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**AGENDA COVER MEMO**

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AGENDA DATE: May 7, 2003

TO: LANE COUNTY BOARD OF COMMISSIONERS

DEPT.: LANE COUNTY ADMINISTRATOR'S OFFICE

PRESENTED BY: John R. Arnold, Management Analyst II

AGENDA ITEM TITLE: DISCUSSION/ THE USE OF TITLE III FUNDS FOR FIRE FIGHTING PROGRAMS IN DOUGLAS COUNTY.

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I. MOTION None.

II. ISSUE

How is Douglas County using Title III funds to support fire fighting programs and fire related activities?

III. DISCUSSION

A. Background

At the March 18<sup>th</sup> work session, the Board of Commissioners heard testimony requesting Title III funds to support State Department of Forestry fire crews in the month of June. During that testimony, Rick Rogers indicated that Douglas County was currently using Title III funds to provide fire protection services. The Board of Commissioners directed staff to research the Douglas County program and report back.

B. Analysis

For approximately 30 years, Douglas County has provided funding for fire related activities. Prior to the passage of P.L. 106-393, Douglas County used funding from their Road and Land Management Departments to support these activities. Since the passage of P.L. 106-393, Douglas County provides assistance, using Title III funds, to the Douglas County Forest Protective Association and the Coos Forest Protective Association. The primary recipient is the DCFPA and this report will focus on their activities.

The DCFPA provides fire protection services to the BLM, county, private and state lands in Douglas County. For

2002, Douglas County paid approximately \$615,500 in Title III funds to DCFPA. The amount of Title III funding paid for the following;

- (6) 10-person crews (16-17 year old high school students) from June to late August.
- (3) 10-person crews (18 year old adults) from May to October.

These crews engage in fire fighting training, physical fitness, roadside brushing, pond development and maintenance, weed abatement and county park clean-up projects. Additionally, they are deployed on wildfires occurring on federal, state, county, and private lands within Douglas County.

The DCFPA fire prevention program is tracked by type and length of project, but no information was available regarding whether the projects were occurring on federal vs. non-federal lands. The proposal does state that costs incurred by the crews engaged in actual fire fighting are paid out of the Oregon Department of Forestry Emergency Fire Fund.

#### Concerns:

It appears that the process used to select projects is different than Lane County's.

Regarding this particular project, there are some activities that may fall under Title III's "Forest Related Educational Activities" category. These projects need not occur on federal lands to be eligible. However, one concern may be the question of when educational training ends and work or employment begins. To the extent that certain activities do constitute work, under Title II that may occasion non-federal lands where projects would benefit the same resources on federal lands.

#### C. Recommendation

Staff recommends no action on this item. Instead, the County should continue its' practice of reviewing and monitoring all Title II/III projects. The Douglas County program has been implemented using a different process than our own. However, one of the principle backers of this project, a Douglas County Commissioner, currently sits on the Forest Counties Payments Committee (An Advisory Committee to Congress) and is one of five authors of the 2003 Report to Congress on P.L. 106-393. Accordingly,

Douglas County may have a different, but nonetheless valid methodology for Title III implementation.

IV. Implementation/Follow Up

No further action is required on this issue. Staff does recommend continued monitoring of Title II and Title III projects.

**ADDENDUM**

TITLE III- COUNTY PROJECTS

SEC. 302. USE OF COUNTY FUNDS.

(b) AUTHORIZED USES.—

(1) **SEARCH, RESCUE, AND EMERGENCY SERVICES.**—An eligible county or applicable sheriff's department may use these funds as reimbursement for search and rescue and other emergency services, including fire fighting, performed on Federal lands and paid for by the county.

(2) **COMMUNITY SERVICE WORK CAMPS.**—An eligible county may use these funds as reimbursement for all or part of the costs incurred by the county to pay the salaries and benefits of county employees who supervise adults or juveniles performing mandatory community service on Federal lands.

(3) **EASEMENT PURCHASES.**—An eligible county may use these funds to acquire—  
(A) easements, on a willing seller basis, to provide for nonmotorized access to public lands for hunting, fishing, and other recreational purposes;  
(B) conservation easements; or  
(C) both.

(4) **FOREST RELATED EDUCATIONAL OPPORTUNITIES.**—A county may use these funds to establish and conduct forestrelated after school programs.

5) **FIRE PREVENTION AND COUNTY PLANNING.**—A county may use these funds for—  
(A) efforts to educate homeowners in fire-sensitive ecosystems about the consequences of wildfires and techniques

in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires; and

(B) planning efforts to reduce or mitigate the impact of development on adjacent Federal lands and to increase the protection of people and property from wildfires.

(6) **COMMUNITY FORESTRY.**—A county may use these funds towards non-Federal cost-share requirements of section 9 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105).