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OFFICE OF COUNTY COUNSEL  
INTER-DEPARTMENT MEMORANDUM

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**TO:** Board of Supervisors  
**FROM:** Louis B. Green, County Counsel *LBG*  
**DATE:** September 30, 2011  
**RE:** Agenda Item No. 15 – MOA Among BLM, USFS, CSAC and RCRC

We have completed our review of the MOA. You will recall that the Board was concerned about the MOA having a regional approach, as opposed to an individual county-by-county approach which the Board favored. Our review indicates that there is little, if anything, of a regional approach reflected in the document, except for the fact that CSAC and RCRC are signatories. They, in fact, have no responsibilities under the MOA and are not even mentioned in the MOA except in the definitions. It's hard to understand why they are signatories to the MOA, as opposed to having the MOA just signed by individual counties.

The MOA apparently anticipates individual counties signing on to it. It provides for individual negotiations with specific counties over issues of concern for that county. About the only operative provision of the MOA is that the county, USFS and BLM will name contact persons to be the lead in any discussions. It then covers some of the obligations of the federal agencies to negotiate with the counties over matters of policy (coordination). It is terminable at any time.

If the Board is uneasy about the MOA because of the involvement of RCRC and CSAC, and because they would be signing on to an MOA with other counties, there is the possibility of signing a stand alone MOA with the USFS and BLM just applicable to El Dorado County.

We would be pleased to respond to any questions the Board might have.