

COUNTY OF NEVADA
STATE OF CALIFORNIA
BOARD OF SUPERVISORS



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DATE OF MEETING: June 14, 2022

SUBJECT: Letter of Opposition AB 1717 (Aguiar-Curry)

RECOMMENDATION: Approve and authorize the Chair to sign and submit the attached Letter of Opposition to Assembly Bill (AB) 1717 (Aguiar-Curry)

FUNDING: None.

BACKGROUND: On January 27, 2022 Assembly Member Cecilia Aguiar-Curry introduced Assembly Bill (AB) 1717 to expand the definition of “public works” for the purpose of the payment of prevailing wages, to also include fuel reduction work done under contract and paid for or in part by public funds performed as part of a fire mitigation project, including, but not limited to, residential chipping, rural fuel breaks, fire breaks, and vegetation management. As outlined in a summary within the Assembly Committee on Appropriations analysis, the author of the bill outlines that “wildfire mitigation work is not only a mechanism to protect houses from wildfires, but ‘also a critical component of protecting various public works, including transportation infrastructure, public schools and public buildings.’ Thus, the author contends wildfire mitigation is “a ‘maintenance activity’ that is desperately needed to ensure the safety and functionality of existing public works” and contracted-out wildfire mitigation work should be considered public works.”

While several of the County’s one-time funding grants for hazardous vegetation management work already require prevailing wages, AB 1717 would lock in prevailing wage requirements indefinitely for any and all vegetation management activities via contract. Nevada County Community Development Agency estimates that the bill will increase costs roughly 30% on hazardous vegetation management work that does not require prevailing wages, which subsequently will decrease acres management by 30%. The County has several major projects and/or grant submittals in the pipeline that would be impacted by the passage of AB 1717. Further analysis will need to be done of the actual impact. Additionally, and as noted in the attached Letter of Opposition, funding through initiatives like the Greenhouse Gas Reduction Fund that allow counties like ours to undertake vital projects to clear dead and dying trees from critical infrastructure and residential properties could become less effective on actual acres managed. Additionally, AB 1717 is ill-timed by locking-in increased costs to local governments at a time when wildfire mitigation needs have never been greater and while the State has an unprecedented budget surplus. Also, in future years during economic hardship, AB 1717 will essentially diminish the value of the dollar in future years for this critical activity, which is a Board priority objective.

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The Office of Emergency Services has noted that proponents of the bill outline prevailing wage requirements will assist in developing a floorboard to help develop a sustainable and long-term industry workforce and address workforce shortages seen throughout the industry. However, I believe that other innovative strategies should be employed to further foster a sustainable industry that are driven by market forces instead of legal requirements that will directly tie the hands of Nevada County's ability to effectively decrease hazardous vegetation throughout the county and Wildland Urban Interface (WUI) areas. The Rural County Representatives of California (RCRC) formerly opposes the bill. The California State of Associations of Counties (CSAC) has yet to take a formal position but is tracking the bill with a "Concern" position.

At the time of writing this, the bill has passed the Assembly and will be assigned to committee in the Senate. Staff anticipates the bill will be assigned to the Senate Labor, Public Employment and Retirement Committee next and have drafted the letter reflected as much. Therefore, I urge the Board to approve the attached Letter of Opposition and authorize the Chair to to submit the letter to the Senate Labor, Public Employment and Retirement Committee or amend the letter to the appropriate assigned committee, should it be assigned elsewhere.

Sincerely,

Dan Miller,
District III Supervisor