

NEVADA COUNTY NATURAL RESOURCES REPORT

REASON FOR INVESTIGATION

To assess the efficiency and effectiveness of using taxpayer resources, the Grand Jury reviewed the county's investment in and use of the Nevada County Natural Resources Report (NRR), a scientific assessment of watersheds and ecosystems. The NRR is the only published product of the Natural Heritage 2020 project.

PROCEDURE FOLLOWED

The Grand Jury conducted interviews with representatives of appropriate county departments and the Sierra Business Council. The Grand Jury also reviewed the Memorandum of Understanding (MOU) between Nevada County and the Sierra Business Council, which documented the project goals, the final plan, and budget estimates. The Jury also reviewed relevant minutes from the Board of Supervisors (BOS) meetings, reports of the actual dollars spent, and the NRR report itself.

FINDINGS

1. The BOS passed resolution number 00-218, authorizing execution of the project MOU, on May 9, 2000. The vote was 4-0 with one member absent.
2. The stated goal of the project was “to develop a comprehensive strategy to identify, manage and protect natural habitats, plant and animal species diversity, and open space resources in Nevada County.”
3. This goal was to be accomplished “by conducting a county-wide biotic inventory and developing a habitat and open space management plan with specific implementation measures, governance mechanisms and funding options.”
4. Once completed, the project was to “serve as the primary vehicle for implementing many of the County and perhaps the Cities' open space and resource protection objectives.” The stated intent was to “maintain or enhance:
 - the diversity of plant and animal communities in Nevada County, with an emphasis on special status plant and animal species or species of concern;
 - Nevada County's working landscapes - those lands which support the County's forestry, farming and ranching economy;

- open spaces for passive outdoor recreation activities, such as walking, biking, fishing, photography, etc.;
 - watersheds, floodplains and other areas needed to protect public health and safety; and
 - the public's awareness of natural resource values and stewardship opportunities in Nevada County.”
5. The project goals were also that priority be given to ensuring that the final plan:
- “is scientifically sound and ensures long-term protection of natural habitats, plant and animal species diversity and open space resources in the County;
 - can be incorporated into the County General Plan and day-to-day planning decisions;
 - emerges from an inclusive and accessible process, with mechanisms for meaningful involvement and input by all interested citizens;
 - earns widespread public support;
 - engenders positive working relationships between the County and other agencies, local government entities and collaborative groups in the County and Sierra Nevada region.”
6. As set forth in the MOU, \$700,000-800,000 was the estimated cost for the two and-a-half year project. These costs were to be split between Nevada County and the Sierra Business Council, with the County’s financial obligation to be “no less than 33%” of the total cost.
7. At its meeting on May 7, 2002, the BOS voted unanimously to amend the project’s work plan. These amendments resulted in ending the project, except for completion of the NRR report by July 31, 2002, and adding a requirement that “the scientific data would be peer reviewed by qualified scientists.”
8. The data was peer reviewed periodically during the project by a seven-member Scientific Advisory Committee established by the MOU. There was extensive field checking, and comments were received from at least another eight scientists, biologists, and local field technicians who had reviewed the five biological documents on the County’s website.
9. At its July 23, 2002, meeting the BOS heard testimony from the Scientific Coordinator and various local planners and participants in the study. When asked by the BOS the estimated value of the work and data that had been compiled to date, one of the scientists who performed the peer review estimated that “the GIS¹ work alone would have been in the \$300,000 to \$500,000 range and the fieldwork was in the \$250,000 range.”

¹ Geographic Information Systems.

10. Nevada County reported \$167,195 in expenses and \$146,805 in staff time for a total of \$314,000. Sierra Business Council's contribution to the project was \$650,055 that covered wages, benefits, mapping, verification, meeting costs, publications, and related expenses.
11. Over 35 volunteers from forestry, agriculture, business, development, recreation, etc. collaborated to develop recommendations for the project.
12. The final product of the amended project is the 600-page Natural Resources Report (NRR) detailing Nevada County's natural resources, watersheds, a GIS database and aerial photographs. The report is currently available on the county web site².
13. On August 12, 2003, the BOS, by a 3-2 vote, passed resolution 03-384 that qualified use of the data gathered, stating: "The NRR and associated GIS data is not to be used as a sole source when preparing baseline environmental documentation" for items such as land use or other county projects or for updating the General Plan. In addition, the resolution stated: "No further county funds or other resources...are to be used in updating or maintaining the currency of data and information in the NRR."
14. Resolution 03-384 also directed County staff to place the following disclaimer on the County website NRR, all unsold hard copies and discs, and on any reports generated from the NRR, and to have adhesive labels printed and disseminated to all who had previously received NRR documents:

"DISCLAIMER: THERE HAS BEEN NO FORMAL ACCURACY ASSESSMENT TESTING PERFORMED ON THE NRR GIS LAYERS AND THERE IS NO STATISTICAL BASIS FOR CLAIMS OF ACCURACY FOR INDIVIDUAL DATA THEMES."

CONCLUSIONS

1. The NRR report could assist engineers, developers, planners, real estate investors, public safety officials and others in planning future projects.
2. After a combined expenditure of \$964,000, attaching the disclaimer and withholding funds for future updating diminish the value of the report and prevent it from being used to its full potential.
3. The project was intended to be used as a starting point to update the county's General Plan, to develop and maintain its natural resources, and to encourage cooperation between various entities involved within the county and wider Sierra region.

²<http://docs.co.nevada.ca.us/dscgi/ds.py/View/Collection-1376>

4. If the NRR report is updated and maintained, it could be used when the county is required to update the General Plan, its habitat management plan, or similar county studies in order to avoid unnecessary additional cost to the taxpayers.
5. Nevada County's citizens would receive full value for the time and money expended if the Board of Supervisors would reconsider the restrictions placed on usage and updating of the information compiled in the NRR report.

RECOMMENDATIONS

None

REQUIRED RESPONSES

None