

**County of Plumas**

**RESOLUTION 08 - 7514**

A resolution adopting and implementing Coordinated Agency Status in accordance with federal and state laws, and notifying Federal and State agencies maintaining jurisdiction over lands and/or resources located within the County of Plumas of the intent and expectation that Federal and State agency actions shall be made consistent with all county land use plans, and other management plans affecting the natural environment, economic stability, or the public health and safety of the citizens of Plumas County, and to otherwise notify and confer with the County.

**WHEREAS**, the County of Plumas is a legal subdivision of the State of California and may exercise its powers only through the Board of Supervisors or through agents and officers acting under authority of the Board or authority conferred by law; and

**WHEREAS**, the County of Plumas has various authorities over the use and management of private lands and natural resources within its jurisdiction and is charged with exercising such authorities to protect and enhance natural resources, maintain economic stability, and protect public health and safety; and

**WHEREAS**, the federal and state governments own a vast majority of the lands in Plumas County and are responsible for managing these lands for parks, recreation, wildlife habitat, and the production and protection of natural resources, including water, timber, minerals, and grasslands; and

**WHEREAS**, private lands are interspersed with public lands throughout Plumas County, and plans and management actions for public lands and private lands must be coordinated to ensure effective and consistent protection and enhancement of property and natural resources; and

**WHEREAS**, the citizens of Plumas County have historically earned their livelihoods from activities reliant upon management of natural resources on public lands and the continuation of those activities is critical to the economic health of Plumas County; and

**WHEREAS**, the County of Plumas desires to assure that federal and state agencies shall inform the Board of Supervisors of all pending or proposed actions affecting management of the environment, local communities and citizens within Plumas County and coordinate with the Board of Supervisors through the Plumas County Coordinating Council in the planning and implementation of those actions; and

**WHEREAS**, the National Forest Management Act at 16 USC 1604 requires federal agencies to coordinate its planning processes with local government units such as the County of Plumas; and

**WHEREAS**, the Federal Land Policy and Management Act at 43 USC 1701, and 43 USC 1712 requires coordination of planning and management actions, regarding the coordinated agency status of a county engaging in the land use planning process, and requires that the "Secretary of the Interior [Secretary] shall...coordinate the land use inventory, planning, and management activities...with the land use planning, and management programs of other federal departments and agencies and of the state and local governments within which the lands are located"; and

**WHEREAS**, the coordination requirements of Section 1712 provide for special involvement by government officials who are engaged in the land use planning process; and

**WHEREAS**, Section 1712 sets forth the nature of the coordination required with planning efforts by government officials and subsections(f) of Section 1712 sets forth an additional requirement that the Secretary “shall allow an opportunity for public involvement” (including local government without limiting the coordination requirement of Section 1712 allowing land or resource management or regulatory agencies to simply lump local government in with special interest groups of citizens or members of the public in general); and

**WHEREAS**, Section 1712 also provides that the “Secretary shall.....assist in resolving, to the extent practical, inconsistencies between federal and non-federal government plans” and gives preference to those counties which are engaging in the planning process over the general public, special interest groups of citizens, and even counties not engaging in a land use planning program; and

**WHEREAS**, the requirement that the Secretary “coordinate” land use inventory, planning, and management activities with local governments, requires the assisting in resolving inconsistencies to mean that the resolution process takes place during the planning cycle instead of at the end of the planning cycle when the draft federal plan or proposed action is released for public review; and

**WHEREAS**, Section 1712 further requires that the “Secretary shall....provide for meaningful public involvement of state and local government officials... in the development of land use programs, land use regulations, and land use decisions for public lands”; and, when read in light of the “coordinate” requirement of Section 1712, reasonably contemplates “meaningful involvement” as referring to on-going consultations and involvement throughout the planning cycle, not merely at the end of the planning cycle; and

**WHEREAS**, Section 1712 further provides that the Secretary must assure that the federal agency’s land use plan be “consistent with state and local plans” to the maximum extent possible under federal law and the purposes of the Federal Land Policy and Management Act and distinguishes local government officials from members of the general public or special interest groups of citizens; and

**WHEREAS**, Federal agencies implementing the Endangered Species Act, the Clean Water Act, the Clean Air Act, and the Outdoor Recreation Coordination Act 16 USC 4601-1[c]and[d] are required by Congress to consider local plans and to coordinate and cooperate directly with plans of local government such as Plumas County; and

**WHEREAS**, the Federal Power Act 16 USC 803 requires that hydroelectric projects licensed by the Federal Energy Regulatory Commission be best adapted to a comprehensive plan for improving a waterway to provide multiple resource benefits and that consideration be given to any comprehensive state or federal plans that may exist for the waterway; and

**WHEREAS**, the Intergovernmental Cooperation Act and Presidential Executive Order 12372 set forth coordinated planning requirements for the federal, state, and local governments; and

**WHEREAS**, California Water Code sections 8125 to 8129 give a county Board of Supervisors authority to address flooding caused by non-navigable streams and such flood planning requires coordination with natural resource planning processes of federal and state agencies; and

**WHEREAS**, California Public Resources Code section 5099.3 requires coordination by the State of California with the County of Plumas in matters involving the planning, development, and maintenance of outdoor recreation resources and facilities; and

**WHEREAS**, the California Streets and Highways Code §§940-941.2 makes county governments responsible for the general supervision, management, and control of county roads and highways and planning and actions with regard to such roads by any federal or state agency must be coordinated with the county; and

**WHEREAS**, it is the intent of the Board of Supervisors to promote the consistency of federal and state agency plans and actions with revised and adopted local plans, including as examples:

- Plumas County General Plan
- Plumas County Community Wildfire Protection Plan
- Upper Feather River Integrated Regional Water Management Plan
- Feather River Coordinated Resource Management Plan
- Feather River Watershed Management Strategy, and the
- Herger Feinstein Quincy Library Group Forest Recovery Act-Pilot Project Plan

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the County of Plumas, State of California, that:

1. The County of Plumas hereby establishes Coordinated Agency Status with all federal and state agencies maintaining jurisdiction over lands or resources located with Plumas County.
2. The Plumas County Coordinating Council is hereby established and the following Plumas County officials are designated as permanent members of the committee:
  - Director, Department of Planning and Building Services
  - Director, Department of Public Works
  - General Manager, Plumas County Flood Control & Water Conservation District
3. The Board of Supervisors may appoint additional representatives to the Plumas County Coordinating Council from time to time, including themselves. Council members shall serve at the pleasure of the Board of Supervisors and may be removed from the Council at any time by the Board of Supervisors.
4. The Plumas County Coordinating Council shall represent the County of Plumas in coordinating the management plans and actions of federal and state agencies to ensure consistency with local land use plans, and provide a key component of any General Plan revisions which also must consider land outside the County boundaries which bears relation to county planning especially for matters related to fire prevention, watersheds, land use, natural resources and other related issues to ensure consistency.

5. The Plumas County Coordinating Council shall make recommendations to the Board of Supervisor's when appropriate and as needed, or when the Board requests the committee to provide recommendations.

6. The Plumas County Coordinating Council shall have available to them resources approved and allocated by the Board of Supervisors on February 5, 2008 as described in the approved Title III project to expend for the purposes included in the application titled: Fire Prevention and County Planning: Establishing Coordinated Agency Status Provided for Under Federal Land Policy and Management Act, and administered by the Plumas County Board of Supervisors, and any other funds the Council secures through approval of the Board of Supervisor's.

7. The Plumas County Coordinating Council shall adopt and possibly expand on the Herger Feinstein Quincy Library Group Forest Recovery Act- Pilot Project plan as reauthorized and extended in sections of the Consolidated Appropriations Act of 2008, otherwise known as HR-2764, as the baseline county wide forest and fire prevention land management plan for federal lands within Plumas County not withstanding that the Council may recommend and the Board of Supervisors may agree to address fire prevention and protection in coordination with the Quincy Library Group and/or others.

The foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said board held on the 21st day of October, 2008.

<b>AYES:</b>	<b>Supervisors</b>	Powers, Thrall, Meacher, Olsen, Comstock
<b>NOES:</b>	<b>Supervisors</b>	None
<b>ABSENT:</b>		None

  
Chair, Board of Supervisors

ATTEST:

  
Clerk of the Board