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COUNTY OF WESTON

1 West Main

Newcastle, Wyoming 82701

94-10

RESOLUTION AND BINDING ACTION SUPPORTING COUNTY CUSTOM,
CULTURE AND HERITAGE IN DECISION MAKING REGARDING FEDERAL
LANDS IN WESTON COUNTY, STATE OF WYOMING

WHEREAS, the government of the United States of America exercises control over a significant portion of the land and resources within and surrounding the geographic boundaries of this county, and

WHEREAS, decision governing federal land in and adjacent to Weston County, State of Wyoming, have a direct and broadly based impact on the interrelated heritage of cultural, environmental, and economic well-being and stability of residents, and

WHEREAS, Congress has expressly intended to act in cooperation with county governments while using all practicable means to create and maintain conditions on federal lands allowing for productive harmony between man and nature while fulfilling the social, economic, environmental and cultural requirements of present and future generation of Americans, and

WHEREAS, efforts of Congress seeking to coordinate Federal plans with county government, maintaining a balance between population and resources, and encouraging a high standard of living and a wide sharing of life's amenities can be enhanced by both increased cooperation between Weston County and those federal officials involved with the administration by the federal government of the needs of citizens of this county will be directly and indirectly impacted by agency decisions regarding the use of federal lands, and

WHEREAS, there now exists a significant, urgent need for the promotion of the involvement of Weston County, State of Wyoming, in the management of federal lands and the development of criteria that are meaningful in that federal decision making process.

IT IS HEREBY RESOLVED AND DETERMINED, that the following procedural protections shall be followed to ensure that there is full and complete information and cooperation provided to federal entities in their decision making process regarding management of lands located within and adjacent to Weston County, State of Wyoming, and federal consideration of the impact of their decision making and actions have on the preservation of the interrelated heritage of cultural, custom, environmental and economic well-being and stability of this county:

1. These procedural provisions are intended to apply to all decisions undertaken by any agency, department or other federal entity within the Department of Interior, Department of Agriculture, or Environmental Protection Agency

(hereinafter known as federal entities") that do or will have a direct or indirect impact on federal and private lands within the geographic confines of Weston County, State of Wyoming, and federal lands adjacent to Weston County.

2. Within thirty (30) days of adoption of this resolution and at the beginning of each calendar year after this resolution becomes effective, the Chairman of the Board of the Weston County Commissioners, as executive officer; of this county, or his designee, shall give written notice to federal entities as follows:

a. That the county government of Weston County, State of Wyoming, desires to have full and complete notice and opportunity for involvement in the decision making processes of the federal entity that either (i) are taken or are being proposed to be taken regarding federal lands located within Weston County, State of Wyoming, (ii) involves the listing, de-listing, or reclassification of a threatened or endangered species or critical habitat within Weston County, State of Wyoming, or (iii) involves any major federal action significantly affecting the quality of the human environment within Weston County, State of Wyoming.

b. That any decision of federal entities to not afford the government of Weston County either (i) complete notice, (ii) opportunity for involvement beyond that afforded each citizen or (iii) limit the role of county government to a local public hearing is presumed as a matter of law to reduce the role that Weston County has in the planning process and be prejudicial to the government of Weston County and its residents.

c. That all zoning regulations lawfully in force and lawfully licensed business enterprises of any kind, are expressions of interrelated environmental, cultural and economic policies that this County deems to be critical to the maintenance of the well-being and stability of the residents of this county and their government.

3. That within present budgetary constraints, affirmative action shall be taken to notify federal entities of any other evidence of our interrelated historic, cultural, and environmental heritage as well as the anticipated impact on the same of any use of federal or private lands located in the county.

4. If proposed implementation of a critical habitat designation or federal policies or practices over federal lands located within the geographic boundaries of this county or elsewhere will likely result in either (a) the alteration of present county and local zoning regulations without being previously voluntarily initiated by this county, or (b) make

it infeasible for existing businesses to continue their present operation, the proposed federal action is presumed to both create a negative impact on the interrelated environmental, cultural, and economic well-being and stability of this county and its residents and not be the preferred alternative to resolve the environmental and other concerns of the federal entities.

5. Nothing herein in is intended to conflict with any existing federal or state statute, or applicable regulation that governs lands within Weston County, State of Wyoming. Any section, paragraph, sentence, phrase or word that is found to do so as a matter of law may be severed from this resolution without limiting the enforceability of the non-conflicting portion.

DATED this 5th day of October, 1994.

Ted M. Elliott
Ted M. Elliott, Chairman

Martin Tysdal
Martin Tysdal, Vice-Chairman

Bill Barton
Bill Barton, Member

John S. Berdahl
John S. "Stew" Berdahl, Member

Donna Baldwin Hunt
Donna Baldwin Hunt, Member