

T. G. B.

AGENDA COVER MEMO

AGENDA DATE: October 20, 2009

TO: Board of County Commissioners
DEPARTMENT: Administration, Intergovernmental Relations
PRESENTED BY: Alex Cuyler, Intergovernmental Relations Manager
AGENDA ITEM TITLE: Proposed Correspondence with Oregon Senators

I. MOTION

I move to approve the draft letter addressed to Oregon Senators Wyden and Merkley concerning Lane County's support for forestry carbon sequestration language contained within the Senate's climate and energy bill.

II. AGENDA ITEM SUMMARY

The Board directed the Intergovernmental Relations Manager to monitor federal climate change legislation and to develop a correspondence with our federal delegation regarding our interest in forestry carbon sequestration. This letter should be considered as part of an ongoing dialogue on the issue.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

- The Board supported the development and ultimate passage of HJM 11 during the 2009 Oregon legislative session.
- The Intergovernmental Relations Manager met and corresponded with the local staff of the federal delegation with regard to HJM 11 and our interest in the House proposal to address climate change issues.
- The Board continues to grapple with alternative funding concepts in light of dwindling timber harvests and the sunseting of federal safety net legislation.

B. Policy Issues

Lane County historically has received shared timber receipt revenue from harvests on BLM and National Forest lands. As Congress contemplates issues surrounding carbon sequestration through forestry practices, the Board has consistently suggested that revenues from federal forest lands, regardless of source, should be shared with counties.

C. Board Goals

Active involvement with legislative issues

D. Financial and/or Resource Considerations

The monitoring of federal legislation falls within the normal purview of the Intergovernmental Relations Manager.



LANE COUNTY

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October 20, 2009

Senator Ron Wyden
United States Senate
223 Dirksen Senate Office Building
Washington DC 20410

DRAFT

Dear Senator Wyden:

The Lane County Board of Commissioners has been following both the American Clean Energy and Security Act of 2009 (HR 2454) and the Clean Energy Jobs and American Power Act (S 1733). As you know, our state legislative efforts during 2009 resulted in the passage of House Joint Memorial 11. This Memorial urges Congress to incorporate the notion of carbon sequestration revenue from federal forest-based offsets to be shared with Oregon's counties into climate change legislation.

Upon introducing this concept to your respective staff's this summer, we were told that the House bill likely was not the correct vehicle for such a concept. Now comes the Senate's version, and we are asking again for your leadership in ensuring that federal forest lands could be used to develop certified offset projects. Specifically, we point to Section 155, which creates an incentive program "that measurably increase carbon sequestration or reduce greenhouse gas emissions." Eligible projects and activities "support action on Federal, State, or tribal land" (subsection (a) (3) (F)). We ask that you work actively to keep this language in the bill.

Lane County's primary interest in these legislative efforts is to create a new revenue stream for Oregon counties that contain large tracts of federal forest lands. Carbon sequestration revenues will never fully replace historic revenues earned through timber harvests. But as the use of federal forests evolve, the policy of revenue sharing with those who live adjacent to these lands should not be lost.

Subsection (a) (6) of section 155 outlines the forms of assistance the Secretary of Agriculture and Interior may use to provide assistance, and it is in this subsection that we ask you to examine closely. For example, (6)(A) is one of six types of vehicles through which the Secretary can provide assistance: "Carbon sequestration and mitigation contracts between the owner or operator and the Secretary for the performance of projects or activities that reduce greenhouse gas emissions or sequester carbon." This implies that the beneficiary of such an arrangement is the Agency and the contractor. We remain convinced that your voice needs to be heard to ensure that if revenue from federal forestry offsets is realized under this section, that the revenue is treated identically to revenues that are generated from the sale of timber on National Forest Service lands or Bureau of Land Management lands, eg, that it is shared with state and local governments in accordance with existing laws that govern those lands.

Your continued leadership on the issue of managing federal lands is very much valued by our Board, and we again express our interest in working with you to craft a climate change bill that addresses this small but important aspect of the future legislation presented to the President.

Very sincerely yours,