. The notification must be sent to the Program Manager within 10 calendar days after Nevada County learns of the conviction.
5. Within 30 calendar days of learning about an employee's conviction, Nevada County must either
 - a. Take appropriate personnel action against the employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 (29 USC 794), as amended, or
 - b. Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for these purposes by a Federal, State or local health, law enforcement, or other appropriate agency.

U. PROHIBITION AGAINST USING FUNDS WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS.

1. The recipient may not require its employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting them from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.
2. The recipient must notify its employees, contractors, or subrecipients that the prohibitions and restrictions of any internal confidentiality agreements inconsistent with paragraph (1) of this award provision are no longer in effect.
3. The prohibition in paragraph (1) of this award provision does not contravene requirements applicable to any other form issued by a Federal department or agency governing the nondisclosure of classified information.
4. If the Government determines that the recipient is not in compliance with this award provision, it;
 - a. Will prohibit the recipient's use of funds under this award in accordance with sections 743, 744 of Division E of the Consolidated Appropriations Act, 2016, (Pub. L. 114-113) or any successor provision of law; and
 - b. May pursue other remedies available for the recipient's material failure to comply with award terms and conditions.

V. ELIGIBLE WORKERS. Nevada County shall ensure that all employees complete the I-9 form to certify that they are eligible for lawful employment under the Immigration and Nationality Act (8 U.S.C. 1324(a)). Nevada County shall comply with regulations regarding certification and retention of the completed forms. These requirements also apply to any contract or supplemental instruments awarded under this award.

W. FREEDOM OF INFORMATION ACT (FOIA). Public access to award or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552). Requests for research data are subject to 2 CFR 315(e).

Public access to culturally sensitive data and information of Federally-recognized Tribes may also be explicitly limited by P.L. 110-234, Title VIII Subtitle B §8106 (2009 Farm Bill).

X. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All Cooperators, their Employees, Volunteers, and Contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs

when driving while on official Government business or when performing any work for or on behalf of the Government.

- Y. PROMOTING FREE SPEECH AND RELIGIOUS FREEDOM. As a recipient of USDA financial assistance, you will comply with the following:
1. Do not discriminate against applicants for sub-grants on the basis of their religious character.
 2. 7 Code of Federal Regulations (CFR) part 16.3(a), Rights of Religious Organizations.
 3. Statutory and National policy requirements, including those prohibiting discrimination and those described in Executive Order 13798 promoting free speech and religious freedom, 2 CFR 200.300.

- Z. PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT. The cooperator (including subrecipients) is responsible for compliance with the prohibition on certain telecommunications and video surveillance services or equipment identified in 2 CFR 200.216. See Public Law 115-232, Section 889 for additional information.

In accordance with 2 CFR 200.216, the grantee (including subrecipients) is prohibited from obligating or expending loan or grant funds for covered telecommunications equipment or services to:

- (1) procure or obtain, extend or renew a contract to procure or obtain;
- (2) enter into a contract (or extend or renew a contract) to procure; or
- (3) obtain the equipment, services or systems.

ATTACHMENT B: 2 CFR PART 170

Appendix A to Part 170—Award Term

I. Reporting Subawards and Executive Compensation

a. *Reporting of first-tier subawards.*

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that equals or exceeds \$30,000 in Federal funds for a subaward to a non-Federal entity or Federal agency (see definitions in paragraph e. of this award term).
2. *Where and when to report.*
 - i. The non-Federal entity or Federal agency must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
 - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. *Reporting total compensation of recipient executives for non-Federal entities.*

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
 - i. The total Federal funding authorized to date under this Federal award equals or exceeds \$30,000 as defined in 2 CFR 170.320;
 - ii. in the preceding fiscal year, you received—
 - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards), and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and,
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:
 - i. As part of your registration profile at <https://www.sam.gov>.
 - ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. *Reporting of Total Compensation of Subrecipient Executives.*

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier non-Federal entity subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most

highly compensated executives for the subrecipient's preceding completed fiscal year, if—

- i. in the subrecipient's preceding fiscal year, the subrecipient received—
 - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards) and,
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 - ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:
- i. To the recipient.
 - ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.
- d. *Exemptions.*
If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:
- i. Subawards, and
 - ii. The total compensation of the five most highly compensated executives of any subrecipient.
- e. *Definitions.* For purposes of this award term:
1. Federal Agency means a Federal agency as defined at 5 U.S.C. 551(1) and further clarified by 5 U.S.C. 552(f).
 2. Non-Federal *entity* means all of the following, as defined in 2 CFR part 25:
 - i. A Governmental organization, which is a State, local government, or Indian tribe;
 - ii. A foreign public entity;
 - iii. A domestic or foreign nonprofit organization; and,
 - iv. A domestic or foreign for-profit organization
 3. *Executive* means officers, managing partners, or any other employees in management positions.
 4. *Subaward:*
 - i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.331).
 - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

5. *Subrecipient* means a non-Federal entity or Federal agency that:
 - i. Receives a subaward from you (the recipient) under this award; and
 - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
6. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)).

END OF ATTACHMENT B: 2 CFR PART 170

ATTACHMENT C: WHISTLEBLOWER NOTICE

Whistleblowers perform an important service to USDA and the public when they come forward with what they reasonably believe to be evidence of wrongdoing. They should never be subject to reprisal for doing so. Federal law protects federal employees as well as personal services contractors and employees of Federal contractors, subcontractors, grantees, and subgrantees against reprisal for whistleblowing. USDA bears the responsibility to ensure that nothing in a non-disclosure agreement which a contractor, subcontractor, grantee, or subgrantee requires their employees to sign should be interpreted as limiting their ability to provide information to the Office of Inspector General (OIG).

41 U.S.C. § 4712 requires the head of each executive agency to ensure that its contractors inform their workers in writing of the rights and remedies under the statute.

Accordingly, it is illegal for a personal services contractor or an employee of a Federal contractor, subcontractor, grantee, or subgrantee to be discharged, demoted, or otherwise discriminated against for making a protected whistleblower disclosure. In this context, these categories of individuals are whistleblowers who disclose information that the individual reasonably believes is evidence of one of the following:

- Gross mismanagement of a Federal contract or grant;
- A gross waste of Federal funds;
- An abuse of authority relating to a Federal contract or grant;
- A substantial and specific danger to public health or safety; or
- A violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

To be protected under 41 U.S.C. § 4712, the disclosure must be made to one of the following:

- A Member of Congress, or a representative of a committee of Congress;
- The OIG;
- The Government Accountability Office (GAO);
- A Federal employee responsible for contract or grant oversight or management at USDA;
- An otherwise authorized official at USDA or other law enforcement agency;
- A court or grand jury; or
- A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

Under 41 U.S.C. § 4712, personal services contractors as well as employees of contractors, subcontractors, grantees, or subgrantees may file a complaint with OIG, who will investigate the matter unless they determine that the complaint is frivolous, fails to allege a violation of the prohibition against whistleblower reprisal, or has been addressed in another proceeding. OIG's investigation is then presented to the head of the executive agency who evaluates the facts of the investigation and can order the contractor, subcontractor, grantee, or subgrantee

to take remedial action, such as reinstatement or back pay.

Federal Acquisition Regulation (FAR) Subpart 3.903, *Whistleblower Protections for Contractor Employees, Policy*, prohibits government contractors from retaliating against a contract worker for making a protected disclosure related to the contract. FAR Subpart 3.909-1 prohibits the Government from using funds for a contract with an entity that requires its employees or subcontractors to sign internal confidentiality statements prohibiting or restricting disclosures of fraud, waste, or abuse to designated persons. This prohibition does not contravene agreements pertaining to classified information. The regulation also requires contracting officers to insert FAR clause 52.203-17, *Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights*, in all solicitations and contracts that exceed the Simplified Acquisition Threshold as defined in FAR Subpart 3.908. This clause requires notification to contractor employees that they are subject to the whistleblower rights and remedies referenced in 41 U.S.C. § 4712.

In order to make a complaint alleging any of the violations mentioned above, one should complete the OIG Hotline form located at: <https://www.usda.gov/oig/hotline>. For additional information, they may also visit the WPC's webpage at: <https://www.usda.gov/oig/wpc> or they may directly contact the WPC at OIGWPC@oig.usda.gov.

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/>
* 3. Date Received: 05/10/2023	4. Applicant Identifier: Not Applicable	
5a. Federal Entity Identifier: <input type="text"/>	5b. Federal Award Identifier: <input type="text"/>	
State Use Only:		
6. Date Received by State: <input type="text"/>	7. State Application Identifier: <input type="text"/>	
8. APPLICANT INFORMATION:		
* a. Legal Name: County of Nevada		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 94-6000526	* c. UEI: QDDBKGRJTRL5	
d. Address:		
* Street1: 950 Maidu Avenue Suite 130	<input type="text"/>	
Street2: <input type="text"/>	<input type="text"/>	
* City: Nevada City	<input type="text"/>	
County/Parish: <input type="text"/>	<input type="text"/>	
* State: CA: California	<input type="text"/>	
Province: <input type="text"/>	<input type="text"/>	
* Country: USA: UNITED STATES	<input type="text"/>	
* Zip / Postal Code: 95959-8600	<input type="text"/>	
e. Organizational Unit:		
Department Name: Office of Emergency Services	Division Name: Office of Emergency Services	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: Mr.	* First Name: Paul	<input type="text"/>
Middle Name: <input type="text"/>	<input type="text"/>	
* Last Name: Cummings	<input type="text"/>	
Suffix: <input type="text"/>	<input type="text"/>	
Title: Program Manager		
Organizational Affiliation: Office of Emergency Services		
* Telephone Number: 530-265-1515	Fax Number: <input type="text"/>	
* Email: paul.cummings@nevadacountyca.gov		

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

United States Forest Service

11. Catalog of Federal Domestic Assistance Number:

10.730

CFDA Title:

Community Project Fund - 2023 Congressionally Directed Spending

*** 12. Funding Opportunity Number:**

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Nevada County Ponderosa West Grass Valley Defense Zone Extension Project

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="750,000.00"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="750,000.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:
Middle Name:
* Last Name:
Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative: 

* Date Signed:

BUDGET INFORMATION - Non-Construction Programs

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1. Community Project Fund - 2023 Congressionally Directed Spending	10.730	\$	\$	750,000.00	\$	750,000.00
2.						
3.						
4.						
5. Totals		\$	\$	750,000.00	\$	750,000.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
	Community Project Fund - 2023 Congressionally Directed Spending				
a. Personnel	\$ 7,753.00	\$	\$	\$	7,753.00
b. Fringe Benefits	4,765.00				4,765.00
c. Travel	0.00				0.00
d. Equipment	0.00				0.00
e. Supplies	2,500.00				2,500.00
f. Contractual	721,230.00				721,230.00
g. Construction	0.00				0.00
h. Other	0.00				0.00
i. Total Direct Charges (sum of 6a-6h)	736,248.00				736,248.00
j. Indirect Charges	13,752.00				13,752.00
k. TOTALS (sum of 6i and 6j)	\$ 750,000.00	\$	\$	\$	750,000.00
7. Program Income	\$	\$	\$	\$	0.00

Authorized for Local Reproduction

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8. Community Project Fund - 2023 Congressionally Directed Spending	\$	\$	\$	\$
9.				
10.				
11.				
12. TOTAL (sum of lines 8-11)	\$	\$	\$	\$

SECTION D - FORECASTED CASH NEEDS

Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 164,406.00	\$ 54,802.00	\$ 54,802.00	\$ 54,802.00
14. Non-Federal	\$			
15. TOTAL (sum of lines 13 and 14)	\$ 164,406.00	\$ 54,802.00	\$ 54,802.00	\$ 54,802.00

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16. Community Project Fund - 2023 Congressionally Directed Spending	\$ 164,406.00	\$ 570,576.00	\$	\$
17.				
18.				
19.				
20. TOTAL (sum of lines 16 - 19)	\$ 164,406.00	\$ 570,576.00	\$	\$

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges:	736,248	22. Indirect Charges:	13,752
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23. Remarks: This is a 24 month project.

Nevada County Ponderosa West Grass Valley Defense Zone Extension Project

PROJECT CONTACTS

Award Signatory

Craig Griesbach
Director, Office of Emergency Services
craig.griesbach@nevadacountyca.gov
1-530-265-1583

Program/Project Contact

Paul Cummings
Program Manager, Office of Emergency Services
paul.cummings@nevadacountyca.gov
1-530-265-1515

Financial Administration Contact

Elise Strickler
IGS Chief Fiscal Administrative Officer
elise.strickler@nevadacountyca.gov
1-530-265-1705

Grant Administration Contact

Alex Keeble-Toll
Senior Analyst Office of Emergency Services
alex.keeble-toll@nevadacountyca.gov
1-530-470-2521

PROJECT NARRATIVE

Needs Assessment

Seven of the top twenty most destructive California wildfires have occurred since 2020. 2021 was the first time in recorded history that wildfire went over the Sierra crest, and it happened twice – with the Dixie Fire and the Caldor Fire. For too long, the state's forests have been out of ecological balance, and the lands in and around Sierra Nevada communities are dire need of forest management. The forest conditions that we see across the region are not natural – they are the outcome of 80-100 years of fire suppression, resulting in extremely high fuel loads. In rural counties an overwhelming number of residences and critical infrastructure are located in the wildland urban interface (WUI) and these are at extreme risk, especially in the face of climate change.

The *Nevada County Ponderosa West Grass Valley Defense Zone Extension Project* is a second-pass implementation 600-acre fuels reduction project within 1,200 acres of private lands. State funds were granted to complete the first pass of implementation in this project area; however for this project to be considered complete second pass implementation at the ~ three-year mark following the first pass of implementation is needed. It is assumed that half of the originally treated acreage will require second pass implementation. As such, there is a substantial need to complete 600 acres of fuels reduction.

Nevada County is committed to working with landowners within the project area to deploy second pass implementation treatments. Congressionally Directed Community Project Funding via Federal Agency (FS) funds will be used to complete the implementation activities. The Project will result in second pass treatment of private lands and will make way for more affordable forest health maintenance methods such as prescribed fire, grazing, and routine fuels thinning in the future.

The primary vegetation type in the project area is brush and timber; other types include oak woodland with a minimal grass and moderate brush component. Under drought conditions the vegetation has become more vulnerable to disease and pestilence, noxious weeds, invasive species, and therefore are more susceptible to catastrophic wildfire. Approximately 3,000 residences in the WUI communities of Lake Wildwood, Penn Valley, Rough and Ready, and the City of Grass Valley, as well as critical infrastructure for state commerce, such as State Highway 20, power and water infrastructure, and Nevada County facilities are directly at risk of wildfire from these overgrown lands. Within one mile of the project, there are seven churches, 12 bridges, six schools, three fire stations, two government buildings, and four emergency shelter sites including the County fairgrounds.

In Nevada County, over 92% of residents live in high to very high fire hazard severity zones. The need for fuels reduction is so significant that CAL FIRE has identified nine priority projects in Western Nevada County, comprising 9,000 acres that need to be implemented immediately. The *Nevada County Ponderosa West Grass Valley Defense Zone Extension Project* is listed in the Local Hazard Mitigation Plan, the CAL FIRE Nevada-Yuba-Placer Unit Plan, and is the number one project in the Nevada County Community Wildfire Protection Plan.

Stated Objectives

Massive wildfire can result in substantial impacts, such as: negative effects to community safety; release of carbon emissions; impacts to local and downstream water quality, reduction in water storage and recharge; unhealthy air quality; and loss of employment opportunities leading to negative economic impacts. The majority of residents in Nevada County live in high-risk areas for wildfire. The County of Nevada seeks to alleviate this risk through hazardous fuels reduction actions that reduce the amount of fuel while at the same time retaining the rural character and natural environment that defines our local communities.

The *Nevada County Ponderosa West Grass Valley Defense Zone Extension Project* will conduct critical second pass implementation on 600 acres of privately owned land. The treatment prescription aims to maintain outcomes achieved during the first pass of implementation including reduced vegetation density, reduced height to live crown, and reduced surface fuels. By reducing the amount of fuel, the heat intensity of wildfire is reduced. The outcome is a landscape that is aesthetically pleasing and that simultaneously provides a zone where evacuations are safe and ground crews can get in to fight a fire.

This Project relies on Federal Agency (FS) funding to leverage and extend the wildfire protection of the first pass implementation within the project area to the benefit of approximately 3,000 residents, critical infrastructure, and multiple communities. The Project will build on efforts to improve forest conditions within the wildland urban interface by modifying fuel loads to create a defense zone near homes and along roads including essential egress and egress routes from nearby communities.

In addition, the Project will advance the state of California's Forest Action Plan program goals to improve forest resiliency to natural disasters and to climate change including wildfire, pest outbreaks, and other disturbances. Further goals of the plan this project helps achieve include reduced wildfire risk to communities in the Wildland Urban Interface. Prior to the first pass implementation that was completed in 2021, the Project area had not been treated for fire management in decades and as a result of this, and a changing climate, the area is out of alignment with the historic intermittent fire regime, to the detriment of the residents of Nevada County.

Proposed Activities

Activities under this grant are organized under five key tasks as follows:

Task 1: Grant Administration

Under Task 1, County of Nevada staff will ensure that this grant is administered on-time and on-budget in accordance with the requirements set forth for receiving a USDA Forest Service Grant. This includes maintaining current registration in the System for Award Management (SAM), compliance with Federal Civil Rights Laws, and adherence to OMB Uniform Guidance (including 2 CFR Part 200). Progress reports and financial reports shall be submitted quarterly under Task 1.

- *Timeline:* August 1, 2023 – August 1, 2025
- *Deliverables:* Quarter Progress Reports; Quarterly Financial Reports; Final Project Report and Financial Report.

Task 2: Project Management

Under Task 2, a contractor will manage activities associated with this project as outlined in Tasks 3-5, below. This will include outreach and engagement of landowners, and coordination of contractors associated with environmental compliance and hazardous fuels reduction. Project Management will ensure that deliverables are satisfied according to the timeline(s) specified for Tasks 3-5. The Project Management Contractor will be charged with reporting out to County of Nevada on a monthly basis to keep Grant Administration staff apprised of project status.

- *Timeline:* August 1, 2023 – August 1, 2025
- *Deliverables:* Monthly Report-Outs to County of Nevada.

Task 3: Landowner Engagement and Treatment Design

Under Task 3, the Project Management contractor will conduct community outreach to educate the public about the benefits of the *Nevada County Ponderosa West Grass Valley Defense Zone Extension Project*. The Project Management Contractor will furthermore engage with the individual private landowners within the 1,200-acre project footprint to secure right-of-entry permissions and to facilitate the necessary cultural, wildlife, and botanical surveys required for environmental compliance to treat 600 acres of private land. The final step under Task 3 will be facilitating the development of the treatment design for second pass implementation on the private lands, in coordination with the landowners and the Registered Professional Forester and getting landowner sign-off on the treatment.

- *Timeline:* August 1, 2023 – August 1, 2024
- *Deliverables:* Outreach and Engagement Materials; Right-of-Entry Forms; Signed Treatment Prescription(s).

Task 4: Environmental Compliance

Under Task 4, the Project Management contractor will coordinate a contractor to complete necessary environmental compliance for this project, including CEQA (CalVTP) and NEPA. The components that will feed into the environmental compliance process include a Cultural Resources Inventory System (CRIS) database search, cultural surveys, botanical and wildlife surveys, and any additional requirements needed to comply with Section 106 of the National Historic Preservation Act.

- *Timeline:* August 1, 2023 – August 1, 2024
- *Deliverables:* CRIS Data; Cultural Surveys, Botanical and Wildlife Surveys; Environmental Documents.

Task 5: Hazardous Fuels Reduction

Under Task 5 a contractor will implement second pass hazardous fuels reduction activities on 600 acres of privately owned land in accordance with the treatment design developed by the Registered Professional Forester (under Task 3) and within the parameters dictated to ensure environmental compliance (Task 4). Hazardous fuels reduction activities will adhere to time-of-year best-practices, including avoidance of use of gas-powered equipment during red flag/high wildfire risk days and times. Based on the first pass implementation within the same project footprint, it is reasonably assumed that hazardous fuels reduction will be comprised of vegetation removal via hand crews, mastication, chipping, and select application of herbicide.

- *Timeline:* August 1, 2024 – August 1, 2025
- *Deliverables:* Before and After Photos; Map of Treatment Area.

Project Timeline

The timeline for this project is 24 months: August 1, 2023 – August 1, 2025. Please refer to Proposed Activities (above) for timelines by project task.

Key Personnel and Contractors

Key County of Nevada staff associated with this project include:

- *Craig Griesbach, Director, Office of Emergency Services:* For signature authority and departmental oversight. Contribution to this project falls under the overall scope of this position and thus a line item is not included in the project budget.
- *Paul Cummings, Program Manager, Office of Emergency Services:* For programmatic and contractual oversight. Contribution to this project falls under the overall scope of this position and thus a line item is not included in the project budget.

- *Elise Strickler, Chief Fiscal Administrative Officer, Information and General Services (IGS):* For fiscal oversight and invoicing, including contact for FFR financial reports and SF-270 payment requests. Contribution to this project falls under the overall scope of this position and thus a line item is not included in the project budget.
- *Alex Keeble-Toll, Senior Analyst, Office of Emergency Services:* For grant management and quarterly reporting. Contribution to this project is included in the project budget.

Contractors associated with this project will be selected according to appropriate procurement standards as set forth in 2 CFR Part 200 Subpart D. These contractors include:

Project Management, Contractor TBD: A contractor will be retained for the purposes of managing this project. Activities will include coordination of additional contractors (as listed below), to ensure that deliverables are satisfied according to the timeline(s) specified under Proposed Activities. Additional activities will include coordination of landowners, including securing right of entry.

CalVTP (CEQA)/NEPA, Contractor TBD: A contractor will be retained for the purposes of completing requisite environmental compliance for this project. Activities will include identifying and carrying out required cultural surveys/assessments, coordinating outcomes of the biological surveys (wildlife, botanical) and preparing the required documentation.

Registered Professional Forester, Contractor TBD: A contractor will be retained for the purposes of identifying/prescribing the appropriate second pass treatment for the 600 acres of privately owned land that comprises the scope of this project.

Wildlife Biologist/Botanist, Contractor TBD: A contractor from the County of Nevada Pre-Qualified Biological Consultants will be retained for the purposes of completing the wildlife and botanical surveys necessary to satisfy environmental compliance for this project.

Fuels Treatment, Contractor TBD: A contractor will be retained for the purposes of implementing the shaded fuel break treatment per the recommendations of the Registered Professional Forester and with landowner permissions obtained by the Project Management Contractor.

Geographic Location

This project is located in Western Nevada County, California just west of the town of Grass Valley. The treatment area is bounded by McCourtney Road to the south, and Highway 20 to the north. Refer to the Areas Affected Attachment included with this application packet.

Monitoring and Evaluation of Results

The overarching goal of this project is to ensure that the fuels reduction treatments will result in remaining vegetation that is diverse in age, species, and structure to ensure a defensible landscape for protection of the local communities. This will reduce wildfire risk while retaining the rural and natural character of Nevada County.

Project progress will be monitored in relation to the timeline(s) and deliverable(s) listed by task under the Proposed Activities section. Success will be evaluated based on achievement of key deliverable(s) within the specified timeline(s).

Project progress and results achieved will be communicated to the relevant Federal Agency (FS) via quarterly progress and financial reports across the 24-month project performance period.

Other Elements

Environmental and cultural assessment, as well as landowner outreach, for treatment of the 600 acres on private land will be undertaken immediately. It is anticipated that these activities will take approximately one year to complete. The second year of the project will focus on the implementation of the second-pass hazardous fuels reduction actions.

BUDGET NARRATIVE

Total Project Cost: \$750,000
Federal Agency (FS): \$750,000

Personnel

- Personnel costs for this project include Senior Administrative Analyst for grant and contract management: 144 hours over 24 months at a rate of \$53.84 per hour. Total is \$7,753.
- Total Federal Share: \$7,753

Fringe Benefits

- Fringe Benefits costs for this project include Senior Administrative Analyst for grant and contract management: 144 hours over 24 months at a rate of \$33.09 per hour. Total is \$4,765.
- Total Federal Share: \$4,765

Supplies/Materials

- Supplies/Materials costs for this project include rental of portable toilets. One unit at a cost of \$250/week for 10 weeks. Total is \$2,500
- Total Federal Share: \$2,500; Non-Federal Share: \$0.

Contractual

Contractual costs for this project include:

- Project Management: 1,000 hours over 24 months at a rate of \$65 per hour (salary and benefits). Total is \$65,000.
- CalVTP (CEQA)/NEPA: at a flat rate of \$80,000.
- Registered Professional Forester: 600 acres at a flat rate of \$25,000.
- Wildlife Biologist/Botanist: 600 acres at a flat rate of \$25,030.
- Fuels Treatment: 600 acres at an average cost-per-acre of \$877. Total is \$480,000.
- Total Federal Share: \$675,000

Indirect Charges

- Indirect Charges are based on the 10% de minimis rate. The 10% de minimis is applied on Modified Total Direct Costs (MTDC) as follows: all direct salaries and wages (\$7,753), applicable fringe benefits (\$4,765), and the first \$25,000 of five sub-awards (\$125,000). Total is \$137,518 @ 10% = \$13,751.79
- Total Federal Share: \$13,751.79

Areas Affected

Nevada County Ponderosa West Grass Valley Defense Zone Extension Project



Figure 1: Nevada County Ponderosa West Grass Valley Defense Zone Prior to First Pass Implementation: Prior to first-pass implementation of the Nevada County Ponderosa West Grass Valley Defense Zone Project parts of Ponderosa Road had such dense roadside vegetation that it was difficult to get a standard vehicle through. This vegetation was abated in 2019-2021. According to CAL FIRE, if second-pass implementation on shaded fuel break projects does not occur in 2-3 years, within 5 years all wildfire mitigation benefit is lost.



Figure 2: Predominant Vegetation, Nevada County Ponderosa West Grass Valley Defense Zone Extension: Much of the vegetation indicative of the Nevada County Ponderosa West Grass Valley Defense Zone Extension is fuel that burns hot and fast like dense manzanita. Removal of the overstocked fuels leaves a landscape that is aesthetically appealing (see Figure 4) and safer zone for first responders to make a stand against wildfire



Figure 3: Treatment Prescription: Due to vegetation density, slope, and landowner preference, much of the treatment prescription for the first-pass implementation of the *Nevada County Ponderosa West Grass Valley Defense Zone Extension Project* was hand crews and pile-and-chip. The treatment prescription for second-pass implementation will use the same methods in the same areas, minimizing the work required by a Registered Professional Forester.

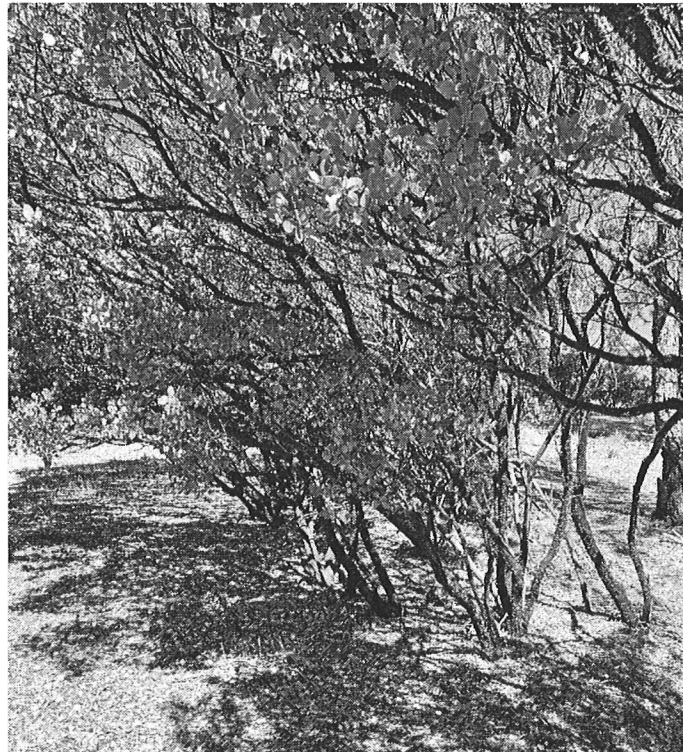


Figure 4: Shaded Fuel Break Aesthetics: A key component of bringing private landowners on-board with vegetation mitigation on their properties is demonstrating to them that a shaded fuel break does not mean that all vegetation is removed down to bare mineral soil (like a firebreak). Community members want to be assured that their properties will maintain the rural quality they desire.

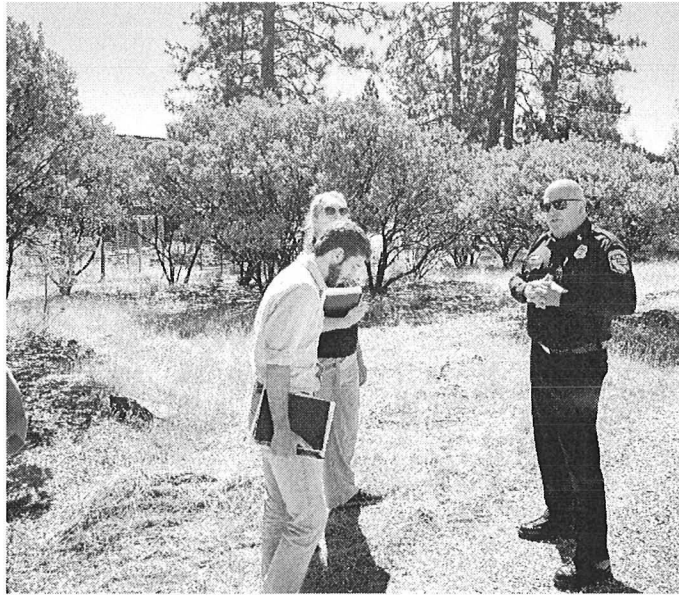


Figure 5: A State and Federal Priority Project: The Congressionally Directed Spending (FY23 Earmarked Funds) request was put forth to Senator Feinstein in Spring of 2022. In August staff of County of Nevada Office of Emergency Services organized a site tour for Senator Feinstein's staff to help them better understand the project and hear from CAL FIRE Nevada-Yuba-Placer Unit leadership about why the *Nevada County Ponderosa West Grass Valley Defense Zone Extension Project* is a priority project.



Figure 6: Maintaining Wildfire Mitigation Benefit: The intent of the *Nevada County Ponderosa West Grass Valley Defense Zone Extension Project* is to conduct second-pass implementation within the footprint of the original project at a timely point (within 2-3 years of first-pass implementation) so that the vegetation has been "knocked down" enough that it is reasonable and feasible to maintain the mitigation benefit with minimal annual investment and time into the future.

Photographs of Resources that will be Protected



Figure 7: Downtown Grass Valley: Hwy-20 bisects the Nevada County Ponderosa West Grass Valley Defense Zone Extension Project area from east to west and in case of emergency would be a critical artery for evacuation from nearby communities including Grass Valley, a major tourist destination during the summer months that constitute critical wildfire season. Maintaining access to critical roadways in the vicinity would ensure that both residents and visitors would be able to safely evacuate, and that fire suppression equipment and personnel would have access to safely combat wildfire.



Figure 8: Historic Downtown Nevada City: The 16-acre Nevada City Downtown Historic District, which was listed on the National Register of Historic Places in 1985, is one of California's 14 cultural districts. Just across Highway 49, The Nevada County Administrative Center is a hub for social services, employment services, environmental health services, and emergency services for a county-wide rural population of nearly 100,000 people. The Madelynn Helling Library, which is the main branch for the County and includes a 5,000 square foot Collaborative Technology Center that is a vital resource for under-resourced community members lacking access to technology at home, is next door.

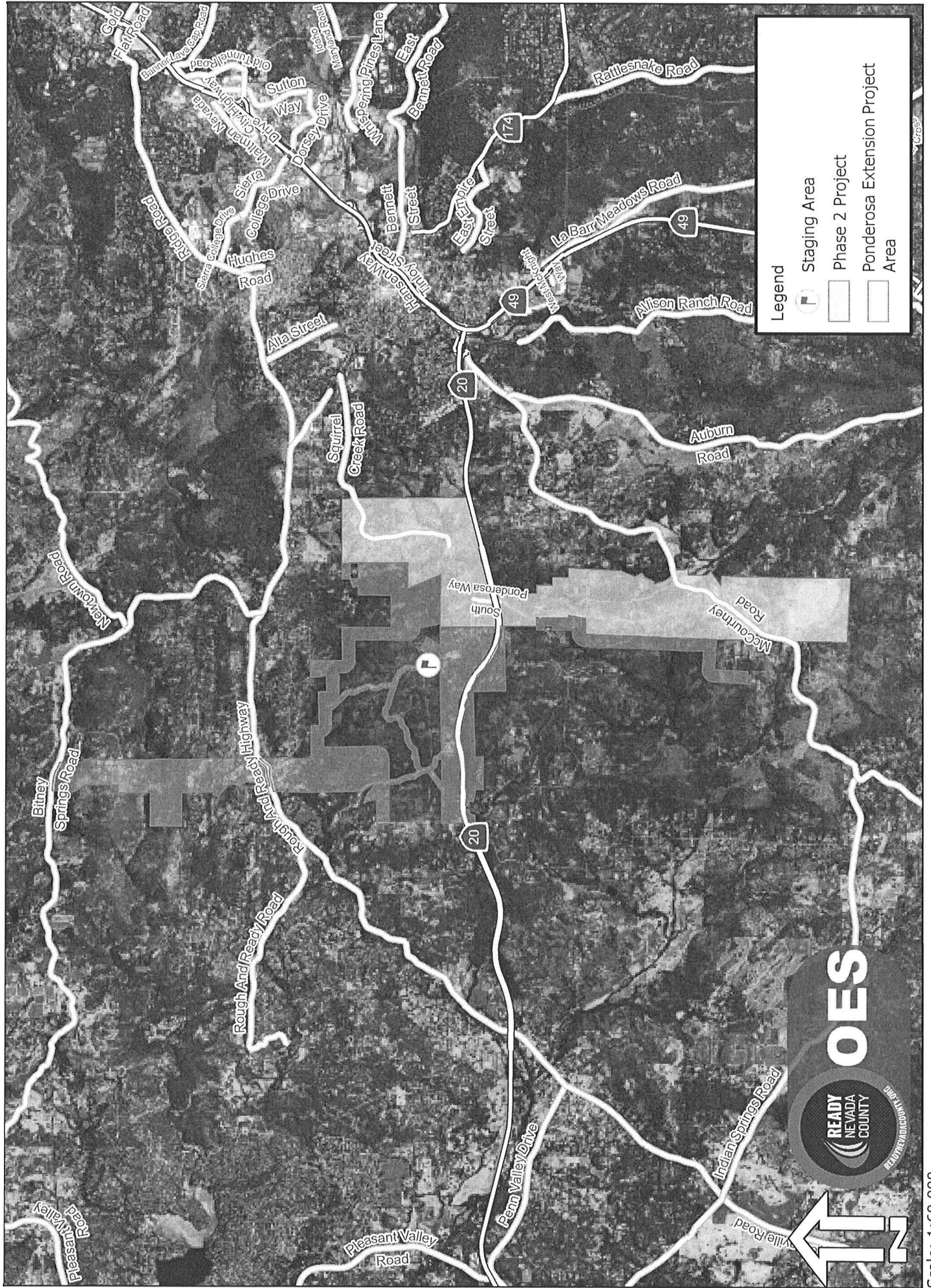


Figure 9: Significant Critical Infrastructure is in the Project Vicinity: The Nevada County Ponderosa West Grass Valley Defense Zone Extension Project protects critical infrastructure for state commerce, such as State Highway 20, power and water infrastructure, and Nevada County facilities. Within one mile of the project, there are seven churches, 12 bridges, six schools, three fire stations, two government buildings, and four emergency shelter sites including the county fairgrounds (pictured).



Figure 10: The Bear River Watershed: This project mitigates the risk that catastrophic wildfire would break out and make its way east into the Bear River canyon. Bear River is a popular recreation area, provides important riverine habitat, and is associated with significant local water infrastructure including two water storage facilities owned and operated by Nevada Irrigation District – Rollins Reservoir and Combie Lake.

Ponderosa West Grass Valley Defense Zone Extension Project



Legend

- Staging Area
- Phase 2 Project
- Ponderosa Extension Project Area

OES

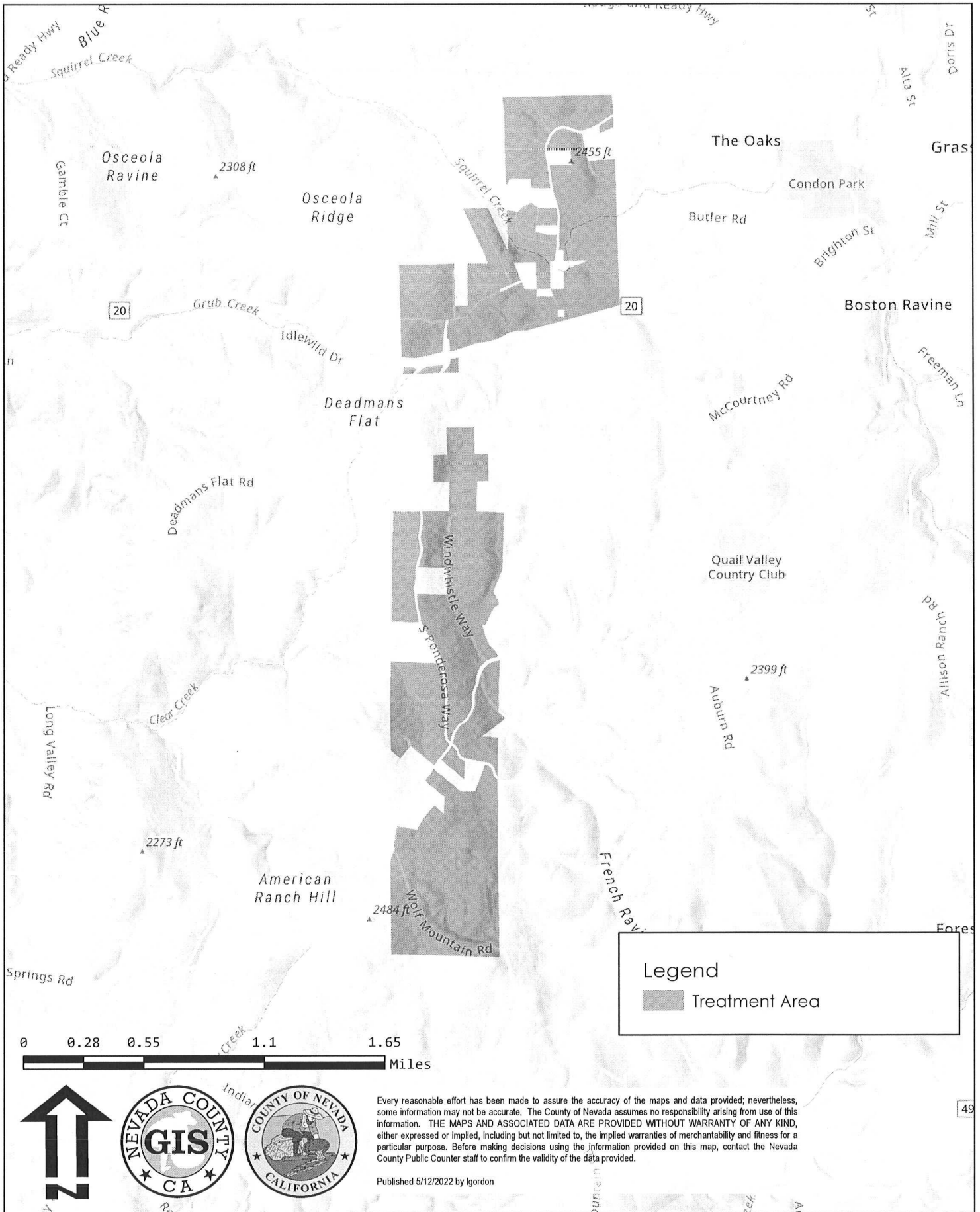
READY
NEVADA
COUNTY

BRUNNEN
READY TO PROTECT

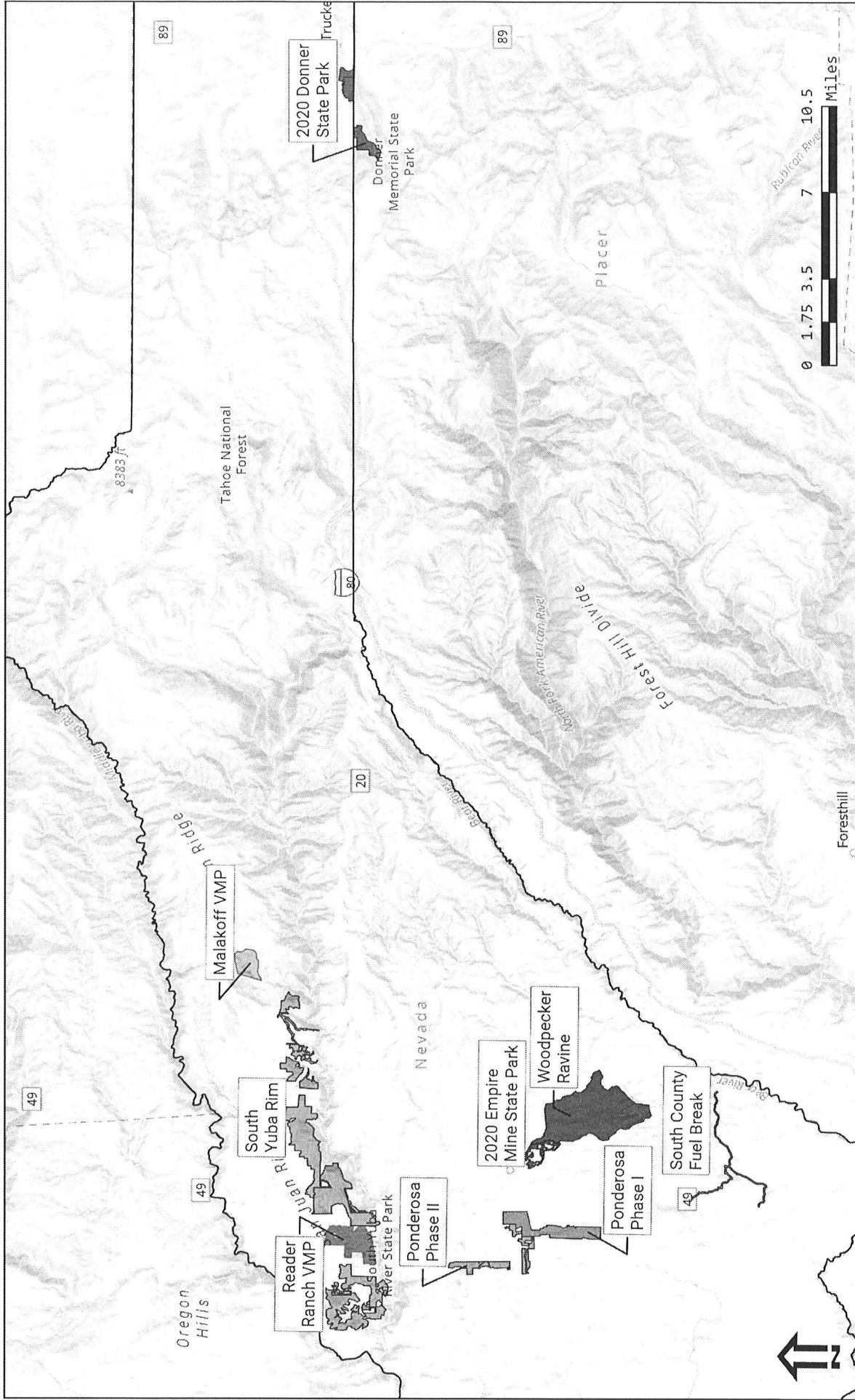


Scale: 1:60,000

Ponderosa Extension Project Area

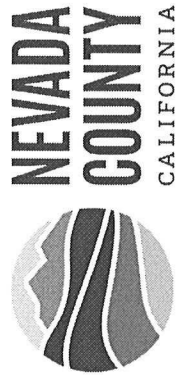


CAL FIRE NEU Plan Projects in Nevada County, CA



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Published 10/21/2022 by Iscridon



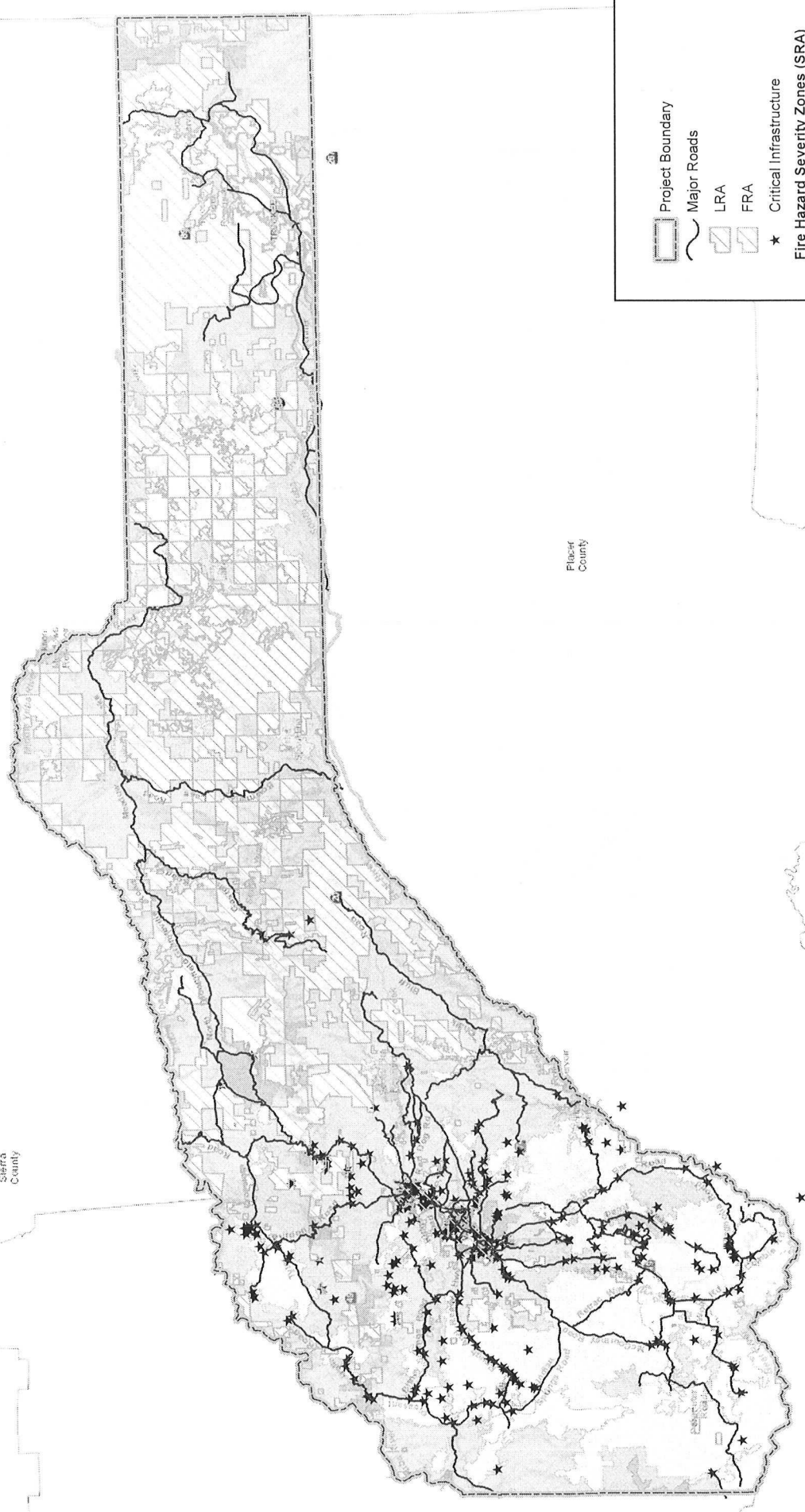
Fire Hazard Severity Zones and Critical Infrastructure Nevada County

Sierra County

Sierra County

Placer County

El Dorado County



Project Boundary

Major Roads

LRA

FRA

Critical Infrastructure

Fire Hazard Severity Zones (SRA)

Hazard Class

Very High

High

Moderate

No Data Available

Scale 1:425,000



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El Dorado

Grants Certifications Report

Certification for: COUNTY OF NEVADA

Unique Entity ID: QDDBKGRJTRL5

Certification Validity From: Mon Mar 20 13:11:13 EDT 2023

Certification Validity To: Tue Mar 19 13:11:13 EDT 2024

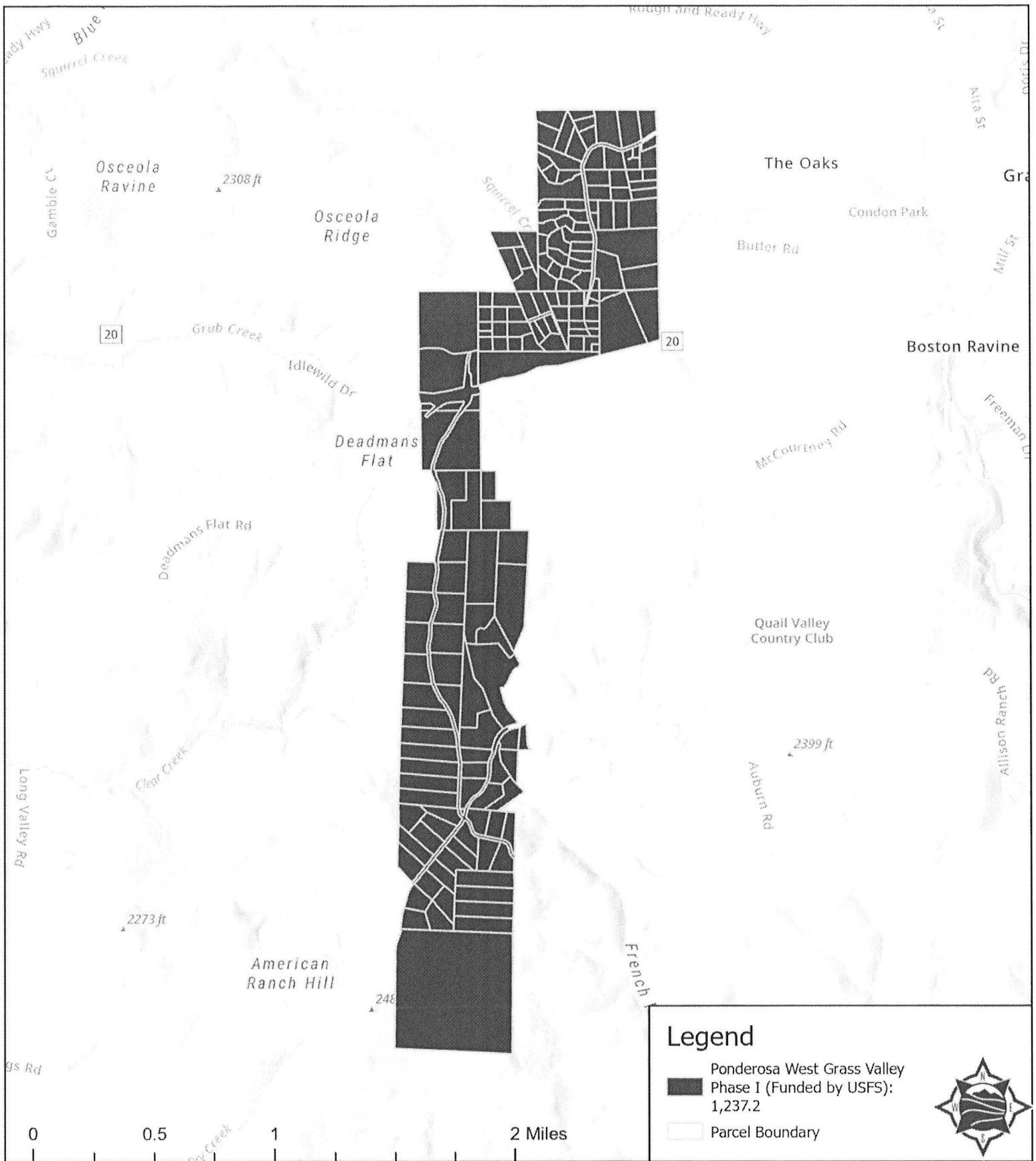
Financial Assistance General Certifications and Representations

As the duly authorized representative of the **COUNTY OF NEVADA**, I certify that **COUNTY OF NEVADA**:

- (1) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability to ensure proper planning, management and completion of any financial assistance project covered by this Certifications and Representations document (See 2 C.F.R. § 200.113 Mandatory disclosures, 2 C.F.R. § 200.214 Suspension and debarment, OMB Guidance A- 129, "Policies for Federal Credit Programs and Non-Tax Receivables");
- (2) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives (See 2 C.F.R. § 200.302 Financial Management and 2 C.F.R. § 200.303 Internal controls);
- (3) Will disclose in writing any potential conflict of interest to the Federal awarding agency or pass through entity in accordance with applicable Federal awarding agency policy (See 2 C.F.R. § 200.112 Conflict of interest);
- (4) Will comply with all limitations imposed by annual appropriations acts;
- (5) Will comply with the U.S. Constitution, all Federal laws, and relevant Executive guidance in promoting the freedom of speech and religious liberty in the administration of federally-funded programs (See 2 C.F.R. § 200.300 Statutory and national policy requirements and 2 C.F.R. § 200.303 Internal controls);
- (6) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and public policies governing financial assistance awards and any Federal financial assistance project covered by this certification document, including but not limited to:
 - (a) Trafficking Victims Protection Act (TVPA) of 2000, as amended, 22 U.S.C. § 7104(g);
 - (b) Drug Free Workplace, 41 U.S.C. § 8103;
 - (c) Protection from Reprisal of Disclosure of Certain Information, 41 U.S.C. § 4712;
 - (d) National Environmental Policy Act of 1969, as amended, 42 U.S.C. § 4321 et seq.;
 - (e) Universal Identifier and System for Award Management, 2 C.F.R part 25;
 - (f) Reporting Subaward and Executive Compensation Information, 2 C.F.R. part 170;
 - (g) OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement), 2 C.F.R. part 180;
 - (h) Civil Actions for False Claims Act, 31 U.S.C. § 3730;
 - (i) False Claims Act, 31 U.S.C. § 3729, 18 U.S.C. §§ 287 and 1001;
 - (j) Program Fraud and Civil Remedies Act, 31 U.S.C. § 3801 et seq.;
 - (k) Lobbying Disclosure Act of 1995, 2 U.S.C. § 1601 et seq.;
 - (l) Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.;
 - (m) Title VIII of the Civil Rights Act of 1968, 42 U.S.C. § 3601 et seq.;
 - (n) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681 et seq.;
 - (o) Section 504 of the Rehabilitation Act of 1973, as amended, 42 U.S.C. § 794; and.
 - (p) Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6101 et seq.

✓ I have read each of the certifications and representations presented on this page. By submitting this certification, I, **Shauneen Deschaine**, am attesting to the accuracy of the certifications and representations contained herein. I understand that I may be subject to criminal prosecution under Section 1001, Title 18 of the United States Code or civil liability under the False Claims Act if I misrepresent **COUNTY OF NEVADA** by providing false, fictitious, or fraudulent information to the U.S. Government.

Ponderosa West Grass Valley Phase I (Funded by USFS)



Office of Emergency Services

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