

ORDINANCE NUMBER 94-3

TITLED

BUTTE COUNTY'S STATEMENT OF ENVIRONMENTAL PRINCIPLES BASED ON THE
NAT'L. ENVIRONMENTAL POLICY ACT

BE IT ORDAINED BY BUTTE COUNTY AS FOLLOWS:

. Reaffirmation of the fundamental rights of mankind as enumerated in the U.S. Declaration of Independence.

. Support for the National Environmental Policy Act (NEPA) purpose and philosophy, which is:

"To encourage the productive and enjoyable harmony between man and his environment... to stimulate the health and welfare of man...assure a safe, healthful, productive, aesthetically and culturally pleasing surroundings...and maintain, wherever possible, an environment which supports diversity and variety of individual choice

. Support for the declaration of NEPA¹ to ...provide full and fair discussion of significant environmental impacts and shall inform decision makers ...of reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the Human Environment... Include in every recommendation or report on proposals ... and actions significantly affecting the quality of human environment, a detailed assessment of the impact...

The "Human environment" shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment...When an environmental impact statement is prepared and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment."²

. Butte County environmental planning and review ordinance shall be guided by the principles of protecting private property rights and interests, the environment, local customs and cultures, economic stability through reliance on marketplace to support the County tax base, and the ability of the County Commission to govern.

. Support for the continued multiple use laws of federal and state agencies.

. The design and development of all federal and state land and resource planning shall provide early consultation with Butte County Commission or its designated representative.

SECTION 1. ENVIRONMENTAL POLICY

It is the policy of the Butte County Commission that Butte County will participate and coordinate with all federal agencies proposing to undertake or engage in any planning activities which will significantly affect the quality of both the physical and socioeconomic environment in Butte County, complying with the requirements of:

- . The Butte County Environmental Planning and Review Process Ordinance.
- . The National Environmental Policy Act (NEPA).
- . The Council on Environmental Quality (CEQ) regulations.
- . The National Forest Management Act (NFMA) and supporting regulations.
- . The Federal Land Policy and Management Act (FLPMA) and supporting regulations.
- . All other federal, state, and county laws, regulations, and ordinances relating to management of the human and physical environmental environment.

SECTION 2. PURPOSE AND OBJECTIVES OF BUTTE COUNTY ENVIRONMENTAL PLANNING AND REVIEW ORDINANCE

(henceforth referred to as the Environmental Plan) is to provide a problem solving process to eliminate or significantly reduce negative effects on the "Human Environment" from state and federal actions. As such, the key problem solving element to the environmental plan is Mitigation Planning.

SECTION 3. OBJECTIVES

The Butte County Commission has identified the following primary objectives for environmental planning and review related to the Preamble and the Principles in Butte County:

- . To disclose to federal and state decision makers and the public the significant environmental effects of proposed federal and state agency actions or decisions on nature, social, cultures, customs, property rights and the economic stability of Butte County.
- . To identify ways to eliminate, or significantly reduce damage or negative impacts to the environment (identified in the above statement).
- . To prevent damage or negative impacts to the environment by requiring implementation of feasible alternatives or mitigation measures.

- . To foster intergovernmental coordination.
- . To enhance public education and participation.
- . To enhance Butte County Commission capabilities to plan and manage resources and environment and community qualities for the well-being of the present and future generations in Butte County.

A. Intergovernmental Coordination for Environment Planning and Assessment

Butte County's economy is dependent upon federal and state lands to a large extent. Since much of the land in Butte County is federal and state land, and several of the County's major industries--cattle, sheep, mining, timber, recreation--are tied to that land, then all "economic or social and natural or physical environmental effects" are interrelated.

It is therefore necessary that Butte County, state, and federal agencies work closely together to jointly determine the benefits, impacts, and costs of resource plans and decisions. By pooling local, state, and federal resources, the general public will be better informed about resource decisions; it would significantly reduce duplication; and streamline the process for improved resource decisions through fostering integration and compatibility in resource management, particularly important with the "checkerboard" land ownership and management. Joint planning and coordination will also provide an unique opportunity to cooperatively develop realistic mitigation alternatives to reducing negative physical, social, and economic impacts - with an emphasis upon solving the problems associated with negative impacts on the "Human Environment" in Butte County.

The procedures and guidelines pursuant to the Butte County Environmental Planning and Review Ordinance shall be consistent with the requirements of NEPA and its implementing regulations. Furthermore, in the event that environmental assessment documentation is required by both the Butte County Ordinance and NEPA, a combined environmental impact assessment documentation shall be coordinated and jointly prepared by the County Commission and the federal agency to reduce duplication of effort.

Intergovernmental planning is required by the Council of Environmental Quality (CEQ), under NEPA as follows:³

- . Environmental Planning
- . Joint Environmental Research
- . Joint Public Hearings
- . Joint Preparation of Environmental Documents

1. Joint Environmental Planning

Under the NEPA and CEQ requirements for coordinated resource project planning, the Butte County Interim Land Use Policy plan specifically requires that a coordinated planning process be established for all federal and state actions and plans within Butte County to enhance integrated, multiple use management plans:

Federal law requires federal and state agencies which receive money from the federal government to notify County Commissions immediately upon initiation of any proposal or planning activity that may lead to a proposal or project affecting Butte County. Butte County shall respond to all scoping documents sent to it by federal and state agencies. Following notification, the County Commission shall make a formal decision as to whether to use the environmental impact assessment process detailed in this ordinance, and so notify the initiating agency(s).

Upon invoking the environmental assessment process, the County Commission and the federal agencies shall, as they deem necessary, enter into a Memorandum of Agreement (MOA) for joint planning and preparation of joint impact assessment documents, including procedures for designating Butte County as a joint lead agency in the federal documentation process. The MOA shall be in full conformance with the requirements of this ordinance and NEPA.

2. Joint Environmental Research

The Butte County Commission shall develop resource management policies to encourage individual land stewardship and to assist in environmental quality, under the Joint Environmental Research of NEPA .

The purpose of the joint pilot research between County, state, and federal agencies will be to develop a coordinated approach to resource management through:

1. Understanding of the customs and cultures of Butte County, especially related to resource management, land use and environmental values and beliefs, such as self-regulation and stewardship.
2. Identifying outputs/products requirements for improving resource conditions and trends, and for protecting the community and economic stability of the County.

3. Developing resource (landscape) descriptions for Desired Future Conditions, including standards and monitoring methods.
4. Coordinating the development of resource management approaches for the Preferred Management Alternative that supports the Human Environment of Butte County, as defined in the Preamble.
5. One of the purposes of joint pilot research between County, State, and federal agencies will be to assess the condition of the natural resources within the County.

3. Joint Public Hearings

Joint public hearings shall be conducted "...to the fullest extent possible" in accordance with NEPA requirements.⁴

4. Joint Preparation of Environmental Assessment Documentation

In accordance with NEPA requirements⁵ and Section 5 of this ordinance, Butte County shall work jointly with federal agencies to conduct social, cultural, and economic impact analyses.

B. ENVIRONMENTAL PLANNING AND REVIEW PROCESS

This section specifies detailed methods to be followed in a coordinated way to conduct social, cultural, resource, and economic intergovernmental joint environmental assessments. There shall be three classes of environmental assessment documentation which may be required by the Butte County Commission: Informal Letters, Initial Environmental Assessment Reports, and Environmental Impact Reports.

In Butte County, joint planning shall be conducted in the following sequence to ensure that all planning and proposals are formulated and/or evaluated against inappropriate and realistic objectives:

1. Establish management objectives in terms of people values for the site impacted. These can, in part, be determined by thorough review of federal, state, and county land use plans. They may need to be refined and defined specific to the site impacted. This definition of objectives must include the commodity and amenity outputs or production thresholds needed to achieve the values the citizens of the County have determined to be important or necessary to their well being.

2. Design "Desired Future Conditions (DFC)" to best meet the above determined management objectives within the physical capabilities of the environment.
3. Evaluate all proposals against achieving the DFCs and management objectives established for the area.
4. Utilize an ecosystem management approach to evaluate any single proposal. That is, all uses, management objectives, and environmental capabilities will be considered.

The following elements shall be included in environmental assessments as deemed necessary for the specific projects by the Butte County Commission:

1. Description of the Proposal.
2. Determination of Management Objectives.
3. Determination of Desired Future Conditions.
4. Assessment of Impacts on the Physical Environment.
5. Assessment of Impacts on the Social & Cultural Fabric.
6. Assessment of Impacts on the Economy.
7. Assessment of Impacts on Private Property Rights (takings).
8. Cumulative Effects Analysis.
9. Mitigation Measures.
10. Comparative Evaluation of Action Alternatives.
11. Public Involvement Requirements.
12. Project Time Schedules.
13. Implementing and Monitoring a Decision.

1. Description of the Proposal: A summary description of the proposal. Where EIS's are required for allotment management plans, the proposal and alternatives will be grazing management concepts and the application of best management practices, and not specific technical management plans.

2. Determination of Management Objectives: The management objectives shall be drawn from reviews of the Butte County Interim Land Use Plan and various federal and state land management plans. Since most of these land plans are programmatic and broad in scope, the management objectives may have to be refined specific to the area or site affected. Management objectives used here go beyond natural resource or vegetative objectives to include a definition of customs and cultures and people values, social and economic needs, and production thresholds associated with resource use and conservation and necessary for a realization of the values important to the well-being of Butte County citizens.

These management objectives and production levels then become the goals and evaluation criteria against which all federal and state proposals and alternatives shall be evaluated.

3. Determination of Desired Future Conditions: Once management objectives for an area are determined, a natural resource description shall be designed within the physical capabilities and human interactions with the natural resources, that best accomplishes the desired objectives. Since different landscape descriptions will produce different levels of outputs, Butte County must be involved in designing resource/landscape descriptions to best meet the needs of County citizens when choices have to be made between conflicting management objectives. The Human Environmental affects in Butte County include: the physical environment, social and cultural fabric of communities, the local economy and property rights protection outlined below.

4. Assessment of Impacts on the Physical Environment: The environmental impact assessments shall include identification of any effects on the County's natural resource assets and environmental quality:

- a. Effects on range resources and management application.
- b. Effects on dry land crops.
- c. Effects on ground and surface water resources.
- d. Effects on irrigated crops.
- e. Effects on private water rights, and other traditional/customary and common law resource laws and practices.
- f. Effects on environmental quality: air, water, energy, soils, etc.
- g. Effects on forest and timber resources.
- h. Effects on the integrated resource planning and management in which county private parties and/or public interests are involved.
- i. Effects on federal and state laws related to multiple use, sustained yield, and range resource management.
- j. Effects on private and public investments and costs into public land resources.
- k. Effects on the "productive and enjoyable harmony between man and his environment." The plan must "stimulate the health and welfare of man...and support diversity and variety of individual choice" in accordance with the NEPA mandate⁶, and the free market system of resource allocation.

5. Assessment of Impacts on the Social and Cultural Fabric: The assessment shall include identification if any effects on County customs, culture, and social fabric, governance, schools, and other local programs.

- a. Effects on family stability symptoms of stress, anxiety, and breakdown; and, nature and frequency of anti-social behavior (family turmoil, crime, substance abuse, etc.)
- b. Effects on culture due to population loss and identification of the effects on the rates and magnitude of population migration patterns.
- c. Effects on the culture of Butte County, specifying possible limitations and restrictions on cultural beliefs and practices, and maintenance of cultural and community cohesion and kinships and friendship networks; traditions of mutual trust and aid.
- d. Effects on cultural values of land stewardship, and community environmental values and aesthetics related to historical/cultural sites, natural resource vistas, river ways, and landscapes; effects on resource degradation and investments on private land uses and historical and cultural sites.
- e. Effects on shared norms/values to include scope and intensity of demonstrated support or opposition to the proposed action; religious and/or cultural orientations toward certain sites or resources; and, attitudes toward economic stability and development.
- f. Effects on land use patterns to include existing land uses and interactions, access and transportation impacts, compatibility of proposed changes in use with present uses of site and commensurate and adjacent lands; religious and cultural uses of land resources.
- g. Effects on civil rights and implications to any and all variables listed above; barriers to equal access; and, due process and even handedness.
- h. Effects on local governance (e.g. effects on the County's ability to protect the health, safety and social and cultural well-being of its citizens and to protect private property rights; effects on local leadership and environmental values for resource protection and development, and effects on the County's ability to finance public programs such as bonding capacity.

- i. Effects on social organization to include community cohesion (degree of unity and cooperation); community stability (ability to absorb and manage change); source and focus of leadership.
 - j. Effects on tax revenue loss to local government.
 - k. Effects of revenue loss to local government and school employment and income.
 - l. Effects on revenue loss on delivery of government and school programs.
 - m. Effects on emergency services (law enforcement, fire, and ambulance services).
 - n. Effects on the local government infrastructure, including transportation, community water systems, (including those provided through irrigation and reclamation districts), and landfill services, as well as County financed infrastructure to public land agencies.
 - o. Limiting effects and long term consequences on future community well-being, stability of governance and the education of children. values and resource protection and development.
6. Assessment of Impacts on the Local Economy: The environmental impact assessment shall identify any effects on the County's economy, customs, services, and businesses:
- a. Effects on private investment backed expectations.
 - b. Effects on the economic value of private property water rights and real property.
 - c. Effects on direct, indirect, and cumulative employment.
 - d. Effects on the percentage of unemployment and per capita income.
 - e. Effects on the resource based industries including tourism/recreation, crops, cattle, sheep, timber, and mining--specifying unit cost effects (e.g., economic value of AUMs, MMBFs, crop yield, etc.)
 - f. Effects on local businesses directly and indirectly related to the resource decisions or plans.

- g. Effects on housing, real estate values, and residential energy needs.
- h. Effects on opportunities for business expansions and markets.
- i. Limiting effects and long term consequences to future community well-being, stability and expansion, specifying impacts on servicing debts (lending).

7. Assessment of Impacts on Private Property (Takings): The environmental impact assessments shall include identification of any effects on property rights and protectable interests (permits, leases, licenses, preference rights, etc.) in the County. In addition to the requirements above, the environmental assessment shall evaluate the impacts on property rights.

In addition, the Butte County Commission proposes that the following tests or criterion be used in assessing possible taking of private property rights:

- 1) Physical invasion (actual intrusion or land withdrawal).
- 2) Loss of economic value and investment backed expectation.
- 3) Effects on customary uses and cultural values related to natural resources.
- 4) Basic rules of fairness and due process procedures.

8. Cumulative Effects Analysis: The cumulative effects of planning decisions shall be analyzed to ensure that there are no significant cumulative, long-term effects on the County's economy, customs, culture, services, and businesses.

The County shall develop and implement unit cost indices for measuring economic and employment values of each unit of production; that is, animal unit months(AUMs) for livestock, visitor days (VDs) for tourism, etc. These production cost indices shall then be used for assessing the cumulative effects when more than one project is involved.

9. Mitigation Planning: The purpose of Mitigation Planning, whether it be in the form of an alternative to the proposed action, or an action within an alternative, is to resolve conflicts involving alternative uses of available resources as required by NEPA⁷ and to eliminate or minimize impacts on those resources. Mitigation is one of the alternatives that must be considered in identifying the scope of the environmental analysis process and the resulting document.

Mitigation resolves resource conflicts and reduces the severity of impacts on the Human Environment.

For every significant impact identified in an environmental assessment report, Joint Lead Agencies must identify and discuss mitigation measures:

. Whether the effects have been avoided or substantially lessened, and

. Significant side effects of implementing a mitigation measure,

. Mitigation measures shall be detailed and provide realistic alternatives.

. Public agencies (local, state, and federal) should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would lessen or reduce the significant social, cultural, property rights, and economic impacts on the citizens of Butte County.

Butte County Commission will not support implementing projects with significant adverse impacts on the human environment when feasible alternatives and/or mitigation measures can substantially eliminate or lessen the impacts.

The mitigation measures shall:

- A. Identify the rate, magnitude and extent of each impact.
 - a. Identify mitigation measures for each impact.
 - b. Identify who is responsible for the mitigation.

c. Specify mitigation measures that (in accordance with NEPA CEQ regulations)⁸:

- 1) Avoid impacts altogether by not taking certain actions.
- 2) Minimize impacts by limiting the degree or magnitude of the proposed action and its implementation.
- 3) Rectify the impacts by repairing, rehabilitating, or restoring the affected environment.
- 4) Reduce or eliminate the impacts over time by providing preservation and maintenance processes during the life of the action.
- 5) Compensate for the impacts by providing substitute resources or economic values of equal monetary value.

d. Provide effective mitigation measures that are feasible in terms of:

- 1) Legal authority.
- 2) Technical feasibility.
- 3) Economic feasibility.
- 4) Social, cultural, and political feasibility.
- 5) Timing mitigation to project/decision.

e. The environmental assessment document must specifically explain how the conditions would mitigate the impact and the effectiveness of the measure, as applied and enforced⁹. (see B.c. above).

f. Rather than simply listing mitigation, the environmental assessment document must detail and explain the effectiveness of the measures in terms of the resulting impacts¹⁰.

Mitigation must be analyzed as part of the alternatives.

g. Provide a mitigation monitoring process, which is based on specific objectives and performance standards, to ensure implementation of mitigation measures during action/decision implementation (See Section B.11 below).

h. Provide feedback to the County Commission from the mitigation monitoring process.

10) Comparative Evaluation of Action Alternatives: The environmental assessment document must discuss a range of alternatives to federal or state proposed action or decision that could feasibly attain the basic project proposal objectives, and must evaluate alternative comparative merits. Significant environmental effects of the alternatives must be discussed with the mitigation measures identified.

- a. For actions which involve unresolved conflicts, all reasonable alternatives must be considered including, "no action". The alternatives should not be merely exercises done to fulfill this requirement; they should be done to the fullest extent possible to find other ways to meet the identified need or achieve the identified purpose while eliminating harmful impacts on the "human environment".
- b. The focus shall be on alternatives capable of eliminating or reducing the proposed action or decision's significant effects on the "Human Environment". It must identify the superior alternative and explain why alternatives other than the proposed action/decision were rejected.
- c. The evaluation of alternatives must be governed by the "rule of reason": An environmental assessment document must describe a reasonable range of alternatives to the proposed action/decision, or to the proposed location of the proposal, which could feasibly attain the basic objectives of the proposed decision/action, and evaluate the comparative merits of the alternatives.
- d. The range of alternatives must include those that offer substantial advantages to the Human Environment over the proposed action and may be feasibly accomplished in a successful manner considering economic, social, physical and technical factors. Alternatives may not be rejected merely because they are beyond the agency's authority.
- e. The preferred alternative or alternatives shall be identified and include appropriate mitigation measures not already included in the mitigation plan.

11. Public Involvement Requirements: Pursuant to the National Environmental Policy Act, the local government and federal and state agencies can conduct environmental planning jointly. During the preparation of an analysis for a decision document, or amendment to a proposed agency plan, Butte County will request joint hearings with federal and state agencies to provide opportunities for the involvement of Butte County citizens, local governments, schools, utility companies, civic or other community groups, and all economic segments within Butte County. This shall be done through public hearings and other means the Butte County Commission deems appropriate.

- a. Federal agencies shall coordinate joint public involvement planning, programs, and processes with the Butte County Commission, pursuant to this section of the Butte County Environmental Planning and Review Process Ordinance, and in accordance with the Council on Environmental Quality regulations.¹¹
- b. The public involvement program shall include objectives to:
 - 1) Identify the major issues, affected parties, (financial interests and /or risks), and opportunities of the proposed action.
 - 2) Apprise property rights owners of regulations and decisions that may affect their property rights.
 - 3) Provide public opportunities to evaluate alternatives plans and to participate in choosing the preferred alternative.
 - 4) Create an atmosphere in which conflicting demands for resources and uses can be resolved without destabilizing community economic, social, and/or cultural fabrics.

12. Project Time Schedules: Estimated time schedules shall be established for all environmental assessments affecting Butte County. These time schedules shall be developed early in the assessment process for each phase of documentation, including issuance of a final decision.

13. Implementing and Monitoring the Decision: When the findings on significant effects are identified in the environmental assessment document, it must also adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of the proposed action/decision approval to mitigate significant effects. Monitoring shall be provided by the lead agency (in coordination with joint and cooperating agencies) to assure that their decisions are carried out in compliance with the mitigation plan during plan implementation. Mitigation and other conditions established in the environmental assessment or during the review and committed as a part of the decision shall be implemented by the lead agency or appropriate consenting agency.

Butte County shall not favor mitigation measures that are not funded.

In implementing decisions, Butte County Commission shall:

- (a) Promote the policy that no agency shall approve or implement projects with significant adverse impacts on the human environment when feasible alternatives and/or mitigation measures can substantially eliminate or lessen the impacts.
- (b) Include appropriate conditions in grants, permits, or other approvals.
- (c) Condition funding of the action on mitigation.
- (d) Upon request, inform cooperating agencies on progress in carrying out mitigation measures which they have proposed and which were adopted by the agency making the decision.
- (e) Upon request, make available to the public the results of the relevant monitoring.
- (f) Require, as a part of the decision that an action or decision must be totally funded, including mitigation, or not funded at all.

C. Environmental Assessment Documentation Requirements

In addition to conforming to NEPA requirements, all environmental assessments shall include the requirements of the Section B above. For the Informal Letters and Impact Analysis Reports (IAR) described below, the requirements of Section B, 1-10 above are mandated when developing an Environmental Impact Report as described below. There shall be three classes of environmental assessment reports:

- 1 The National Environmental Policy Act of 1969, 1502.1
- 2 40 CFR 1508.14
- 3 Regulations for Implementing the Procedural Provisions of
the National Environmental Policy Act 40 CFR 1506.2
- 4 40 CFR 1506.2.b.3.
- 5 40 USC 4331(B)(2)(4), 4332(2)(C)(1)-(V) AND (2)(B),
40 CFR 1502.14, AND 40 CFR 1506.2(c)
- 6 42 USC 4321
- 7 NEPA (102) (2) (e).
- 8 40 CFR 1508.20

- 9 The Steamboaters v. Federal Energy Regulatory Commission,
759 F.2d 1382 (9th Circ. 1985).
- 10 Northwest Indian Cemetery Protective Association v.
Peterson, 795 F. 2d 288 (9th Circ. 1986).
- 11 40 CFR 1506.2(b)(3)
- 12 40 CFR 1501.3
- 13 42 USC 4332(2)(C), 40 CFR 1508.11

A. Informal Letters

Informal letters shall be used to document discussions of possible impacts, and for decisions of proposals categorically excluded from NEPA assessments, and for planning activities establishing or refining management objectives, desired future conditions, or identifying or rejecting future management needs or proposals. The activities appropriate to Informal Letters are usually those preceding formal proposals requiring NEPA assessment.

B. Initial Environmental Assessment Reports (IEAR)

Butte County may prepare or request an IEAR when there is an indication that there may be a negative effect on the environment (physical, social/ cultural, property rights, and /or economic factors). The IEAR is similar to NEPA environmental assessment planning and documentation.¹²

The IEAR should be consistent with the Butte County Interim Land Use Plan.

Though there is no standard format, the IEARs should include the following information:

- . Proposal description.
- . Environmental setting.
- . Local citizen values and management objectives.
- . Production thresholds for the area(s) involved.
- . Potential environmental impacts.
- . Mitigation measures.
- . Decision Implementing and Monitoring

C. Environmental Impact Report (EIR)

Based on findings documented in an IEAR, the Butte County Commission shall make its determination whether to require a more formal and detailed EIR. The EIR is similar to the NEPA Environmental Impact Statement (EIS) planning and documentation.¹³ In accordance with NEPA requirements, the EIR "must consider all reasonable alternatives to the proposed action with the goal of finding the alternatives with the least environmental impacts in relation to its benefits".

The purpose of an EIR is to:

1. Identify the significant effects of a proposal on the environment (natural, social, cultural, property rights, and economic factors).
2. Identify reasonable alternatives to the proposal when there is a negative affect, especially on the health, safety, and livelihood (economic well-being) of County citizens.

3. Indicate the manner in which those significant effects can be mitigated or avoided.

Information developed in individual EIRs shall be incorporated into a database which can be used to reduce delay and duplication in preparation of subsequent environmental impact reports.

The contents of the EIRs shall be as follows:

1. Table of Contents.
- A. Summary
- B. Description of the Proposal.
- C. Environmental Setting
- D. Management Objectives (as described above).
- E. Desired Future Conditions.
- F. Environmental Impacts
 1. Assessment of Impacts on the Physical Environment.
 2. Assessment of Impacts on the Social & Cultural Fabric.
 3. Assessment of Impacts on the Economy.
 4. Assessment of Impacts on Private Property Rights (takings).
 5. Cumulative Effects Analysis.
- G. Mitigation Measures.
- H. Alternatives
- I. Public Involvement Requirements.
- J. Target Time Frames.
- K. Implementing and Monitoring a Decision.

D. IMPLEMENTATION OF THE BUTTE COUNTY ENVIRONMENTAL PLANNING & REVIEW PROCESS

In addition to the procedures contained in this ordinance, the Butte County Commission shall:

1. Adopt such administrative rules and oversight guidelines deemed necessary to carry out this ordinance.
2. Develop such environmental and resource related cooperative agreements, memorandums of understanding, joint policy statements, and joint letters of intent with appropriate state and federal agencies, so that the goals and objectives of this ordinance and the Butte County Interim Land Use Plan may be carried out.

SECTION 7. SEVERABILITY

If a section, subsection, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or circumstances is declared invalid or unconstitutional by the decision of a court of competent jurisdiction, the remainder of this ordinance shall be severed therefrom and shall remain in full force and effect.

SECTION 8. RECORDING AND AUTHENTICATION

This ordinance shall be recorded in the books kept for that purpose and shall be authenticated by the signature of the County Auditor and shall take effect in accordance with the law.

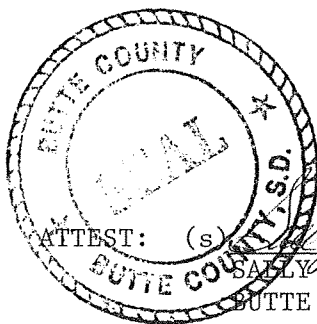
FIRST READING - MARCH 1, 1994

SECOND READING - APRIL 5, 1994

THIS ORDINANCE WILL BECOME EFFECTIVE ON THE TWENTIETH DAY AFTER IT'S COMPLETED PUBLICATION.

THIS ORDINANCE WAS PASSED BY A MAJORITY VOTE OF THE BUTTE COUNTY COMMISSIONERS.

DATED AT BELLE FOURCHE, SOUTH DAKOTA, THIS 5TH DAY OF APRIL, 1994.



BOARD OF BUTTE COUNTY COMMISSIONERS

(s) William J. Hannah
WILLIAM J. HANNAH, CHAIRMAN

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