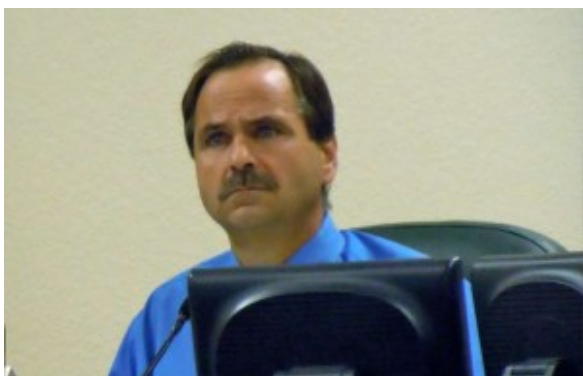


El Dorado County supervisor subject of DA probe

By Noel Stack, Village Life

El Dorado County Supervisor Ray Nutting is being investigated for how he used state grant money, according to, El Dorado County District Attorney Vern Pierson.

Through the years Nutting has received more than \$74,000 in state Proposition 40 grants to complete fuel reduction projects on his Happy Valley property, according to grant documents. Invoices provided to the Sierra Coordinated Resource Management Council, CalFire's partner agency that contracts with private landowners who complete fuel reductions projects within the parameters of Proposition 40, are being questioned.



El Dorado County Supervisor Ray Nutting is under investigation. Photo/LTN file

"We are aware of it and we are looking into it," Pierson said in a telephone interview. "Beyond that, I can't comment."

Nutting, who contacted Village Life while working on another major Propositions 40 fuels reduction project on 37 of his 340

acres, said he's aware of the investigation. The current project will result in a \$49,348 grant.

"If I'd done something wrong, I'd know it," Nutting said.

"I am highly scrutinized by registered forest professionals (hired to oversee the projects) and I'm highly scrutinized by CalFire," the District 2 supervisor explained. "I have no latitude on Prop. 40. I have to do exactly what the grant documents say."

CalFire offers grant opportunities to small forest landowners funded by Proposition 40, the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002, according to the CalFire website.

"The goal of the Proposition 40 Fuels Management Program, or Prop. 40 program, is to contract with private landowners for mutually beneficial forest improvement and wildfire hazard reduction projects designed to reduce fuel loadings that pose a threat to watershed resources and water quality," the website states.

Landowners in 15 Sierra Nevada counties – Butte, Plumas, Sierra, Yuba, Nevada, Placer, El Dorado, Amador, Alpine, Calaveras, Tuolumne, Madera, Mariposa, Fresno and Tulare – may participate. CalFire's website explains, "The Prop 40 Program generally pays 75 percent of the costs and the landowners share is the remaining 25 percent. Landowner management plans, which are required for Prop. 40 program grants, will be paid 90 percent by Prop. 40 program and 10 percent by landowners."

Since its inception, the Proposition 40 program has granted landowners more than \$2.5 million.

In 2009 Nutting received \$24,893 after three invoices were submitted – project management and addendum invoices in the amount of \$3,137.50 on behalf of Stewart Forestry LLC and a \$27,395 invoice on behalf of Nutting Brush Clearing, which

shares Nutting's home address in Somerset. A representative of the El Dorado County Treasurer-Tax Collector's Office said they had no record of any business license under that name.

Nutting said interpreting Nutting Brush Clearing as a business is incorrect. The name on the top of the invoice, which was submitted by his registered professional forester, is the project name, not a business name.

"It's a description of the job," he explained. "My forester knows that, CalFire knows that ... everybody knows that."

The Nutting Brush Clearing invoice included a cost breakdown – \$6,000 for 15 acres of thinning, \$4,125 for 15 acres of pruning, \$5,250 for 15 acres of slash disposal and \$12,020 for 60.1 acres of herbicide treatment. No additional statements were submitted with the invoice but, Nutting said, the rates used to determine the totals for each portion of the job come from the state.

A Proposition 40 grant program audit released by the California Department of Finance's Office of State Audits and Evaluations in 2009 questioned this lack of documentation.

"Without proof of actual costs by landowners (in the form of cancelled checks or information from bank statements), grant funds could be used for purposes not allowed by the program," the audit noted.

Auditors recommended requiring proof of actual costs prior to authorizing payment.

Nutting said he agrees with the auditors findings and will provide additional documentation when submitting invoices related to his latest Prop. 40 grant project, which, he said, he's been working on for more than a year.

"It's back-breaking work," Nutting said.

Nutting and his brother, Tom, each have 340 acres in southern

El Dorado County. Nutting said the two have been trying to reduce fire fuels since inheriting the land after their parents died. Tom Nutting has also receive Proposition 40 grants. Ray Nutting noted that a few of his neighbors participate in federal fuel reduction programs.

Fire crews have twice come out to his property to douse flames, Nutting said.

“The easier thing to do would have been to do nothing and let it burn,” Nutting said. “I chose to work with the state and spend the years of my life doing these projects ... making (the land) fire safe.”

The DA’s Office, which has requested documents and information from other public agencies, hopes to conclude its investigation within 30 to 60 days, Pierson said. If any wrongdoing is confirmed, Nutting could face charges related to presenting false claims and falsifying records submitted to state agencies, both felonies.