

House Concurrent Resolution 22

Sponsored by Representative DIEHL, Senator SMITH DB, Representatives RESCHKE, BOICE; Representatives HARBICK, HELFRICH, MANNIX, WRIGHT, Senator LINTHICUM

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Tells counties in Oregon that they should make a plan for what to do with their natural resources if they don't have one, and that they should coordinate with other agencies on that plan. (Flesch Readability Score: 60.3).

Encourages Oregon counties that have not already done so to create and adopt a natural resource plan and invoke and enforce coordination with all federal and state agencies.

CONCURRENT RESOLUTION

Whereas the powers not delegated to the federal government by the Constitution, nor prohibited by the Constitution to the states, are reserved for the states respectively, or for the people; and

Whereas the health, safety and welfare of the citizens is reserved for the states and local governments; and

Whereas the coordination process is authorized by Congress, in which local government and federal agencies meet in a government-to-government dialogue in order to reach consistency between federal plans and actions and local plans and policies to the fullest extent possible; and

Whereas Congress has mandated that every federal agency engage in the coordination process to provide local government a meaningful seat at the negotiating table with federal agencies; and

Whereas Congress has also recognized that local government must have a position in planning and policymaking that is superior to that of the general public; and

Whereas there is a Congressional mandate of coordination stated in the Federal Land Policy and Management Act of 1976 (FLPMA); and

Whereas United States Senator Bob Packwood of Oregon sponsored an amendment to the FLPMA that required the Bureau of Land Management (BLM) to coordinate with local governments, and this amendment provided essentially the same language that still appears today in 43 U.S.C. 1712, directing the BLM (through the Secretary of the Interior) to "coordinate the land use inventory, planning, and management activities" with states, local governments and Indian tribes; and

Whereas we define "coordination" to mean government-to-government oral and written communications between the authorized representatives of a federal agency and the elected officials of a state or local government or their duly authorized representatives that are intended, in good faith, to identify, consider and resolve issues and concerns of a state or local government about a proposed federal action, including conflicts with plans, policies and programs of a state or local government; and

Whereas coordination requires that the responsibilities of each government entity be equal, not subordinate, and therefore must be harmonized for effective governance; and

Whereas the National Environmental Policy Act (NEPA) requires the Secretary of the Interior

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 to cooperate with local government to see that coordination is accomplished; and

2 Whereas coordination does not include participation in the NEPA process as a cooperating
3 agency or the submission of comments to a federal agency during a public comment period; and

4 Whereas the National Forest Management Act (NFMA) is a direction by Congress to the United
5 States Forest Service to coordinate the development of, the maintenance of and the revision of land
6 and resource management plans with local government; and

7 Whereas the United States Department of Agriculture's land management planning rule states
8 that the responsible official shall coordinate land management planning with the equivalent and re-
9 lated planning efforts of federally recognized Indian tribes, Alaska native corporations, other federal
10 agencies and state and local governments; and

11 Whereas the United States Department of Agriculture's travel management rule states that the
12 United States Forest Service "shall coordinate with appropriate Federal, State, county, and other
13 local governmental entities and tribal governments when designating National Forest System roads,
14 National Forest System trails, and areas on National Forest System lands"; and

15 Whereas in the Secretary of the Interior's coordination of planning efforts rules for the BLM,
16 it is stated that, in addition to the public involvement prescribed by rule, "coordination is to be
17 accomplished with other Federal agencies, state and local governments, and federally recognized
18 Indian tribes"; and

19 Whereas there is a scientific consensus among a broad array of stakeholders recognizing the
20 importance of active forest management; and

21 Whereas wildfires cause undue economic, health and welfare hardships for all Oregonians; and

22 Whereas on November 26, 2024, Governor Tina Kotek called a special session of the Legislative
23 Assembly to release funding of \$218 million to cover the state's wildfire-related financial obligations;
24 and

25 Whereas Oregon counties understand their natural resources and how those resources impact
26 the health, safety and welfare of their citizens; now, therefore,

27 **Be It Resolved by the Legislative Assembly of the State of Oregon:**

28 That we, the members of the Eighty-third Legislative Assembly, encourage every county in
29 Oregon that has not already done so to create and adopt a natural resource plan and invoke and
30 enforce coordination with all federal and state agencies; and be it further

31 Resolved, That a copy of this resolution shall be presented to all 36 county boards or commis-
32 sions in the State of Oregon.