



## Legislation Text

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**File #:** 2001-0587, **Version:** 3

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Clerk 11/30/2001

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 two federal fiscal years, beginning October 1, 2000, and October 1, 2001, respectively.

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, \$2,185,547 constitutes the full payment amount for King County, 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 has elected to receive the full payment amount, and further elected to expend twenty percent, which is \$437,000, of the full payment amount on projects, and for the first funding year elected to spend the full twenty percent on Title III projects, communicating these elections by letter to the Washington State Association of Counties to be forwarded to the governor of the state of Washington, and

WHEREAS, King County desires to have the full twenty percent, which is \$437,000, from the funding

for the second federal fiscal year allocated for Title II and Title III projects, and

WHEREAS, the executive budget proposal 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 by of a project 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 authorizes using all of the \$437,000 amount, representing twenty percent of the full payment amount set forth in P.L. 106-393, from the federal fiscal year beginning October 1, 2000, on Title III projects described in subsections C, D and E of this motion.

B. King County hereby approves using \$337,000 of the \$437,000 amount from the federal fiscal beginning October 1, 2001, on Title III projects described in subsections C, D and E of this motion. The remaining \$85,000 of this \$437,000 amount 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 a total of \$500,000 from the combined total of funding for the two federal fiscal years, 2000 and 2001, which is \$874,000, to partially fund the purchase of a conservation easement on four hundred forty eight acres of forestland adjacent to Tolt McDonald park near Carnation, which will ensure that the property will not be developed and will remain in forestry.

D. King County hereby authorizes the use of \$90,000 of the \$874,000 amount to partially fund an 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 \$169,000 of the \$874,000 amount 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.

F.1. Any remaining funding shall be directed to the urban forestry program of the department of natural resources, to be allocated as grants, divided between the following three projects according to needs determined by the urban forestry grant process, to the extent that those projects are structured so as to be eligible for Title III funding under the federal Secure Rural Schools and Community Self Determination Act:

- a. The Lyon creek project in Lake Forest Park, involving the reforestation of riparian buffer following the removal of existing structures;
- b. The Lagoon island reforestation project in the Green river natural resources area in Kent, which will support the wildlife refuge and fisheries habitat purposes of the natural resources area; and
- c. The Tracey Owen park shoreline revegetation project in Kenmore, involving the planting of native vegetation on Lake Washington shoreline for the benefit of fish and wildlife.

To the extent that any of the projects named in 1.a. through c. of this subsection F. are unable to qualify for funding under the federal act, remaining funding shall be

redistributed, first, to the other named projects, and then, to projects under Title II of the federal Secure Rural Schools and Community Self-Determination Act.

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Post: Outside chambers

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