



Resolution # 23-2014

Resolution

of

The Montrose Board of County Commissioners

SUPPORTING THE STUDY AND FULL IMPLEMENTATION OF THE TIMELY TRANSFER OF FEDERALLY CONTROLLED PUBLIC LANDS TO THE STATE OF COLORADO.

WHEREAS, as statehood, the federal government promised all newly created states that it would transfer title to the public lands it controlled within the newly created states, and

WHEREAS, the U.S. Supreme Court has called these promises "solemn compacts," "bilateral agreements," and "trusts" that must be performed "in a timely fashion", and

WHEREAS, Colorado and other western states are still waiting for the federal government to honor the exact same promise it made and kept with new states east of Colorado, and

WHEREAS, states such as Illinois, Missouri, Indiana, Florida, Louisiana, Arkansas, Alabama, Mississippi and Nebraska were once as much as 90% federally controlled, and

WHEREAS, these "western states" succeeded in compelling the federal government to transfer their federally controlled public lands in accordance with their respective state compacts in order to provide the citizens of their states and local communities more control in the use of these lands and enhancing their ability to generate tax revenues for education, provide better, more appropriate stewardship in the care of these lands, to exploit the natural resources in these lands to grow state and local economies, and

WHEREAS, the federal government controls 50% of the entire land mass in Colorado and over 68% of the land mass in Montrose County, and

WHEREAS, the management of federally controlled lands in Colorado has a direct effect on the state and, more importantly, local communities and Federal management does not always have the best interests of the local communities as a primary goal, and

WHEREAS, control of and exploitation of the resources contained in Colorado's federally controlled lands should be determined by state and local officials to provide the maximum benefit of these resources to the state and local communities, and

WHEREAS, PILT (Payment in Lieu of Taxes) on federally controlled lands and Secure Rural Schools funding provide pennies on the dollar compared to what revenues on the same lands would provide for local entities, and

WHEREAS, Secure Rural Schools and PILT are not guaranteed nor stable, but subject to political winds and predilections, causing uncertainty in the funding of basic services and the education of our children, and

WHEREAS, in the 2012 legislative session, the Utah State House and State Senate passed, with bipartisan super majorities, the Transfer of Public Lands Act and a Joint Resolution on Federal Transfer of Public Lands to establish the framework and a deadline for the orderly transfer of Federally controlled public lands to the State of Utah, and

WHEREAS, the Transfer of Public Lands Act has received broad support from the governors, state attorneys, general, state legislators, members of many Western congressional delegations, multiple counties, and other public officials, and private individuals and organizations throughout the western states from diverse political backgrounds and philosophies, and

WHEREAS, transferring federally controlled public lands to the state could have several desirable outcomes, but all significant impacts cannot be known or understood without proper study and analysis prior to implementation of a change in control of the federally controlled lands, and

WHEREAS, plans to Transfer Federally Controlled Public Lands could be constructed to enable local planning to determine the best uses for their local needs, including public lands for recreational use, grazing, forest management, revenue development for schools and other taxing entities and so forth, and

NOW THEREFORE BE IT RESOLVED BY THE MONTROSE COUNTY COMMISSIONERS: That we call on the federal and state government stating, "The time has come for the federal government to fulfill its contractual obligations to transfer title of the federally controlled lands to the State." The state, counties, and municipalities should organize, study the matter to the fullest extent of its significant ramifications, and, if the benefits and promises of retaking the rightful control of the federally controlled public lands are sound, demand the federal government keeps its obligation to transfer the lands to the State, and

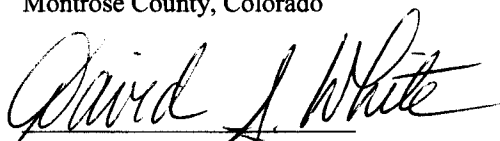
BE IT FURTHER RESOLVED THAT copies of this resolution be sent to the American Lands Council and our local elected officials and their executives whose funding could be affected by such a change, specifically, all taxing districts that derive funding from property taxes, and our State and Federal Senators and Representatives.

BE IT FURTHER RESOLVED THAT Montrose County calls upon other local elected officials to pass corresponding resolutions in support of the Transfer of Public Lands Act and further for them to urge support among other cities and counties through the Municipal League and Colorado Counties, Inc.

Adopted this <sup>yjh</sup> 7 day of July, 2014

By and Through its Board of County Commissioners

Montrose County, Colorado



David White, Chairman

Attest:

Maria Simone 7/7/2014

Deputy Clerk of the Board

