

PASSED

IN THE BOARD OF COUNTY COMMISSIONERS  
OF LANE COUNTY, OREGON

ORDER NO. 06-5-17- 19

- ) In the Matter of Making Certain
- ) Elections to Received **National Forest**
- ) Related Payments Pursuant to the
- ) Secure Rural Schools and Community
- ) Self-Determination Act of 2000. P.L. 106-393

WHEREAS, Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest lands be paid to states for use by the counties in which the lands are situated for the benefit of public schools and roads; and

WHEREAS, the principal sources of revenues from National Forest lands is from the sale and removal and timber, and which has been sharply curtailed in recent years with a corresponding precipitous decline in revenues shared with counties; and

WHEREAS, the United States Congress recognized a need to stabilize education and road maintenance funding through predictable payments to the affected counties, job creation in those counties, and other opportunities associated with restoration, maintenance and stewardship of federal lands, and to achieve those goals enacted P.L. 106-393 in 2000; and

WHEREAS, P.L. 106-393 provides for guaranteed minimum payments for the benefit of affected counties, as well as an opportunity to invest a portion of the guaranteed minimum payments in projects on federal lands or that benefit resources on federal lands, or in county projects or activities; and

WHEREAS, Title I, Section 102 of P.L. 16-393 gives each eligible county the right to elect to receive either its traditional share of revenues from the National Forest lands pursuant to the Act of May 23, 1908, and Section 13 of the Act of March 1, 1911, or instead to receive the guaranteed minimum amount, also known as the "full payment amount;" and

WHEREAS, an election to receive either the full payment amount is effective for all federal fiscal years through fiscal year 2006; and

WHEREAS, in 2001, Lane County elected to receive its full payment amount rather than electing to receive its traditional share of National Forest revenues; and

WHEREAS, any county electing to receive the full payment amount must further election to expend not less than 15 percent nor more than 20 percent of its full payment amount as project funds in accordance with Title I, Section 102(d)(1)(B) of P.L. 106-393; and

WHEREAS, Title I, Section 102(d)(1)(B) of P.L. 106-393 requires that counties electing to receive the full payment amount must allocate its project funds for expenditure between projects in accordance with Title II of P.L. 106-393, projects in accordance with Title III of P.L. 106-393, and a return of the balance unspent under Title II to the General Treasury of the United States, and communicate such allocation to the Secretary of the United States Department of Agriculture; and

WHEREAS, Title II of P.L. 106-393 provides for special projects on federal lands or that benefit resources on federal lands, which projects are nominated by local resource advisory committees ("RACs"); and

WHEREAS, RACs recommend projects for consideration by the Secretary of the Agriculture, with project funding supplied in whole or in part out of monies allocated for such purposes by participating counties; and

WHEREAS, counties that allocate funding to projects under Title II of P.L. 106-393, and are participants in more than one RAC, may further direct that their Title II project funds be divided between different RACs according to an allocation decided by each participating county, with such funds held in the General Treasury of the United States under the name of the county with an amount allocated to each RAC; and

WHEREAS, Title III of P.L. 106-393 provides for county projects or services, some of which are associated with federal lands, with Title III authorizing expenditures for search, rescue and emergency services, staffing of community service work camps, the purchase of easements, forest related educational opportunities, fire prevention and planning, and community forestry pursuant to the Cooperative Forest Assistance Act of 1978; and

NOW THEREFORE, IT IS HEREBY ORDERED that Lane County allocate 20 percent of its full payment amount for expenditures on projects under Title II and Title III of P.L. 106-393. Lane County will return none (zero percent) of its full payment amount to the General Treasury of the United States pursuant to Title I, Section 102(d)(1)(B)(iii).

Of the total amount allocated to Title II and Title III projects above in the preceding paragraph, hereinafter referred to as the "Project Funds," Lane County further allocates between such Titles for federal fiscal year 2006 (for expenditure after federal fiscal year 2006) on the following basis: 49 percent of Projects

Funds for expenditure on Title II projects and 51 percent of the Project Funds for expenditure on Title III projects.

Of the amount of Project Funds allocated to Title II projects in the preceding paragraph, Lane County further allocates between RACs as follows:

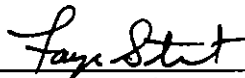
12.4 percent to the Rogue/Umpqua RAC

17.1 percent to the Siuslaw RAC

70.5 percent to the Hood/Willamette RAC

IT IS ALSO HEREBY FURTHER ORDERED, that the County Administrator is granted delegated authority to sign all contracts, applications, subsequent orders and materials needed to apply for, implement and complete Title II and Title III projects associated with the county's elections and allocations.

ADOPTED this 17th day of May, 2006.

  
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Chair, Lane County Board of Commissioners

APPROVED

5-10-06

