

*Regional Conservation Authority***VEGETATION MANAGEMENT PROGRAM AGREEMENT
WITH THE CALIFORNIA DEPARTMENT OF FORESTRY AND
FIRE PROTECTION TO DEVELOP A PRESCRIBED BURN
PLAN FOR RCA PREOPRTIES****Staff Contact:**

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Background:

The RCA would like to enter into a Vegetation Management Program Agreement with the California Department of Forestry and Fire Protection ("CDF"). The Program is a cost-sharing arrangement that seeks to reduce fire-prone vegetation. The Agreement would allow RCA, along with CDF, to develop a Vegetation Management Program that could include a Prescribed Burn Plan, implementing controlled burns on certain RCA properties. The Plan will also include mechanical means to reduce fuel loads, modifying vegetation to reduce the risk of large damaging wildfires in order to protect human life and to improve the growing conditions of native plant and wildlife species. Further, a prescribed burn site can act as a fire break, allowing firefighters to use these previously burned areas as future staging areas.

Staff will evaluate any proposed activities to ensure compliance with the MSHCP.


CDF sent a "standard" Agreement that did not accurately reflect the relationship between RCA and CDF. RCA's Legal Counsel has been negotiating with CDF's Legal Counsel to tailor the Agreement to improve provisions of the Agreement related to making a claim against the CDF for property damage (i.e., improve the manner in which RCA seeks reimbursement in situations where a prescribed burn may accidentally damage RCA structures). Unfortunately, CDF is not known for flexibility with regard to making changes to its standard Agreements. While CDF appears to have accepted a number of proposed changes, it may take up to six (6) months for CDF management approve changes to the Agreement's property damage provisions. The dilemma is that winter and spring are ideal times to implement a prescribed burn plan in order to reduce the potential for fire hazards next summer.

Staff believes that it would be prudent to hasten the implementation of the prescribed burn plan by executing the current Agreement and allow RCA legal counsel to continue to work with CDF Legal Counsel to finalize language related to property damage. If and when the language has been approved by CDF management, the Agreement would be amended.

Executive Committee and Staff Recommendation:

That the RCA Board of Directors:

- 1) Adopt the Vegetation Management Program Agreement as currently negotiated by Legal Counsel; and
- 2) Allow Legal Counsel to continue to negotiate toward improved property damage provisions.

FINANCIAL INFORMATION	
In Fiscal Year 2007-08 Budget: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Cost: Estimated Not to Exceed \$3,000.00 Annual Cost: \$ N/A
Source of Funds: Tipping Fees	Budget Adjustment: No
Approved by: 	Date: December 13, 2007