

Resolution No. 120-02

Whereas, the Washington Environmental Council filed a lawsuit on July 12, 2002 against the Washington Commissioner of Public Lands, Board of Natural Resources, Lands Steward, and Department of Natural Resources in Public Trust Forests v. Sutherland, No. 02-2-20534-8 (King Co. Superior Ct.), and

Whereas, the vital interests of local governments, school districts, rural economics, and rural communities are threatened by this lawsuit because it seeks to prohibit all logging on DNR trust lands, and

Whereas, the court or courts reviewing the claims asserted by WEC should be informed that the injunction requested by WEC in its complaint would cause undue and excessive harm to school districts, local governments, the rural industry and rural communities, and

Whereas, the American Forest Resource Council (AFRC) has offered to lead a coalition of local governments, school and hospital districts, and associations in a joint representation as intervenors and codefendants in the lawsuit, and

Whereas, Mason County has received between \$700,000 and \$2,600,000 per year over the last ten years and is projected to received more than \$2,900,000 this year from logging on DNR trust lands, and

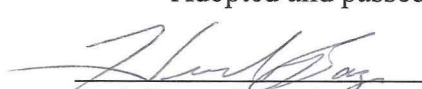
Whereas, the AFRC coalition intends to file a motion for intervention not later than August 30, 2002, now therefore,

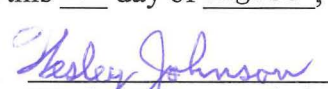
BE IT RESOLVED by the Board of County Commissioners for Mason County that Mason County will join with AFRC and other governmental entities and associations in intervening in the lawsuit.

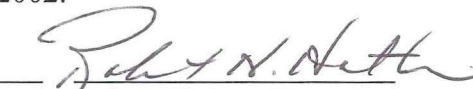
It is further resolved that the law firm of Perkins Coie, LLP be authorized to represent Mason County for this purpose.

It is further ordered that a joint representation agreement for this purpose shall be reviewed and approved providing for legal representation at no cost to Mason County unless later determined to be in the best interests of Mason County and separately approved. Under the joint representation agreement, Mason County shall at all times be able to withdraw its participation with reasonable notice or proceed independently at its discretion.

Adopted and passed this 27 day of August, 2002.


Herb Baze, Commissioner


Wesley Johnson, Chair


Robert Holter, Commissioner

Clerk of the Board:


Rebecca Rogers

Approved as to form:


Dan Menek DPA
Mason County Prosecuting Attorney