

RESOLUTION NO. 2014-69

**DECLARING AN EMERGENCY IN SKAMANIA COUNTY, WASHINGTON
DUE TO UNHEALTHY NATIONAL FOREST CONDITIONS, YEARLY
THREAT OF CATASTROPHIC FIRES, AND, MINIMAL COUNTY GOVERNMENT,
SCHOOLS AND EMERGENCY SERVICES.**

1. **WHEREAS**, it is the responsibility and within the scope of authority of the Board of County Commissioners of Skamania County to exercise powers necessary and proper to protect public safety, health, promote public prosperity and improve the morals, order, comfort and convenience of the inhabitants of Skamania County pursuant to the provisions of the Constitution of laws of this State; and,
2. **WHEREAS**, historically, the Board of County Commissioners of Skamania County has been periodically required to exercise those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and welfare of the County in appropriate instances; and,
3. **WHEREAS**, due to the incapability of the US Congress and the President to establish law which requires a short term yearly authorization of Secure Rural Schools and Payment in lieu of taxes (PILT) funding, and, transition to required yearly National Forest management with sustained yield of timber harvest providing timber tax receipts to support County government services, schools and emergency services; and,
4. **WHEREAS**, due to the general lack of health on our forest lands due to federal mismanagement driven by ill-advised environmental policies; and, Multiple-Use Management, including Timber Sales, have been curtailed to the point of causing greatly diminished health on our forests; and, have created catastrophic health, safety, welfare and economic affects to Skamania County; and,
5. **WHEREAS**, Skamania County elected officials have lost trust in the capability of local US Forest Service management to implement the goals of the Northwest Forest Plan. That the Gifford Pinchot National Forest is managed improperly by avoiding and limiting timber harvest that would provide a healthy forest conditions, and timber receipts to Skamania County; and, the US FOREST SERVICE management has not involved the Board of County Commissioners of Skamania County as equal partners in the planning and management of the Gifford Pinchot National Forest; and,
6. **WHEREAS**, Federal laws (e.g. the National Environmental Policy Act, etc.) and regulations contain reciprocal requirements concerning cooperation, consultation and coordination by Federal agencies with state and local governments and such cooperation has not been Forthcoming by the US Forest Service; and,
7. **WHEREAS**, US FOREST SERVICE management has ignored advice and direction by the founders of the Forest Reserves, President Theodore Roosevelt and Forester Gifford Pinchot, for Rangers (managers and employees) to be available, reside, and become an integral part of the Skamania County communities, where nearly 2/3 of the Gifford Pinchot National Forest exists; and,
8. **WHEREAS**, US FOREST SERVICE has plans to acquire additional private lands in Skamania County, in addition to the 80% of Skamania County lands owned by the US FOREST SERVICE,

through the use of Land and Water Conservation Funding, which will continue to reduce County property tax revenue for services, schools and public emergencies; and,

9. **WHEREAS**, the Washington State Auditor has established that Skamania County's ability "to collect property tax revenue is extremely limited due to 88% of the land owned by the federal and state government and therefore, "tax exempt," and, there is "uncertainties as to whether federal forest monies will be received" in the future; and the Board of County Commissioners is required to further reduce County government and emergency services; and,
10. **WHEREAS**, Skamania County receives an average of 75 inches of rain per year, and is described by the US FOREST SERVICE PACIFIC NORTHWEST RESEARCH STATION as "in the most productive natural temperate forests in the world,,that only 50% of this region was "old growth" at early settlement,,that the adaptive management area component of the Northwest Forest Plan has been a near failure,,that the media that shape public opinion have little understanding of the long history of Northwestern forestry, the nature of forests, possible management options, or the existence of a large body of research-based information."
11. **NOW, THEREFORE BE IT RESOLVED**, that the Board of County Commissioners of Skamania County declares a State of Emergency to exist in and around the communities and watersheds both around and within the Gifford Pinchot National Forest.

BE IT FURTHER RESOLVED:

- A. that the Board of County Commissioners of Skamania County hereby formally demands that State and Federal officials take immediate action to eliminate hazardous conditions in and around the communities and watersheds in and around the Gifford Pinchot National Forest and all other Federally Managed land in Skamania County, and, calls on State and Federal officials to immediately coordinate a meeting to address the issues raised by this resolution; and
- B. that the Board of County Commissioners of Skamania County invoking the inherent police powers of the state hereby formally gives notice to all relevant State and Federal officials that pursuant to its duty outlined above, after consulting with the WA state Commissioner of Public Lands and the United States Regional Forester, taking surveys, holding those public hearings as may be necessary and developing a plan to mitigate the effects of this emergency and as a county in which a Emergency has been declared, we intend to unilaterally take such actions as are necessary to within the area of this emergency and to assess all associated costs to those agencies charged with multiple use management of our forests and whose neglect has caused the dangerous conditions therein; and,
- C. that this Resolution be called immediately to the attention of the President, the Secretary of Agriculture, Washington Congressional Delegation, Governor of the State of Washington, the Washington Legislature and the Washington Division of Emergency Management. and,
- D. that the Governor of the State of Washington is hereby called upon in the name of the State of Washington to declare a State of Emergency in Skamania County and its national forests effected by high fire danger and lack of forest management; and,
- E. that United States Forest Service management personnel are hereby called upon to immediately respond to the communication, consultation and coordination with, and provide immediate notification in the active planning and management to Skamania County of all their activities.

programs, planning, NEPA processes; and, cease all efforts to purchase private lands for federal management; , in Skamania County, and,

- F. that the Skamania County Board of County Commissioners calls upon the President, U.S. Department of Agriculture, U.S. Congress, the Washington Legislature, and the Washington Governor's office to immediately provide emergency funding to accomplish pre-commercial and commercial tree thinning, timber sales, dead tree removal, fuel-load reduction, to protect affected areas from catastrophic wildfire, and watershed protection; and
- G. that the Board of County Commissioners of Skamania County calls upon the U.S. Department of Agriculture and the U.S. Congress to conduct an investigation to determine why the requirements of County, State and Federal ordinances, laws and regulations are not being routinely followed in relation to public safety, recreation, wildfire and economic issues of Skamania County forest lands and other federally managed lands, and, why the US Forest Service continues to plan to purchase private lands.

ADOPTED on this 7th day of October 2014.

ATTEST:



Debbi Slaw
Clerk of the Board

BOARD OF COMMISSIONERS
SKAMANIA COUNTY, WASHINGTON

[Signature]
Commissioner

[Signature]
Commissioner

Robert Anderson
Commissioner

APPROVED AS TO FORM ONLY:

[Signature]
Prosecuting Attorney

SKAMANIA COUNTY SHERIFF

[Signature]
David S. Brown

References:

- USDA FS Pacific Northwest Research Station, General Technical Report, PNW-GTR-696, June 2007.
- Twenty-Five Percent Fund, 16USC500.
- Multiple Use Sustained-Use Sustained-Yield Act of 1960, 16 USC 528-531.
- National Forest Management Act of 1976, Section 14,(e)(1)(C)
- RPA Statement of Policy, PL 96-514.
- 1990 Farm Bill (National Forest-Dependent Rural Communities Economic Diversification Act of 1990) Section 2372, and 2373.
- Record of Decision, Pacific Northwest Forest Plan, <http://www.reo.gov/riec/newroda.pdf>.
- FSH 1909.17 – Economic and Social Analysis Handbook.
- WA State Auditor's Office Schedule of Federal Audit Findings and Responses, Finding #2, Skamania County January 1, 2013 through December 31, 2013.