



Legislation Text

File #: 2004-0485, **Version:** 1

Clerk 10/13/2004

A MOTION identifying projects to be funded under Public Law 106-393, Title III, the Secure Rural Schools and Self-Determination Act of 2000, and allocating to those projects the funds to be received from the federal government for federal fiscal year 2005, which begins October 1, 2004.

WHEREAS, in 1908 the United States Congress enacted, and subsequently amended, a law that requires that twenty-five percent of the revenues derived from national forest lands be paid to states for use by the counties in which the lands are situated for the benefit of public schools and roads, and

WHEREAS, the sharing of revenues from the national forest lands is, in part, a recognition that these lands are not subject to local taxation, and also that counties provide services that directly benefit the lands and the people who use the lands, and

WHEREAS, the principal source of revenues from national forest lands is from the sale and removal of timber, which has been sharply curtailed in recent years, with a corresponding decline in revenues shared with counties, and

WHEREAS, the United States Congress in the Secure Rural Schools and Self Determination Act of 2000, P.L. 106-393, recognized a need to stabilize education and road maintenance funding through predictable payments to the affected counties, job creation in those counties, and other opportunities associated with restoration, maintenance and stewardship of federal lands, and

WHEREAS, P.L. 106-393 provides for guaranteed minimum payments for the benefit of affected counties, as well as an opportunity to invest a portion of the guaranteed minimum payments in projects on

federal lands or that benefit resources on federal lands, or in county projects or activities, and

WHEREAS, Title I, Section 102 of P.L. 106-393 gives each eligible county the right to elect to receive either its traditional share of revenues from the national forest lands or instead to receive the guaranteed minimum amount, also known as the "full payment amount," and

WHEREAS, the full payment amount for King County for federal fiscal year 2005 is approximately \$2,231,700, and

WHEREAS, any county electing to receive the full payment amount must further elect to expend an amount not less than fifteen percent nor more than twenty percent of its full payment amount as project funds, and

WHEREAS, counties electing to receive the full payment amount must allocate its project funds for expenditure between projects in accordance with Title II of P.L. 106-393 and projects in accordance with Title III of P.L. 106-393, and

WHEREAS, Title II of P.L. 106-393 provides for special projects on federal lands or that benefit resources on federal lands, which projects are recommended by local resource advisory committees, and

WHEREAS, Title III of P.L. 106-393 provides for county projects or services, some of which are associated with the federal lands, with Title III authorizing expenditures for search, rescue and emergency services, staffing of community service work camps, the purchase of easements, forest related educational opportunities, fire prevention and county planning and community forestry pursuant to the Cooperative Forest Assistance Act of 1978, and

WHEREAS, King County elected to receive the full payment amount, and further elected to expend twenty percent of the full payment amount on projects, communicating these elections by letter to the Washington State Association of Counties, forwarded to the governor of the state of Washington, and

WHEREAS, Motion 11854, passed December 15, 2003, describes the county elections to date, and approved the Title III projects for federal fiscal year 2004, and

WHEREAS, twenty percent of the full payment amount for federal fiscal year 2004 is approximately \$446,340 and this amount can be divided between Title II and Title III projects, and

WHEREAS, the executive budget proposal for 2004 appropriates funds to departments to pay for the Title III projects described in this motion, all of which meet the requirements of Title III, and

WHEREAS, Title III of P.L.106-393 requires a forty-five day public comment period before approval of Title III projects by the county, and King County published descriptions of the proposed projects forty-five days before the passage of this motion;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

A. King County hereby elects to allocate 18.4% of the full payment amount from the federal fiscal year beginning October 1, 2004, which is approximately \$410,630 to Title III projects described in paragraphs C, D and E below.

B. The remaining 1.6% of the full payment amount, which is approximately \$35,710, is to be retained by the United States Secretary of Agriculture for Title II projects to be submitted by the resource advisory committee, established according to the terms of Title II.

C. King County hereby authorizes the use of \$170,000 of Title III funds to partially fund a youth forestry education program, administered by the Washington State University Cooperative Extension and Earthcorps, which will provide leadership training and technical skills in forest restoration to high school students.

D. King County hereby authorizes the use of \$120,000 of Title III funds to partially fund the Urban and Community Forestry Program in the Water and land Resources Division to assist in the conservation and restoration of urban forest resources through technical assistance and by providing grants for community forestry projects.

E. King County hereby authorizes the use of \$120,000 of Title III funds to

partially reimburse the King County Sheriff's Office for expenses incurred performing search and rescue operations on federal land.