



# *National Forest Counties & Schools Coalition*

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February 9, 2001

TO: National Forest Counties & Schools Coalition – County & School Members

FROM: Bob Douglas, President

RE: Sample Resolutions as required in HR 2389

Earlier we indicated that we would provide counties four sample resolutions which will hopefully meet the requirements of HR 2389. You may want to modify them to customary form for your jurisdiction. The timeline for completing each is included in each resolution and in our recommended timeline on our website.

Resolution #1 is your determination as to whether you will continue to receive funds under the provisions of the Agricultural Reapportionment Act of 1908 or whether you will participate in the safety net provided by HR 2389. Remember that once you sign up for the safety net you are committed to that funding source for the next six years. For most counties the safety net will provide the greater amount of funding. If you elect to participate in the safety net the following resolutions must be completed and transmitted to appropriate authorities.

Resolution #2 is for the purpose of designating what percentage of the safety net you will use for projects on the national forests in your county. The amounts indicated in the bill are 15% to 20%. You must take action to determine the amount you will apply to projects. It appears most counties at this time are planning on allocating the minimum amount, 15%, to projects.

Resolution #3 is for determining the boundaries of the Resource Advisory Committee in which you will participate. In some cases this may be by National Forest or BLM District, in other cases it will be by county or perhaps two or more counties coming together to form a joint committee. Remember, this is a strong recommendation to the Secretary of Agriculture, while it is the Secretary's decision, county commissioners need to make a recommendation.

Resolution #4 is for determining the portion of project funds that will be allocated to Title II and Title III. Remember that Title III was added at the last minute to divert energy and resources away from projects on the national forest which would reconnect local communities with their public lands and generate

employment. It is conceivable that you may wish to put a portion of the funds into each category. For example, 85% in Title II and 15% in Title III. As a Coalition we strongly encourage counties to invest heavily in Title II projects. Some counties are setting aside funds at this time, so the RAC once established, knows how much money they have to work with. However, you do not need to actually complete this resolution until your RAC has made its recommendations, but in no case later than mid-September 2001

Again, remember these are samples which we believe communicate the required intents of local government. You may wish to have them reviewed by your counsel before taking definitive action.

Finally, we look forward to seeing you in Reno at the 4<sup>th</sup> Annual NFCSC Conference. All of these issues will be discussed in greater detail at that time. It is going to be a very important conference. Please visit our website for bill implementation and conference information:

[www.forestco.tcde.tehama.k12.ca.us](http://www.forestco.tcde.tehama.k12.ca.us)

## National Forest Counties & Schools Coalition

### Sample Resolution # 1

**Purpose:** Selection of Forest Reserve Payment System  
Opting in/out of HR 2389 Safety Net

Whereas counties having United States National Forests within their boundaries have received Forest Reserve funds for roads and schools since the passage of the Agricultural Reapportionment Act of 1908 based on revenues generated from these forests; and

Whereas these counties have substantial areas of land in public ownership which can neither be developed nor taxed to generate revenue from economic activity or taxation; and

Whereas during most of the 20th century Forest Reserve payments were a consistent but cyclical source of income for schools and counties; and

Whereas during the past decade changes in public policy at the national revenue have substantially reduced and in some cases virtually eliminated economic activity on national forests; and

Whereas the demands for education and roads have in most jurisdictions continually increased while Forest Reserve revenues have declined; and

Whereas the Congress of the United States recognizing the existence of the above mentioned conditions has seen fit to pass HR 2389, which provides among other things a six year safety net whereby counties may receive the traditional payment from the Forest Service (and/or BLM) or a temporary payment based on the payment of the average of the three highest years to the State of \_\_\_\_\_; and

Whereas HR 2389 specifies that each forest county has an option to select either: (a) remaining on the traditional 25% Forest Reserve Receipts payment system or (b) selecting the full payment system set forth in Title I of the HR 2389; and

Whereas it is understood that counties which select the HR 2389 full payment (safety net) option are doing so for the full six year life of the bill; and

Whereas it is further understood, that those counties who select to remain on the traditional 25% Forest Reserve Receipt system, are obligating themselves for a two year period, and will have the option of changing to the HR 2389 safety net system after the second and fourth years of the bill.

Be it therefore resolved that \_\_\_\_\_ County and its impacted school districts, hereby select to receive their forest reserve payments as set forth below (specify one):

- Traditional 25% Forest Reserve Receipts – 1908 Act
- Full Safety Net Payment amount as per HR 2389; and

Be it further resolved that this selection be communicated to the Governor of the State of \_\_\_\_\_, by September 30, 2001; and

Be it further resolved that all jurisdictions receiving Forest Reserve Funds within \_\_\_\_\_County receive a copy of this resolution for their official records as soon as it is officially adopted.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**National Forest Counties & Schools Coalition**  
**Sample Resolution # 2**

**Purpose:** Designating 15% to 20% of the Safety Net Full Payment  
Amount to be Allocated to Local Projects

Whereas forest counties having United States National Forests within their boundaries have received Forest Reserve payments for roads and schools under the terms of the Agricultural Reapportionment Act of 1908; and

Whereas these receipts were a regular but cyclical source of revenue for schools and counties during most of the last century; and

Whereas federal land policies during the past decade have shifted away from multiple use land management; and

Whereas Congress has recognized that these policy shifts have negatively impacted local communities and the health of our National Forests; and

Whereas Congress has passed HR 2389 which seeks to reconnect local communities with decisions made on their national forests and invest in improving the health of our forests and watersheds; and

Whereas HR 2389 makes provisions for safety net payments to counties for up to six years with either 15% to 20% of these funds being allocated to projects which would enhance the health and safety of US National Forests.

Be it therefore resolved that \_\_\_\_\_County, which has elected to receive safety net payments under the provisions of HR 2389, hereby designates \_\_\_% (15% to 20%) of its safety net payments to be allocated to Title II or Title III projects under this legislation; and

Be it further resolved that this election be communicated to the governor by September 30, 2001; and

Be it further resolved that this action be communicated to all jurisdictions in this county which receive Forest Reserve payments.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

# National Forest Counties & Schools Coalition

## Sample Resolution # 3

**Purpose:** Resource Advisory Committee (RAC)  
Recommended Geographical Configuration

Whereas counties having United States National Forests within their boundaries have been receiving Forest Reserve funds for roads and schools under the terms of the Agricultural Reapportionment Act of 1908; and

Whereas these funds have been an important and critical source of revenue during most of the past century for schools and roads; and

Whereas the federal government has shifted forest land management policies away from multiple use and so that more decisions about local land management are made in Washington, DC; and

Whereas the Congress of the United States has been concerned about the negative impact of management policies on local communities and their forests; and

Whereas Congress has passed HR 2389 to address issues relating to schools and roads in forest counties; and

Whereas it is the intent of Congress through HR 2389 to reconnect local constituencies with their national forests by providing for locally recommended projects which would address the health and safety of the forests as well as their connection with forest communities; and

Whereas Congress has called for the creation of Resource Advisory Committees which may be organized on a single county, multiple county, national forest or BLM district basis as deemed locally appropriate, and approved by the Secretary of Agriculture.

Be it therefore resolved that \_\_\_\_\_ County hereby requests that the Secretary of Agriculture establish a Resource Advisory Committee in accordance with the provisions of HR 2389 as indicated below:

- As a single county with boundaries coterminous with county lines.
- As a multiple county RAC with the following counties:

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- As a single National Forest RAC including each of the following counties:

Forest: \_\_\_\_\_

Counties: \_\_\_\_\_

- As a multiple National Forest RAC involving the following forests and counties.

Forests: \_\_\_\_\_

Counties: \_\_\_\_\_

(Attach a diagram or map showing recommended boundaries.)

Be it further resolved that a copy of this resolution be transmitted to the Secretary of Agriculture, and the Regional Forester, U.S. Forest Service, U.S. Department of Agriculture; and

Be it further resolved that a copy of this resolution be transmitted to all jurisdictions in this county receiving Forest Reserve payments.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**National Forest Counties & Schools Coalition**  
**Sample Resolution # 4**

**Purpose:** Designation of the Amount of Funding to be Assigned to  
Title II and Title III Projects

Whereas the counties having United States National Forests within their boundaries have been receiving Forest Reserve funds for schools and roads under provisions of the Agricultural Reapportionment Act of 1908; and

Whereas in the past decade federal land use policy has shifted away from a multiple use approach to one in which decisions are made on a centralized basis with great attention being given to single uses; and

Whereas this approach has had a devastating negative impact on funding for schools and roads in forest counties; and

Whereas the 106<sup>th</sup> Congress of the United States passed HR 2389 which seeks to maintain multiple use land management and reconnect local communities with management decisions made about their national forests; and

Whereas Congress has made provision for local projects under Titles II and III of HR 2389 whereby local Resource Advisory Committees will recommend projects which will enhance the safety and health of forests as well as enhance activities conducted within the National Forests within county boundaries.

Therefore be it resolved that \_\_\_\_\_ County intends to allocate the portion of funds which it receives for projects through the safety net payment in the following manner: Title II \_\_\_\_\_% and Title III \_\_\_\_\_%; and

Be it further resolved that a copy of this resolution be transmitted to the Governor of the State of \_\_\_\_\_ by such date as may be necessary for it to reach the United States Secretary of Agriculture by September 30, 2001; and

Be if further resolved that a copy of this resolution be transmitted to all jurisdictions in this county receiving Forest Reserve payments.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_