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Watershed Strategic Plan

**Approved November 20, 1996
Revised November 16, 2000**

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I. INTRODUCTION

Recognizing the need for Conservation Districts to be a lead player in watershed issues and management efforts and to represent local interests in state and federal watershed and ecosystem planning, a resolution was developed and passed during the 1995 Area III meeting, to initiate the development of a strategic plan to assist Districts in taking the lead in watershed efforts.

The Conservation Districts, during the 1995 annual business meeting held in Rock Springs, unanimously approved the resolution. The WACD then invited District Supervisors and employees, Natural Resources Conservation Service, and Department of Agriculture representatives to serve on a “Watershed Strategic Planning Task Force”. This group met four times throughout the winter and spring months and began developing the attached strategic plan. The Task Force developed a Watershed Survey, which was completed by the Conservation Districts. The results of this survey were used as the basis for the strategic plan development.

This plan is intended to provide Districts with general information and direction for initiating a lead role in watershed planning and management efforts. We realize that Districts throughout Wyoming are currently involved at various levels in watershed efforts. Several Districts in Wyoming have already taken a lead role in initiating watershed based efforts.

The intent of the Task Force was to provide a variety of information that could be utilized by all Districts regardless of their current level of involvement. The Task Force realizes that the strategic plan provides a basic framework and that additional efforts and direct assistance to Districts will be necessary to accomplish the goal of Districts being in the lead of watershed management efforts.

We welcome any comments and input Districts may have on the strategic plan.

Skip Bryant, Area III Director
Watershed Task Force Chairman

Watershed Strategic Planning Task Force Participants: (1996 TASK FORCE MEMBERS)

Jerry Buk, Cooperative Extension Service (group facilitator)
Tracy Renner, WACD President
Tim Morrison, Meeteetse Conservation District
Tori Kohut, Washakie County Conservation District
Reg Phillips, Dubois-Crowheart Conservation District
Larry Hicks, Little Snake River Conservation District
Jack Pugsley, Lingle Ft. Laramie Conservation District
Skip Bryant, Intermountain Conservation District
Garen Sailors, Natural Resources Conservation Service
George Cleek, Natural Resources Conservation Service/Wyoming Dept. of Agriculture
Maria Ryan, Wyoming Department of Agriculture
Dennis Sun, Wyoming Department of Agriculture
Brian Lovett, Laramie County Conservation District
Jim Gould, Meeteetse Conservation District
Rik Gay, Teton County Natural Resource District
Earl DeGroot, Wyoming Association of Conservation Districts
Bobbie Frank, Wyoming Association of Conservation Districts

1 As more districts became involved in the watershed planning process, it became clear that the
2 original watershed strategic plan adopted in 1996 did not clearly reflect the vision of the districts
3 in Wyoming. In 1999, the WACD board of directors once again appointed a task force to revise
4 the watershed strategic plan to include the broader vision and goals of the districts.

5
6 The revisions to the original plan will serve to reflect the districts' intent of planning for resource
7 health, maintenance and improvement, as well as becoming more involved in state and federal
8 planning processes and policy development. As well, the plan will incorporate district experiences
9 over the past few years such as progress in water quality monitoring. In addition, some of the
10 information in the original plan has been updated and reformatted to ensure that this document is
11 easy to understand and utilize.

12
13 The intent of the plan is still to provide general information and direction for districts in initiating
14 a lead role in watershed planning.

15
16 **Watershed Strategic Planning Task Force (2000 Task Force Members)**

- 17 Tim Morrison, Meeteetse Conservation District
- 18 Reg Phillips, Dubois-Crowheart Conservation District
- 19 George Cleek, Natural Resources Conservation Service
- 20 Lisa Shaw, Niobrara Conservation District
- 21 Heidi Sturman, Niobrara Conservation District
- 22 Dennis Sun, Wyoming Department Of Agriculture
- 23 Lance Clark, Platte County RD/Employees Association
- 24 Dan Holden, Natural Resources Conservation Service
- 25 Rik Gay, Teton Conservation District
- 26 Jon Ungerer, WDA/NRCS
- 27 Bobbie Frank, Wyoming Association of Conservation Districts
- 28 Kelly Brown, Wyoming Association of Conservation Districts

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**RESOLUTION
PASSED AT AREA III MEETING
9/14/95**

WHEREAS, the Conservation Districts were created pursuant to Wyoming Sate Statute § 11-16-101 et seq. to provide leadership and representation at the local level on issues affecting soil and water conservation, the protection of the tax base, and the proper management of the natural resource base of the state of Wyoming, and;

WHEREAS, Conservation District's throughout Wyoming have conducted long range planning efforts and have developed water quality issues, concerns, policies, and goals in their respective areas, and;

WHEREAS, federal, state and local governments and their designees are initiating planning policies, ecosystem management strategies, or procedures to address resource management on a watershed basis, and;

WHEREAS, watershed boundaries include private property, a coordinated approach to watershed management must be implemented, in order to minimize the social, economic, and cultural impacts on local communities and optimize resource conservation, and;

WHEREAS, there is a need to coordinate and provide leadership at the local level for resource management efforts including the federal, state and private lands to accomplish common watershed management goals and to eliminate duplication of efforts through a pooling of limited resources, and;

THEREFORE BE IT RESOLVED, by the Area III Conservation Districts, that the Wyoming Association of Conservation District pursue efforts to establish a strategic plan to define how the Conservation Districts can provide a leadership role in coordinating watershed management efforts at the local level.

Adopted by:

Area I September 19, 1995

Area II September 20, 1995

WACD Board Recommendation: **Do Pass**

WACD Annual Business Meeting: **Do Pass**

1 **II. DISTRICT AUTHORITIES & RESPONSIBILITIES**

2
3 Conservation districts in Wyoming have the ability to complete planning processes as provided by
4 the following statutes:

5
6 **CONSERVATION DISTRICT LEGISLATIVE AUTHORITY:**

7 W.S. 11-16-103(b): It is hereby declared to be the policy of the legislature to provide for the
8 conservation of the soil, and soil and water resources of this state, and for the control and
9 prevention of soil erosion and for flood prevention or the conservation, development, utilization,
10 and disposal of water, and thereby to stabilize ranching and farming operations, to preserve
11 natural resources, protect the tax base, control floods, prevent impairment of dams and reservoirs,
12 preserve wildlife, protect public lands, and protect and promote the health, safety, and general
13 welfare of the people of this state.

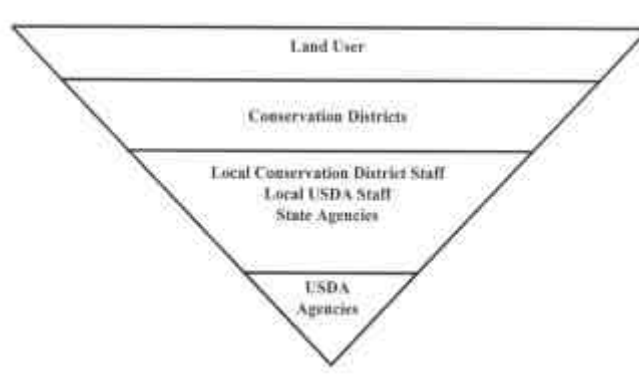
14
15 W.S. 11-16-122 (b) (iv): Furnish to the state conservation commission upon request, copies of
16 ordinances, rules, regulations, orders, contracts, forms and other documents they adopt or
17 employ, and such other information concerning their activities as it may require and to the county
18 clerk copies of ordinances, rules, regulations and orders it adopts in accordance with law;

19
20 W.S. 11-16-122 (b) (xvi) Develop comprehensive plans for range improvement and stabilization,
21 conservation of soil and water resources, control and prevention of soil erosion and for flood
22 prevention or the conservation, development, utilization and disposal of water within the district,
23 which plans shall include range management provisions and shall specify in detail the acts,
24 procedures, performances and avoidance’s necessary or desirable to carry out the plans, including
25 specification of engineering operation, fence and stock water developments, methods of
26 cultivation, the growing of grass and other vegetation, cropping and range programs, tillage and
27 grazing practices, and changes in use of lands;

28
29 W.S. 11-16-122 (b) (xxvi) Make, amend and repeal rules and regulations not inconsistent with
30 this act, to implement its purposes and powers;

31
32 Function of the Conservation District:

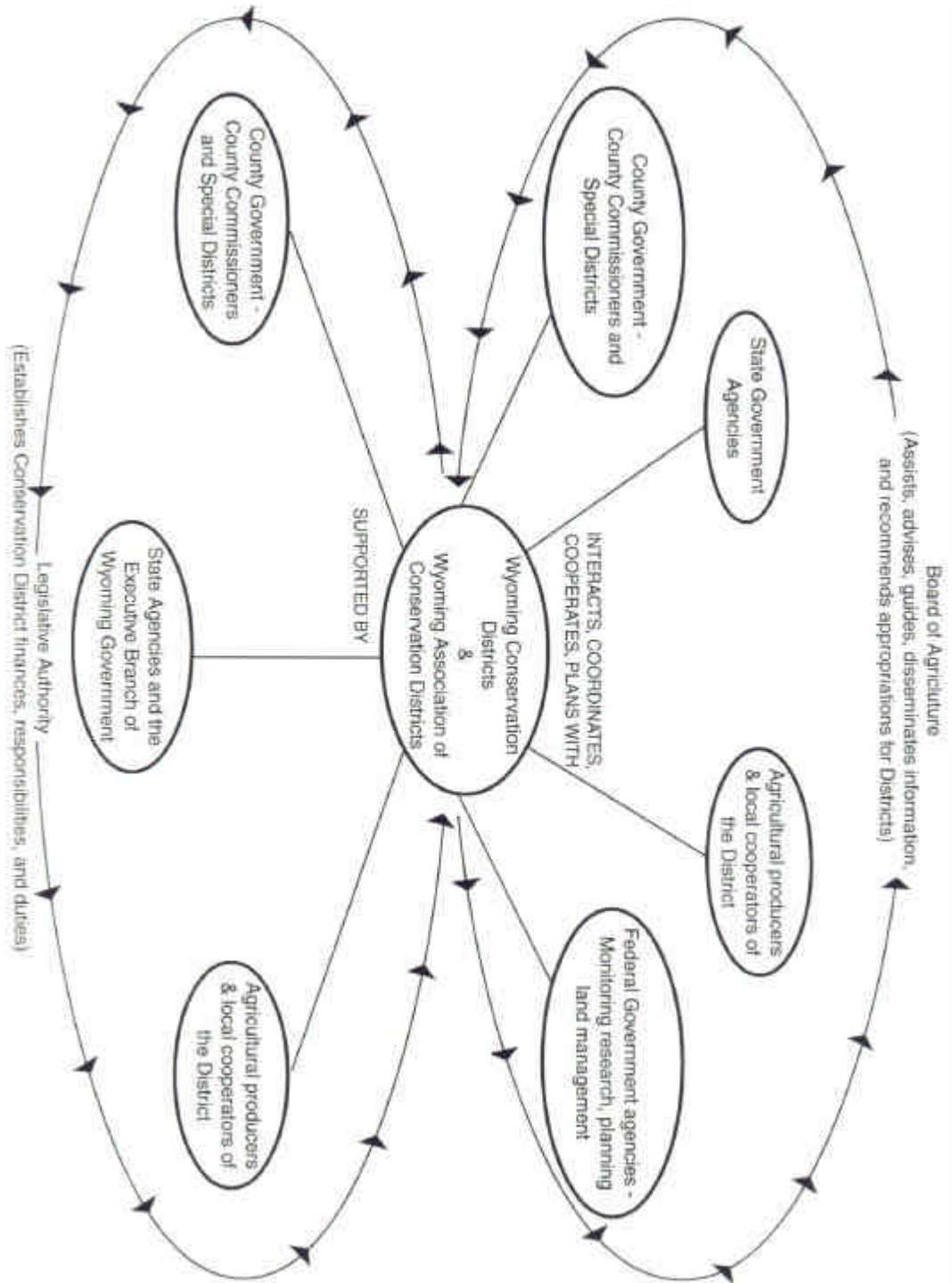
33 “To take available Technical, Financial, Educational resources, whatever their sources, and focus
34 or coordinate them so they meet the needs of the local land user.”
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The following model describes the mechanism whereby local citizens, using existing statutory authority, can bring the management of natural resources to the local level. The Board of Agriculture and Conservation Districts would develop and support a sustained interaction among local cooperators and agricultural producers, and the local, state and federal agencies.



7
8

1 **ISSUES UPDATE**

2 In 1998, the Wyoming State legislature appropriated \$367,000 to the conservation districts in
3 Wyoming to implement a water quality monitoring/training program. Each of Wyoming's
4 conservation districts received the necessary water quality monitoring equipment and training in
5 developing watershed based monitoring and sampling plans, as well as a three-day intensive
6 course in Wyoming's watershed hydrology, including stream dynamics.

7
8 In 1999, the Wyoming State legislature passed legislation that defined credible data and how it
9 was to be utilized in Wyoming.

10
11 W.S. 35-11-103 (c) (xix) "credible data" means scientifically valid chemical, physical and
12 biological monitoring data collected under an accepted sampling and analysis plan, including
13 quality control, quality assurance procedures and available historical data.

14
15 W.S. 35-11-302 (b) the administrator, after receiving public comment and after consultation with
16 the advisory board, shall recommend to the director rules, regulations and standards to promote
17 the purposes of this act. The rules, regulations and standards shall prescribe:

18
19 (i) A schedule for the use of credible data in designating uses of surface water consistent
20 with the requirements of the federal water pollution control act (33 u.s.c. sections 1251
21 through 1387). The use of credible data shall include consideration of soils, geology,
22 hydrology, geomorphology, climate, stream succession and human influence on the
23 environment. The exception to the use of credible data may be in instances of ephemeral
24 or intermittent water bodies where chemical or biological sampling is not practical or
25 feasible;

26
27 (ii) The use of credible data in determining water body's attainment of designated uses.
28 The exception to the use of credible data may be in instances where numeric standards are
29 exceeded, or in ephemeral or intermittent water bodies where chemical or biological
30 sampling is not practical or feasible.

31
32 Wyoming's conservation districts are dedicated to ensuring that water quality determinations,
33 which affect Wyoming's citizens, are made utilizing credible data. In addition, the Districts are
34 involved in several other areas of conservation work. Examples of some of the programs that
35 Districts have developed are listed below.

36
37 **Animal Feeding Operation Demonstration Sites**

38 A true demonstration of voluntary efforts at work and the agriculture communities commitment
39 to water quality, the WACD in partnership with the Wyoming Department of Agriculture, is
40 currently implementing a grant program aimed at assisting agriculture producers address water
41 quality concerns caused by confined animal feeding operations. Eight demonstration sites are
42 being established around Wyoming. The technical assistance for these projects is being provided
43 in part by the USDA Natural Resource Conservation Service. These sites are in the Saratoga,
44 McFadden, Wheatland, Buffalo, Greybull, Tensleep, Sundance and Afton areas. This program is
45 funded in part through a section 319 grant from the US EPA and the Wyoming Department of

1 Environmental Quality. WACD developed a brochure aimed at educating producers on laws &
2 liabilities, potential pollutants, best management practices and other issues related to confined
3 livestock operations. Included in this brochure is a producer self-evaluation that can be utilized to
4 determine if the operation has the potential to impact water quality. The brochure can be
5 accessed on the WACD website located at <http://www.conservewy.com>.

6 7 Watershed Planning -vs- TMDLs

8 For many years the local conservation districts have successfully brought together diverse
9 interests to develop and implement watershed based efforts. With approximately 30 lawsuits
10 nationwide being filed against EPA, including Wyoming, pertaining to federal requirements to
11 establish Total Maximum Daily Loads, Wyoming's Conservation Districts have requested and
12 received approval to develop watershed plans at the local level in lieu of TMDLs. Why and
13 what's the difference? TMDL's are a formula based calculation to reduce a pollutant, which is
14 causing water quality impairments. For the most part TMDL's are not developed by the local
15 people within the local community affected. Watershed plans, as developed in Wyoming, will
16 involve the local people, developing their own watershed restoration goals. Although, similar at a
17 glance, the difference lies in what gets done on the ground. A plan developed by the local people,
18 and the landowners affected, stands a greater chance of success.

19 20 Public Land Grazing

21 The Districts have also taken an interest in public land grazing. Fourteen Districts filed an amicus
22 curiae brief in the litigation over preferential rights on state land leases. Many Districts are
23 assisting leasees with permit renewals on federal lands as well.

24 25 Threatened and Endangered Species

26 Districts have become more involved in the issue of threatened and endangered species. Several
27 local Districts are assisting with the development of candidate conservation plans and habitat
28 conservation plans. Interested landowners may sign up for these programs on a voluntary basis.

29 30 Coal Bed Methane Development

31 An area of increasing interest to Districts in the northeastern portion of the state is coal bed
32 methane. Several Districts have developed a proposal which would allow for a coordinator
33 position to assist landowners, agencies, and industry to better communicate, which will hopefully
34 alleviate some of the issues surrounding the development of coal bed methane.

III. WHAT IS A WATERSHED

A watershed is a landscape surface area that surrounds and drains into a common waterbody, such as a lake, small stream or river basin system. Watersheds provide useful and often clearly defined landscape units for scientific assessments and planned management actions.

Hydrologic Unit Boundaries and Codes

A hydrologic unit boundary defines an area that contributes surface runoff directly to a single outlet. The outlet is designated as the watershed mouth. The United States has been divided into successively smaller hydrologic units – each subdivision is defined as a level. At the current time, the 6 identified levels are named regions, subregions, basins, subbasins, watersheds and subwatersheds. The hydrologic units are arranged within each other, from the smallest (subwatersheds) to the largest (regions). Each hydrologic unit is identified by a unique hydrologic unit code (HUC) consisting of 2 to 12 digits based on the six levels of classification. Each code consists of the previous level’s code extended with a two-digit code for the watershed in the level being identified.

The hydrologic unit boundary and its associated codes provide a standardized base for water-resource managers and planners in locating, storing, retrieving and exchanging hydrologic data.

The hydrologic unit boundaries are useful to nearly every local, state and federal agency that participates in land management activities and are critical for development of watershed-based plans, assessments, projects or inventories. HU codes can be useful for natural resource planning, watershed water-quality assessment, and other water resource inventories or management projects.

HUC Level	Label	Number or Size
1	Region	21 Nationwide
2	Subregion	222 Nationwide
3	Basin	352 Nationwide
4	Subbasin	Greater than 450,000 acres
5	Watershed	250,000 to 40,000 acres
6	Subwatershed	40,000 to 10,000 acres

A Wyoming Example: Hydrologic Unit Code: 101202010101

10 = Missouri River Region

12 = Belle Fourche/Cheyenne River Subregion

02 = Belle Fourche River Basin

01 = Upper Belle Fourche River Subbasin

01 = Upper-Upper Belle Fourche River Watershed

01 = All Night Creek Subwatershed

1 The following maps provide examples of watersheds in Wyoming:

2

3 The Belle Fourche Watershed is an example of a watershed with mainly private ownership. The
4 Popo Agie Watershed is an example of a watershed with a majority of federal land ownership.

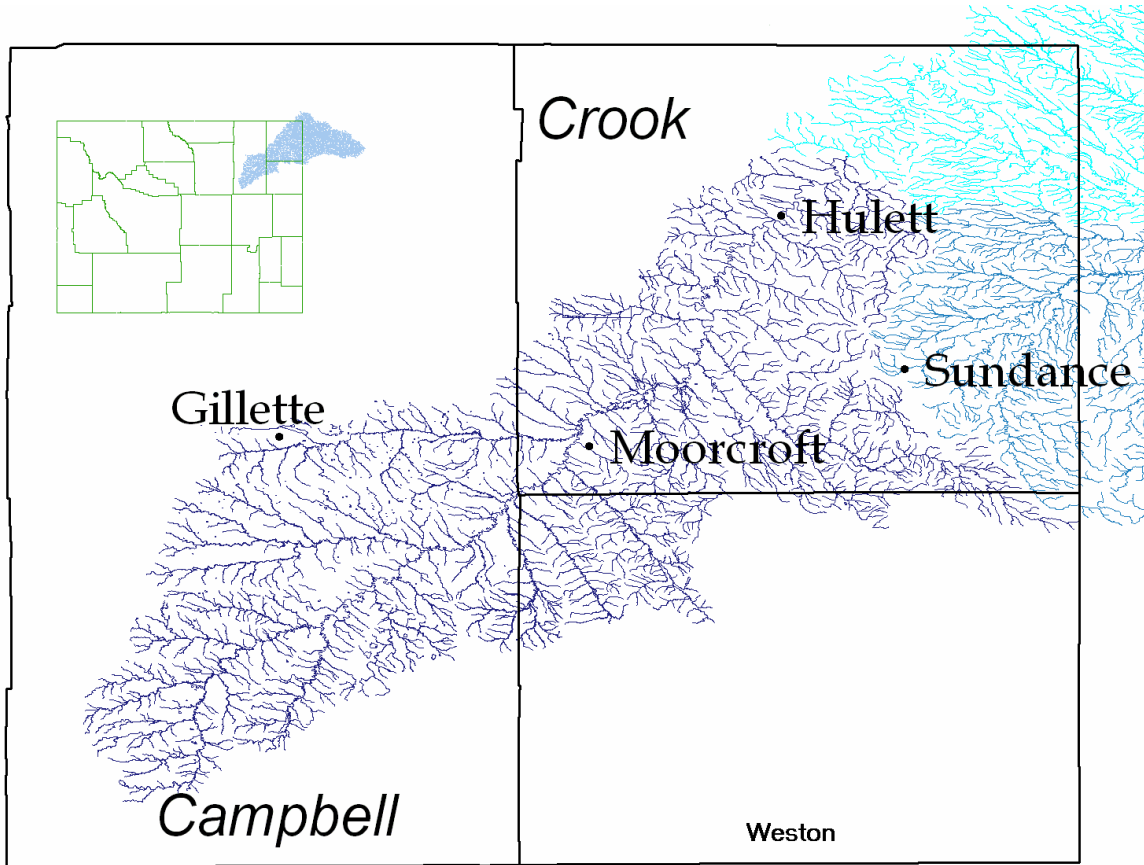
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Belle Fourche Watershed



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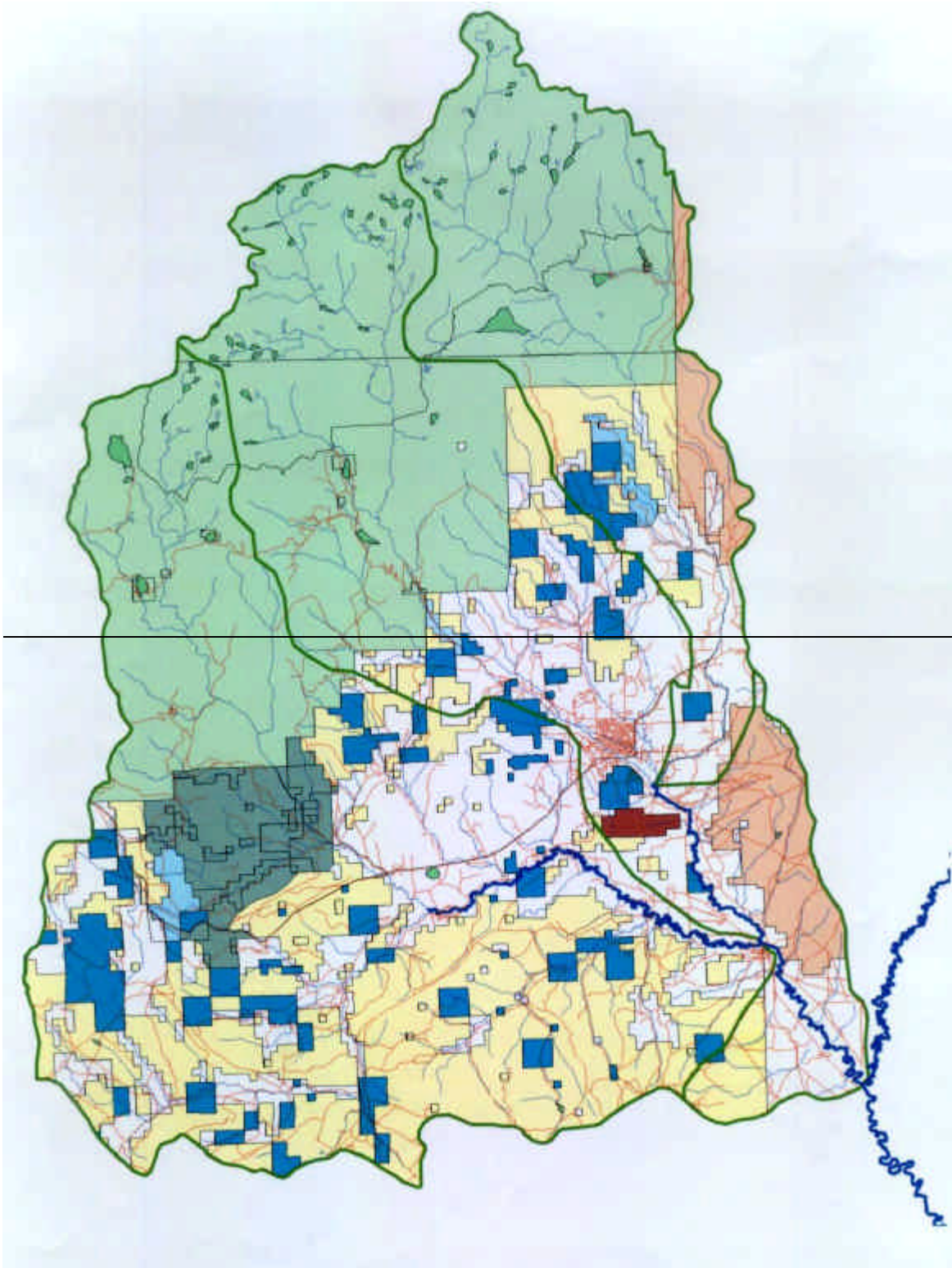
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8 Digit Hydrologic Unit Code, United States Geological Survey

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Popo Agie Watershed



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8 Digit Hydrologic Unit Code, United States Geological Survey

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IV. KNOW YOUR WATERSHED

ANY WATERSHED PLAN LED BY A CONSERVATION DISTRICT SHOULD BE LANDOWNER DRIVEN OR INITIATED, OR AT A MINIMUM BE SUPPORTED BY AFFECTED LANDOWNERS.

AS WITH ALL CONSERVATION DISTRICT PROGRAMS, ANY PARTICIPATION ON BEHALF OF ANY LANDOWNER IS STRICTLY VOLUNTARY.

Steps in the Watershed Planning Process:

- 1) Watershed inventory or assessment - Getting to know your watershed
 - Coordinate with Landowners, other conservation districts
 - Identify watershed or sub-watershed boundaries
 - Determine other participants to be invited
 - Review existing data, reports and maps.
 - If existing data are inadequate, collect new data.
 - If existing maps are inadequate, develop new maps.
 - Compare historical and current water quality data to DEQ water quality standards.
Review other data regarding range conditions, riparian conditions, fisheries populations, etc.
 - Prepare a list of all issues identified by the data and/or public input.
 - Conduct a risk assessment. (A risk assessment asks the question: What is the risk of not addressing each identified issue? Does it, or will it, create a health problem, aquatic impact, irrigation impact, livestock impact, financial impact, political impact, etc.?).
 - Seek public input (Refer to page 27 for a description of public input processes available).

1 **Dependent upon the outcome of Step 1, the following are the possible next steps:**
2

3 2) Determine and Prioritize Issues from those identified during the assessment
4

- 5 -Examine the baseline data gathered during the inventory and assessment. (Have a clear
6 understanding of the existing situation).
- 7 -Review legal authorities/requirements and comments from the public and/or government
8 agencies.
- 9 -Conduct additional meetings if necessary.

10
11 3) Develop goals and objectives for your plan based on issues
12

- 13 -Develop objectives with targets and dates. (For example: Reduce the annual mean)
14

15 4) Develop and document a course of action/policies to be implemented
16

- 17 -Seek appropriate input
- 18 -Develop a list of Best Management Practices (BMPs) that could alleviate the concern.
- 19 -Develop policy for coordinated state and federal land management.
20

21 5) Find Resources to implement course of action
22

- 23 -Pursue funding if necessary
24

25 6) Implement the Course of Action
26

- 27 -Administer the project.
- 28 -Conduct public relations efforts (especially with landowners in the project area).
- 29 -Provide technical assistance to promote/install BMPs.
- 30 -Conduct watershed tours to promote/retain public interest.
31

32 7) Evaluate/Monitor
33

- 34 -Conduct monitoring activities (water quality, water quantity, range conditions, etc.)
- 35 -Analyze data gathered during monitoring activities.
- 36 -Recommend changes to the management plan based on monitoring results. (If you are
37 not getting the results you hoped for, you may need to modify your approach.)
- 38 -Write periodic and final reports.
- 39 -Present results at meetings and publish them in the local newspaper to build watershed
40 plan support.
41

42 8) Adopt the Document – (Please refer to Section V)
43

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4 **V. DEVELOPING POLICY FOR YOUR WATERSHED PLAN**
5
6

7 A. Putting policy into place

8 A long range plan, resource management plan, or land use management plan normally includes
9 some form of goals, objectives or actions a Conservation District can attain or achieve for the
10 benefit of:

- 11
12 the soil and water resource;
13 range management, improvement or stabilization;
14 control and prevention of soil erosion; and
15 flood prevention or the conservation, development, utilization, and disposal of water.
16

17 **A key component sometimes missing from a long range plan is policy.** Policies are
18 the written courses of action adopted and regularly used by the elected body (District Board of
19 Supervisors) to determine or influence the decisions and actions contemplated and taken by that
20 elected body. The written policies are usually derived from the goals, objectives, or actions
21 adopted by the Board of Supervisors in their planning process, and describe what the Board may
22 do in the achievement or attainment of a goal, objective or action.
23

24 For example, the Conservation District must review subdivisions of land (residential or
25 commercial developments) consistent with the Wyoming State Real Estate Subdivision Act
26 (Wyoming Statute 18-5-306 (b)), so the Conservation District may have a policy that they will
27 “make a recommendation to the county commissioners and/or planning and zoning commission
28 concerning the impacts of on-site sewage waste water systems on the groundwater or surface
29 water resources of the lands affected by the development”.
30

31 Another example is a Conservation District may have many acres of federal or state
32 managed lands within their jurisdiction, correspondingly that District may have a policy that states
33 they will “coordinate and cooperate with federal and state agencies in their respective land use or
34 resource management planning and implementation activities “.
35

36 Or a District Board may a create policy that sets out that they will “adopt conservation
37 ordinances, rules or regulations to have force and effect of law over all the public lands within its
38 jurisdiction”.
39

40 The Wyoming Conservation Districts Law (Title 11, Chapter 16 Conservation Districts)
41 provides the ability for Conservation Districts to adopt **policy** via the several citations listed
42 below:
43

44 W.S. 11-16-122 (b) (iv): Furnish to the state conservation commission upon request,
45 copies of ordinances, rules, regulations, orders, contracts, forms and other documents they adopt

1 or employ, and such other information concerning their activities as it may require and to the
2 county clerk copies of ordinances, rules, regulations and orders it adopts in accordance with law;
3

4 W.S. 11-16-122 (b) (xvi) Develop comprehensive plans for range improvement and
5 stabilization, conservation of soil and water resources, control and prevention of soil erosion and
6 for flood prevention or the conservation, development, utilization and disposal of water within the
7 district, which plans shall include range management provisions and shall specify in detail the acts,
8 procedures, performances and avoidance's necessary or desirable to carry out the plans, including
9 specification of engineering operation, fence and stock water developments, methods of
10 cultivation, the growing of grass and other vegetation, cropping and range programs, tillage and
11 grazing practices, and changes in use of lands;
12

13 W.S. 11-16-122 (b) (xxvi) Make, amend and repeal rules and regulations not inconsistent
14 with this act, to implement its purposes and powers;
15

16 **Why do we need to amend our long range plan?**

17 In a nutshell, the Conservation District would need to amend their long range plan to establish
18 policy.
19

20 Another reason to amend the long range plan is a Conservation District may want to add another
21 component of, or level of responsibility, or increase their involvement in programs such as
22 watershed planning or range management. In that case, the District Board would need to go
23 through a process to describe, write, and adopt goals, objectives, or actions, and policies that
24 reflect or deal with the relevant issues, concerns, problems, threats, or interests obtained through
25 a public involvement and listening/planning process. Those issues, problems, concerns or
26 interests may be brought out by the public or the Board itself, based on the public input.
27

28 Finally, the most obvious reason to amend your long range plan is because of change. Change in
29 a Conservation District Board of Supervisors, change in public interests or wants, change in land
30 management or new important issues brought about by the actions of other local, state, tribal, or
31 federal government agencies.
32

33 **How do we amend our long range plan?**

34 In order to amend a long range plan, the district will need to follow the administrative procedures
35 act and rules on rules. (Refer to Section VIII for the Secretary of State website address)
36

37 **What's the purpose of filing the long range plan with the county clerk?**

38 To put the public of the district, and the local, state, and federal government/ agencies on
39 official notice of your policies and the long range plan. Without the filing of the plan with the
40 county clerk, the federal agencies might choose to ignore the policies of the conservation district
41 in their ongoing land use management and planning. If the district does not want to coordinate
42 and cooperate with the state and federal agencies, the conservation district law still requires that a
43 district file any ordinance, rules, regulations and orders with the county clerk in accordance with
44 law (the Administrative Procedures Act).
45

1 **Why do we need to file our plan with the county clerk?**

2 The filing provides the effective notice of the plan of the conservation district in
3 compliance with 11-16-122 (b) (iv) public record and compliance with the Administrative
4 Procedure Act. The Administrative Procedures Act 16-3-101 et seq. provides a process by
5 which the Conservation District can establish rules and regulations. The Conservation District is
6 required to follow the Administrative Procedures Act by their own implementing legislation (11-
7 16-122 Powers and duties of districts and supervisors thereof generally. (b) (iv)). The
8 Administrative Procedures Act requires a public notification process, a timed (a minimum 45 day
9 advertisement) public hearing/reviewing process, and final approval of the plan/rule by the Board
10 of Supervisors. Once the process has been completed, the plan/rule can be filed in your county
11 clerk’s office, and by doing so officially makes the rule enforceable (if so written) and in the
12 public's eye.

13
14 **What’s the purpose of a watershed or long range plan?**

15 The purpose of a plan is to set the course of action that the Conservation District will take
16 to implement the policy of the Wyoming Legislature (11-16-103 (b)) to provide for the
17 “conservation of the soil and water resources of this state, and for the control and prevention of
18 soil erosion and for flood prevention or the conservation, development, utilization, and disposal of
19 water,” and “thereby to stabilize ranching and farming operations, to preserve natural resources,
20 protect the tax base, control floods, prevent impairment of dams and reservoirs, preserve wildlife,
21 protect public lands, and protect and promote the health, safety and general welfare of the people
22 of this state.” The watershed plan could include the conservation districts role in providing
23 leadership through cooperation and coordination with the various groups and governmental
24 organizations

25
26 **What’s the benefit to our District if we adopt a watershed plan?**

27
28 Some of the benefits will be the cooperation and coordination with other land management
29 agencies (local, tribal, state, and/or federal), a role in providing technical, “on the ground”, and/or
30 monetary assistance to the local cooperators in achieving improved or maintaining good water
31 quality and quantity, and/or the establishment of a monitoring and evaluation program to identify
32 failures and successes of a water quality enhancement or best management practice.

33
34 **What can a District do to file our plan?**

35
36 The Conservation District must comply with the Rules on Rules as adopted by the
37 Wyoming Secretary of State. A copy of the Rules on Rules is available from the Secretary of
38 State’s office in Cheyenne, your local County Clerk, and the Wyoming Association of
39 Conservation Districts.

40 The Rules on Rules describe the format that a plan must be in to be officially recorded
41 with the Secretary of State or a County Clerk. The Conservation District should be able to re-
42 format their existing plan to the required format and then file the plan with the County Clerk.
43 There is usually no charge to file the plan with the County Clerk. Once the plan is filed with the
44 County Clerk, you should also send copies to the other state and federal agencies that would be
45 affected by the plan.

1
2 **B. Coordinating and Cooperating with Federal Government Agencies**

3 If the Conservation District has never or has only minimally cooperated or coordinated
4 with a federal agency, and wants to obtain a higher level of involvement, then the Conservation
5 District should follow the steps described below:
6

7 1. The Conservation District would initially determine their level of involvement such as:
8

- 9 a) commenting on environmental impact statements or environmental analysis, or other planning
10 documents from their very initiation clear through the final decision.
11
12 b) involved as a cooperating agency in the actual development of planning and management
13 documents
14
15 c) involved as a cooperating and managing agency sharing responsibility for the management,
16 program or project implementation, or even construction or other performance of service.
17

18 2. Once the level of involvement is determined by the Board of Supervisors (an action
19 should be taken by the Board and recorded in their official minutes), the Districts could then
20 initiate official contact with the federal agency through the mail. The Districts would create a
21 letter (signed by the Board) reciting their official action (which reflects the level of involvement)
22 and also list the legal federal rule (Code of Federal Regulations) citations under which the
23 Districts makes the request. Generally those citations are contained in the regulations of the
24 Forest Service, Natural Resources Conservation Service (United States Dept. of Agriculture),
25 Bureau of Land Management, Bureau of Reclamation, National Park Service, Fish and Wildlife
26 Service (United States Department of Interior), and the Army Corps of Engineers. The allowance
27 for local and state government, and other federal agencies to comment or cooperate with the
28 several federal agencies is enabled by law and the implementing regulations of the federal
29 agencies. The District will need to cite whatever section in the law or regulations that best suits
30 your purposes.
31

32 The Conservation District is a local government as described in the laws of the United States
33 and by the Wyoming Conservation District Law. The District should include a statement as such
34 in the letter as well as the citation in Wyoming Law (§ 16-12-122(b)). You also need to state
35 that they must keep you informed by letter or phone call of any contemplated, planned, proposed,
36 or scheduled actions of the federal agency. The Conservation District should stress the early
37 communications of the proposed actions to the agency so that the District can be involved as a
38 cooperating or commenting agency prior to the establishment of issues relevant to the action to be
39 taken or analyzed by the agency. The purpose here is to be involved in the decision making
40 process just prior to or in the beginning stages of scoping.
41

42 Once the Conservation District initiates contact with the agency they must maintain an
43 ongoing relationship with the agency through regular periodic physical visits, phone calls, e-mail
44 or regular mail. Constant communication is paramount to a successful positive relationship with
45 the federal agency. You may need to also constantly remind them of your Conservation Districts

1 goals, objectives, work plans, and policies so that the agency is able to recognize your continuing
2 role in natural resource conservation. Creating “paper trails”, although sometimes tedious, may
3 be one of the best practices in order to define and record your communications for the future.
4

5 Once the agency receives your registered return receipt letter they will most likely reply with
6 their official stance as an agency of the federal government. It is our hope that the agency will
7 grant reasonable request based upon the regulation or law under which they operate.
8

9 Appendix A contains a list of citations which should help you initially, the laws and
10 regulations can usually be found in local law libraries or the offices of the federal agencies
11 themselves.
12

13 The following is a policy excerpted from the Powder River Conservation District’s Resource
14 Conservation and Land Use Management Plan adopted in 1998:
15

16 *The PRCD will strive to cooperate, consult, and coordinate with the private individuals*
17 *and groups, along with local, state, and federal governmental agencies in order to pursue the*
18 *continued resource management and enhancement in the watersheds of the PRCD, and*
19 *employ the community resource management concepts and ideas contained in the PRCD Plan*
20 *in conjunction with existing or adopted coordinated resource management practices of all*
21 *agencies within jurisdictional boundaries of the PRCD.*
22

1 **VI. COOPERATIVE PLANNING WITH OTHER DISTRICTS**

2
3 Addressing resource issues on a watershed basis may in some cases necessitate the need to
4 develop multi-District agreements. Obviously, watershed boundaries do not necessarily follow
5 District, County or even state boundaries. If a District would like to address resource
6 management on a watershed basis it is advisable for Districts to enter into a cooperative or
7 working agreement. Wyoming Conservation District law provides the authority for Districts to
8 work together and enter into agreements:
9

10 **11-16-121. District supervisor; cooperation and agreements between districts; agreements**
11 **with districts in adjoining states.**
12

13 (a) The supervisors of two (2) or more districts organized under this act may
14 cooperate in the exercise of any or all powers conferred in this act.

15 (b) Any two (2) or more districts may engage in joint activities by agreement for
16 planning, financing, constructing, operating, maintaining and administering any program
17 or project concerned with the conservation of renewable natural resources. The districts
18 concerned may make available for purposes of the agreement any funds, property,
19 personnel, and equipment or serves available to them under this act.

20 (c) Any district may enter into such agreements with districts in an adjoining state if
21 the law in the other state permits such agreements.

22 (d) The commission may propose, guide and facilitate the establishment and
23 carrying out of such agreements.
24

25 Appendix B and C are two sample working agreements. Appendix E is a Cooperative Agreement
26 between two Conservation Districts working on one project. Appendix C is an actual MOU
27 between two Conservation Districts and a Board of County Commissioners. Appendix D is an
28 MOU between several Conservation Districts and the Medicine Bow National Forest. Appendix
29 E is a cooperative agreement between two Districts for the hiring of a consultant to complete and
30 Resource Management and Land Use Plan. Any of these documents may be modified to fit a
31 specific need.
32

33 **A. WATERSHED IMPROVEMENT DISTRICTS**

34 Conservation Districts in Wyoming have a tool available to them to help in watershed planning
35 and improvement. Watershed Improvement Districts are subdistricts of Conservation Districts
36 that can be established to develop and implement improvement projects that provide for the
37 prevention and control of erosion, floodwater and sediment damages, for agricultural uses, and
38 the storage, conservation development, utilization and disposal of water. Their purpose is to
39 preserve and protect land and water resources, and protect and promote the health, safety and
40 general welfare of the people of Wyoming. Communities can establish Watershed Improvement
41 Districts to also work for maintenance of both industrial and domestic supply reservoirs.
42

43 Watershed Improvement Districts can be created by establishing a need by the majority of the
44 landowners in the proposed district, who then file a petition with the board of directors of the
45 local Conservation District within where the proposed district would lie. The petition must be

1 signed by a majority of the landowners included in the boundaries of the proposed district. This
2 petition should set forth the physical boundaries of the proposed district, the number of acres
3 involved, the reasons for the proposed district, and a proposed name for the district. It is
4 important to note that the land included in a proposed Watershed Improvement District can be
5 located in more than one Conservation District in Wyoming.
6

7 Once the local Conservation District Board of Supervisors has determined that there is a need
8 for creating a Watershed Improvement District, they will hold a referendum. Only the owners of
9 land lying within the boundaries of the proposed district can vote. Then the local Conservation
10 District Board will determine if the proposed district is administratively practical and feasible. If
11 the proposed district is approved, the Conservation District Board certifies the creation of the
12 Watershed Improvement District. Then an election is held for a board of supervisors to oversee
13 the new district, which must be made up of landowners in the new district boundaries. This new
14 board will hold joint quarterly meetings with the governing board (Conservation District).
15

16 The advantage to creating a Watershed Improvement District within or between Conservation
17 Districts is the availability of involving local landowners within the watershed that may be affected
18 by flooding, erosion, deposition, and water storage issues. A Watershed Improvement District
19 board, in conjunction with the Conservation District, can assist local landowners in obtaining
20 funding for improvement projects by securing bonds for development and construction of
21 projects. Additional assistance and funding sources can be obtained through the Wyoming Water
22 Development Commission either through grants or loans. The Wyoming Water Development
23 Commission has funding available for the development of new water sources and also
24 rehabilitation projects. Rehabilitation projects include structures and diversions, etc., and are
25 available to date on a basis of 50 percent grant and 50 percent loan. The interest rate for the
26 loans follows the interest rates set by the Wyoming Farm Loan Board. Also, the Wyoming Water
27 Development Commission will provide assistance to watershed Improvement Districts for the
28 scoping of the projects, feasibility (concept design and cost estimates), and for the construction
29 phases. For more information, contact the Wyoming Water Development Commission at 777-
30 7626.
31

32 For information regarding Watershed Improvement District law, please see Wyoming statute
33 41-8-101. For information regarding creation of a Watershed Improvement District, refer to the
34 Wyoming Conservation District Procedures manual. Please see WACD's website at
35 <http://www.conservewy.com> for a link to the appropriate statutes.
36

37 **Considerations in the planning process:**

38 **Political/Policy Level:**

- 39
- 40 1) Make internal commitment to take lead (such as recent resolution)
 - 41 2) Review statutes to familiarize district with authority
 - 42 3) Landowner meeting to initiate under guidance
 - 43 4) Seek agreements for involvement with local, state & federal agencies (MOUs &
44 informal agreements)

- 1 5) Attend meetings setup by others to influence policies (even if the district is not initiating
- 2 the process, the district can still have an influence on watershed planning activities)
- 3 6) Initiate meetings in the district and/or watershed
- 4 7) Initiate and coordinate the development of a watershed plan
- 5 8) Amend the long range plan to include a watershed plan
- 6 9) File the plan with the county clerk's office (this facilitates public comment)
- 7 10) Obtain supervisor training about watershed planning
- 8 11) Develop/obtain expertise in the planning process, sampling and analysis plan
- 9 development, BMP development, BMP promotion, project monitoring, data analysis,
- 10 meeting facilitation, coalition building,
- 11 public relations and leadership skills.
- 12 Train existing staff – if necessary
- 13 Make agreements to use external expertise.
- 14

15 **Technical Level:**

- 16
- 17 1) Purchase or Obtain Use of Equipment (and provide training on operation).
- 18 Computers
- 19 Software (including GIS)
- 20 Vehicles
- 21 Water sampling equipment (Districts should have available)
- 22

23 **Obtain Dependable Funding:**

- 24 From coalition members
- 25 From the mill levy
- 26 From grants

VII. PUBLIC INPUT PROCESSES

Public input is one of the most important steps in the watershed planning process. The conservation district can choose the extent of public input when creating their plan. At a minimum, the district should follow the Administrative Procedures Act which requires a public notification process, a timed (45 day advertisement) public hearing/review process, and final approval of the plan by the board of supervisors. The administrative procedures act can be found at W.S. 16-3-101 et seq.

There are several planning processes that incorporate public input through the planning, that may be utilized depending on your Districts need. A few of those processes include:

1. Holistic Management - Holistic Management provides practical way to develop a clear, focused vision for the future, and enables people to plan how to get there in the most economically, environmentally and socially sound way. For more information on Holistic Management go to the Allan Savory Center for Holistic Management web site at <http://www.holisticmanagement.org>.
2. Coordinated Resource Management – Coordinated Resource Management is a voluntary, usually producer-initiated, planning process that establishes resource goals by unanimous consent. Wyoming CRM was formulated and designed as an approach to improve cooperation and coordination for resource owners, users, and managers in making decisions about how natural resources can best be used and managed. It was designed to increase communication and trust among the decision-makers of Wyoming’s natural resources. For more information on CRM go to the Wyoming Department of Agriculture web site located at <http://wyagric.state.wy.us/natres/natres.html>.
3. Areawide Conservation Planning – This process is utilized by the Natural Resources Conservation Service. The process was developed to allow larger scale planning in which local people identify and address concerns of their community while striving to improve or maintain the health of the land. It blends the actions of individuals with those of their neighbors and their community to solve common problems. NRCS recognizes the importance of individual conservation plans and will continue to develop them. These individual conservation plans are often utilized to implement areawide conservation plans. More information on Areawide planning may be obtained on the Wyoming NRCS homepage at <http://www.wy.nrcs.usda/gov>.

1
2 **VIII. SOURCES OF EDUCATIONAL/TECHNICAL AND FINANCIAL ASSISTANCE**
3 **FOR WATERSHED ACTIVITIES**
4

5 **Wyoming Association of Conservation Districts (WACD):**

6 WACD offers assistance to conservation districts in Wyoming. The assistance can include many
7 different aspects of watershed management. WACD (632-5716), in coordination with several
8 other entities and agencies, coordinates and offers the Water Quality Monitoring Training
9 program, this program includes the following training sessions:
10

11 **PHASE I: CLASSROOM/FIELD TRAINING - 3 DAYS**

12 **UNDERSTANDING WATERSHED PRINCIPALS**

13 Instructor: University of Wyoming - Dr. Quentin Skinner
14

15 **PHASE II & III: CLASSROOM/FIELD TRAINING - 1 week training**

16 Instructors: George Cleek, NRCS/Evan Murray, NRCS and District staff
17

18 **PHASE II: DEVELOPING AN OVERALL WATER QUALITY MONITORING PLAN - 3**
19 **days**

20 ? Overview and introduction: why are you monitoring and what is water quality?

21 ? identify water quality issues, opportunities and concerns

22 ? establishing objectives

23 ? statistical design

24 ? scale of study

25 ? identify variables

26 ? determining what your going to monitor for

27 ? sample type: grab, integrated, composite, or continuous sampling

28 ? sampling location

29 ? sampling frequency and duration

30 ? station type

31 ? sample collection and analysis

32 ? land use and management monitoring

33 ? data management
34

35 **PHASE III: LEARNING TO USE EQUIPMENT - 2 days**

36 ? Calibration, care, and use techniques

37 Instructors: Ted Miller Associates Inc. and Yellow Springs Instruments

38 ? Lab coordination, QA/QC, in-field monitoring coordination

39 Instructors: Myron Brooks, USGS; Jack Smith, DEQ; and Ken McMillan, WDA Analytical
40 Services
41

42 **PHASE IV: FIELD TRAINING - MINIMUM 1 WEEK**

43 **Instructors: DEQ Monitoring personnel**
44

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PHASE V: DATA INTERPRETATION AND ANALYSIS - 4 days
Instructors: Dr. Quentin Skinner, UW and Conservation District personnel

- ? Consistency and Quality
- ? How to apply the water quality data to your goals/objectives and apply the data to the landscape

Other Funds:

- Other possible sources of funds include:
 - District mill levy
 - County Commission
 - Wyoming Department of Agriculture grant programs
 - State Engineer’s Office and local irrigation districts (for water quantity monitoring)
 - Federal agencies such as: U.S. Army Corps of Engineers, U. S. Forest Service, Bureau of Land Management, Bureau of Reclamation, U.S. Fish & Wildlife Service
 - the ‘Foundation Grant Directory’ (ask your local librarian)
 - Environmental Quality Incentive Program (EQIP)
 - Game & Fish Enhancement Program
 - Wetland Reserve Program
 - Organizations such as Trout Unlimited, Rocky Mountain Elk Foundation,
 - Wyoming Private Grazing Lands Team

University of Wyoming

The University of Wyoming Cooperative Extension Service/Department of Renewable Resources provide a vast array of educational/technical expertise in water quality/watershed planning arenas.

As part of the Water Quality training series above, an excellent resource for local Conservation Districts is provided in the training and text book titled "Wyoming Watersheds and Riparian Zones" Authors: Quentin Skinner, Kelly Crane, Joseph Hiller, and J. Daniel Rodgers. These textbooks can also be obtained by contacting the University of Wyoming, Department of Renewable Resources.

In addition, several Conservation Districts are working cooperatively with the University in obtaining graduate students to assist in establishing and continuing water quality monitoring efforts.

Wyoming Department of Agriculture

WDA offers grant funding on a biennium basis. Grants of up to \$10,000 may be utilized to complete watershed planning processes. The WDA also provides assistance in training and facilitation for watershed based planning efforts. (777-7323)

Department of Environmental Quality (DEQ):

DEQ offers an abundance of information and technical assistance. They provide detailed information about grant programs and enforcement programs. They also promulgate water

1 quality standards for human health, aquatic life, livestock and irrigation. These standards are
2 important to conservation districts because they can be compared to local conditions in order to
3 assess current water quality. DEQ employs ground water and surface water experts who are
4 available to answer questions. (777-7938)

5
6 205j Funds:

7 These funds are annually available from DEQ. They can be used for assessment and
8 planning. When existing water quality data do not provide enough information to provide
9 an adequate assessment of water quality conditions, 205j funds can be used to do water
10 quality/quantity monitoring, conduct public meetings, develop watershed maps, etc. A
11 25% nonfederal match is required.
12

13 319 Funds:

14 These implementation funds are available from DEQ. If a water quality concern has been
15 sufficiently determined based on credible data, historical water quality data and/or
16 additional monitoring, 319 funds can be used to pay for preventative/corrective measures
17 and for evaluation of improvement. The corrective measures are often referred to as best
18 management practices (BMPs) and typically include things such as stream bank
19 stabilization, feedlot waste containment, stock water ponds, filter strips, grazing
20 management, etc. Surface waters appearing on the state's current 303(d) list of impaired
21 waters receive a higher priority for funding, however funding is not limited to only listed
22 waters.
23

24 A call for proposals is issued each summer. Proposal deadlines are usually August or
25 September. A 40% nonfederal match is required. It can take as long as a year to receive
26 funds after a proposal is approved.
27

28 Recently, DEQ has made a small portion of 319 funds available for assessment and
29 planning. This is being done in order to augment the 205j program which has had limited
30 funding. These 319 assessment and planning funds are announced with the regular 319
31 request for proposals. A 40% non-federal match is required.
32

33 **Water Resources Data System (WRDS):**

34 The Water Resources Data System provides a variety of services. Most importantly, they
35 maintain historical water quality data in a computerized database. The database contains data
36 from numerous agencies including: USGS, US Forest Service, EPA, etc. After inputting the
37 latitude and longitude of the area of interest, the WRDS can provide printouts or diskettes
38 containing historical water quality data. Limited analysis of data is provided upon request. The
39 WRDS also maintains a water resources bibliography that is useful for locating reports that have
40 been published. These services are free to Conservation Districts. Recently the WRDS has been
41 expanding its GIS capabilities. This service may be available to conservation Districts for a fee.
42 (766-6651 or www.wrds.uwyo.edu)
43
44
45

1
2 **Federal Funding**

3
4 **USGS Funds:**

5 The United States Geological Survey (USGS) is a well-known water resources agency. They
6 have an established network of stations throughout the state where water quality and quantity
7 data are collected. In addition to the existing stations, USGS is often willing to establish new
8 stations. A 50% match is required. They are willing to entertain proposals at any point in time.
9 As a result, a project can often be initiated quickly. The results of the USGS monitoring programs
10 are published annually in a “Water Year” book available free from the state office in Cheyenne.
11 USGS also offers, for a fee, training for sample collection, actual sample collection, laboratory
12 services, data analysis services and Geographical Information System (GIS) mapping services.
13 (778-2931)
14

15 **Natural Resources Conservation Service (NRCS):**

16 The NRCS is heavily involved in water quality projects in Wyoming. Technical assistance can
17 also be obtained from District Conservationists at the local field offices. District Conservationists
18 are particularly adept at identifying and designing needed Best Management Practices.
19

20 **Other sources of technical assistance:**

- 21 - Wyoming Department of Agriculture (Jon Ungerer 777- 5477)
 - 22 - Department Of Renewable Resources at University of Wyoming
 - 23 - Cooperative Extension Service at UW (766-2196) or locally
 - 24 - Wyoming Game & Fish Department (especially local field offices)
 - 25 - Private Consultants
 - 26 - State Engineer’s Office (777-7354)
 - 27 - Local irrigation districts
- 28

29 **WATERSHED PLANNING WEB PAGE LINKS**

30 United States Geological Survey	http://www.wyoming.usgs.gov/welcome.html
31	
32 Wyoming Water Development Commission	http://www.wwdc.state.wy.us
33	
34 Wyoming State Water Planning	http://www.waterplan.state.wy.us
35	
36 Wyoming Secretary of State	http://www.soswy.state.wy.us/rules/rules.htm
37	
38 Spatial Data Visualization Center	http://www.sdvc.uwyo.edu/clearinghouse
39	
40 Environmental Protection Agency	http://www.epa.gov
41	
42 Department of Environmental Quality	http://www.deq.state.wy.us
43	
44 Wyoming Department of Agriculture	http://wyagric.state.wy.us/natres/natres
45	

- 1 Natural Resources Conservation Service <http://www.wy.nrcs.usda.gov>
- 2
- 3 UW Rangeland Ecology & Watershed Management Department <http://soils.uwyo.edu/>
- 4
- 5 Wyoming Association of Conservation Districts <http://www.conservewy.com>
- 6
- 7 Water Resources Data System <http://www.wrds.uwyo.edu/>
- 8
- 9