

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER AND RESOLUTION
NO: 16-02-09-04

IN THE MATTER OF AUTHORIZING THE
PAYMENT OF \$84,000 IN SUPPORT OF
LITIGATION BASED UPON OREGON &
CALIFORNIA LANDS AND THE BUREAU OF
LAND MANAGEMENT CONSISTING
OF PAYMENTS OCCURRING IN FY15-16,
FY16-17 AND FY17-18 AND
TRANSFERRING \$24,000 FROM
CONTINGENCY TO MATERIAL &
SERVICES WITHIN GENERAL FUND,
GENERAL EXPENSE TO PAY THE FY 15-16
PORTION

WHEREAS, Lane County is a member of the Oregon & California Counties Association which represents the interest of Oregon counties in which the Bureau of Land Management (BLM) manages Oregon and California (O&C) forestlands;

WHEREAS, the Oregon & California Counties Association has retained legal counsel to engage in potential litigation against the BLM if the BLM's proposed management plan for the O&C forestlands do not meet the minimum sustained harvest yields required by the O&C Act;

WHEREAS, the Oregon & California Counties Association is requesting that Oregon O&C counties contribute to the cost of the potential litigation based upon the county's percentage of revenues received from O&C forestlands;

WHEREAS, Lane County's percentage of O&C revenues from O&C forestlands is seventeen percent (17%);

WHEREAS, the Oregon & California Counties Association has agreed to fully refund any money contributed toward the potential litigation by Lane County against the BLM if the BLM's forthcoming proposed management plan meets the minimum sustained harvest yields required by the O&C Act;

WHEREAS, the Board of Commissioners is supportive of litigation based upon the level of harvest permitted on O&C Lands by the BLM and therefore agrees to pay a total of \$84,000 toward those potential litigation expenses over three fiscal years, beginning with \$24,000 in the current year budget, \$30,000 in FY 16-17 and \$30,000 in FY 17-18;

WHEREAS, the Board of Commissioners, as per ORS 294.463(2), has authority to transfer contingency appropriations amounting to less than 15% of total fund appropriations within a given fund, provided the need for the transfer, the purpose for the authorized expenditures, and the amount of the appropriation transferred are herein described;

NOW, THEREFORE, the Board of Commissioners of Lane County ORDERS and RESOLVES as follows:

1. Lane County authorizes a contribution of \$84,000 towards litigation expenses based upon O&C Lands and BLM;
2. The County Administrator enter into an agreement with the Oregon & California Counties Association to refund any amounts contributed to the potential litigation if the BLM's proposed management plan meets the required minimum sustained harvest yields; and
3. \$24,000 be transferred from Contingency to the Materials and Services within the General Fund to pay litigation expenses as detailed above.

FUND 124 GENERAL FUND

Not Allocated to Organizational Unit	<u>Amount</u>
Materials & Services	\$24,000
Contingency	(\$24,000)

ADOPTED this 9th day of February, 2016.

Faye Stewart, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date

LANE COUNTY OFFICE OF LEGAL COUNSEL