PUBLIC LANDS STEERING COMMITTEE MEETING
NACo LEGISLATIVE CONFERENCE 2012
WASHINGTON, DC

March 3rd and 4th, 2012
Washington Hilton
Washington, DC
# Index

<table>
<thead>
<tr>
<th>Welcome Memo</th>
<th>Page 4</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Agendas</strong></td>
<td></td>
</tr>
<tr>
<td>Subcommittee on Federal Land Payments</td>
<td>Page 5</td>
</tr>
<tr>
<td>Subcommittee on Federal Land Management</td>
<td>Page 6</td>
</tr>
<tr>
<td>Subcommittee on Gateway Communities</td>
<td>Page 7</td>
</tr>
<tr>
<td>Public Lands Steering Committee</td>
<td>Pages 8-9</td>
</tr>
<tr>
<td><strong>Workshops of Interest</strong></td>
<td>Page 10</td>
</tr>
<tr>
<td><strong>2011/2012 NACo Public Lands Platform</strong></td>
<td>Pages 11-14</td>
</tr>
<tr>
<td><strong>Resolutions</strong></td>
<td></td>
</tr>
<tr>
<td>2011-2012 Policy Resolutions</td>
<td>Pages 15-33</td>
</tr>
<tr>
<td>Proposed Interim Policy Resolutions</td>
<td>Pages 34-37</td>
</tr>
<tr>
<td>Additional Proposed Policy Resolutions of Interest</td>
<td>Pages 38-39</td>
</tr>
</tbody>
</table>
March 3, 2012

NACo Public Lands Steering Committee Members:

WELCOME to NACo’s 2012 Legislative Conference! I have enclosed meeting agendas for the Public Lands Steering Committee and each subcommittee; workshops of potential interest, the Public Lands chapter of your American County Platform, and proposed interim policy resolutions.

As you know, the subcommittee and full steering committee meetings are open to all steering committee members. Public Lands Steering Committee Chair Tim Josi encourages you to attend the three subcommittee meetings since that is where the majority of the work and discussion will take place. Resolutions will be presented and discussed in detail at the subcommittee level before a recommendation is made to the full Public Lands Steering Committee. Please read the attached materials prior to the conference so that you are prepared for discussion at the meetings.

As a reminder, workshops and general sessions are open only to registered conference attendees.

**Saturday, March 3, 2012**
9:00 – 10:00am Federal Land Payments Subcommittee Meeting
10:00 – 11:00am Federal Land Management Subcommittee Meeting
11:00 – 12:00pm Gateway Communities Subcommittee Meeting

**Sunday, March 4, 2012**
9:00 – 12:00pm Public Lands Steering Committee Meeting

**Each meeting will be located in the Columbia 11/12 Room on the Terrace Level**

I hope you have productive meetings that prepare you for success on the Hill!

Sincerely,

Ryan R. Yates
Associate Legislative Director
National Association of Counties
National Association of Counties
Public Lands Steering Committee:
Federal Land Payments Subcommittee

Saturday, March 3, 2012
9:00-10:00am
Columbia 11/12 – Terrace Level
Meeting Agenda

Chair:
Hon. Joseph Laurance
Commissioner, Douglas County, OR

Vice Chair:
Hon. Ron Walter
Commissioner, Chelan County, WA

*Welcome and Introductions
Commissioner Laurance, Chair

*Report – Public Land Legislation in the 112th Congress
Tyler Hamman, House Natural Resources Committee

*Report – SRS Reauthorization Efforts
Commissioner Paul Pearce

*Review of Proposed Resolutions

*Report – Refuge Revenue Sharing Reform
Stephenne Harding, Office of Senator Jon Tester (via phone)

*Other Business

*Adjourn
National Association of Counties
Public Lands Steering Committee:
Federal Land Management Subcommittee

Saturday, March 3, 2012
10:00-11:00am
Columbia 11/12 – Terrace Level
Meeting Agenda

Chair:
Hon. Lesley Robinson
Commissioner, Phillips County, MT

Vice Chair:
Hon. Alan Gardner
Commissioner, Washington County, UT

*Welcome and Introductions
   Commissioner Robinson, Chair

*Speaker – Dustin Van Lieu, Executive Director, Public Lands Council

*Speaker – John Tanner, Legislative Assistant, Senator Orrin Hatch

*Speaker – Brent Keith, Acting Executive Director, Council on Western State Foresters

*Review of Proposed Resolutions

*Other Business

*Adjourn
National Association of Counties
Public Lands Steering Committee:
Gateway Communities Subcommittee

Saturday, March 3, 2012
11:00-12:00pm
Columbia 11/12 – Terrace Level
Meeting Agenda

Chair:
Hon. Elizabeth Archuleta
Supervisor, Coconino County, AZ

Vice Chair:
Hon. Lin Hintze
Commissioner, Custer County, ID

*Welcome and Introductions
   Supervisor Archuleta, Chair

*Panel – Solar Development on Public lands
   Neil Kornze, Deputy Director, Bureau of Land Management
   Chase Huntley, Clean Energy Policy Advisor, The Wilderness Society
   Brad Powell, Energy Director, Sportsman’s Conservation Project, Trout Unlimited
   TBD, Solar Industry

*Adjourn
Chair:
Hon. Tim Josi
Commissioner, Tillamook County, OR

Vice Chair:
Hon. Paul Pearce
Commissioner, Skamania County, WA

Hon. Mike Murray
Commissioner, Lewis and Clark County, MT

*Welcome and Introductions
Commissioner Josi, Chair

*Speaker
Chief Tom Tidwell, USDA Forest Service
USDA Forest Service Update

*Speaker
Bill Imbergamo, Executive Director, Federal Forest Resource Council

*Update
Tom Harbour & Caitlyn Pollihan, USDA Forest Service
Cohesive Strategy – Phase 3 Update

*Presentation
Commissioner Joe Laurance, Douglas County, OR
Biomass Conference

*Report from Forest Service and BLM Liaison
Randy Phillips, USDA Forest Service
Cynthia Moses-Nedd, Bureau of Land Management

*Subcommittee Reports
Federal Land Payments
Federal Land Management
Gateway Communities

*Resolutions Discussion and Disposition

*Update on Public Lands Legislative Priorities (Yates)

1) Maintain Full Funding for Payments in Lieu of Taxes (PILT) Program
2) Reauthorize the Secure Rural Schools and Community Self-Determination Act
3) Promote Active Forest Management, Restoration, and Reforestation

*Other Business

*Adjourn
Workshops that may be of Interest to Public Land Steering Committee Members:

<table>
<thead>
<tr>
<th>Session</th>
<th>Title</th>
<th>Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational Session Block I</td>
<td>The Clean Water Act: Out with the wash</td>
<td>Monday 9:00-10:15</td>
<td>Fairchild</td>
</tr>
<tr>
<td>Educational Session Block I</td>
<td>How do Federal Land-Use Decisions Impact the Local Economy?</td>
<td>Monday 9:00-10:15</td>
<td>Jefferson East</td>
</tr>
<tr>
<td>Educational Session Block II</td>
<td>Creating Energy Efficiency and Renewable Energy Jobs in Your Community</td>
<td>Monday 10:45-12:00</td>
<td>Columbia 3/4</td>
</tr>
<tr>
<td>Educational Session Block III</td>
<td>Hydraulic Fracking: Balancing Energy Independence vs. Environmental Concerns</td>
<td>Tuesday 10:45-12:00</td>
<td>Columbia 8</td>
</tr>
<tr>
<td>Educational Session Block IV</td>
<td>Running Power Transmission Lines Across America’s Counties: Opportunities and Challenges</td>
<td>Tuesday 2:45-4:00</td>
<td>Columbia 8</td>
</tr>
</tbody>
</table>
STATEMENT OF BASIC PHILOSOPHY

NACo, its Western Interstate Region, state associations of counties and individual county governments have a critical role in policy development, planning and management of federal land.

The federal government has long recognized and accepted that federal land holdings are a burden on local governments, and that funding is necessary for local governments to provide the types of services needed to access and use those lands.

NACo believes that environmental and socioeconomic values must be balanced and supports a philosophy of management which allows diversity of activities on public lands and local economies.

Federal agencies must coordinate their management of public lands consistent with local land use plans or management policies.

I. FEDERAL LAND MANAGEMENT

A. FEDERAL LAND OWNERSHIP

Federal real property holdings should be appropriately managed. Congress should provide adequate and appropriate funding to support staffing, maintenance, research and operational needs of the federal land management agencies. Acquisition of new land by any federal agency should be subject to consultation with the county in which the land is located. Extension of jurisdiction outside established management area boundaries such as integral vistas or buffer zones should meet the same criteria.

Criteria for the transfer, sale or acquisition of public lands shall include consideration of fair market value, consultation with appropriate counties and jurisdictions, and public values.

Counts should be fully involved as affected partners in any process to consider the disposal, transfer or purchase of public lands or acquisition of private lands to become public within a county's jurisdiction, and counties should be given the opportunity to participate in the development of terms and conditions of any such proposal before it is carried out.

B. SPECIAL USE DESIGNATIONS

Congress and Federal agencies shall consult and confer with affected counties as early as possible when considering special land use designations that impact the use and status of public lands. Counties should be fully involved in the drafting and development of any bills pertaining to wilderness designation within any affected county's jurisdiction. Public hearings must be held in the counties affected by the proposed designation. There must be compliance with the requirements of the National Environmental Policy Act (NEPA).

NACo opposes legislative efforts to require inventoried roadless areas (USDA Forest Service) to be managed in accordance with the 2001 Roadless Area Rule (January 12, 2001). NACo opposes Federal land management agency actions that limit access and multiple use of lands that otherwise would be available to the public (i.e. de facto wilderness).

C. ACCESS

NACo supports maintaining and enhancing public access to public lands; and opposes road closures, road decommissioning, moratoria against road building and other limiting policies
and practices without coordination and consistency with county land use plans or management policies.

NACo recognizes the importance of the system of roads and rights-of-way across federal lands established under R.S. 2477. The current Administration does not have authority to make binding administrative determinations about county RS 2477 rights. Instead, the Administration should work cooperatively with local officials to obtain Judicial or Congressional recognition of county 2477 rights of way claims on federal land. This road recognition process should be clear and consistent and give high priority to public safety, private property and public access. We oppose any federal action designed to change or diminish the scope of these rights.

D. WATER

NACo believes in state primacy in water resources administration, management, and allocation. Before any decision is made to continue drawdowns, removal or breaching of dams, a full review of all the relevant scientific and socioeconomic implications of such actions should be made and affected counties consulted.

NACo supports changes in current federal policy to provide the option to use mechanized equipment for maintenance of dams within designated Wilderness areas and Wilderness Study Areas (WSA).

E. DOMESTIC LIVESTOCK GRAZING

NACo supports the enhancement of a viable rangeland livestock industry as an essential component of our country's economy and as vital to affected communities. Good grazing practices are beneficial to maintaining rangeland health and assist in reducing potential fire danger by keeping fuel loading to a manageable level.

NACo supports the development and implementation of alternative grazing allotment management procedures including categorical exclusions for "no change of use permit" renewals on transfers to streamline the process and reduce cost to the taxpayer associated with rangeland management decisions.

NACo expresses disapproval of certain civil actions brought against the livestock industry and federal land management agencies that are intended solely to prevent livestock grazing on public lands when final decisions are made by the appropriate federal agency regarding grazing allotments after cooperative efforts to determine best land-use practices have been made.

F. WILD HORSE AND BURRO MANAGEMENT

The National Association of Counties urges support for the BLM in its management of wild horse and burro populations to achieve appropriate management levels (AML) as authorized by the Wild Free-Roaming Horses and Burros Act of 1971 (as amended). Further, NACo supports the sale, adoption or humane slaughter of excess animals as viable options to achieve populations consistent with established appropriate management levels.

G. MINERAL, OIL, AND GAS DEVELOPMENT

NACo supports comprehensive mineral, gas and oil development laws that address the needs of the extraction industries, the affected counties and the environment.
H. FOREST AND RANGELAND HEALTH
NACo supports forest health initiatives to address the threat of catastrophic events to our public forest and rangeland resources. Federal Land Management agencies shall utilize an appropriate mix of management practices, and increased private, local, and state contracts and partnerships for pre-fire management, effective fire suppression, and restoration of federal forest and rangelands.

I. NOXIOUS WEEDS
NACo calls for a coordinated, integrated weed management effort by federal land agencies, states and counties.

J. MILITARY INSTALLATIONS
Recognizing the value counties and military installations bring to each other and their complex and sometimes competing needs, NACo supports establishment of open, consistent and long term joint planning processes to help both communities co-exist and continue to thrive together. Early engagement, close cooperation and joint coordination of community and military development plans are essential to minimize potential impacts. Affected counties shall be entitled to cooperating agency status for military initiatives under NEPA, while counties shall seek similar input from military installations.

II. FEDERAL LAND PAYMENTS

A. PAYMENT IN LIEU OF TAXES (PILT)
NACo supports the full funding of the PILT program at its yearly authorized level and supports legislative and/or administrative efforts to modify the program to make payments to counties on a basis equitable to both the Federal and local taxpayer that are non-discriminatory in nature.

Because this program does not compensate counties for military lands that are also exempt from local taxes, a new and separate system of payments-in-lieu-of-taxes should be created for such facilities to compensate the affected counties.

B. RESOURCE REVENUE SHARING PAYMENTS
Counties must share in the benefits of economic activity on public lands through statutory formulas, which guarantee a percentage of all gross receipts to be returned to the counties where the activity occurs. NACo opposes any attempts to lessen the revenue sharing receipts.

NACo supports amending the Federal Mineral Leasing Act so that an additional five percent from the Federal portion (50 percent) of mineral lease revenue is returned to the county from where the mineral was extracted, and the historic balance of the 50/50 split be restored.

C. SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT
NACo supports the reauthorization and enhancement of the Secure Rural Schools program (PL 110-343). Reauthorization should maintain coupling between payments to counties and active natural resource management; and the connection between sustainable natural resource management and the stability and well being of forest counties and communities.
D. Compensation to Counties by Concessionaires Operating on Federal Lands

NACo supports federal policies that directs Federal land management agencies to provide that all concessionaires, or enhanced-use -lease lessees who operate businesses on Federally owned land, compensate local taxing jurisdictions equal to the property taxes that are otherwise paid by any other commercial business in the county.

III. FEDERAL LAND USE PLANNING

A. COMMUNITY BASED LAND MANAGEMENT

NACo supports community based conservation initiatives and calls on the agencies to implement such initiatives. Federal land management agencies should use broad based vegetation management practices, in conjunction with community based partnerships for ecosystem management, to enhance the health of the public lands.

B. ENDANGERED SPECIES ACT

NACo recognizes the importance of the Endangered Species Act (ESA) as an essential safeguard for America's fish, wildlife and plants and therefore supports updating and improving it to better achieve its goals.

C. National Environmental Policy Act (NEPA) Improvement

NACo supports the revision of NEPA to strengthen the involvement of local government in the federal decision making process, to increase public involvement for local communities, to expedite project analysis and to make those decisions in a timely but effective manner. NACo supports requiring federal agencies offer to coordinate with and offer cooperating agency status to local governments, and negotiate mutually agreeable MOU’s.

D. GATEWAY COMMUNITIES

NACo recognizes counties as gateway communities to our nation’s federal lands and that the economies and ecologies of county, state and federal governments in gateway regions are interwoven. NACo believes that diverse recreation and tourism opportunities are critical to counties and their communities. Furthermore, NACo recognizes that federal policies frequently drive significant impacts to gateway communities and the services they provide to visitors to ensure their pleasure, safety and comfort.

E. CURRENT FUTURE FEDERAL LAND MANAGEMENT AGENCY LAND MANAGEMENT PLAN REVISIONS

Federal Land Management Agencies should coordinate with local government officials and maintain maximum consistency with local plans and policies when undergoing current and future revisions of RMPs and Forest Management Plans. Counties should be full cooperating agencies in such processes and be provided meaningful opportunity for involvement in the revision process from start to finish. Once land management agency plans are approved management practices or policies, new agency actions should not contradict those plans.
Resolution Opposing Delay in Issuance of Oil and Gas Drilling Permits

**Issue:** Issuance of drilling permits in gulf area and waters.

**Adopted Policy:** NACo strongly supports domestic energy production and recognizes that U.S. independence from foreign oil also requires expanded alternative and renewable resources and U.S independence from foreign oil. NACo urges the Obama Administration to safely and thoughtfully release permits in a timely fashion, so as to begin to overcome the devastation to our economy.

**Background:** The devastating BP Gulf oil spill has wreaked havoc on the gulf area economies, the oil and gas industries, the seafood industries and indirectly the nation’s ability to gain greater independence from foreign oil and gas.

Immediately following the BP oil spill, the Obama Administration placed a moratorium on all oil and gas drilling in the gulf area and waters. This caused an already struggling economy to dive into a deeper recession, and forced many operators to close or relocate. After much urging the administration finally lifted the moratorium, but delayed the issuance of any new permits, effectively continuing the moratorium.

President Obama stated plainly that the U.S. must do everything in its power to reduce our nation’s dependence on foreign oil, and pursue and encourage alternative and renewable resources and energy. NACo strongly agrees, but understands that this cannot be achieved in any meaningful proportion overnight, and its delay only contributes to our dependence on foreign oil. Current U.S. oil and gas reserves and untapped deposits if developed, would immediately lower our dependence on foreign oil and lower the cost of fuel. This would save our citizens billions in extremely high fuel costs.

NACo feels that every effort to support and encourage alternative and renewable energy and resources should be pursued, while at the same time taking advantage of the available oil and gas that exists within our own country. This serves to strengthen our independence from foreign oil and gas. NACo urges the Obama Administration to safely and thoughtfully begin releasing permits in a timely fashion, so as to begin to restore the devastation to our economy.

**Fiscal/Urban/Rural Impact:** The oil and gas industries are critical to the Gulf States and their economies and have a direct impact on the nation’s economy, in terms of inflated fuel prices, unemployment, and dependence on foreign oil and gas.

Adopted July 19, 2011

Resolution Calling for the Membership of the Wild Horse and Burro Advisory Board to be Expanded to Include a County Elected Official

**Issue:** The Wild Horse and Burro Advisory Board does not have a county elected official as a member.

**Adopted Policy:** NACo supports the expansion of the membership of the Wild Horse and Burro Advisory Board to include an elected county official from a county directly impacted by the policies governing the management of wild horses and burros on public lands.

**Background:** The charter of the Wild Horse and Burro Advisory Board states that the objectives and scope of the board is to:

- Assist and advise the Secretary of the Interior, through the Director of the Bureau of Land Management (BLM), and the Secretary of Agriculture, through the Chief of the Forest Service, on wild horse and burro policy formulation and oversight of the Wild

The membership of the Wild Horse and Burro Advisory Board (WHBAB) currently is comprised of individuals representing Wild Horse and Burro Advocacy, Livestock Management (2), Humane Advocacy, Veterinary Medicine, Wildlife Management, Wild Horse and Burro Research and Public Interest.

On October 7, 2009, Secretary of the Interior Ken Salazar announced an initiative “proposing to develop new approaches that will require bold efforts from the Administration and from Congress to put this program on a more sustainable track, enhance the conservation for these iconic animals, and provide better value for the taxpayer.” Bureau of Land Management Director Bob Abbey announced on June 3, 2010 that the BLM “is taking the Federal Wild Horse and Burro Program in an unprecedented new direction, and is seeking in-depth public comment on a Strategy Development Document implementing Secretary of the Interior Ken Salazar’s Wild Horse and Burro Initiative.” The press release also noted that the “BLM is seeking public input over a 60-day comment period.” This period expired July 31, 2010. A Wild Horse and Burro Draft Strategy workshop was held in Denver on June 14, 2010 seeking questions and comments from the public and various stakeholder groups.

The manner in which wild horses and burros are managed has, like other public land management policies, a direct impact on counties where these animals live. Counties support the maintenance of sustainable, healthy populations of these “symbols of the American West” on public lands. However, these herds must be managed in a manner that does not harm the resource or negate the multiple use of these lands.

It is apparent that the Bureau of Land Management, in order to comply with Secretary Salazar’s initiative, will be making changes to the policies that govern the Wild Horse and Burro Program. It is vital that counties have a voice in the formulation of these new policies.

Fiscal/Urban/Rural/Impacts: The adoption of well-intended but misguided policies for the management of wild horses and burros on public lands that lead to restrictions on other uses of these lands would negatively impact the counties in which these animals exist. Recreational activities on public lands as well as agriculture and livestock operations could be limited or eliminated creating harm to both the economy’s and quality of life of rural counties. Adding the voice of an elected county official to the Wild Horse and Burro Advisory Board, the Board responsible for assisting and advising the Director of the Bureau of Land Management on the development of the management policies, is critical and necessary to achieve sound policy regarding the management of wild horse and burro populations.

Adopted July 19, 2011

Resolution Federal Forest Carbon Sequestration Revenues

Issue: Revenues from the sale of carbon sequestration projects on federal lands are a potential source of revenue diversification, especially for hard hit timber counties.

Adopted Policy: If Congress enacts climate change or cap and trade legislation, legislation should include carbon sequestration on federal forest lands as a new source of revenue through revenue sharing to counties.

Background: Federal forest lands in Oregon cover almost 50 percent of the state. Under federal statutes, counties in Oregon receive a share of timber harvest revenue to fund local schools, roads, and provide support to discretionary funds. With the dramatic decline in timber harvests in Oregon resulting from the downturn in the timber economy, there has been continued
uncertainty with regards to replacing historic revenue levels that drove state and local tax policy, provided employment security, and provided a vast array of public services.

Since the late 1990’s a variety of federal acts have attempted to replace timber revenues. With each passing Congress, the efforts to secure this funding become harder and harder, and the amounts authorized for counties becomes less and less. This has resulted in severe local budget cutbacks and threatens the ability for counties to remain solvent.

Concurrent to the downturn in federal harvest levels, there has been an increasing recognition for the role forests play in terms of moderating planetary climate change. Indeed, private forest landowners are increasingly engaged in the effort to sell the carbon sequestration ability that their lands embody. In advance of a regulated carbon market, private landowners have engaged in ensuring that forestry offsets are a formal part of proposed cap and trade efforts, whether on a regional or national basis. They have also been involved in efforts to establish strict protocols for forestry offsets, such that investors are secure in that they are receiving value for their dollars. Offset protocols serve to standardize and equalize the offset market. Currently, forestry offset protocols are almost completely silent as they pertain to federal lands. The expectation is that enabling legislation is required prior to agencies being provided authority to develop and sell forestry offsets.

**Fiscal/Urban/Rural Impact:** The fiscal impact of the sale and revenue sharing of carbon offset projects on federal lands has not been well studied. The carbon market in the United States is largely voluntary, and the impact of offsets expected to come into play due to establishment of a regulated marketplace that would include federal forestry offsets is largely unknown.

The importance of such revenue, however, may be in that serves to diversify the limited revenue sources available to counties.

Adopted July 19, 2011

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**Resolution in Support of Changing Forest Service Employee Supervision**

**Issue:** Chain of command for Forest Service Law Enforcement Personnel

**Adopted Policy:** NACo supports a change in Forest Service personnel organization to place law enforcement officers under the direction of Forest Supervisors.

**Background:** Several decades ago, there was reported abuse of Forest Service procedures, allegedly involving Service line officers. As a response, and at the urging of, among others, the Forest Service Employees for Environmental Ethics, the law enforcement branch of the Service was “stovepiped”, meaning that these officers no longer were supervised by local or regional authority, but answered instead directly to the Washington Office. As a result, there can be little to no interaction between enforcement officers and the local supervisors and line officers.

As timber harvest has dramatically declined, there is no longer a reason to isolate these enforcement officers from the chain of command. In fact, the loss of interaction has resulted in adverse public relations between the Forest Service and forest communities. When new personnel are transferred into areas without an understanding of the area’s culture and the agency’s interdependence upon the community, all too often the result is public conflict. If there is direct supervision and accountability to local Forest Service officials, there is a much greater opportunity for such conflicts to be resolved before it becomes a community issue. A positive influence on public relations for the agency would be of great benefit for all parties involved.
Fiscal/Urban/Rural Impact: No fiscal impact, with a positive impact on rural communities’ relationship with the Forest Service.
Adopted July 19, 2011

Resolution in Support of Ongoing Sage Grouse Management Efforts and in Opposition to Listing of the Sage Grouse at this Time

Issue: Whether U.S. Fish and Wildlife Service should place the Greater Sage Grouse on the Threatened/Endangered Species List, or are ongoing sage grouse management efforts adequately protecting the sage grouse and its habitat?

Adopted Policy: Ongoing sage grouse management efforts of state and local governments, stakeholder working groups, and BLM Resource Management Plans (RMPs) throughout the Eleven Western States are protecting and restoring sage grouse habitats and reviving sage grouse populations. Therefore, NACo opposes listing the Greater Sage Grouse as a T&E species at this time.

Background: Over the past decade, there has been an unprecedented grass-roots conservation effort in the Eleven Western States to protect the Greater Sage Grouse. Hundreds of stakeholders representing a large cross section of Western interests - ranchers, environmental organizations, industry groups and government agencies - have joined together to form dozens of local working groups to collect and process scientific data about the sage grouse, identifying key conservation priorities and forging partnerships with federal land management agencies for conservation purposes.

This effort has produced best management practices for protecting the Greater Sage Grouse in harmony with other multiple uses. These best management practices are being followed in BLM RMPs throughout the Eleven Western States. NACo supports this locally driven commitment to conserve the Greater Sage Grouse while preserving other important multiple uses. The U.S. Fish and Wildlife Service should not list the Greater Sage Grouse as T&E species at this time as such action is not necessary. NACo urges continued application of best management practices by state, federal and local land management agencies, which will continue to make sage grouse populations stabilize and thrive throughout the West.

Fiscal/Urban/Rural Impact: There will be significant and unwarranted impacts to other public lands multiples uses, if the Greater Sage Grouse is listed as a T&E species at this time.
Adopted July 19, 2011

Resolution on Distribution of Federal Royalty Payments for Renewable Energy Projects on Public Lands

Issue: Federal revenue sharing payments to counties from Alternative Energy Development and federal Stewardship Contracts on Public Lands.

Adopted Policy: NACo supports the sharing of federal leasing and rights of way revenues from renewable energy development (wind, solar, and geothermal) and federal Stewardship Contracts on federal lands with state and county governments where that development and contracts occurs. Revenue sharing should not negatively impact the Payment in Lieu of Taxes program.

Background: The enactment of the Energy Policy Act of 2005 provided comprehensive and much needed changes to domestic energy policy. One such provision included an amendment of the Geothermal Steam Act of 1970 and modified how Federal revenues from geothermal development are shared with state and local government. Under the Act, county
governments share 25 percent of geothermal revenues to support county departments impacted by local geothermal development and production. The recent passage of the FY 2010 Interior Appropriations bill effectively redirected the county geothermal revenue sharing funding back to the United States Treasury.

Numerous county governments have benefited from past geothermal revenue sharing receipts, and in turn, have been indispensible advocates for the development of alternative energy production in the United States. Currently, all of the rental income from federal rents for rights of way for wind, solar and geothermal energy developments on federal lands currently goes to the Federal Treasury. None is currently distributed to States or Counties.

As this nation moves closer to securing a balanced domestic energy portfolio, elected county officials are committed to working with the Federal government as equal partners in the promotion of alternative energy development. The expansion of green energy industries will lead to the creation of high paying jobs and sustainable economic development. NACo will continue to advocate for Federal legislation (including S. 2607) that provides revenue sharing from the development of solar, wind, and geothermal energy on public lands.

Counties are working with federal land management agencies on the development of large-scale forest restoration projects utilizing stewardship contracting authority. Unlike timber sales, counties do not receive revenue generated from stewardship contracting authority. NACo is advocating for a modification of the formula to ensure that revenue generated from stewardship contracts be provided to counties. NACo supports a formula based that would direct 25 percent of revenue to counties.

**Fiscal/Urban/Rural Impact:** Revenue sharing payments would contribute to the delivery of critical county services and the development of much needed capital improvement projects such as road maintenance, public safety and law enforcement, conservation easements, capital for leveraging federal and state resources, and the critical stabilization of operations budgets in tough economic times.

Adopted July 19, 2011

**Resolution on Hazardous Fuels Emergency**

**Issue:** Accumulation of biomass.

**Adopted Policy:** The National Association of Counties calls on Congress to grant a Governor authority to declare a state of emergency when the severity of fire danger from fuels on identified federal lands within that state poses a significant threat to public health and safety.

**Background:** Change in federal policy regarding harvest of timber from our National Forests has created an unhealthy forest. Many National Forests are clogged with diseased trees that are dead and many lodgepole pines have reached their expected life span and are dying. Overall temperatures are rising in the west and we are experiencing a prolonged drought. Conservative estimates show that perhaps 140 million acres of National Forest timberland in the west is in ecological condition Class 3 or 2: meaning it is ready to burn or soon will be. Much of the west chokes each summer as smoke fills the air and breathing becomes difficult. With the loss of the timber industry, tourism was supposed to save us from economic calamity but with smoke filled skies tourists are not interested in putting their families in unhealthy situations.

**Fiscal/Urban/Rural Impact:** Healthy forests, carbon sequestration, air quality, improved local economies, support for innovations in alternative fuels and renewable forest products.

Adopted July 19, 2011
Resolution on the Federal Definition of Woody Biomass

**Issue:** Federal Legislation needs to establish that renewable biomass from both Federal and non-Federal Lands can be applied towards the existing renewable fuels standard and any renewable electricity standard.

**Adopted Policy:** NACo supports the definition of biomass from Titles I & III of the 2008 Farm Act (Farm Bill), which states that renewable biomass is:

- For Federal Lands: Materials that are byproducts of preventive treatments (e.g., trees, wood) that are removed to reduce hazardous fuels, to reduce or contain disease or insect infestation, or to restore ecosystem health; would not otherwise be used for higher value products; and are harvested from National Forest System land or public lands in accordance with public laws, land management plans, and requirements for old-growth maintenance.

- For Non-Federal Lands: Any organic matter that is available on a renewable or recurring basis from non-Federal land or land belonging to Indian tribes, including renewable plant materials (feed grains, other agricultural commodities, other plants and trees, algae), waste material (crop residue, other vegetative waste material including wood waste and wood residue), animal waste and byproducts (fats, oils, greases, and manure), construction waste, and food waste/yard waste.

Furthermore, the Environmental Protection Agency should encourage the development of renewable biomass energy by not regulating greenhouse gas emissions from biomass energy under the Clean Air Act, specific to the EPA Tailoring Rule and Boiler MACT.

**Background:** There is broad national agreement on the need for more renewable energy, however the participation of public lands in the delivery of renewable energy faces a potentially serious constraint.

Currently, the existence of multiple, and sometimes conflicting, definitions of renewable biomass in major energy policy legislation will seriously constrain the energy use of sustainably harvested woody biomass from public and other lands unless the definition is improved. In current law and legislation the definition varies greatly.

Our nation needs and deserves a consistent, easily understood definition of renewable biomass in legislation that allows sustainably harvested woody biomass to be utilized, no matter where it comes from.

**Fiscal/Urban/Rural Impact:** Forest county communities would realize increased employment and the reduction of a potentially catastrophic fire threat. Urban areas would benefit from reduced local taxation intended to support neighboring distressed rural communities. The nation would benefit from reduced greenhouse gas emissions, greater quantities of lower priced domestic motor fuel derived from a renewable source, increased employment, and an increase in the national treasury derived from the sale of material from public lands.

Adopted July 19, 2011

Resolution Opposing Proposed Forest Service Planning Rule

**Issue:** Withholding Support for the U.S. Forest Service Proposed Planning Rule as Published in 76 Federal Register 8480.
Adopted Policy: The National Association of Counties urges the U.S. Department of Agriculture and U.S. Forest Service to not adopt the Forest Service Proposed Planning Rule in its current version (see 76 FR 8480 (36 CFR Part 219)), until it is substantially revised to prohibit de facto wilderness management and instead provide for (1) coordination and cooperation with elected county officials, (2) consistency with local government plans and policies, (3) forest planning and decision making at the most local level of the Forest Service agency structure, (4) sound discretion and practical judgment on the part of local unit forest supervisors, (5) active management to reduce fire regime condition class to local government desired levels, (6) active management to reduce invasive species and insect infestation, (7) enhanced economic and social sustainability, (8) emphasis on habitat management over species management and (9) emphasis on multiple use management and commodity production.

Background: National forests have gone from healthy, commodity producing, biologically diverse habitats to fire prone, disease laden, bio-mass choked mono-cultures, all due to failed de facto wilderness planning and management practices over the past 20 years. The U.S. Forest Service needs the planning tools to produce revised Forest Plans which enable a return to the desired conditions of the past, when National Forests were properly managed to produce timber, grazing forage, jobs, healthy habitat and recreational opportunities, free of undue fire risk and undue risk of insect infestation. This is possible only through a proper Forest Service Planning Rule which meets the policy objectives listed above.

Fiscal/Urban/Rural Impact: The active management of our National Forests to accommodate beneficial multiple uses is essential to the public health, safety and economic vitality of communities across the United States. Revenues generated from such multiple use activities support critical state and local government services and loss of such revenues would further cripple the economies of local communities and place unnecessary new burdens on State and local government and school budgets.

Adopted July 19, 2011

Resolution to Rescind Bureau of Land Management’s “Master Leasing Plan” Oil and Gas Reform Leasing Reform

Issue: Rescind the BLM Master Leasing Plan Instruction Memorandum and Related Guidance.

Adopted Policy: The National Association of Counties strongly urges DOI Secretary and National BLM Director to immediately rescind BLM Instruction Memorandum No. 2010-117 and all related guidance, because they attempt to implement so-called “Master Leasing Plan” reforms that unlawfully override duly established BLM Resource Management Plans (RMPs) without local government input.

Background: Many local BLM Field Office RMPs were revised and updated during the past decade through the investment of much time, money and effort on the part of local governments and other cooperating agencies. RMPs are the only legally valid framework for determining the availability, conditions and stipulations for oil and gas leasing and drilling activities in the respective BLM field office planning areas.

DOI and BLM are trying to do an end-run around these RMPs and greatly restrict the extent of oil and gas leasing and drilling activities which these RMPs have approved, through the top-down ordering of so-called Master Leasing Plans, secretly negotiated with extreme environmental groups, and forced upon BLM field offices through BLM Instruction
Memorandum 2010-117 dated May 17, 2010 (IM No. 2010-117). State and local governments were left completely out of any process to develop these Master Leasing Plans.

These Master Leasing Plans are really master lease cancellation and restriction plans. These Master Leasing Plans violate FLPM and NEPA by circumventing the Resource Plan and Plan Amendment Process, and in many instances they promote and enforce a de-facto wilderness policy in violation of FLPM and the RMPs. They are top-down dictates issued with no local government input, done at the behest of extreme environmental groups who threaten crippling legal action unless BLM complies with their wishes. And they (the Master Leasing Plans) largely prop up the archaic “wilderness-at-all-costs-and-in-all-corners” vision of these extreme environmentalists who try to interefere with reasonable oil and gas development on the public lands.

Fiscal/Urban/Rural Impact: The active management of America’s Public lands to accommodate beneficial multiple uses such as responsible oil and gas exploration and development is essential to the public health, safety and economic vitality of communities across the United States. The cutting off of mineral development access on Public lands by overriding duly established RMPs prohibits activities vital to the nation, including mineral exploration and harvesting. Revenues generated from such activities support critical state and local government services and loss of such revenues would further cripple the economies of local communities and place unnecessary new burdens on State and local government and school budgets.

Adopted July 19, 2011

Resolution Regarding Mitigation for Impacts to Historic and Recognized Land Uses from Renewable Energy Development Projects Occurring on Federal Lands

Issue: Renewable energy projects, particularly large scale solar development, remove large blocks of land from the federal estate from historic multiple use activities, including dispersed recreation, livestock grazing, and general public access.

Adopted Policy: NACo requests the Bureau of Land Management and Forest Service adopt policies that provide real and substantial consideration of historic uses in the project plans and environmental documentation, and commit project developers to providing mitigation for their loss.

Background: As renewable energy development expands, the potential exclusion of historic permitted uses on Federal public lands becomes more apparent. Some projects may be benign, such as wind energy on ridge lines. Other developments such as solar on flat accessible land, remove huge areas which have historically been essential parts of grazing allotments, contained the access routes to back country, or provided areas that BLM designated as “open” for OHV recreation. Ancillary facilities and safety closures, however, for all projects, may remove areas and access from previous uses.

Some uses, such as grazing, can be mitigated through compensation or buy-out, though the effect will be a reduction from past use. There may be offsetting economic value from the energy project, but it is essential that benefits and losses both be weighed in the NEPA process and the process commit the developer to providing such mitigation.

Access through project areas cannot be addressed by the market. Development plans must provide alternate access routes. OHV open areas, if such has been legitimately provided in BLM or FS land use plans, should be similarly mitigated for, by designation of other appropriate areas or the acquisition of areas by the developer for such dedication and designation. Failure to provide at least a degree of mitigation can result in sprawling of dispersed uses to areas of
private land, encouraging trespass, and requiring engagement of law enforcement at high cost to both the land management agencies as well as local government.

NACo does not oppose development of renewable energy on public land, but wishes to assure that the NEPA process and plan of development explicitly address historic use and commit the developer to mitigation.

**Fiscal/Urban/Rural Impact:** Renewable energy development may or may not have positive impacts on the land and the area. Projects normally result in total exclusion of the public, but their output will provide energy, employment, and increase renewable portfolios required by many states. Mitigation for impacts and use loss may add to project costs. Providing such mitigation may have an overall positive impact since the area may benefit from the new use plus retain of all or part of the current use. Providing such mitigation will also reduce the effect on local law enforcement to control trespass use that could occur if mitigation is not provided.

Adopted July 19, 2011


**Issue:** Accountability and transparency regarding payments made under the Equal Access to Justice Act (EAJA).

**Adopted Policy:** NACo supports S.1061 & H.R.1996 as the passage of these bills would:

1. Continue to provide a mechanism to assure fair and equal access to public funds for individuals, small businesses and non-profit organizations with limited financial resources to assure their ability to participate in the justice system of these United States.
2. Help restore accountability and transparency on how federal funds are being spent by reestablishing a provision for reporting to Congress on expenditures under the EAJA.
3. Restrict the amount of Equal Access to Justice Act dollars that can be applied for to reimburse successful individual and small entities for legal expenses in actions brought against the Federal Government.
4. Restrict the eligibility to apply for reimbursement of legal expenses for those individuals and entities without the assets necessary to bring legal action against the Federal government.
5. Urge Congress to adopt an asset limit for applicants consistent with the congressional intent of the EAJA.

**Background:** Originally passed in 1980, EAJA was meant to provide fair access to legal remedies for individuals, small businesses and non-profits with limited means. The act accomplishes this by reimbursing attorneys fees for plaintiffs who sue the federal government if they win the case or settle out of court. The original legislation required annual reports to Congress on the amount and nature of EAJA payments. The reporting requirement ended in 1995.

In recent years there have been complaints about the misapplication of the EAJA by certain well-funded interest groups that allegedly have received millions of federal taxpayer dollars in attorneys’ fees for settling or winning cases filed against federal agencies. In some cases, these lawsuits were based on procedural errors, or filed simply to delay or prevent authorized uses of public lands or federally authorized activities on private lands. Federal
agencies may have settled these cases rather than expend public resources to litigate. Often times these receipts are used to initiate subsequent legal actions by these same groups.

Reporting requirements provide accountability and transparency in how federal funds are being spent. The Government Litigation Savings Act would help assure that federal funds are being used in a manner that is consistent with the original of the EAJA by requiring the federal government to create a publicly searchable database to include information regarding the disbursement of public funds under the EAJA.

In addition, the Government Litigation Savings Act would require that the Comptroller General commence an audit of past expenditures under the EAJA and report the results of the audit to Congress.

**Fiscal/Urban/Rural Impacts:** Enactment of S.1061 and H.R.1996 would have a positive fiscal effect on urban and rural budgets by providing for proper justification of federal payments of taxpayer dollars when public land policy is involved.

Adopted July 19, 2011

**Resolution to Oppose Executive Branch Efforts to Create New “Defacto” Wilderness Areas**

Issue: Providing accountability in the designation of national monuments and wilderness areas.

Adopted Policy: The National Association of Counties opposes Executive Branch efforts (such as Secretary Salazar’s Secretarial Order 3310) which call for the designation of defacto wilderness or management for non-impairment without congressional approval. NACo also supports legislation to amend the Antiquities Act (such as the National Monument Designation Transparency and Accountability Act) to provide transparency and accountability in the designation of national monuments. Federal consultation with state, county, and tribal government should be required prior to the development and designation of any national monument.

**Background:** Secretary Salazar Issued Order 3310 overturning the established policy on new wilderness inventories on public land, eliminating public process and violating the intent of the Federal Land Policy and Management Act (FLPMA), as only Congress has the authority to designate lands as Wilderness. Secretarial Order 3310 directs the Bureau of Land Management to begin to inventory, designate, and manage Federal lands as Wilderness, independent of the United States Congress. It undermines the established public process for land use planning and expressly violates the intent of the Federal Land Policy and Management Act, as only Congress has the authority to designate lands as Wilderness.

Counties should be fully involved as affected partners in any process to designate wilderness. Congress and Federal agencies should coordinate with affected counties when considering special land use designations that impact the use and status of public lands. NACo strongly opposes the actions by the Interior Department and maintains our members’ position opposing Federal land management agency actions that limit access and multiple use of lands that otherwise would be available to the public (i.e. Wilderness Study Areas, “Wild Lands,” or any other de facto wilderness designation).

In the Norton vs Utah settlement, BLM and Utah acknowledged that “management of Post-603 lands to preserve their alleged wilderness character is inconsistent with FLPMA’s Section 603 limited delegation of authority,” (par. 17 at p. 8) and that BLM “will not establish, manage, or otherwise treat public lands, other than Section 603 WSAs and Congressionally
designated wilderness, as WSAs or as wilderness pursuant to the Section 202 process absent congressional authorization.” (par. 5 at p. 12)

The Antiquities Act of 1906 (16 U.S.C. 431) was enacted as a response to concerns over theft from and destruction of archaeological sites and was designed to provide an expeditious means to protect federal lands and resources. It authorizes the President to proclaim national monuments on federal lands that contain “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest.” The Act requires the President to reserve “the smallest area compatible with the proper care and management of the objects to be protected.”

President Theodore Roosevelt first used the authority in 1906 to establish the Devil’s Tower in WY. Presidents have created 120 monuments, totaling more than 70 million acres (most of this acreage is no longer in monument status). President Franklin Delano Roosevelt used the Act 28 times and President Carter bestowed monument status on 56 million acres in Alaska.

President Clinton used the Act 22 times to create 19 new monuments and enlarge three others to designate 5.9 million acres; most were done during his last year in office. He cited frustration with the slow pace of legislated land protection as a justification.

Accordingly to a leaked memo from the Department of the interior, the Administration is considering using the Antiquities Act to designate or expand additional monuments in Arizona, California, Colorado, Montana, New Mexico, Oregon, Utah, and Washington. Under current law, the President could use the Antiquities Act to designate millions of acres of land without first notifying Congress or the affected Governors, tribes, or communities involved. Moreover, there is no requirement to determine what the impact of the designation would be upon local communities.

**Fiscal/Urban/Rural Impact:** The designation of federal land as defacto wilderness, national monument, or similar designation without input from local governments can lead to devastating reductions in economic activity the loss of jobs in resource dependent communities.

Adopted July 19, 2011

**Resolution to Promote Healthy Forest Ecosystems and Reduce the Release of Green House Gases Through Active Management of the Nation’s Forests**

**Issue:** Active forest management.

**Adopted Policy:** NACo urges Congress to enact legislation to direct and enable federal forest management agencies to reduce Fire Regime Condition Class 3 (FRCC 3) to the standard of FRCC 1 in all federal forests by the year 2030, and to reduce FRCC 2 to the standard of FRCC 1 in all federal forests by the year 2050, through the means of active landscape scale management, fuels reduction, and immediate post-fire restoration.

**Background:** Federal Forests should be actively managed to reduce the threat of wildfire and the release of greenhouse gases. Restoration and conservation of our National Forest will insure a sustainable economic and environmental legacy for future generations. Each year catastrophic wildfires throughout the nation contribute to global warming, jeopardize the national treasury, threaten fish and wildlife habitat, degrade both water and air quality, and cause devastation to forest dependent communities through loss of life, property, jobs, and the nation’s timber resource.

Some 73 million acres or 38 percent of the nation’s federal forests are at “a high risk of ecologically destructive wild land fire” according to a 2007 report of the Inspector General of the USDA. An average of 7 million acres of forest has burned each year for the past ten years in the
U.S., primarily on federal lands. An estimated 47.5 Million Metric Tons of greenhouse gases were released last year in the US through forest fire. An Executive Order of October 5, 2009 directs federal agencies to “consider and account for … emissions of greenhouse gases resulting from Federal land management practices”. With this Proposed Resolution, NACo joins the White House in an effort to reduce greenhouse gases caused by forest fires on federal lands.

**Fiscal/Urban/Rural Impact:** The cost to taxpayers to fight these fires exceeds $1 billion each year. The value of the timber thus consumed costs taxpayers $10.5 billion every year. If Congress enacts this legislation, then directs federal land management agencies to implement the resultant policy, thousands of communities throughout the nation would experience significant social and economic recovery with the creation and return of forest based employment as well as the many other benefits of multi-use forest management. Urban areas would benefit from reduced taxation which now serves to support neighboring distressed rural communities. The nation would benefit from reduced greenhouse gas emissions, increased carbon sequestration and storage, improved fish and wildlife habitat, enhanced air and water quality, greater quantities of biomass based energy and forest products derived from federal lands serving to increase the national treasury, and an ultimate reduction in the cost of federal land management, half of which is devoted to fire suppression each year.

Federal fiscal savings realized from this effort could contribute to offsets required for “Secure Rural Schools” funding, so vital to the educational and service needs of over 700 counties and 4,000 school districts nationwide.

Adopted July 19, 2011

**Resolution to Revise Contract Cancellation Policy for FS Stewardship Contracts**

**Issue:** Forest stewardship projects.

**Adopted Policy:** NACo urges Congress to amend PL 108-7 to direct the Forest Service to maintain a single source contract cancellation liability contingency fund within the agency of appropriations not obligated as opposed to current policy which requires such a contingency as a component of each stewardship contract awarded.

**Background:** The U.S. Forest Service has little incentive or ability to enter into much needed forest health stewardship contracts. This is so because a federal acquisition regulation (48 C.F.R. 17.04) requires Forest Service to set aside and essentially "freeze" huge amounts of money in a contingent liability fund at the time a stewardship contract is made, in order to pay a stewardship contractor for its un-recouped startup costs in the hypothetical event that Forest Service ever cancels the contract early.

Forest Service cannot afford to have such huge sums of precious budget dollars sit idly by against the hypothetical day that it may cancel a stewardship contract and incur cancellation charges, especially when the Forest Service's budget is strapped fighting catastrophic wildfires, many of which might not have occurred were the habitat properly managed under a stewardship contract. To break this ironic and vicious cycle, Congress should eliminate this regulatory requirement and look for other ways for Forest Service to pay cancellation charges if and when they ever fall due, and thus free up Forest Service to pursue more forest health stewardship projects.

Our national forests are succumbing to disease, infestation, destructive wildfires and other problems. Hundreds of forest management projects are needed to treat dense, diseased and disease-prone stands and understory. The Forest Service's own resources are too scarce to perform these projects alone. That is where stewardship contracts come in. Stewardship
contracts are multi-year projects between the Forest Service and private persons or other private or public entities to enhance and protect forest health while providing jobs and stimulating the local economy. But the Forest Service currently has little incentive or ability to do many stewardship contracts, for the following reason:

Stewardship contractors often have significant startup costs like plant and equipment relocation, special tooling, preproduction engineering, etc. These startup costs often take the entire life of the stewardship contract to recoup. If the Forest Service were to cancel a stewardship contract before its normal term, that could leave the contractor with significant unrecovered startup costs. Therefore, current law (41 U.S.C. 254c(a)(1)) requires the Forest Service to pay the contractor a "cancellation charge" for the amount of the contractor's startup costs not yet recouped due to a contract cancellation.

This is only fair. But what is unfair, and what is eating into the Forest Service's ability and incentive to do forest health stewardship contracts, is a regulation (48 C.F.R. 17.104(c)) that requires Forest Service to set aside enough money when a contract is made or renewed, to pay estimated cancellation charges should the Forest Service unexpectedly cancel the contract. This freezes up millions of dollars of precious budgeted funds that the Forest Service simply cannot spare.

Amending Public Law 108-7 (16 U.S.C. 2104) to override this regulatory requirement would allow the Forest Service to draw on money already appropriated but not yet obligated for stewardship services procurement, to pay contingent cancellation charges should they suddenly become due. This would incentivize the Forest Service to do the hundreds of stewardship contracts necessary to restore forest health.

Fiscal/Urban/Rural Impact: Communities near national forests will benefit from sustained economic activity related to the ongoing stewardship contracts.

Adopted July 19, 2011

Resolution Urging Congress to Expedite a Commercial Oil Shale Leasing Program

Issue: Oil shale leasing program in Utah and Wyoming.

Adopted Policy: NACo urges Congress to address in a timely manner, the regulatory review process in order to facilitate a functioning, environmentally responsible commercial oil shale leasing program in Utah and Wyoming.

Background: Declining domestic oil production and increasing world demand leave our nation vulnerable to rising energy costs. With gas prices hovering near $4 per gallon and rising, businesses and households across America are struggling to get by. Our standard of living and national security are jeopardized as oil producing capacity shifts to other countries. Alternative energy development is laudable but will make only small dents in national fuel demand. Public outcry over burgeoning energy costs is quickly reaching a crescendo. It is time to develop our nation's vast oil shale resources.

The United States has more than 70 percent of the world's oil shale. Deposits are estimated at 1.5 to 1.8 trillion barrels of shale oil, 800 billion barrels of which are easily recoverable. That will supply 100 percent of America's current domestic petroleum needs for more than 100 years. The Intermountain West is truly the "Saudi Arabia" of oil shale. Industry has new technologies that will make oil shale extraction feasible, clean and efficient, with minimal and reclaimable disturbance.

The Oil Shale and Tar Sands Development Act of 2005 called on the Department of Interior to complete an environmental study and issue regulations for oil shale leasing
development on public lands. But last year Congress passed a law prohibiting BLM from completing those regulations. Also, BLM turned what should have been an oil shale leasing environmental study, into a mere resource allocation study, which makes more studies necessary before actual leasing may begin. America cannot afford years of delay to wade through these additional layers of bureaucratic review. Congress must streamline the overall process to quickly achieve a viable, functioning commercial oil shale leasing program. This is what Congress intended in 2005. Congress must allow completion of final oil shale regulations and streamline the regulatory process to pave the way for a commercial leasing program to begin. A multi-year delay in this process is untenable in the face of ever-rising gas prices rise and dwindling fuel supplies.

**Fiscal/Urban/Rural Impact:** Oil shale development will go forward when the final oil shale regulations are in place, providing much needed economic opportunities for the revitalization of rural counties in the Intermountain West. Utah and Wyoming have workers who will benefit from the jobs created by oil shale development.

Adopted July 19, 2011

**Resolution on Japan Reconstruction Aid to Include Manufactured Wood Products Generated from Federal Forests in Accordance with the Northwest Forest Plan**

**Issue:** Manufactured Wood Products to Japan as Reconstruction Aid.

**Adopted Policy:** NACo supports including manufactured wood products from the federal forests of the Northwest in any aid package offered to the Japanese government, or as a result of action taken by the United Nations, will assist in rebuilding domestic communities while assisting a key ally of the United States.

**Background:** As the United States and Japan determine what the course of reconstruction activities will look like in order to rebuild those areas of Japan most affected by the March, 2011 tsunami and subsequent nuclear disaster, it is well understood that wood products will be a key building material.

Rather than simply sending aid in the form of cash, the government of the United States could instead purchase finished, manufactured timber products originating from federal forests in accordance with sales already scheduled under the NW Forest Plan. That timber would be milled in the NW to Japanese specifications, and delivered to Japan as a finished product as part of a United States aid offering. In effect, the government would purchase finished wood products to provide for reconstruction instead of the alternative of sending cash to the government of Japan, which may or may not turn around and purchase timber products from the United States. In doing so, they would ensure a benefit to private firms in the Northwest, along with communities that benefit whenever federal timber is sold.

NACo should ensure that this policy discussion is initiated within the Office of U.S Foreign Disaster Assistance or within the auspices of its membership in the United Nations.

Under today’s law, the NW Forest Plan is the guiding document for bringing timber to the marketplace. The Plan calls for 1.2 billion board feet to be made available annually, and due to the time and budget it takes to attempt a litigation-proof timber sale, the annual volume produced is just 300 million board feet. So-called “consult and confer” rules are especially time consuming and targeted by those wishing to derail the sale of federal timber.

Elimination of these rules could be part of a one time emergency aid package to assist in the reconstruction of Japan.
The Office of U.S. Foreign Disaster Assistance (OFDA) is the office within USAID responsible for facilitating and coordinating U.S. Government emergency assistance overseas. As part of USAID’s Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA), OFDA provides humanitarian assistance to save lives, alleviate human suffering, and reduce the social and economic impact of humanitarian emergencies worldwide.

Japan has a wood-first policy for government-funded or sponsored buildings, with wood considered an environmentally friendly product, more capable of withstanding earthquakes than other building materials. About 70,000 buildings were damaged (the equivalent of 8.6% of Japanese housing starts, totaling 813,000 units in 2010). Canada is already reporting that Japanese orders for J-grade lumber and OSB are picking up for West Coast mills.

Immediately after the Indian Ocean tsunami, United Nations Environment Programme established a Task Force to respond to urgent requests for technical assistance from affected countries, including from Indonesia. Ministry of Environment and UNEP initiated environmental assessments in the tsunami-affected areas and mobilized assistance to strengthen environmental planning and guidance to the response and reconstruction process, including the development of procurement strategies for wood products from around the globe. It is uncertain at this point if a similar effort will be the approach for Japan, or if the United Nations will even intervene.

**Fiscal/Urban/Rural Impact:** In 1908 when the National Forest system replaced the Forest Reserve system, it was stipulated that counties would receive 25% of the revenue from harvested timbers, with each state having the authority to distribute those dollars to schools and roads as they deem appropriate. In Oregon, 75% goes to county roads and 25 percent goes to county schools. Thus any improvement in timber harvest from this change would benefit county revenue.

It may be important to note that as counties work on the reauthorization of Secure Rural Schools, timber harvest dollars are considered new dollars, and may be used to offset expenses related to the reauthorization of SRS.

Adopted July 19, 2011

**Resolution on Utilization of Federal Timber after Domestic Declaration of Disaster**

**Issue:** Supporting federal law changes to increase the flow of federal timber for domestic reconstruction purposes (after the declaration of emergency) improves economies and community sustainability.

**Adopted Policy:** The Robert T. Stafford Disaster Relief and Emergency Assistance Act should be amended to include provisions to require that reconstruction materials originate from federal forest lands, specifically sections 307, 315, 316, 323, 421, and 683. When federal dollars are allocated for disaster relief, changes to these sections would benefit schools and roads in counties with federal forest lands.

**Background:** Natural and human caused disasters are unavoidable occurrences that bring with them inordinate amounts of human suffering and the United States Government has established a framework of laws and assistance designed to assist those most affected. Rebounding from disasters typically involves new construction activities to house residents and rebuild businesses. Current law stipulates that efforts should be made to bolster local economies through the unique market demands that are created around this kind of reconstruction.

In that counties benefit from the harvest of federal timber from National Forests that exist within or sometimes adjacent to their landbase, and in that demand for housing is currently at historic lows, a triggering requirement that value added timber products necessary for
reconstruction of a particular area come from the National Forest system would provide additional benefit to a great many people.

The Stafford Act already provides for an expedited sale of timber from National Forests through the authority of the Secretary of Agriculture (42 USC 5188), but points to a repealed statute regarding sale procedures.

**Fiscal/Urban/Rural Impact:** In 1908 when the National Forest system replaced the Forest Reserve system, it was stipulated that counties would receive 25 percent of the revenue from harvested timbers, with each state having the authority to distribute those dollars to schools and roads as they deem appropriate. In Oregon, 75% goes to county roads and 25 percent goes to county schools. Thus any improvement in timber harvest from this change would benefit county revenue. It may be important to note that as counties work on the reauthorization of Secure Rural Schools, timber harvest dollars are considered new dollars, and may be used to offset expenses related to the reauthorization of SRS.

Adopted July 19, 2011

**Resolution Supporting Uranium Activities**

**Issue:** Uranium activities and the Grand Canyon watershed.

**Adopted Policy:** NACo agrees to the following:

1. NACo is aware that the Secretary of the Interior is considering a withdrawal of uranium mining on public lands in Northern Arizona.
2. NACo believes that mining activities should continue on these lands (except in Coconino County), as long as operators continue to abide by existing state and federal environmental laws, regulations, and standards, including reclamation.

**Background:** Under the authority of the 1984 Arizona Wilderness Act, uranium exploration and mining activities have occurred on BLM land in northwest Arizona known as the Arizona Strip and on similar U.S. Forest Service lands south of the Grand Canyon. A comprehensive review as part of the Department of Interior’s recent draft Environmental Impact Statement has assessed impacts to the Grand Canyon Watershed and determined that no significant impacts from mining exist and that any surface impacts which do exist can be mitigated. With U.S. Nuclear power generating stations now importing 90% of the uranium they use from foreign (Kazakhstan, Russia, Australia, Canada and elsewhere, this northern Arizona reserve of 326 million lbs equivalent could supply electricity to all of California’s 40 million people for 22.4 years according to the Nuclear Energy Institute. NACo believes it is irresponsible for America not to develop its own domestic resources in northern Arizona when it is known to be the highest grade ore body of known domestic uranium. (.6 to 3.5%) compared to Wyoming, Colorado, New Mexico, Utah, Virginia average of .1% ore.

The Arizona Wilderness Act of 1984 (P.L. 98-406) was the result of an extensive collaborative effort in Arizona that lead to a wilderness designation for 290,000 acres of BLM lands and 834,000 acres of Forest lands. The Act also directed the release of over 490,000 acres of BLM lands and 50,000 acres of Forest Service lands with the full understanding that this action would allow uranium exploration and mining on the Subject Lands.

NACo is unaware of any scientific study asserting that uranium exploration and mining activities have impacted the Grand Canyon or its Colorado River watershed, but NACo does not object to ongoing reviews of the known science in order to keep the public aware of any impacts on the environment in the area.
Fiscal/Urban/Rural Impact: Southern Utah counties and Mohave County are aware of economic studies which estimate conservatively that some $29 billion in economic benefits due to mining will occur. The counties will benefit from sustained economic activity related to the ongoing uranium mining operations, which in turn will increase local government revenues for funding of road maintenance, access, law enforcement, fire suppression, search & rescue, tourist information, etc.

Adopted July 19, 2011

Resolution to Support Increased Domestic Oil and Gas on Public Lands

Issue: Our national dependence on foreign fuel threatens the livelihood of America’s farmers and ranchers.

Adopted Policy: NACo supports the development and implementation of a comprehensive national energy policy, which includes conservation, efficiency, exploration and research and provides for the domestic production of traditional and renewable energy sources by removing the roadblocks that require years to get an application to drill, mine or extract minerals from federal land, with concurrence with local government review and approval.

Background: High fuel prices greatly affect profitability in the agriculture industries. These businesses rely on diesel fuel for tractors and harvesters, and on gasoline for pickups. Natural gas and petroleum are used to manufacture fertilizer, herbicides and pesticides. Farmers and ranchers have little ability to pass these increased costs on to consumers.

Oil, gas and coal form the cornerstone of our nation’s energy base and will continue to do so for many years to come. Currently, 38.2 million acres of onshore public lands are under lease for oil and gas development, of which only 16.6 million acres are active while 21.6 million acres are inactive. To move our nation toward energy independence, we must continue to develop our conventional resources in the right ways and in the right places. Opening and using new sources of petroleum, along with existing and future home-grown fuels, should keep current and future generations of Americans safe from the economically devastating effects of our dependence on foreign energy.

Fiscal/Urban/Rural Impact: According to the USDA-Illinois Department of Ag Market News, the average price of farm diesel in Illinois rose from an average of $1.70 per gallon in March 2009, to an average of $3.56 per gallon in March 2011- a 103 percent increase in price over the past two years.

According to the USDA Economic Research Service (ERS), farmers can expect to pay almost 85 percent more than they paid in 2000 just to put their crops in the ground for the costs of seeds, fertilizer, chemicals, fuel and electricity, repairs and interest on operating capital. In 2011, corn farmers are experiencing cash costs that are 85 percent higher than their costs in 2000. Similarly, cotton farmers are seeing a 77 percent increase and rice farmers a 72 percent increase.

Natural gas accounts for 70 percent to 90 percent of the cost of producing anhydrous ammonia, a key source of nitrogen fertilizer. According to ERS, between 2000 and 2011 the fertilizer costs for corn increased by 197 percent, cotton by 175 percent, and rice by 125 percent.

Adopted July 19, 2011
Resolution Calling for Membership on Landscape Conservation Cooperatives Steering Committees to Include County Elected Official(s)

**Issue:** County membership on Landscape Conservation Cooperatives.

**Adopted Policy:** NACo supports the expansion of LCC Steering Committees to include at least one elected county official on each Steering Committee, and preferably one from each state in those eco-regions which are multi-state.

**Background:** Landscape Conservation Cooperatives (LCCs) are being organized nationally by the Department of the Interior to coordinate natural resources and climate science and research, and to apply science to land and wildlife management, with particular emphasis on public lands. Steering Committees, and invitations to Steering Committees, have included the spectrum of State and Federal agencies, Indian Tribes, and non-governmental organizations (NGOs). To date local governments have not been invited to attend or participate in organization or implementation of the program in the eco-regions.

LCCs began being organized in 2009 under the leadership of the Fish and Wildlife Service (FWS). Subsequent leadership has been expanded to the Bureau of Reclamation in some regions. Nationally there are 21 eco-regions, 11 of which are important to public land areas in the West and Alaska. The stated intent is that these organizations is to coordinate climate change and other science among federal and state agencies and the universities, and to seek the application of science and research to natural resources decision-making. Some organization of the Steering Committees has been contracted to NGOs. The organization of several of the major LCCs to date has included long lists of invited agencies which have included all federal and state agencies involved in land, water and wildlife management, and assorted conservation-oriented NGOs, but has excluded local government. It is critical as science and natural resources research needs and results are prioritized and assessed, and as such research is considered to be applied to public lands and resources, that the views of local government be included and considered. Such input must be as a full partner as a governmental unit, and not as a mere “interest group,” or “stakeholder.”

**Fiscal/Urban/Rural Impacts:** It is important that local government views be considered by the larger group of assembled state and federal agencies related to science and research priorities and application. The direct cost of making such input are limited to the cost of participation in perhaps 3 to 4 meetings per year for selected representatives. Exclusion will result in counties still having to attend and participate in meetings to the extent they are held in public, simply to assure that local views are recorded. The concern of local governments is that research could be applied to public lands that will be adverse to local social or economic interests, which could result in local costs particularly to rural interests and businesses which have an interface or involvement with public land usage. Federal officials have tried to assure public interests that LCCs will not be decision-making in scope. Such assurances, however, do not assure that agencies will not apply research results to public land management decisions. Local governments must be part of any forum that assesses the future of public land management practices.

Adopted July 19, 2011
Resolution on Acquisition of Private Land for Wildlife Mitigation, Associated with Renewable Energy Development, with Subsequent Transfer to Federal Agencies

**Issue:** Acquisition of Private Land for Wildlife Mitigation.

** Adopted Policy:** NACo requests the land and wildlife management agencies adopt procedures that provide for project mitigation other than through land transfer from private to public ownership, unless supported by the effected county. When such transfers are deemed the only appropriate mitigation, and offsetting PILT will not occur, then agencies must provide that project developer would continue to pay the property tax on the transferred land, or fees in lieu of taxes, in perpetuity, unless the land were restored to private ownership at a future date.

**Background:** Wildlife agencies (State and Federal) have required the purchase of private land and its transfer to government agencies or non-governmental organizations (NGOs) as mitigation for projects that will occupy habitat or impact species with status under Federal or State law or regulation. Such acquisitions remove private land from tax rolls. When the land becomes Federal, many counties not only lose the property tax revenue, they fall outside the limit of Payment in Lieu of Taxes (PILT) accounting. Large renewable energy development projects have exacerbated the situation.

The land and wildlife management agencies have sought land mitigation for impacted habitat for a variety of species, mostly those with listed status under the Endangered Species Act. Such mitigation often is required at a multiplied factor, e.g. 3:1, in which the project developer must “donate” a multiple of private land to the permitting agency or designated entity as mitigation. Such land is removed from the tax rolls.

Many projects are located in counties in which PILT payments are capped because of already large Federal estates; thus transfers may add to the Federal estate and counties do not receive additional PILT payment reflecting the expanded Federal estate. Further, since the acquiring agencies are usually BLM or the Forest Service, counties cannot receive PILT under Sections 6904 or 6905.

Most projects utilize significant parts of local government infrastructure, including the use of county roads for project development, operation and maintenance. In addition development may use other county services, including solid waste disposal, law enforcement, public health, and fire and emergency medical response during the life of the project.

Offsetting the loss of tax base must become an essential part of renewable project mitigation, even when mitigation land is transferred to a state agency or NGO. Mitigation should be accomplished by project developers depositing funds for use to provide other kinds of mitigation investment equivalent to the amount that might otherwise be invested in land acquisition.

Expand current PILT requirement that only additions to the Federal estate by NPS or in National Forest wilderness can receive payment under Section 6904. If such change were made, remove the 5-year limit on such payments.

**Fiscal Urban/Rural Impact:** While development may provide some positives to local economies, local governments should not be left with losses and costs associated with the project. The policy will assure a steady revenue stream regardless of mitigation requirements as well as funding for county infrastructure and services.

Adopted July 19, 2011
RESOLUTION TO SUPPORT THE COMMUNITY FORESTRY CONSERVATION ACT OF 2011 AND THE USE OF COMMUNITY FORESTRY BONDS

Issue: Authorizing the use of municipal debt (Community Forestry Bonds) as a tool to help keep working forests working in communities across the Nation.

Proposed Policy: NACo supports the passage of The Community Forestry Conservation Act of 2011 (S.1105, H.R.1982) and calls on the US Congress to approve this legislation during the 112th Session.

Background: The US Forest Service estimates that 23 million acres of forestland will be lost by 2050. With economic conditions encouraging such forest loss, the long-term viability of rural mills, jobs and tax base are threatened, along with public values including habitat, water quality and carbon storage. At the same time, approximately 84% of America’s industrial forests have changed hands in the past 10 years. This unprecedented level of transaction activity is expected to continue in smaller and smaller parcels. With both timber and environmentalists being concerned about this trend, there are opportunities for large-scale working forest conservation purchases – with funding for such purchases being the limiting factor.

The Community Forestry Conservation Act of 2011 would authorize Community Forestry Bonds to be used as a new financial tool that conserves working forests while providing jobs and respecting landowner property rights. In short, tax-exempt revenue bonds would be issued to allow for the acquisition of forests by a qualified buyer. The low-cost bonds will be revenue bonds, backed by the revenue stream generated by the sustainable timber harvest and other income producing attributes of the property. The land will be owned in fee by the qualified buyer.

While most forestry issues create strong disagreements among various parties, the Act is supported by over 75 timber industry, labor, environmental, finance and community leaders.

Fiscal/Urban/Rural Impacts: The Community Forestry Conservation Act of 2011 will benefit local governments and communities. Local governments will continue to receive tax dollars that result from the continued land management. If a municipality participates financially it could benefit from revenue flow. Also, public environmental benefits can be achieved across a broader landscape at a much lower financial and political cost.

If the Community Forestry Bonds program is fully authorized at $3 billion in private investment, it is estimated to generate 14,956 jobs per year. In turn, these jobs will generate $552 million per year in wages, resulting in $77 million per year in associated tax revenue. Over ten years, assuming no inflation, this bill will generate $5.52 billion in wages, resulting in $710 million in tax revenues. The Congressional Budget Office, scored a $1.5 billion version of the act at $275 million over 10-years.

Sponsor(s): Julia Patterson, Councilmember, King County, WA; Paul Pearce, Commissioner, Skamania County, WA

PROPOSED RESOLUTION ON RESTRICTIONS AGAINST USE OF LAND IN PROXIMITY TO WILDERNESS OR WILDERNESS STUDY AREAS.

Issue: De-facto Wilderness Areas
Proposed Policy: Oppose any defacto federal restrictions not explicitly enacted on use of public or private lands in proximity to a designated Wilderness or a Wilderness Study Area.

Background: Statements and actions of staff of the Department of Interior and Department of Agriculture indicate an unwritten policy to limit, oppose, or prohibit activities and land uses of public and private lands in proximity to Wilderness Study Areas or Wilderness. This policy is not based in statute, rule, or Executive Order. By not being explicitly enacted, this policy is imposed without the required input from county governments, local communities, and citizens.

Fiscal Urban-Rural Benefit: Instances of staff of U.S. DOI and U.S. DOA opposing or attempting to limit or prohibit lawful activities in proximity to a Wilderness or Wilderness Study Area have occurred when ecologically, economically, and socially beneficial projects have been considered, e.g., wind energy facilities. Rural communities, in particular those dominated by federal lands, are by their nature limited in options to build viability and sustainability for themselves. Opposition to or restrictions on sound projects by a federal agency acting on unwritten policy stifles critical rural development.

Submitted by: Association of Oregon Counties

RESOLUTION URGING CONGRESS TO ESTABLISH COMMUNITY FOREST TRUST PILOT PROGRAMS

Issue: Revenues for County Governments for counties with United States Forest Service (USFS) land.

Proposed Policy: NACo supports the creation of a community forest trust pilot program that:
1. Designates specific USFS land, or natural resources on specific USFS land, outside of wilderness designations to be managed by the states on behalf of counties and schools according to state land management practices and federal and state laws as they apply to state land;
2. Allocates revenues generated from the management of these designated lands to all forest counties with the participating state using a mutually agreed upon formula;
3. Establishes a management board of county commissioners appointed by the governor for each participating state; and
4. Allows the USFS to maintain ownership and fire management responsibility of the land.

Background Information: The U.S. Congress has perpetually recognized special obligations to local governments and communities where the federal government has extensive land ownership. When federal forests were first established, the premise and promise was that local communities would welcome federal ownership as they would benefit both from the economic activity on federal forest lands and would receive a portion of the revenues generated from the sale of timber and other resources on those federal lands. Federal law required that 25% of the receipts from national forest resource sales be returned to the counties where those lands were located.

Beginning in 2000, the U.S. Congress recognized that revenues from national forest activities had declined significantly and moved to meet the obligation to local governments and communities by enacting the Secure Rural School and County Self Determination Act (SRS). This law established transfer payment schedules for federal monies to be paid from the U.S. Treasury directly to the counties, proportionate to funds lost from timber harvest revenues, in order to meet the obligations of federal ownership. Since 2000, this law has been reauthorized twice and is now up for reauthorization again.

The SRS funding was always intended to be an interim measure that would be in place only until new programs on federal forest lands were established that would provide reliable and sustainable revenue to
local counties. That transition has not come to pass. Instead, federal forest management has declined, and with it, so too has the revenue to the U.S. treasury and local counties. New Forest Service programs targeted at landscape level forest restoration and fuels reduction have faltered or not come to fruition.

**Fiscal Urban/Rural Impacts:** A community forest trust pilot would provide stability in federal forest payments to forest counties and generate local jobs that will raise tax revenues in the respective jurisdictions. The establishment of community forest trust pilots would have a positive fiscal impact on both urban and rural counties that currently receive federal forest payments.

Sponsor: Commissioner Jon Cantamessa; Shoshone County, ID

**PROPOSED RESOLUTION ON LOCAL LAW ENFORCEMENT ON PUBLIC LANDS**

**Issue:** Local Law Enforcement on Public Lands

**Proposed Policy:** NACO urges the Federal Government to recognize County Sheriffs as the chief law enforcement officer within their jurisdictions and encourages federal agencies to coordinate with local governments by executing cooperative agreements identifying funding and responsibilities for each entity.

**Background:** Federal land counties are frequently impacted by lack of coordination from federal law enforcement officers. Federal officials fail to recognize the County Sheriff’s role as the chief law enforcement officer within his/her jurisdiction; and, often, federal officers undermine local law enforcement efforts by usurping local authority in violation of established law. Counties are also forced to expend limited local funds to perform uncompensated law enforcement functions on federal land. This resolution is needed to encourage federal agencies to: a) recognize the sheriff’s role as the chief law enforcement officer; b) work cooperatively with local government to coordinate law enforcement functions on federal land in accordance with established law; and c) develop cooperative agreements to compensate local government for services provided on federal land and to establish clear lines of authority.

**Fiscal/Urban/Rural Impact:** There will be limited fiscal impact for urban areas. Rural areas can expect greater coordination with federal law enforcement officials, reduced duplication of effort, and increased funding resulting from cooperative agreements and clearly defined roles. Citizens will reap the benefits of more efficient responses to problems, reduced cost by eliminating duplication, a streamlined approach to law enforcement issues, and greater efficiency of all levels of government.

Submitted by: Leland Pollock, Garfield County, UT

**PROPOSED RESOLUTION ON RETIREMENT OF GRAZING PERMITS ON FEDERAL LAND**

**Issue:** Retirement of grazing permits on federal land
**Proposed Policy:** NACo Congress to oppose the Rural Economic Vitalization Act (H.R. 3234), which would allow for the permanent retirement of grazing permits by allowing non-ranching third parties to buy out grazing permits.

**Background:** Currently grazing permits can be sold but the law requires their continued use for grazing. Current law allows only the federal government to curtail grazing on federal lands. Grazing is an important component of the economies of rural communities across the United States.

At a press conference about sustainable solutions to feed the world, Agriculture Secretary Tom Vilsack stated, “We will have to increase food production by 70 per cent to feed a larger, richer global population of 9.3 billion by 2050.” Lowering cattle numbers by permanently retiring grazing permits will have a negative impact on not only the local economies but the global economies.

**Fiscal/Urban/Rural Impact:** There will be limited fiscal impact for urban areas. Rural public land counties will face increased economic hardship and decreased property tax revenue as the ranching industry begins to leave the county.

**Submitted by:** Lesley Robinson, Phillips County, MT
ADDITIONAL PROPOSED POLICY RESOLUTIONS OF INTEREST TO THE PUBLIC LANDS STEERING COMMITTEE

ENVIRONMENT, ENERGY AND LAND USE STEERING COMMITTEE

RESOLUTION IN SUPPORT OF KEYSTONE XL PIPELINE

Issue: Allowing construction of the Keystone XL Pipeline

Proposed Policy: NACo urges the Administration and Congress to move forward with granting TransCanada the Presidential Permit necessary to construct the Keystone XL Pipeline.

Background: A pipeline project that could create thousands of American construction jobs and lessen the country’s dependence on foreign oil is essential to ensure a strong U.S. economy. The Keystone XL Pipeline project has this potential. By green-lighting the project, counties become winners through job growth and an increased property tax base where the pipeline runs. The Keystone XL pipeline would transport 830,000 barrels of crude oil day from the oil sands region of Alberta, Canada to refineries in the U.S. TransCanada, a Canadian pipeline company, filed an application with the U.S. Department of State to build the pipeline. The proposed pipeline would bring oil sands from Canada, and an on-ramp at Baker Montana will allow 100,000 barrels of Bakken Oil to be transported all of the way to Gulf Coast refineries.

It is estimated the U.S. uses 15 million barrels of oil every day and imports 10-11 million barrels a day. Experts expect oil consumptions to remain at these levels for the next several decades. It is imperative with the turmoil in the Middle East that the U.S. have a reliable oil trading partner. The United States and Canada are major trading partners. The development of Northern American energy, like Canadian oil sands will create and preserve thousands of jobs and strongly benefit US energy security and our nation’s economy. It is likely that if the U.S. declines the project, Canada will look to export the oil to other less environmentally conscious countries.

Fiscal Urban/Rural Impact: Approving this pipeline would be a boon for counties, leading to increased jobs and a stronger tax base, in these tight fiscal times. The 20,000 American jobs Keystone XL would create include 13,000 construction jobs—work for pipefitters, welders, electricians, heavy equipment operators and more. And 7,000 manufacturing jobs – from the pipe being manufactured in Arkansas, pump motors made in Ohio and transformers built in Pennsylvania, workers in almost every state in the US would benefit from Keystone.

Sponsor: Richard Dunbar, Commissioner, Phillips County, MT

ENVIRONMENT, ENERGY AND LAND USE STEERING COMMITTEE

RESOLUTION ON THE READINESS AND ENVIRONMENTAL PROTECTION INITIATIVE (REPI)

Issue: Urging continued bipartisan Congressional support for the Department of Defense (DOD) Readiness and Environmental Protection Initiative (REPI)

Proposed Policy: NACo supports continued bipartisan Congressional support and funding for DOD’s Readiness and Environmental Protection Initiative (REPI)

Background: The Department of Defense (DOD) Readiness and Environmental Protection Initiative (REPI) enables DOD to work with willing local government, state and private sector partners to protect
valuable habitat and avoid land use conflicts near priority installations, ranges and other areas in which military tests and trains. Maintaining availability, accessibility and capability for realistic training, live fire testing and other operations is crucial to ensuring a trained and ready force to support the DOD mission. The United States originally established military installations in mostly rural areas. However, as the nation’s population has grown, urban sprawl now abuts many installations. Noise, dust, light, and smoke from weapons, vehicles, and aircraft prompt citizen complaints about military training forcing a conflict between meeting mission requirements and being good neighbors. Further, tall structures, the presence of cultural and historic resources, or endangered species can result in training restrictions. REPI is an innovative tool that both protects the DOD mission and achieves conservation objectives by proactively addressing encroachment issues. REPI uses the authority at Title 10, Section 2684a of the United States Code to enter into the agreements with local and state governments and private organizations to share funds towards these common objectives.

Through REPI, the Services reach out to both governmental and non-governmental organizations to identify mutual conservation objectives and cost-share conservation easements from willing landowners to protect habitat or prevent development of key open areas. The easements typically permit landowners to maintain ownership and continue current uses as a farm, forest or ranch and do not add military land for training or testing. REPI provide significant and long term benefits to the people and the landscape in mostly rural communities surrounding military installations. It enhances military readiness; protects high value habitat; strengthens military/community relations; and provides the opportunity for partnerships among key stakeholders, such as state and local governments and the military.

In addition, the increasing numbers of willing sellers in the existing real estate market present significant near-term opportunities to leverage REPI funding with state and local partners. Recent studies have documented the success of the program and also the need for $150M in annual funding over a 10-12 year period to proactively address the partnership opportunities and leverage non-federal dollars to maximize accessibility, availability and capability of current military lands for training and testing.

**Fiscal Urban/Rural Impact:** The impact to county governments and rural and urban communities is a beneficial one. REPI allows DOD to more effectively leverage its funding with local government partners to protect the long-term sustainability of military installations and those economic and employment benefits that the installations provide their neighbors.

**Sponsor(s):** C. Munroe "Jack" Best, Jr., County Commissioner, Wayne County, NC; Tim McNeill, Chairman, Harnett County, NC; Ed Melvin, Commissioner, Cumberland County, NC; Jean Powell, Commissioner, Hoke County, NC