

RESOLUTION NO. 21-12

**RESOLUTION APPROVING THE NIOBRARA COUNTY
NATURAL RESOURCE MANAGEMENT PLAN**

WHEREAS, the federal government regulates many natural resources within Niobrara County, Wyoming; and

WHEREAS, Niobrara County desires to have input in all management decisions made by the federal government regarding such natural resources within Niobrara County; and

WHEREAS, a Natural Resource Management Plan (“NRMP”) is a document prepared and adopted by a local government to substantively participate in the federal rulemaking process; and

WHEREAS, through federal laws, including the National Environmental Policy Act, the Federal Lands Policy Management Act, and the National Forest Management Act, federal agencies are statutorily required to review and consider a locally adopted land use plan or NRMP when making decisions that may affect the local area; and

WHEREAS, both Wyoming Counties and Conservation Districts have far ranging and important responsibilities to their constituents, described by state statute as protecting their “health, safety and welfare”; and

WHEREAS, NRMPs are intended to help protect the local citizens’ use of, and access to, federally managed lands and resources and to ensure the socioeconomic wellbeing, culture, and customs of a local community are adequately considered in federal decisions; and

WHEREAS, a NRMP serves as a basis for communicating and coordinating with the federal government and its agencies on land and natural resource management and use; and

WHEREAS, consistent with Wyo. Stat. § 9-4-218(a)(viii)(D), and in accordance with Wyo. Stat. §§ 16-4-401 through 16-4-408, the County and Niobrara Conservation District developed the NRMP in public meetings, allowing for public participation; and

WHEREAS, Niobrara County previously adopted the Niobrara County Land Use Plan by Resolution 96-21 on October 1, 1996; and

WHEREAS, Niobrara Conservation District previously adopted the draft plan in April 2021 to meet the requirements of the Wyoming Department of Agriculture. The team continued to fine edit and update the proposed NRMP and provide additional time for public review and comment through July 2021; and

WHEREAS, Niobrara County and the Niobrara Conservation District share common objectives concerning natural resources and federally managed public lands in the County; and

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WHEREAS, Niobrara County and Niobrara Conservation District want to continue to cooperate and jointly support each other concerning natural resources in the County; and

WHEREAS, both Niobrara County and Niobrara Conservation District possess special expertise and authority granted by the State of Wyoming that uniquely allow each governing body to substantively participate in the federal rulemaking process; and

WHEREAS, Niobrara County has special expertise on all subject matters for which it has statutory responsibility including, but not limited to, all subject matters directly or indirectly related to the health, safety, welfare, custom, culture, and socio-economic viability of a County (Wyo. Statute 18-5-208(a)); and

WHEREAS, Wyoming conservation districts have state statutory authority related to the conservation of soil and water resources, control and prevention of erosion, conservation, development, utilization of water, stabilization of the ranching or farming industry, preservation for wildlife, protection of the tax base, etc. *See* Wyo. §§ 11-16-103; 11-16-135; 11-10-122(b)(iii); and

WHEREAS, local NRMPs do not regulate the use of private lands and do not constitute zoning. A NRMP is a separate type of land use plan prepared by rural counties and conservation districts, containing policies relating to the management of federal and public land in the County and reflecting the local government's position on federal decisions concerning those lands; and

WHEREAS, the local Conservation District is charged with updating the NRMP every five years; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Niobrara County and the Niobrara Conservation District Board of Supervisors that the 2021 Niobrara County Natural Resource Management Plan be jointly adopted and approved and promulgated as presented during open meeting on the 3rd day of August, 2021.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Board of County Commissioners of Niobrara County and Niobrara Conservation District Board of Supervisors that the 2021 Niobrara County Natural Resource Management Plan shall update and replace the 1996 Niobrara County Land Use Plan and 2015 Niobrara Conservation District Natural Resource Management Plan as the governing document setting forth Niobrara County and Niobrara Conservation District's policies and objectives on public lands in the County. This plan will be in place until 2026 unless otherwise amended with public input.

NOW, THEREFORE, BE IT FINALLY RESOLVED by the Board of County Commissioners of Niobrara County and Niobrara Conservation District Board of Supervisors that the above adopted

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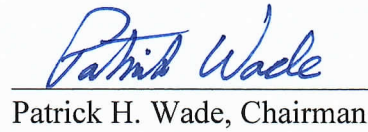
NRMP shall not replace any other separate planning and zoning documents previously adopted by the County or the Conservation District.

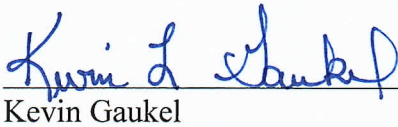
APPROVED AND ADOPTED this 3rd day of August 2021.

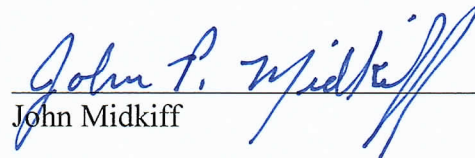
BOARD OF SUPERVISORS
NIOBRARA COUNTY
CONSERVATION DISTRICT

BOARD OF COUNTY COMMISSIONERS
NIOBRARA COUNTY, WYOMING


Matt Dockery

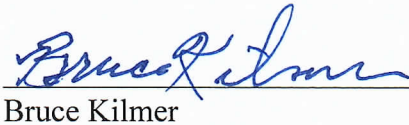

Patrick H. Wade, Chairman


Kevin Gaukel

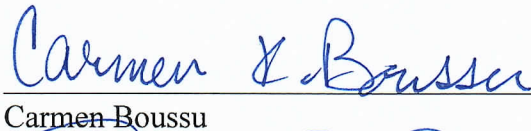

John Midkiff

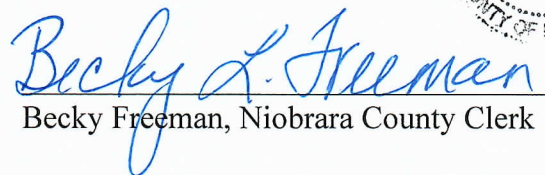

Odessa Mathias


Elaine Griffith

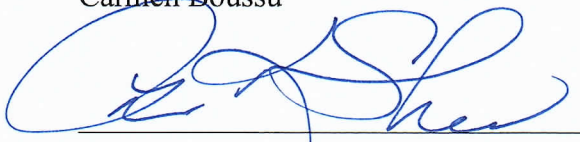

Bruce Kilmer

ATTEST:


Carmen Boussu


Becky Freeman, Niobrara County Clerk




Lisa Shaw, Manager
Niobrara County Conservation District