

## PLAN AND POLICY CONSIDERATION RESOLUTION

### Sweetwater County Conservation District

Resolution of the Board of Supervisors – Sweetwater County, Wyoming

**WHEREAS**, the Sweetwater County Conservation District (the District) is established pursuant to the Wyoming Conservation District Law to provide leadership for the conservation and utilization of soil, water, and rangeland resources within the District, promote the wise use of water and other natural resources, preserve and enhance rangeland resources, preserve wildlife, protect public lands, protect the tax base of the District, to promote the health, safety, and general welfare, of its citizens. The District further recognizes that in order to fulfill its policy direction, it needs to consider the need of agriculture, industry and business for future growth; and

**WHEREAS**, the Wyoming Conservation District Law grants specific powers and duties to the Conservation Districts, including the authority to conduct surveys, investigations, and research relating to range management, soil conservation and erosion, flood prevention, conservation, development, utilization and disposal of water and to disseminate such information; to conduct demonstration projects with respect to range management, soil conservation, flood prevention and the conservation, development, utilization, and disposal of water; implement improvement measures and works within the District for rangeland management and cultivation, erosion, water development and conservation, facilitate financial aid for any such projects or improvements, and to develop comprehensive plans for range improvement and soil stabilization and conservation, and the conservation, development, utilization and disposal of water, and flood prevention. Such comprehensive plans are to include range management provisions, plus specific actions and procedures necessary to implement the plans, including engineering, developments, cultivation, vegetation growth and management, and land use changes. The District is further authorized to enter into agreements with a Federal, State or local agency with respect to land utilization, soil conservation, erosion control and prevention, flood prevention, and water conservation and utilization projects; and

**WHEREAS**, the National Environmental Policy Act, 42 U.S.C. §4332(2)(C), and the Council on Environmental Quality regulations at 40 C.F.R. §§1501.1, 1501.5, 1501.6, 1502.16, 1502.19, 1503.1, 1506.2 and 1506.6, and CEQ policy direction provide mechanisms for the resolution of conflicts between Federal, State and local governmental objectives and plans and for intergovernmental coordination and cooperation and joint environmental planning, including right of local government entities to participate as cooperating agencies; and

**WHEREAS**, the National Environmental Policy Act, and the Council on Environmental Quality regulations require that for each federal action that may have a significant environmental impact, the environmental impact statement must address the direct, indirect, and cumulative effects of the proposed Federal action on the environment, including the ecological, aesthetic, historic, cultural, social, economic and other impacts that may occur. The scope of this review must also take into account the connected, similar, and cumulative

actions, that including actions occurring on private and state lands, and land use plans, policies and objectives established by State and local governmental entities; and

**WHEREAS**, the District has adopted a land and resource use plan and policy (the Plan) which establishes the goals and objectives for the management of rangeland resources and vegetation, soil, and water within the District and provides that management of these resources must also be consistent with the County's customs, culture, and economic viability. The District Plan further provides a framework for the analysis and resolution of land use and management issues including environmental, social, cultural, and other impacts that may occur as a result of private and /or governmental action; and

**WHEREAS**, the Federal land management statutes provide that land and resource management plans established by Federal agencies must take into consideration local government plans. For the public lands, the Bureau of Land Management must modify the federal land use plans to make them consistent where possible. The National Environmental Policy Act requires all federal agencies to reduce conflicts between the proposed federal action or land use plan and the local government plans, policies and objectives.

**NOW THEREFORE BE IT RESOLVED**, by the Sweetwater County Conservation District of Sweetwater County, Wyoming that the District has established a Land and Resource Advisory Committee (LRAC) according to State law and has adopted a land and resource use plan for Sweetwater County.

The District shall monitor and participate to the fullest extent appropriate and feasible in actions undertaken by the Federal land management agencies that consider, propose, or take any action that may affect or have the potential of affecting the use of land or natural resources in Sweetwater County, Wyoming, and the District shall take specific steps to ensure that the Federal agencies:

- A. Consider and, when appropriate, modify or mitigate, the effects such actions have on (i) community stability; (ii) maintenance of custom, culture and economic stability; and (iii) conservation and use of the environment and natural resources; and
- B. Coordinate procedures to the fullest extent possible with the District, prior to and during the implementation of any federal action; and
- C. Establish a process for such coordination, with the District by memorandums of understanding or other agreements binding on the agencies, to provide for cooperating agency status, joint planning, joint socio economic and environmental research and data collection, and joint hearings; and
- D. Submit a list and description of alternatives that identify and address possible conflicts with the District's ordinances, policies and plan, including the Plan; consider reconciling the proposed action with the District's ordinances, policies and plans, including the Plan; and, after such consideration, take all practical measures to resolve such conflicts and display the results of such consideration in appropriate documentation; and

- E. Assume that any proposed action may have a significant impact on the resources and interests located within the District and that coordination and consultation with the District and review of data specific to the District are necessary prerequisites to all such planning and permitting activities; and
- F. Coordinate with the District to comply with Federal statutes and regulations, and District ordinances, policies and plans, including the Plan; and
- G. Adopt appropriate measures with the concurrence of the District to adequately mitigate adverse impacts on local culture, custom, economic viability or protection and use of the environment; and
- H. Protect private property rights of the citizens of Sweetwater County against violation through regulatory means or otherwise.

**BE IT FURTHER RESOLVED**, that the District, notify all Federal, State and local agencies and governments administering land or conducting programs in Sweetwater County, Wyoming, of adoption of this resolution and of the District's request for inclusion in all rulemaking and policy development, environmental review, and planning processes to the fullest extent required or permitted by law, including but not limited to, the National Environmental Policy Act.

Enacted in open session of the Board of Supervisors on the 8th day of July, 2004

**Board of Supervisors**

  
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