FERRY COUNTY
RESOLUTION NO. 2013-04

AMENDING RESOLUTION NO. 2007-07

SUPPORTING COUNTY CUSTOM, CULTURE, AND HERITAGE
PLAN IN DECISION MAKING ON FEDERAL LANDS IN
FERRY COUNTY, STATE OF WASHINGTON

WHEREAS, the government of the United Stated of America exercises control over a significant portion of the land and resources within the geographic boundaries of Ferry County; and

WHEREAS, decisions governing federal lands in Ferry County, State of Washington have a direct and broadly based impact on private property, and on the interrelated heritage of cultural, environmental and economic well-being and stability of residents; and

WHEREAS, Congress has expressly intended that Management Agencies act to coordinate with county governments while using all practicable means to create and maintain conditions on federal lands allowing for productive harmony between man and nature while fulfilling the social, economic environmental and cultural requirements of present and future generations of Americans; and

WHEREAS, efforts of Congress seeking to coordinate Federal plans with county government plans maintaining a balance between population and resources, and encouraging a high standard of living and a wide sharing of life's amenities can be enhanced by both.... 1) increased coordination between Ferry County, State of Washington and those federal Officials involved with the administration of federal lands in this county; and 2) full consideration by the federal government of the needs of citizens of the county will be directly and indirectly impacted by agency decisions regarding the use of federal lands; and

WHEREAS, there now exists a significant, urgent need for the promotion of the involvement of Ferry County, State of Washington, in the management of federal lands and the development of criteria that are meaningful in that federal decision making process.

NOW THEREFORE BE IT RESOLVED AND DETERMINED that the following procedural protections shall be followed to ensure that there is full and complete information and cooperation provided to federal entities in their decision making processes regarding management of lands located within Ferry County, State of Washington; and federal consideration of the impact of their decision making and actions has on the preservation of the interrelated heritage of cultural, environmental and economic well-being and stability of Ferry County, Washington;

1. These procedural provisions are intended to apply to all decisions undertaken by any agency, department, or other entity within the Department of the Interior, Department of Agriculture, or Environmental Protections Agency, (hereinafter known as "federal entities") that do or will have a direct or indirect impact on federal and private lands within the geographic confines of Ferry Count, State of Washington.

Ex. #3

2. Within thirty (30) days of the adoption of the resolution, and at the beginning of each calendar year after this resolution becomes effective, the Ferry County Board of Commissioners shall give written notice to federal entities as follows:

a. That the county government of Ferry County, State of Washington, desires to have full and complete notice and opportunity for involvement in the decision making processes of the federal entity that either 1) are taken or are being proposed to be taken regarding federal lands located within the State of Washington; 2) involves the listing, de-listing, or reclassification of a threatened or endangered species or critical habitat within Ferry County, State of Washington; or 3) involves any major federal action significantly affecting the quality of the human environment within Ferry County, State of Washington.
b. That the failure of federal entities to afford state and county government complete notice and opportunity for involvement beyond that afforded each citizen, or is limited to input at a local public hearing, is presumed as a matter of state law to be prejudicial to the government of Ferry County and its residents.
c. That all regulations lawfully in force and lawfully licensed business enterprises of any kind, are expressions of environmental, cultural and economic policies that Ferry County deems to be critical to the maintenance of the well-being and stability of the residents of this county and their government.

3. That within present budgetary constraints, affirmative action shall be taken to notify federal entities of any other evidence of our interrelated historic, cultural, and environmental heritage, as well as the anticipated impact on the same of any use of federal or private lands located in Ferry County.

4. If proposed implementation of a critical habitat designation or federal policies or practices over federal lands located within the geographic boundaries of Ferry County or elsewhere will likely result in either a) the alteration of present county and local regulations without being previously voluntarily initiated by Ferry County; or b) make it unfeasible for existing licensed businesses to continue their presently licensed operations, the proposed federal action constitutes a negative impact on the environment, culture, and economic well-being and stability of Ferry County and its residents.

5. If a proposed federal action creates or has a tendency to create a negative environmental, cultural, or economic impact on Ferry County and its residents, it shall be presumed that when a negative impact is anticipated, the proposed federal plan is not a preferred alternative.

6. Federal agencies shall coordinate their plans and actions as to RS 2477 with the county policy that the county controls use of and access on roads within the county.

7. Nothing herein is intended to conflict with any existing federal statute or applicable regulation that governs lands within the State of Washington. Any section, paragraph, sentence, phrase, or word that is found to do so as a matter of law may be severed from this statute without limiting the enforceability of the non-confliction portion.

Dated this 28th day of January, 2013.

BOARD OF FERRY COUNTY COMMISSIONERS

BRAD L. MILLER, Chairman

BRIAN DANSEL, Vice Chairman

MIKE BLANKENSHIP, Member

ATTEST:

Hayley Aubertin
Clerk of the Board