

RESOLUTION 41-2008

ASSERTING JEFFERSON COUNTY'S LEGAL STANDING AND REQUESTING COORDINATION WITH ALL FEDERAL AND STATE AGENCIES MAINTAINING JURISDICTION OVER LANDS AND/OR RESOURCES LOCATED WITHIN JEFFERSON COUNTY, MONTANA

WHEREAS, the Board recognizes its mandate provided in Montana statutes to (1) protect and enhance the public health, safety, and welfare of the citizens of the County, (2) protect the tax base and encourage the economic stability of the County, and (3) encourage the agriculture and forestry industries and other businesses for future growth; and

WHEREAS, the State of Montana has enacted laws which empower the Board of County Commissioners to develop land use, resource management, and environmental planning processes necessary to serve the public health, safety, convenience, and welfare; and

WHEREAS, laws and regulations of the United States ("Federal Laws") and of the State of Montana ("State Laws") mandate that planning and actions of the Federal and State agencies must be coordinated with the plans of local government, these specific laws being in part the National Environmental Policy Act (NEPA), the Federal Land Policy and Management Act (FLPMA), the National Forest Management Act (NFMA) and the Montana Environmental Policy Act (MEPA); and

WHEREAS, community values that express and guide Jefferson County's comprehensive plan, known as the Jefferson County Growth Policy, are: to sustain and strengthen the economic well-being of Jefferson County's citizens; to protect and maintain Jefferson County's rural character and the community's historic relationship with natural resource development; and to preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Jefferson County's citizens, and

WHEREAS, the Jefferson County Growth Policy provides for intergovernmental coordination by instituting regular meetings with state and federal agencies that control substantial property in Jefferson County to ensure full consideration of county concerns as policies are formulated concerning issues including public access, wildlife management, grazing rights, and fire suppression. The Growth Policy further mandates the involvement and interaction between local government and the state and federal government in all phases of planning. As decisions made at the state and or federal level can significantly impact local governments, Jefferson County's Growth Policy finds that it is imperative that communication exists between all levels of government, and

WHEREAS, the Board has passed resolutions that support Jefferson County's reliance upon natural resources including Resolution 31-2002, a Resolution to Adopt a Right to Farm and Ranch Policy, Resolution 31-2004, a Resolution to Adopt a Right to Mine Policy, Resolution 32-2004, a Resolution of the County Commissioners of Jefferson County, Supporting Active Forest Management, and Resolution 06-2006, a Resolution Supporting Mineral Exploration in Jefferson County, and

WHEREAS, the Board recognizes the need for a reliable source of funds from use of resources on Federal lands wherefore Federal Lands comprise approximately 70% of land ownership within Jefferson County; and

WHEREAS, State owned land is found in the County and the Board recognizes its legitimate interest in the management of that State land; and

WHEREAS, the economic base and stability of Jefferson County is largely dependent upon commercial and business activities operated on Federal and State owned, managed, and/or regulated lands that include, but are not limited to recreation, tourism, timber harvesting, mining, livestock grazing, and other commercial pursuits, and

WHEREAS, NEPA states that Federal agencies must coordinate their management plans and actions with local government plans to make them consistent and requires assessment of the

direct, indirect, and cumulative effects of Federal agency planning decisions on the environment including the ecological, aesthetic, historic, cultural, economic and other impacts that may occur as a result of private and/or governmental actions; and

WHEREAS, the Board implements coordination of Federal land management with the County to promote sustainable revenue from the Federal Lands; and

WHEREAS, the Board recognizes the applicability of the aforementioned Federal Laws and State Laws to its duties and requires full participation of the Board in the planning and regulatory processes of all Federal and State agencies which have any jurisdiction within the County; and

WHEREAS, the Board recognizes that meaningful local government involvement requires more than the timely exchange of information and places an additional responsibility on Federal and State agencies to incorporate the goals, objectives and policies of local government into Federal and State plans and decisions affecting any area under the local government's jurisdiction; and

WHEREAS, the Board desires to continue developing a policy to facilitate Federal and State coordination with the County including the creation of a county natural resource advisory task force and the development of a resource plan by said task force.

NOW, THEREFORE, BE IT RESOLVED that the Board requires that all Federal and State planning and actions affecting the County be coordinated with the County adopted plans, resolutions, and ordinances, and

BE IT FURTHER RESOLVED, that all Federal and State agencies administering land or conducting activities in the County be notified of adoption of this resolution implementing coordination.

PASSED AND ADOPTED by the Jefferson County Board of County Commissioners this 25th day of November, 2008.

Dated this 25th day of November, 2008.

BOARD OF COUNTY COMMISSIONERS

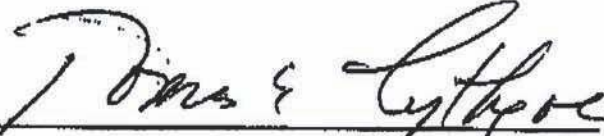
Jefferson County, Montana

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER



KEN WEBER, CHAIR



TOMAS E. LYTHGOE, COMMISSIONER



CHUCK NOTBOHM, COMMISSIONER