

RESOLUTION NO. 2023- 8766

RESOLUTION APPROVING PARTICIPATION OF THE COUNTY OF PLUMAS IN THE REQUEST FOR INTERVENTION IN *FOREST SERVICE EMPLOYEES FOR ENVIRONMENTAL ETHICS V. UNITED STATES FOREST SERVICE*, NO. 9:22-CV-168-DLC (D. MONT.)

WHEREAS, over 80 percent of the land base in Plumas County is managed by the United States Forest Service ("Forest Service"); and

WHEREAS, a significant portion of the private land base in Plumas County is in the federal government's Direct Protection Area, in which the federal government assumes the responsibility of maintaining a wildland fire protection system; and

WHEREAS, the management and effective suppression of wildfires in Plumas County has a direct impact on the health, welfare, and economic prosperity of the residents of Plumas County; and

WHEREAS, Plumas County has been affected by two of the top fifteen largest and most destructive fires in California history, both of which occurred in the last three years and started on or spread across National Forests and adjacent private lands within Plumas County; and

WHEREAS, on October 11, 2022, Plaintiff Forest Service Employees for Environmental Ethics filed suit against the Forest Service in *Forest Service Employees for Environmental Ethics v. United States Forest Service*, No. 9:22-CV-168-DLC (D. Mont.), seeking a declaration that "the Forest Service's continuous, on-going, and unpermitted discharges" of fire retardant from airplanes violates the Clean Water Act and asking to the court to enjoin (stop) the Forest Service from discharging fire retardant from aircraft; and

WHEREAS, a coalition of local governments, landowners, trade associations, and others interested in and affected by the Forest Service's effective response to wildfire is developing with the intention of moving to intervene in *Forest Service Employees for Environmental Ethics v. United States Forest Service*, No. 9:22-CV-168-DLC (D. Mont.); and

WHEREAS, Plumas County has an important interest in this case because our County and its citizens are directly impacted by Forest Service fire suppression efforts and the lives and livelihoods of each resident and visitor to Plumas County would be threatened by any increase in wildfire that would result from the Forest Service being limited in its ability to deploy fire retardant from aircraft; and

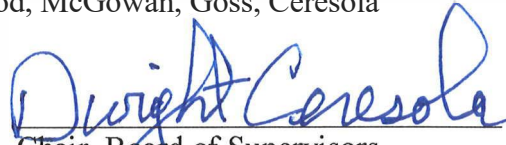
WHEREAS, the Forest Service does not adequately represent Plumas County or its citizens and businesses because, although the parties share the same ultimate goal of defending the aerial deployment of fire retardant, Plumas County and its residents, visitors, and businesses have unique safety, property and economic interests at stake.

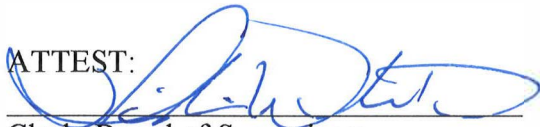
NOW THEREFORE, BE IT RESOLVED by the Plumas County Board of Supervisors as follows:

1. The Board of Supervisor hereby approves participation in as a Defendant-Intervenor in *Forest Service Employees for Environmental Ethics v. United States Forest Service*, No. 9:22-CV-168-DLC (D. Mont.).

The foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the 7th day of March, 2023 by the following vote:

AYES: Supervisors Engel, Hagwood, McGowan, Goss, Ceresola
NOES: None
ABSENT: None


Chair, Board of Supervisors

ATTEST: 
Clerk, Board of Supervisors