

RESOLUTION 11-08
RESOLUTION
OF THE BOARD OF COUNTY COMMISSIONERS
WESTON COUNTY, WYOMING

ASSERTING GENERAL STANDING AND AUTHORITY TO ENGAGE FEDERAL AND STATE AGENCIES IN COORDINATION AS DEFINED BY FEDERAL STATUTES AND REGULATIONS, AS WELL AS, ADOPTING SPECIFIC POLICY ON MULTIPLE USE LANDS WITHIN AND AFFECTING THE WELFARE OF WESTON COUNTY

WHEREAS, The Board of Weston County Commissioners have the authority under Wyoming statutes 18-3-501 through 18-3-524 for managing the well-being of Weston County; and

WHEREAS, The Board of Weston County Commissioners have the obligation and responsibility to represent the interests of the people, and the interest of Weston County as a whole in economic stability, a sound environment, the local police powers left to the County and the people under the 10th Amendment to the United States Constitution, and to the general health, safety and welfare of the citizens of the County; and

WHEREAS, under W.S. 18-5-208, since Weston County officially adopted a comprehensive plan pursuant to W.S. 18-5-202(b), it may participate in efforts to coordinate the plan with federal regional forest or other resource management plans as provided in the Federal Land Policy and Management Act of 1976 and federal regulations adopted pursuant to that act, including, but not limited to, Title 35, of the Code of Federal Regulations, part 219.7 and Title 43, of the Code of Federal Regulations, part 1610.3; and

WHEREAS, federal agencies exercising oversight and management of land, natural resources, water and the general environment within and affecting Weston County are ordered by Congress to coordinate with units of local government in the development and implementation of plans, policies and actions; and

WHEREAS, Weston County has the authority to serve and represent the interests of its citizens by insisting the Secretary of Interior coordinate with the Board of County Commissioners as directed under the Federal Land Policy and Management Act (FLPMA) prior to any agency action and that the Secretary is to assure consideration is given to local plans when developing a federal plan, policy or management action; and

WHEREAS, Congress placed the burden of resolving inconsistencies with local government plans on the federal agencies; and

WHEREAS, Congress has mandated that the Bureau of Land Management (BLM) inventory all lands within its jurisdiction (43 USC 1711) for all resources and values, and not just one use and to do so in coordination with local governments; and

WHEREAS, the Secretary of Interior's Secretarial Order No. 3310 directs the Bureau of Land Management (BLM) to inventory lands with "wilderness characteristics" thereby creating de- facto wilderness without Congressional approval; and

WHEREAS, When a federal agency declares federal land as de-facto wilderness or attempts to manage multiple use lands within wilderness study areas or other types of one-use restrictions, the result is damaging to the sound performance of the natural

resources and ecosystem, and damaging to the local economy; and

WHEREAS, productive uses of the land are reduced and/or eliminated as a result of the de-facto wilderness area not being managed, causing fire and other hazards that threaten the health, welfare and safety of the citizens and their property.

WHEREAS, de-facto wilderness requires restricted access to the land, recreational uses of the area are reduced and the human observation of environmental dangers such as wildlife damage and erosion of roads and trails is lost. There is an increase risk to the health and safety of the citizens when police and emergency services cannot reach the restricted areas.

WHEREAS, there is no control of noxious weeds, wildfires or soil erosion on non-use wilderness areas, all of which spill onto the neighboring lands, de-facto wilderness harms the productivity of private and other lands that adjoin or are near the area; and

WHEREAS, as a part of its coordination duty under FLPMA the BLM is charged with providing information and data to the County for the purpose of planning, particularly to plan for the impact of federal land use on adjoining, near and affected lands; and

WHEREAS, Only Congress has the authority to designate wilderness areas under the Wilderness Act of 1964, and the Wyoming Wilderness Act of 1984 (Public Law 98-550) specifies that no additional wilderness areas may be added after those allowed in this act, and

WHEREAS, only Congress has the authority to designate wilderness areas under the Wilderness Act of 1964; now

THEREFORE, be IT RESOLVED, that is the policy of Weston County that multiple use lands should not be changed into de-facto wilderness, should not be changed into non or one-use category, should not be changed from multiple uses without the specific and definite act of Congress. All inventories of the land within and affecting Weston County should be conducted in accord with the Congressional mandate requiring an inventory on a continuing basis of all their resources and other values; and

BE IT FURTHER RESOLVED, that the County strongly opposes any change of multiple use lands without the express authorization of Congress; and

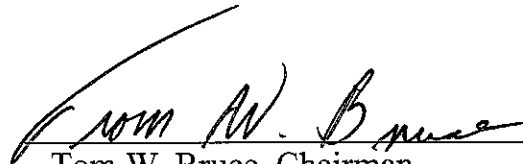
BE IT FURTHER RESOLVED, that the BLM inventories of land be done in coordination with the County to see that information is provided to the County for planning purposes, that the County's inventory information be considered by the federal agency in line with the coordination requirements of FLPMA, the BLM regulations, the National Environmental Policy Act, and the Council on Environmental Quality regulations as to coordination; and

BE IT FURTHER RESOLVED by the Board of Weston County Commissioners, to oppose any "wildlands" designation or any similar type project, or any other action taken or contemplated by federal agencies in Weston County that would impact the general health, safety, welfare and economy of the County of Weston through

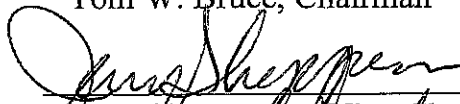
such designations or implementation that has not been approved by Congress; and

BE IT FINALLY RESOLVED that by executing this Resolution, Weston County serves notice on the Secretary of the Interior and any and all persons and agencies under his jurisdiction, and on any other Cabinet member who has authority to act under the Federal Land Policy and Management Act regarding the designation or implementation of "wild lands" or similar regulatory actions, of their obligation under the Federal Land Policy and Management Act to notify Weston County in advance of any planned action identified in this Resolution and to coordinate with the county prior to any such planned action, and of the County's authority to insist upon such notice and coordination as required in the Federal Land Policy and Management Act. Notice of this resolution shall be conveyed to all necessary government entities and their representatives.

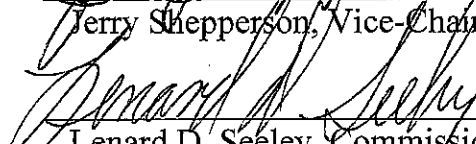
PASSED, APPROVED AND ADOPTED by the Board of Weston County Commissioners this 19 day of April, 2011.



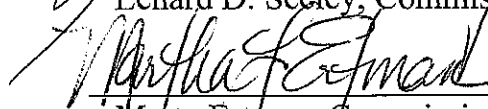
Tom W. Bruce, Chairman




Jerry Shepperson, Vice-Chairman



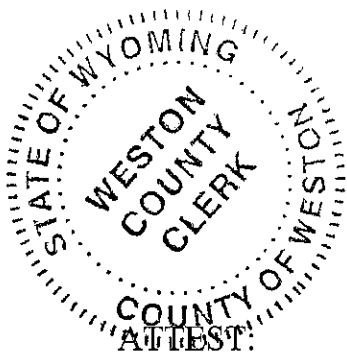
Lenard D. Seeley, Commissioner




Marty Ertman, Commissioner



Randy Rossman, Commissioner





Mamie C. Krank, Weston County Clerk