

RECEIVED
BOARD OF SUPERVISORS
EL DORADO COUNTY
8:53 am, Sep 26, 2011

LATE DISTRIBUTION

Date 8:54 am, Sep 26, 2011

BOS Agenda September 27, 2011 Item 38

COUNTY OF EL DORADO

330 Fair Lane
Placerville, CA 95667
(530) 621-5390
(530) 622-3645 Fax



BOARD OF SUPERVISORS

JAMES R. SWEENEY
District III

Board of Supervisors:

The County of El Dorado is a duly constituted "Local Agency" and, as such, is independent from other local agencies, Regional Organizations, statewide organizations, or the State of California. We have needs of a local nature very independent to our specific constituents! I therefore believe that our efforts to coordinate with the United States Forest Service must be taken separately and apart from others. We have plans and policies that are different from others and are specific to the needs of our residents and visitors.

When reviewing the Federal Law and Rule making enclosed herein I believe that the Forest Service is required to coordinate with us! Not at a different level through some other MOU , but locally! I believe the proposed statewide MOU is redundant and could very well become an excuse to ignore our local needs in favor of some statewide effort.

I would move non-support of the item and direct that the county of El Dorado not become signatory to the proposal.

Respectfully,
James R. Sweeney

The Law: 43 USC Sec. 1712 02/01/2010

TITLE 43 - PUBLIC LANDS
CHAPTER 35 - FEDERAL LAND POLICY AND MANAGEMENT
SUBCHAPTER II - LAND USE PLANNING AND LAND ACQUISITION AND
DISPOSITION

Sec. 1712. Land use plans (c) Criteria for development and revision

In the development and revision of land use plans, the Secretary shall -

(9) to the extent consistent with the laws governing the administration of the public lands, coordinate the land use inventory, planning, and management activities of or for such lands with the land use planning and management programs of other Federal departments and agencies and of the States and local governments within which the lands are located,

The Rule:

Sec. 219.7 Coordination with other public planning efforts.

(a) The responsible line officer shall coordinate regional and forest planning with the equivalent and related planning efforts of other Federal agencies, State and local governments, and Indian tribes.

(b) The responsible line officer shall give notice of the preparation of a land and resource management plan, along with a general schedule of anticipated planning actions, to the official or agency so designated by the affected State (including the Commonwealth of Puerto Rico). The same notice shall be mailed to all Tribal or Alaska Native leaders whose tribal lands or treaty rights are expected to be impacted and to the heads of units of government for the counties involved. These notices shall be issued simultaneously with the publication of the notice of intent to prepare an environmental impact statement required by NEPA procedures (40 CFR 1501.7).

(c) The responsible line officer shall review the planning and land use policies of other Federal agencies, State and local governments, and Indian tribes. The results of this review shall be displayed in the environmental impact statement for the plan (40 CFR 1502.16(c), 1506.2). The review shall include--

(1) Consideration of the objectives of other Federal, State and local governments, and Indians tribes, as expressed in their plans and policies;

(2) An assessment of the interrelated impacts of these plans and policies;

(3) A determination of how each Forest Service plan should deal with the impacts identified; and,

(4) Where conflicts with Forest Service planning are identified, consideration of alternatives for their resolution.

(d) In developing land and resource management plans, the responsible line officer shall meet with the designated State official (or designee) and representatives of other Federal agencies, local governments, and Indian tribal governments at the beginning of the planning process to develop procedures for coordination. As a minimum, such conferences shall also be held after public issues and management concerns have been identified and prior to recommending the preferred alternative. Such conferences may be held in conjunction with other public participation activities, if the opportunity for government officials to participate in the planning process is not thereby reduced.

(e) In developing the forest plan, the responsible line officer shall seek input from other Federal, State and local governments, and universities to help resolve management concerns in the planning process and to identify areas where additional research is needed. This input should be included in the discussion of the research needs of the designated forest planning area.

(f) A program of monitoring and evaluation shall be conducted that includes consideration of the effects of National Forest management on land, resources, and communities adjacent to or near the National Forest being planned and the effects upon National Forest management of activities on nearby lands managed by other Federal or other government agencies or under the jurisdiction of local governments.

[47 FR 43037, Sept. 30, 1982, as amended at 48 FR 29122, June 24, 1983]