## IN THE BOARD OF COMMISSIONERS FOR LANE COUNTY, OREGON

) Elections for National Forest relate	RESOLUTION NO. 12-08-22-06	) In the Matter of Federal Fiscal Year 2	012
) Safety-Net Payments		) Elections for <b>National Forest</b> relations Safety-Net Payments	ated

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 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 and to achieve that goal enacted the Secure Rural Schools and Community Self-Determination Act of 2000, which has been amended and reauthorized for FFY 2012 ("SRS 2012"); and

WHEREAS, SRS 2012 provides for guaranteed minimum payments for the benefit of affected counties, as well as an opportunity to invest a portion of the payments in projects on federal lands or that benefit resources on federal lands, or in county projects or activities; and

WHEREAS, Title I of SRS 2012 gives each eligible county the right 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 (the "25-percent payments"), or instead to receive a share of the guaranteed state payment (the "full county payment amount"); and

WHEREAS, any county electing to receive a full county payment amount of \$100,000 or more must further elect to expend an amount not less than 15 percent nor more than 20 percent of its full county payment amount as project funds; and

WHEREAS, Title I of SRS 2012 requires that counties electing to receive the full county payment amount must allocate their project funds for expenditure between projects in accordance with Title II and Title III, and return the balance of project funds unspent under Titles II and III to the Treasury of the United

States, and communicate such allocation to the Secretary of the United States Department of Agriculture; and

WHEREAS, Title II provides for special projects on federal lands or that benefit resources on federal lands, which projects are recommended by local resource advisory committees ("RACs"); and

WHEREAS, RACs recommend projects for consideration by the Secretary of 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, 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 Treasury of the United States under the name of the county with a designation of the amount allocated to each RAC; and

WHEREAS, Title III provides for county projects, some of which are associated with federal lands, with Title III authorizing expenditures for search, rescue and emergency services, fire prevention and planning under the Firewise Communities program, and development of community wildfire protection plans; and

WHEREAS, a county with a full county payment amount of \$350,000 or more may not allocate more than 7 percent of its full county payment amount for Title III projects.

NOW THEREFORE, be it resolved as follows:

- Lane County has previously agreed to receive the guaranteed minimum full county payment amount.
- 2. Lane County hereby allocates 15 percent of its full county payment amount for expenditure on projects under Title II and Title III. Lane County will return none (zero percent) of its full county payment amount to the General Treasury of the United States.
- 3. Of the total amount allocated to Title II and Title III projects above in paragraph 2, Lane County further allocates between such Titles for FFFY 2012 (for expenditure after federal fiscal year 2012) on the following basis: 8 percent of the full county payment amount for expenditures on Title II projects and 7 percent of the full county payment amount for expenditures on Title III projects.

- 4. Of the amount of Project Funds allocated to Title II projects, 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
- 5. The original and a certified copy of this Resolution shall be transmitted to Kevin Q. Davis, Attorney, sent to the following address: One SW Columbia Street, Suite 1600, Portland, OR 97258.

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

ADOPTED this 22nd day of August, 2012.

Sid Leiker, Chair

Lane County Board of Commissioners

APPROVED AS 10 round

OFFICE OF LEGAL CO'N