

RESOLUTION NUMBER 94-12

A RESOLUTION OF WESTON COUNTY, WYOMING
ESTABLISHING A PROCESS OF ENVIRONMENTAL REVIEW
FOR PLANS, PROGRAMS AND PROJECTS INITIATED BY FEDERAL AND
STATE GOVERNMENTS COORDINATED WITH
THE WESTON COUNTY LAND USE PLAN
ENTITLED
"THE WESTON COUNTY ENVIRONMENTAL REVIEW PLAN."

The County Commissioners of the County of Weston, State of Wyoming resolve:

The Weston County Environmental Review Plan is established to read as follows:

Section 1-1. DECLARATION OF PURPOSE AND INTENT

1. The custom, culture and economy of Weston County is affected by plans, programs and projects initiated by federal and state governmental agencies. An effective, coordinated process of environmental review prior to implementation of such plans, programs and projects is in the best interest of the citizens of Weston County.

2. The policy of planning and review in Weston County, as it relates to plans, programs and projects initiated by federal and state governmental agencies, is designed to promote the stated purposes and philosophy of the National Environmental Policy Act (NEPA)¹

To declare a national policy which will encourage the productive and enjoyable harmony between man and his environment; to promote efforts which will eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the nation...

^{1/} National Environmental Policy Act of 1969, effective January 1, 1970 (42 USC 4231 et seq.). Section 2, Purpose.

3. Federal statutes and presidential executive orders provide the framework for coordinated planning between Weston County and federal agencies. Federal statutes and regulations require federal agencies to coordinate their initial planning efforts with local government.² NEPA requires federal agencies to work in close consultation with local governments and coordinate plans, functions, programs and resources.³ Further, it is the responsibility of the federal government to assure for all Americans safe, healthful, productive and aesthetically and culturally pleasing surroundings;⁴ preserve important historic, cultural, and natural aspects of our national heritage, and maintain, whenever possible, an environment which supports diversity and variety of individual choice.⁵

4. Wyoming Statute 18-5-208, authorizes Weston County to participate in efforts to coordinate the Weston County Land Use Plan, as adopted by the Weston County Board of County Commissioners on December 19, 1977, with federal agencies. Presidential Executive Order 12372 requires federal agencies to coordinate actions and projects with local governments so that local impacts arising from federal projects

2/ See for example, 16 USC 1601; 43 CFR 1604 (a).

3/ 42 USC 4331(a) and (b).

4/ 42 USC 4331(b) (2).

5/ 42 USC 4331(b) (4).

may be identified. See also Presidential Executive Order 12866 - Regulatory Planning and Review, Sept. 30, 1993.

5. Federal and state lands make up a substantial part of Weston County. Moreover, Weston County's economy, tax base, and community stability are dependent on business activities on these federal and state lands. These activities are inseparably tied to the privately owned lands in Weston County.

6. In order to carry out these important policies and objectives for plans, programs and projects initiated by federal and state governmental agencies which may significantly affect the quality of the human environment in Weston County, it is necessary, consistent with applicable federal and state law, for all such agencies to comply with the provisions and policies of this ordinance, including any rules and regulations promulgated hereunder, as well as the applicable provisions of NEPA.

7. The overriding purpose of this resolution is to assist federal and state agencies in coordinating governmental agency initiated planning activities with Weston County. The nature and intent of this resolution is to protect the environment, the local community economic stability and the custom and culture of Weston County's citizens through protection of private property rights, the facilitation of a free market economy and the establishment of a process to ensure self-determination by local communities and individuals. Further, public agencies engaged in activities which may be otherwise exempt from NEPA are nonetheless invited and encouraged to participate voluntarily in this process.

8. Therefore, this resolution and any rules and regulations hereunder are applicable only to federal and state agencies which initiate plans, programs and projects that affect Weston County where such governmental agencies are directed or instructed by applicable federal and state law and Executive Orders to coordinate or otherwise involve Weston County in planning for such governmental actions.

9. As used in this resolution, the terms "environment" and "environmental" include, without limitation, the custom, culture and economic resources of Weston County.

10. The Weston County Commissioners expressly provide that this resolution is adopted pursuant to W.S. 18-5-208 as the Weston County effort to coordinate the Weston County Land Use Plan with federal regional forest and other resource management plans, but this resolution is not and shall not be deemed or construed to be a zoning ordinance.

Section 1-2. WESTON COUNTY ENVIRONMENTAL POLICY

1-2-1. The Weston County Commissioners find and declare the following general environmental policy:

The protection of the custom and culture of Weston County is important to the present and future preservation of environmental quality for its people. The assurance for all Weston County citizens of a safe, healthy, productive, and culturally and aesthetically supportive environment is essential to the quality of life and human environment. There is a need to understand the relationship between the maintenance of nature and

the general welfare of the people who live, work and play in Weston County, including the use of its natural resources. It is the intent of the Weston County Commissioners to maintain the quality of the environment and to protect the economic stability of the county which supports its customs and culture. Effective management of natural resources requires systematic and coordinated efforts between public and private interests to maintain environmental quality and economic stability. State and federal agencies initiating plans, programs and projects which may adversely affect private citizens who contribute to the economic stability of Weston County, should, consistent with applicable federal and state law, assure that major consideration is given to protecting the environment without depriving county citizens.

1-2-2. The Weston County Board of Commissioners further finds and declares the following specific environmental policies regarding LAND DISPOSITION AND LAND USES; WATER RESOURCES; AGRICULTURE; TIMBER AND WOOD PRODUCTS; RECREATION, WILDLIFE AND TOURISM; AND MINERAL RESOURCES:

A. LAND DISPOSITION AND LAND USES: Recognizing that land is essential to local industries and residents and is certainly a consideration "in the public interest," it is the policy of this County to assist and participate in the planning, design and development of all land disposal and acquisition, including land adjustments and exchanges, initiated by federal or state agencies. To define "public interest" as required by federal law, the Commission requests consideration of the following policies:

1. POLICIES

a. Increase opportunities for local economic development.

b. Federal and state land agencies are encouraged not to initiate acquisition of any private lands or rights in private lands within Weston County without first ensuring:

(1) That as a minimum, the stability of the local economy is maintained; and

(2) That private property interests are protected and enhanced in accordance with the United States Constitution and the Wyoming Constitution; and

(3) That such acquisitions be in the best interest of the citizens of Weston County.

c. Consistent with applicable federal and state law, the general public, the Weston County Commission, and local Weston County communities should be notified of, consulted with, and otherwise involved in all land adjustments initiated by federal or state agencies whether it be by disposal or acquisition, exchange or change in use. It is intended that such adjustments and actions should specifically include, but are not limited to, any proposed changes in livestock grazing, recreation areas, wildlife habitat, wildlife recovery plans, timber sales volume projections, restricted access, road closures, mineral resources, mineral exploration, visual classification, designation of sensitive plants and animals, and primitive or wilderness study area designations. In addition, such proposed adjustments and actions, including federally proposed wild and scenic river designations, should, consistent with applicable federal and state law, be coordinated

with the Weston County Commission through this Environmental Review Plan prior to adoption and implementation. It is the intent of the County to assist federal and state agencies in the planning and management of the natural, cultural, and economic resources on public lands located within Weston County.

d. Consistent with applicable federal and state law, Weston County seeks to be involved in the planning and determination of land withdrawals or acquisitions for hazardous and non-hazardous waste storage as well as the types and points of origin of such waste.

e. Weston County hereby establishes a Joint Committee as follows:

(1) The Joint Committee shall be composed of five members, including one member from each of the following committees operating under this Environmental Review Plan: Agriculture Committee, Timber Committee, Mining Committee, and Recreation, Wildlife and Tourism Committee. Each such member of the Joint Committee shall be selected by his or her respective committee from that committee's membership by the majority vote of such committee. The fifth member of the Joint Committee shall be an at large member who is not otherwise serving on any other committee under this Environmental Review Plan. This at large member shall be appointed directly by the Weston County Commissioners.

(2) The Joint Committee may develop and make available local, historical and economic studies for the purposes of measuring impacts on issues of land use and withdrawal and water

resources in regard to the cultural, historical and economic interests of the County through this Environmental Review Plan.

(3) The Joint Committee may also oversee protection and recovery of all federal and state listed threatened or endangered species.

B. WATER RESOURCES: It is the policy of Weston County to recognize that the protection and development of its water resources are essential to its short and long term environmental, economic and cultural viability.

1. POLICIES

a. The protection of existing water rights and water uses within the County is of primary importance to the County's economic and cultural well-being. Therefore, transfers in water use should be carefully considered in relationship to the history, traditions, and culture of Weston County. Weston County may, as determined from time to time under this Environmental Review Plan, prepare or be involved in the preparation of plans for the protection of aquatic Threatened and Endangered Species within its boundaries. Federal and state agencies managing waterways and wetlands containing such species should, consistent with applicable federal and state law, coordinate their management activities and plans with the Weston County Commission through this Environmental Review Plan.

b. Weston County recognizes the historic and economic use of existing water rights and promotes future water use for agricultural, municipal, industrial, domestic, recreation and

hydroelectric power purposes.

c. Consistent with applicable federal and state law, the Weston County Commission should be notified of all actions initiated by state and federal agencies that have any impact on the water of the County prior to actions being initiated including federally proposed Wild and Scenic River designations through this Environmental Review Plan.

d. Weston County may develop Wild and Scenic River designations of its own design and requests full federal compliance in the acceptance and enforcement of such designations through this Environmental Review Plan as is consistent with applicable federal law. In addition, the County may develop riparian management plans in concert and coordination with landowners, ranches, and the appropriate state and federal agencies through this Environmental Review Plan.

e. Weston County recognizes the principles of all water law contained in the Wyoming Codified Laws.

f. Issues of water resources within the jurisdiction of this Environmental Review Plan shall be addressed by the Joint Committee established hereunder.

C. AGRICULTURE: The custom and culture associated with agricultural production in Weston County is necessary to the livelihood and well-being of its citizens. Therefore, it is the policy of Weston County to protect agricultural pursuits by protecting private property rights, relying on self-determination and ensuring open market conditions.

1. POLICIES

a. Opportunities for grazing livestock on federal and state lands should be continued at levels consistent with environmental stewardship, custom and culture and the protection of property rights. Federal and state land managing agencies should, consistent with applicable federal and state law, coordinate with the Weston County Commissioners on all matters affecting livestock grazing on public lands through this Environmental Review Plan.

b. Weston County hereby establishes an Agriculture Committee with the following duties:

(1) The Agriculture Committee shall be made up of three individuals, at least two of whom are presently agricultural producers or are engaged in or employed by an agricultural business or agency actively operating within the County.

(2) The Agriculture Committee may develop and make available local, historical and economic studies for the purposes of measuring impacts on the agricultural industry in regard to the cultural, historical and economic interests of the County through this Environmental Review Plan.

D. TIMBER AND WOOD PRODUCTS: Through a long and important history of timber harvesting on federally owned forestlands in Weston County and the surrounding region, the customs and culture of the County's citizens have developed a close and dependent association with management and harvesting of timber from such forestlands. Weston County recognizes humans are part of the

natural management of forests and when done in a proper manner this same management will yield not only economic benefits for our society but also will provide a healthy habitat for all species that presently exist in Weston County. Therefore, Weston County states the following policies intended to assist the County in maintaining the forest and forest products industry in a way that is sustainable for County citizens, and to provide environmental protection, economic opportunity, reliance on self-determination, and insuring open market conditions:

1. POLICIES

a. Weston County seeks to assist in providing protection from human or naturally caused events that would negatively affect the productivity and sustainable values that have been historically produced from federal and state lands within the County and upon which the County's custom and culture are dependent.

b. Weston County encourages promotion of a sustainable harvest of trees from federal and state lands based upon the best scientific information available.

c. Weston County encourages application of proper forest management practices upon all public forestlands within the County to encourage the flow and availability of raw materials to the widest spectrum of users in support of local entrepreneurship.

d. Weston County encourages exploration of markets and incentive systems seeking to reduce federal and state administration program costs on federal and state lands within the County.

e. Weston County encourages promotion and development of new commercial uses of raw materials from trees harvested within the County.

f. Weston County encourages promotion and development of new commercial opportunities to utilize slash and precommercial thinning material, and trees of different species within the County on public forest lands.

g. Weston County encourages the education and increased awareness of its citizens regarding the sources of raw wood materials and how management of natural forest resources can benefit society economically and environmentally.

h. Weston County hereby establishes a Timber Committee with the following duties:

(1) The Timber Committee shall be made up of three individuals, at least two of whom are presently engaged in or employed by a timber, forest products or logging business actively operating within the County.

(2) The Timber Committee may develop and make available local, historical and economic studies for the purposes of measuring impacts on the timber industry in regard to the cultural, historical and economic interests of the County through this Environmental Review Plan.

E. RECREATION, WILDLIFE AND TOURISM: It is the policy of Weston County to promote and facilitate public and private recreational, cultural and wildlife opportunities compatible with environmental stewardship and local custom and culture within

the constraints of private property rights and local self-determination.

1. POLICIES:

e. Weston County hereby establishes a Recreation, Wildlife and Tourism Committee with the following duties:

(1) The Recreation, Wildlife and Tourism Committee shall be made up of three individuals, at least two of whom are presently a member of or are engaged in or employed by a public or private recreation or tourism business, club, organization, association or agency actively operating within the County or who are wildlife professionals.

(2) The Recreation, Wildlife and Tourism Committee may develop and make available local, historical and economic studies for the purposes of measuring impacts on the recreation and tourism industry and wildlife in regard to the cultural, historical and economic interests of the County through this Environmental Review Plan, and may coordinate with Federal and State land and wildlife and recreation management and enforcement agencies on all matters regarding wildlife through this Environmental Review Plan.

F. MINERAL RESOURCES: It is the policy of Weston County to recognize that the mining/mineral extraction industries are valuable and vital industries and that the development of mineral resources is an essential and important part of its' culture, history and future economic development.

1. POLICIES

a. Weston County supports the preservation of viable

mineral industries and recognizes the role of these industries in the custom, culture and history of the county and its people.

b. Weston County encourages mineral exploration and extraction of mineral resources on state and federal lands.

c. Weston County seeks to keep state and federal lands open to mineral exploration and extraction of mineral resources.

d. Weston County encourages environmentally responsible mining on public lands as defined by state and federal regulation.

e. Weston County seeks to assist in providing protection from events that would negatively affect the productivity and viability of the mineral industries which have historically been a significant portion of the county's customs, culture and economic stability.

f. Weston County supports the maintenance of private ownership of sub-surface real property rights including those under ownership of split estate.

g. Weston County encourages the education and increased awareness of its citizens regarding the mineral industry's importance to the local and national economy and its benefits to society.

h. Weston County hereby establishes a Mineral Resources Committee with the following duties:

(1) The Mineral Resources Committee shall be made up of three individuals, at least two of whom are presently engaged in or employed by a mineral industry actively operating within the County.

(2) The Mineral Resources Committee may develop and make available local, historical and economic studies for the purposes of measuring impacts on the mineral industries in regard to the cultural,

historical and economic interests of the County through this Environmental Review Plan.

Section 1-3. OBJECTIVES OF ENVIRONMENTAL PLANNING & REVIEW

The Weston County Board of Commissioners has identified six (6) primary objectives:

1. To disclose to decision makers and the public significant environmental consequences of proposed actions of state and federal governmental agencies on nature, society, custom and culture, property rights, and economic stability of Weston County.

2. To identify means to mitigate or eliminate adverse impacts to the environment, including nature, society, custom and culture, property rights, and the economic stability of Weston County.

3. To prevent injury to this environment by requiring implementation of feasible alternatives or mitigation measures consistent with applicable federal and state law.

4. To foster and encourage intergovernmental coordination and cooperation.

5. To encourage and enhance public participation and education in the environmental review process.

6. To plan and manage natural resources consistent with environmental and community standards in Weston County and applicable federal and state law.

Section 1-4. CRITERIA AND PROCEDURES

In order to achieve the objectives expressed in Section 1-3, above, the following procedures shall apply to all plans, programs

and projects initiated by state or federal agencies, consistent with applicable federal and state law;

1. Interagency agreements are necessary to a coordinated process of environmental review. Such agreements should include the development of a system of involving the Weston County Commission and the committees established under the Environmental Review Plan in the planning process, including but not limited to the timely notification of the Weston County Commission of upcoming or anticipated agency actions, plans, programs and projects which have the potential to affect the environment. An interagency agreement which proposes to comprehensively address the goals and objectives of this resolution may be utilized as an alternative to the procedures established herein upon notification to and acceptance by the Weston County Board of Commissioners through the assistance and recommendation of its committees operating under this Environmental Review Plan.

2. Consistent with the obligations of the proponent agency to coordinate and consult with the county government, an Initial Assessment Report (IAR) shall be prepared by the proponent agency whenever there is an indication that the plan, program or project initiated by that agency may have an adverse impact on the environment. To avoid redundancy, the IAR may be included as a separately titled component of other written environmental assessments required under NEPA(6) provided that all other

6/ See for example, 40 C.F.R. Part 1506, Section 1506.2, 1508.9 (NEPA)

requirements of this resolution are met. The IAR shall include, (a) a description of the plan program or project; (b) the environmental setting; (c) an assessment of potential environmental impacts; (d) a description of mitigation measures proposed to reduce or eliminate environmental impacts; and (e) the consistency of the plan, program or project with the Weston County Environmental Review Plan.

3. Based on conclusions and findings contained in the IAR and such other data as may be necessary to make a determination, the Weston County Commissioners through the assistance and recommendation of its committees hereunder and the federal or state proponent agency shall, within thirty (30) days of receipt of the IAR, jointly determine whether to conduct a Coordinated Environmental Review and Assessment (CERA) or find that the plan, program or project presents no significant environmental impacts.

4. If the Weston County Board of Commissioners through the assistance and recommendations of its committees hereunder and the proponent agency determine to conduct a CERA, it shall be prepared as a written report by the proponent agency and submitted to the Joint Committee under this Environmental Review Plan who shall review the same and assign it for further review to a lead committee (being either the Joint Committee, Agriculture Committee, Timber Committee, Mineral Resource Committee, or Recreation, Wildlife and Tourism Committee, depending upon which of such committees has the primary responsibility concerning a majority of the issues addressed in the CERA). The Joint Committee shall also act as an

oversight committee to coordinate communication between the lead committee and the other committees hereunder for purposes of consultation on issues contained in the CERA relative to each committee's area of responsibility to ensure fulfillment of the objectives and policies of this Environmental Review Plan. After such consultation, the Joint Committee shall thereafter make its recommendations to the Weston County Commissioners. To avoid redundancy, the CERA may be included as a separately titled component of other written environmental assessments, statements or reports required under NEPA. As relevant to the goals of the plan, program or project, the discussion and analysis should include the following:

- A. Impacts on county natural resources and environmental quality, including:
 - (1) impacts on forest and timber resources;
 - (2) impacts on range or dry land crops;
 - (3) impacts on watershed resources;
 - (4) impacts on private surface and groundwater rights and irrigated cropland;
 - (5) impacts on air, water (including surface and groundwater), energy and soils;
 - (6) impacts on integrated resource planning and management in which the county, private parties and/or other public agencies are involved;
 - (7) impacts on multiple use, sustained yield and range resource laws and regulations;

(8) impacts on private investment in public land and resources;

(9) impacts on the production and enjoyable harmony between man and his environment, stimulation of the health and welfare of man, and support of diversity and variety of individual choice as assured under NEPA;

(10) impacts on hunting, fishing and other outdoor recreation;

(11) impacts on wildlife and fish; and,

(12) impacts on mining and mineral resources.

B. Impacts on county society, custom and culture, governance, schools and other local public services, including:

(1) impacts on culture due to population loss;

(2) impacts from proposed or foreseeable limitations or restrictions on cultural beliefs and practices, and maintenance of cultural and community cohesion and kinships;

(3) impacts on cultural and community aesthetics, including historical natural resource vistas, river ways and landscapes;

(4) impacts on the ability of local government to protect the health, safety, social and cultural well being of its citizens;

(5) impacts on the ability of local government to

promote local environmental values, resource protection and development;

(6) impacts on the ability of local government to finance local public programs and services through bonding, lending and other financing mechanisms;

(7) identification of tax revenue loss to local government and schools;

(8) impacts from identified tax revenue loss on the ability of local governments and schools to deliver public services;

(9) impacts on local emergency medical services, law enforcement, fire protection and nuisance abatement;

(10) impacts on local government infrastructure, including transportation, public community water systems, including those provided through irrigation and reclamation districts, and landfill services;

(11) cumulative and long term impacts on local community stability and well-being;

C. Impacts on local economy, customs, services and businesses, which shall include;

(1) impacts on private, investment backed expectation;

(2) impacts on the economic value of privately held water rights and real property;

(3) direct and cumulative impacts on employment and wages;

(4) direct and cumulative impact on agriculture and

related industries;

(5) direct and cumulative impacts on local retail and service industries;

(6) impacts on housing and related residential services such as water, sewer, sanitation and energy;

(7) impacts on thresholds for business demand and markets;

(8) direct and cumulative impacts on community stability and well being related to private ability to maintain current and future debt service;

(9) direct and cumulative impact on timber and the timber industry;

(10) direct and cumulative impacts on mining/mineral exploration and the mining/mineral exploration industry; and,

(11) direct and cumulative impacts on tourism and recreation and related industries.

D. Takings Implication Assessment. The CERA shall identify and assess impacts of the plan, program or project on private property rights in the county utilizing the criteria established in Presidential Executive Order 12630, entitled "Governmental Actions and Interference with Constitutionally Protected Property Rights". This identification and assessment shall also apply to regulatory takings. In addition, this component of CERA shall include discussion and analysis of the following:

(1) whether the plan, program or project constitutes an

actual physical intrusion or actual taking of private property;

(2) potential for loss of economic value or investment backed expectations;

(3) related impacts on custom and culture;

(4) whether the agency action conforms to constitutionally protected property rights and commonly accepted notions of fairness and due process.

E. Mitigation. For the purpose of this component of the CERA it is the policy of the County of Weston that plans, programs or projects initiated by federal or state agencies should not be approved as proposed if feasible alternatives or mitigation measures exist which would, if implemented, reduce or eliminate significant impacts on the environment. As relevant to the goals of the plan program or project, proposed mitigation measures should:

(1) identify each impact which the mitigation measure is intended to address;

(2) identify the party or agency responsible for the implementation and monitoring of the proposed mitigation measure;

(3) Specify, for each mitigation alternative, (a) how impacts may be avoided by not taking particular action; (b) how impacts may be minimized by limiting the degree or magnitude of the proposed action; (c) how impacts may be rectified through repair, rehabilitation or

restoration of the affected environment; (d) how impacts may be reduced or eliminated over time through preservation and maintenance over the life of the proposed action; and (e) how the agency could compensate for the impact by providing substitute resources of equal economic value;

(4) Specify, for each mitigation measure, its (a) legal authority; (b) technical feasibility; (c) fiscal and economic feasibility; and (d) social, political and cultural feasibility;

(5) Draft a detailed mitigation monitoring plan which shows as to each mitigation measure specific objectives and performance standards to ensure implementation of mitigation measures during the life of the plan, program or project.

F. Cumulative Effects. Because the monitoring and maintenance efforts of state and federal agencies have, in some cases, historically proved inadequate to measure effectively the cumulative and long term effects of their plans, programs and projects, these impacts may remain unmeasured in any sense that will admit to remedial action. This can be especially true for the impacts on multiple uses of natural resources and economic stability. To assist in providing necessary tools for addressing these issues, the County may develop, or participate in the development of, and may make available through its committees operating under this

Environmental Review Plan, local economic studies containing unit cost and other indices for the purpose of measuring economic impacts. One of the primary reasons for enacting the procedures contained in this resolution for the development of accurate data is to assist public agencies to identify systematically both present and cumulative impacts associated with their actions and to develop effective and feasible mitigation measures and alternatives so that these adverse impacts may be eliminated or substantially reduced.

G. Public Participation. Another key component of effective environmental review is public participation in the process. During the preparation of environmental documentation for plans, programs and projects which are subject to this resolution, Weston County through its Commissioners and the committees operating under this Environmental Review Plan and the proponent federal or state agency should, consistent with applicable federal and state law, provide opportunities for the involvement of Weston County citizens, residents, local governments, schools, utilities, civic, business and other community groups. Such opportunities should be provided through notices, public hearings and meetings, or other methods calculated to give actual notice of and a meaningful opportunity to participate in the environmental review and assessment.

Section 1-5. GENERAL REQUIREMENTS

1-5-1. In addition to the procedures contained in this

resolution, the County Shall:

1. adopt such administrative rules and regulations deemed necessary to carry out its objectives;
2. establish an oversight committee or other organization as may be deemed necessary to assure that the intent and purposes of the procedures established by this resolution are maintained;
3. 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 resolution may be carried out.

1-5-2. Each member of any committee established under this Environmental Review Plan shall be a full-time resident of Weston County while such member is serving on a committee.

1-5-3. All committees established under this Environmental Review Plan shall operate and conduct their business pursuant to Roberts Rules of Order.

1-5-4. Each member of a committee established under this Environmental Review Plan shall be appointed by the Weston County Commission (except as otherwise provided for the Joint Committee), and shall serve terms of three years (except for the initial committee terms of office as explained below). No committee member may service more than two consecutive terms of office (whether initial or full term). The initial terms of office for the Agriculture Committee, Timber Committee, Mineral Resource Committee and Recreation, Wildlife and Tourism Committee, (with three

members) shall be as follows: one member shall serve an initial one year term of office, one member shall serve an initial two year term of office, and one member shall serve an initial three year term of office. After serving the foregoing initial terms of office, such terms of office shall all be three years and the committee membership of the Agriculture Committee, Timber Committee, Mineral Resource Committee and Recreation, Wildlife and Tourism Committee shall rotate on an annual schedule as established herein.

1-5-5. The at-large member of the Joint Committee shall be appointed to serve an initial term of three years. The remaining four members of the Joint Committee shall be selected as provided in Section 1-2-2 of this ordinance. Joint Committee membership shall rotate in accordance with the respective terms of office of its members.

Section 1-6. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this resolution or the application thereof to any person or circumstances is declared invalid or unconstitutional by the decision of a court competent jurisdiction, that decision does not affect the validity of the remaining portions of this resolution. The Weston County Commissioners declare that it would

have adopted this resolution irrespective of the fact that any section, subsection, clause, phrase or portion is unconstitutional or invalid.

After passage of this resolution, the county clerk shall cause it to be published pursuant to the Wyoming Codified Laws.

The foregoing resolution was introduced at a general meeting of the Weston County Commissioners on Dec. 7, 1994 and adopted at a meeting held on Dec 7, 1994.

Paul M. Elliott
Chairman, Weston County
Board of Commissioners

ATTEST:

Paula Thompson
County Clerk