

**BIG HORN COUNTY
NATURAL RESOURCE
MANAGEMENT PLAN
FOR
STATE AND FEDERAL LANDS**

Draft Date: September 10, 2016

NOTE: This is the latest draft of the NRMP following a review and recommended modifications provided by the American Stewards of Liberty, a consulting firm hired by Big Horn County to assist with the development of draft policy statements.

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CHAPTER 1: PURPOSE OF THE NRMP

1.1: AMENDMENT TO THE LAND USE PLAN

In 1975, the Wyoming Legislature enacted the State Land Use Planning Act, a law that required counties to develop land use plans. In 1977, the Big Horn County Board of Commissioners (Board) adopted the Big Horn County Comprehensive Land Use Plan. In the 30 years that followed, the political, economic, legal and planning environments had changed significantly in the County, leading to the need for an updated plan. On January 6, 2010, the Board adopted, by resolution, the 2009 Big Horn County Land Use Plan, hereinafter referred to as the “Land Use Plan,” thus superseding the 1977 plan.

Section 2.3.1.4 of the Land Use Plan calls for the development of a Natural Resource Management Plan (NRMP) for State and Federal Lands to identify policies specific to the management of natural resources on publicly managed lands in Big Horn County. These lands make up 82% of the County’s land base and the use and management of these lands directly impact the health, safety and welfare of the citizens of the County. Therefore, the Board recognized the necessity for the County to express in a written document the specific activities and use of federal and state lands necessary for the continued security and prosperity of the County.

The NRMP amends the Land Use Plan for the purpose of defining the goals, objectives and policies for the management of federal and state lands within the political jurisdiction of the County, pursuant to W.S. 18-5-202(b).

1.2: INCORPORATION OF LAND USE PLAN GOALS

The NRMP defines the principles and policies that ensure the County’s land use vision is incorporated into the management of federal and state lands. This vision is expressed in the Land Use Plan Section 2.1 as the following:

“Big Horn County will be a rural county of productive farms and ranches, unobstructed pastoral and mountain scenery, clean air and water, abundant open space, and well planned communities where people can live and work enjoying small town living.”

The vision was further refined by setting forth 11 (eleven) clear planning goals:

1. Retain farming and ranching as the preferred land uses in rural areas.
2. Sustain scenic areas, wildlife habitat, recreational areas, and other important open spaces.
3. Ensure that development protects water resource capabilities for established and future users.
4. Encourage development that is well planned with respect to environmental hazards and resource limitations and is compatible with established and future land uses.
5. Ensure that development is fiscally responsible and has adequate roads and other infrastructure.

6. Encourage residential and business development to locate close to towns and other developed areas.
7. Support the logical expansion and improvement of the county's towns to help make the towns more attractive to new residents and businesses.
8. Encourage mining and other industrial development at appropriate locations consistent with other land use goals but not necessarily near towns and other developed areas.
9. Promote land uses that support the tourism economy including public and private recreational areas and tourist facilities.
10. Reduce impacts to public health, safety, and rural scenic values from junkyards and other nuisance land uses.
11. Encourage rehabilitation or replacement of substandard housing and/or structures and ensure that all new housing meets health and safety standards.

The NRMP has incorporated these goals, where appropriate, into the policies for the management of federal and state lands within the County's jurisdiction.

1.3: OBJECTIVES OF THE NRMP

In addition to the Land Use Plan goals, the County has adopted the following specific objectives for the management of federal and state lands within its oversight and jurisdiction that are fulfilled through the policies within. These are:

1. Improve range and forest conditions on federal and state lands so that domestic livestock grazing is increased to the maximum capacity the land will support within the parameters of the best management practices for livestock grazing (appendix __ this is Mae's report).
2. Retain full public access to federal and state lands, which may include the opening of roads and trails previously closed that are necessary for the safety, productivity and enjoyment of residents and visitors.
3. Increase the production of fluid and hard rock minerals according to best management practices for mineral extraction, with a special emphasis on encouraging the development of minerals that are necessary for local industries. The County's objective is to minimize the importation of resources that reside in the County.
4. Increase development of all appropriate energy sources and provide the path for the utilization of these resources within the County as well as for exportation.
5. Increase the use and experimentation of new technology for all industries including agriculture, ranching, oil and gas development, and mineral extraction, as well as for habitat improvements, wildlife management and cultural resource preservation.

The NRMP sets forth these objectives for the purpose of ensuring Big Horn County becomes (1) as self-sustaining as possible utilizing local products and resources, (2) a place for the development of

innovative ideas that will maximize the use and sustainability of our natural resources, and (3) continues to support the lifestyle and needs of the rural people and industries that have sustained this community since its formation.

1.4: PURPOSE OF THE NRMP

The Land Use Plan as amended by the NRMP is the primary comprehensive planning document for the political jurisdiction of Big Horn County, Wyoming. Its purpose is to ensure there is a unifying set of policies for proper coordination between all agencies that have regulatory responsibility within the county, the industries and business utilizing the resources within the county, and all landowners including private, county, state and federal. The Land Use Plan is the only planning device that takes into account all these interests setting forth policy that allows each entity to fulfill their necessary purpose.

The Board is charged with governing Big Horn County in the best interest of all citizens, described by state statutes as protecting their “health, safety, morals and general welfare,” as well as the County’s economic base and the natural environment. The *NRMP* sets forth management policies that support multiple use and sustained yield of the natural resources in Big Horn County to protect the social, cultural and economic values true of our western heritage while limiting adverse effects to the natural environment.

It is expected that all entities, whether private or government, operating within Big Horn County will be consistent with the policies within this plan as they carry out their responsibilities.

CHAPTER 2: IMPLEMENTATION OF THE PLAN

The NRMP shall serve as the comprehensive planning document for the natural resources in Big Horn County as it relates to the management of federal and state lands. The Board has the unique authority to require federal and state agencies to coordinate their plans and policies with the County, therefore ensuring that all entities with responsibilities for habitat, species and other natural resources, as well as for public access to resources, are working together efficiently and effectively and not pursuing counter-productive measures.

While recognizing that each agency has its own planning processes, federal agencies are required to not only consider the County's policies, but work to resolve conflicts and make federal plans consistent with the County's policies (43 USC 1712). Federal statutes require that the County's policies are integrated into the federal planning process on federal lands within the County's borders. The State of Wyoming has given Big Horn County planning authority over lands within the County's borders, ensuring the coordination of the County's policies with state agencies as well.

Implementation of this plan will be conducted through a formal coordination process with all agencies that have jurisdiction and/or responsibility for natural resources within the County. The NRMP will serve as the unifying and primary planning document.

2.1: COORDINATION WITH FEDERAL AND STATE AGENCIES

Numerous federal statutes require federal agencies to coordinate their planning and management activities with Big Horn County. These include federal natural resource laws, such as the Federal Land Policy and Management Act, National Forest Management Act, and National Environmental Policy Act, which guide the management of federal lands and directly impact the County's interests. Therefore, it is essential that federal and state agencies coordinate continuously with Big Horn County to ensure consistency of policies.

Coordination recognizes that the responsibilities of local governments are "equal, not subordinate" to the duties of federal and state governments, and that the needs of the local governments must be incorporated into the federal and state planning processes. It is designed to resolve conflicts that may exist between local, state and federal objectives early in the process and throughout the implementation of policies. The County recognizes that federal law supersedes state and local law, and that it is federal law that requires agencies to coordinate and reach consistency with Big Horn County plans and policies.

Congress established the minimum requirements for this government-to-government coordination in the Federal Land Policy and Management Act (43 USC 1712(c)(9)). These require federal agencies to:

1. Keep apprised of state, local and tribal land use plans;
2. Assure that consideration is given to local plans when developing a federal plan, policy or management action;
3. Provide early notification (prior to public notice) to local government of development of any plan, policy or action;

4. Provide opportunity for meaningful input by local government into development of the plan, policy or action; and
5. Make all practical effort to resolve conflicts between federal and local policy, and reach consistency.

Wyoming law also provides the statutory basis for the County to engage in coordination with federal agencies at W.S. 18-5-208:

(b) The board of county commissioners of a county which has officially adopted a comprehensive plan pursuant to W.S. 18-5-202(b) may participate in efforts to coordinate the plan with federal agencies as provided in the Federal Land Policy and Management Act of 1976, the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976 and any other federal statute which provides for coordination with local governments and federal regulations adopted pursuant to those acts."

The Board of Commissioners will work to establish a coordination process with all federal and state agencies to ensure conflicts are resolved early in planning processes and consistency is achieved with the Big Horn County Land Use Plan as amended by the NRMP.

2.2: OTHER PROCESSES FOR COUNTY INVOLVEMENT IN FEDERAL PLAN DEVELOPMENT

2.2.1: Cooperating Agency

During the preparation of Environmental Studies under the National Environmental Policy Act, the County may participate in the preparation of the analysis as a "Cooperating Agency."

Session Laws of Wyoming, 2012, Chapter 13 (Original Senate File No. 84) amended W.S. 18-3-504(a)(v) and 18-5-208 to provide for a board of county commissioners to be deemed to have special expertise on all issues on which they are granted statutory authority as specified; providing that a board of county commissioners may represent a county in federal land planning decisions as a cooperating agency with special expertise; providing conforming amendments; and providing for an effective date.

The Board of Commissioners will consider participating in the federal planning process as a cooperating agency on a case by case basis. However, such participation does not replace or end the required federal coordination. Because the County must comply with Wyoming Open Meeting Laws, only a representative of the County can participate in confidential, non-public cooperating agency meetings. The decision making process and deliberation required to resolve conflicts between federal and county plans and to reach consistency with these plans must be conducted in open public meetings, officially noticed and recorded. These discussions will take place in the government-to-government coordination forum described at Section 2.1.

2.2.2: Collaboration

The County may also participate in the collaborative process in the development of federal plans, most commonly used for special projects. Collaboration gives local, state and federal governments as well as special interests group and equal voice in developing project plans with the intent of reaching

agreement on how a project should proceed. The plans may then be considered and possibly approved by the federal entity charged with the management of the project.

The County will consider participating in a collaborative process on a case-by-case basis, but will do so understanding that such participation does not preclude the County from also participating in a cooperative role as described at Section 2.2.1 when appropriate. Additionally participation in a collaborative process does not replace or end coordination with the federal agency leading the project development as described in Section 2.1. The County had statutory planning and fiduciary responsibilities to the citizens of the county that must be protected and not placed on equal footing with other agencies or special interests. In the event the County does participate in a collaboration process, it does so with the understanding that it will continue coordination with the federal agency on the same project for the purpose of ensuring the project is consistent with the Big Horn County Land Use Plan and amending NRMP.

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CHAPTER 3: PRINCIPLES

3.1: MULTIPLE USE AND SUSTAINED YIELD

Big Horn County's natural resource management goals include multiple use and sustained yield principles, recognizing the importance of providing for a diverse blend of resource uses and outputs over time. For the purposes of this *NRMP*, the County recognizes the terms "multiple use" and "sustained yield" as defined by both the Multiple-Use Sustained-Yield Act (MUSYA) (16 U.S.C. 528-531), and the Federal Land Policy and Management Act (FLPMA)(43 U.S.C. 1702).

The economy of Big Horn County is directly tied to the use of public lands; therefore the continued availability of these lands to sustain economic growth is vital to a strong economic future for the County. The Board acknowledges a direct tie between multiple use and the customs, culture, health, safety and welfare of Big Horn County residents. Because County residents are directly and indirectly dependent upon public land and the land's intrinsic resources for their livelihoods and quality of life, it follows that the viability and sustainability of the local economy is dependent upon responsible management of public lands, emphasizing multiple use and sustained yield. As such, the Board will insist that the federal agencies implement their policies according to the multiple use and sustained yield policies in MUSYA and FLPMA and at a minimum require that:

1. When preparing new plans and carrying out policies, priority shall be given to increasing the maintenance and revitalization of the various multiple uses of surface resources available on public lands and the sustained yield of the many products and services obtained from these resources.
2. Traditional multiple uses for public lands and sustained yield of natural resources will continue in Big Horn County, to protect the social, cultural and economic values that are essential to the stability of the County.
3. Traditional multiple land uses are necessary to maintain continuity in the local economy and assure the productivity of existing and future agricultural, recreational and industrial interests, while maintaining or improving the present environmental quality of life. Management activities which greatly restrict or limit existing and potential uses shall not be allowed, as it could lead to uneconomical use of resources and ultimately discourage future investment. The County will insist public land managers revise plans and change policies for actions that may negatively impact the livelihoods and/or quality of life of County residents.
4. Big Horn County shall utilize existing cooperative agreements (e.g., NEPA, FLPMA, NFMA, MUSYA and the Wyoming Wilderness Act) as broad-based legal precedent for appropriate and timely notice of anticipated changes in management of public land, to provide essential information to our partner federal agencies and exert the maximum amount of influence on land use management decisions that negatively impact multiple use and sustained yield principles.
5. Improvement of the productivity of the public lands shall be given the highest priority to include not only the existing industries of oil and gas, mining, agriculture, timbering, tourism and health care, but also the condition and/or quality of air, water, wildlife and plant communities on those same lands.

6. Big Horn County will request that Congress release the remaining BLM-proposed Wilderness Study Areas (WSAs) so that they may return to be managed under multiple use and sustained yield management practices.

3.2: SCIENTIFIC INTEGRITY

Land management decisions shall be made based on the best available scientific information that is applicable to the natural resource in Big Horn County. The scientific information used will be consistent with standards of the Information Quality Act (IQA) (see definitions of Quality, Objectivity, Utility and Integrity), as determined by the County.

Both Congress and the Presidentⁱ have directed federal agencies to ensure the integrity of any scientific and technological information they produce. The Department of the Interior defines scientific and scholarly integrity as “the condition resulting from adherence to professional values and practices, when conducting and applying the results of science and scholarship, that ensures objectivity, clarity, reproducibility, and utility that provides insulation from bias, fabrication, falsification, plagiarism, outside interference, censorship, and inadequate procedural and information security.”ⁱⁱ Compliance with the IQA is required of federal agencies for all actions that pertain to the development and implementation of plans in Big Horn County.

3.3: PRIVATE PROPERTY RIGHTS

No policy shall be implemented within the political jurisdiction of Big Horn County that infringes upon private property rights. This applies to fee simple land as well as private use rights that reside on federal and state lands, including mineral leases, rights of way, water, range improvements and others.

Big Horn County recognizes permitted activities as a property right to the permit holder, with monetary value in the calculation of capital gains taxes and an important factor in obtaining loans to operate, for example.

Big Horn County recognizes the following as property rights available to the citizens of Big Horn County and as such must be protected:

1. Right to graze livestock
2. Right to access and use water and develop its use
3. Right to hold leases
4. Right to mine minerals
5. Right to extract oil and gas
6. Right to hunt
7. Right to recreate
8. Right to access roads

9. Right to timber harvest

Only 18% of the fee simple land within the County is held in private ownership, making this a valuable resource from which the County derives critical funding to pay for necessary county services. Although the Federal and State governments own a combined 82% of the land within the County, they do not pay taxes to the County, increasing the burden on private land owners, and the need to ensure all private rights are protected and allowed to be utilized for their highest and best use.

Additionally, no policy shall be implement on lands bordering private lands that restricts or diminishes the use of private property in any manner unless it is for the health, safety and welfare of the County, as determined by the County.

3.4: ECONOMIC VIABILITY

(To be developed during the second phase of the plan development)

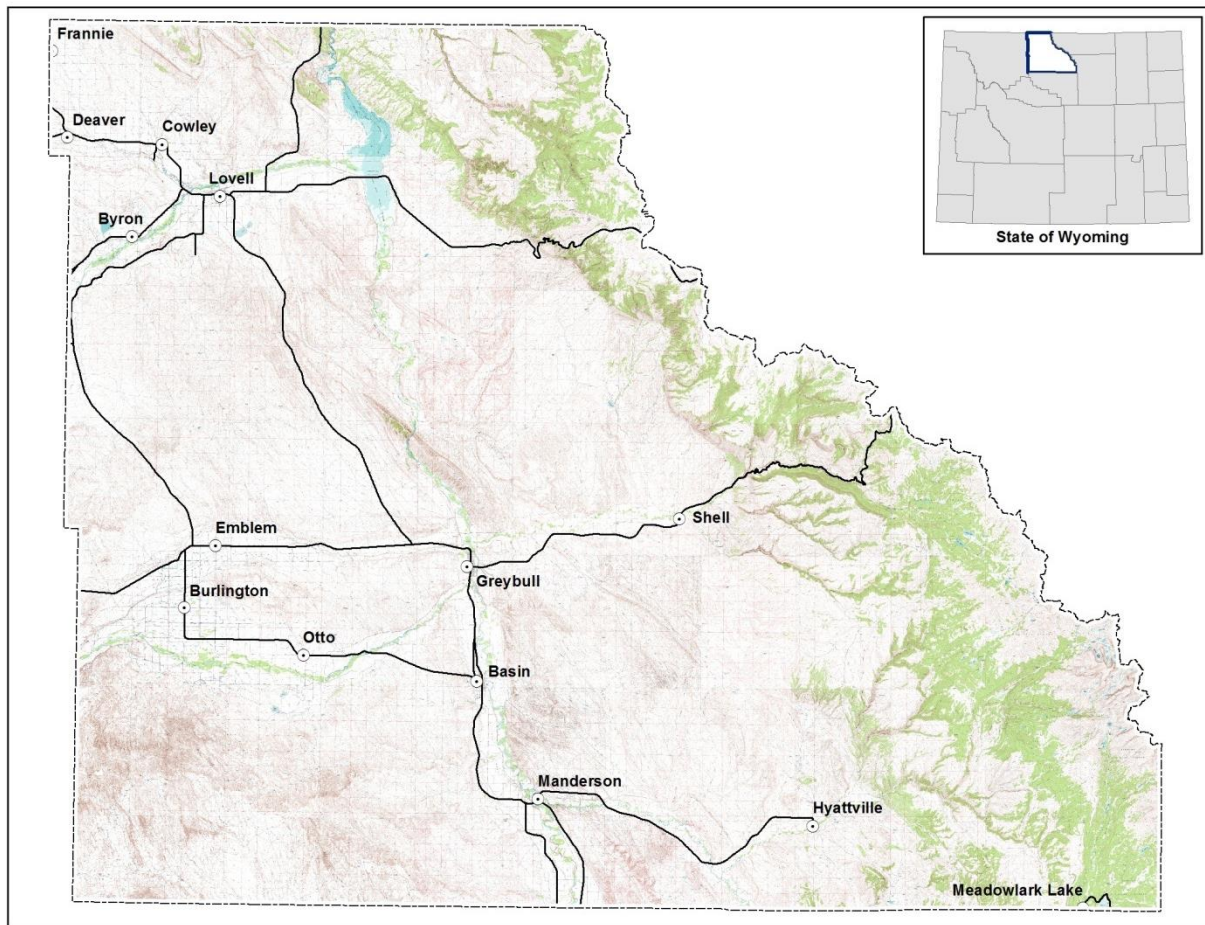
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CHAPTER 4: ABOUT BIG HORN COUNTY

4.1: PLAN AREA

Big Horn County, named for the Bighorn Mountains which form its eastern boundaryⁱⁱⁱ, is located in north central Wyoming, south of the Montana State border (See Figure 1).

Figure 1: Plan Area



The Bighorn River flows from south to north through the central portion of the county. As the 11th largest county in Wyoming, Big Horn County spans 3,159 square miles (2,021,608 acres)^{iv}, making it larger than Rhode Island or Delaware.

There are nine incorporated towns in Big Horn County: Basin, Burlington, Byron, Cowley, Deaver, Frannie, Greybull, Lovell and Manderson. Other communities include Emblem, Hyattville, Meadow Lark Lake, Otto and Shell.

4.2: COUNTY HISTORY

Big Horn County was created in 1890 by lands ceded from Fremont, Johnson and Sheridan Counties.^v Originally, the County included the entire Big Horn Basin (approximately eight million acres or roughly

12,500 square miles), including land from the crest of the Bighorn Mountains west to the Continental Divide, and from Owl Creek north to the Montana state line. The northwest portion of the County originally included part of Yellowstone Park. In 1909, Park County detached from Big Horn County, followed by Hot Springs County and Washakie County in 1911. Present-day Big Horn County is approximately a quarter of its original size.

4.2.1: Early Settlement Timeline

1. 1870s: Cattlemen moved large free range cattle herds into the area. Henry Clay Lovell, for whom the town of Lovell was later named, established ML Ranch with one of the largest herds of cattle (approximately 25,000 head) ranging the length of the basin.
2. 1879: Otto Franc von Lichtenstein, for whom the town of Otto was named, established the Pitchfork Ranch on the Greybull River with about 1,200 head of cattle. Settlers began filtering into the basin in the 1870s and an inevitable clash arose between cattlemen who used the open range and homesteaders who wanted to fence and farm the land.
3. 1880s: Bonanza, the site of an oil spring southwest of Hyattville near the confluence of Paintrock Creek and the Nowood River, was started in the 1880s. It was home to the *Big Horn Rustler*, first newspaper in the Big Horn Basin, edited by Joseph DeBarthe and first published June 1, 1889. Like many other early newspapers, it exaggerated the virtues of the new settlement. A copy of this first edition of the *Rustler* is in the Fremont County Library in Lander, Wyoming.
4. 1886: Samuel W. Hyatt, an early settler, established a store in Paintrock, a town named for the creek running next to it. Paintrock was later renamed Hyattville, and Mr. Hyatt was the town's first postmaster.
5. 1890: Wyoming Legislature approved creation of Big Horn County; the new county was not officially organized until 1897.
6. In 1896, Governor W. A. Richards appointed a Board of Organizing Commissioners for Big Horn County: S. A. Lampman of Shell Creek, Lou Blakesley of Otto, and A.L. Coleman of Nowood, whose duties were to provide for the first election. Basin won over Otto and Cody for the location of the county seat after a heated campaign, even though there were only two log buildings and some dugouts in the newly platted town. An 1889 photograph in the County Library shows a burning building referenced to be Big Horn County's first courthouse. A new courthouse, still in use today, was completed March 1, 1918.
7. 1888: A post office was placed near the confluence of the Shoshone and Big Horn Rivers in the northern part of the county, at a location that would become the town of Lovell around 1900.
8. 1889: The town of Alamo, near the southern border of Big Horn County, was renamed Manderson.^{vi} The town of Manderson was incorporated in 1921.
9. 1894: The town of Frannie's post office opened, name after the daughter of the town's first postmaster.

10. 1895: Burlington?
11. 1899: The unincorporated town of Emblem was established, south of Lovell.
12. 1900: The unincorporated village of Shell, 15 miles east of Greybull, was platted April 28, 1900. The town of Byron was organized by Mormon pioneer settlers.^{vii}
13. 1907: The town of Cowley was incorporated.
14. 1909: The town of Greybull, approximately 32 miles south of Lovell at the junction of the Greybull and Bighorn Rivers, was incorporated.
15. 1912: The town of Byron was incorporated.
16. 1919: The town of Deaver, approximately 15 miles north of Byron, was incorporated.
17. 1954: The town of Frannie was incorporated.
18. 1984: The town of Burlington was incorporated.^{viii}
19. Meadow Lark Lake?

4.2.2: Key Historical Developments

End of mob rule

Prior to 1897 and the establishment of government in Big Horn County, there was an absence of law enforcement and a place to conduct legal business or land transfers. Settlers who lived east of the Bighorn River had to travel over 100 miles through the mountains to the Johnson County seat at Buffalo. Those who lived west of the river traveled to Lander. After County government was established in Basin, justice was more readily available, a fact highlighted by criminal trials of those responsible for the notorious Spring Creek Raid of April 2, 1909, when three sheepmen were murdered, two more were kidnapped and dozens of sheep killed. Five perpetrators were convicted following a memorable trial in November of 1909 that ended Wyoming's 30-year era of lynchings and thwarted prosecutions.

Mormon settlement

The era of small farms began in 1895 with the arrival of one hundred Mormon families, who moved to the Greybull River area to live and farm. This settlement became the town of Burlington, which by 1897 contained 250 families. The town included a combined meeting house and school, a water-powered gristmill and three sawmills. A party of Mormons traveled from Salt Lake City in February of 1900 to settle along the Shoshone River, taking advantage of the Cincinnati Canal, the present day Sidon Canal, a water project near the settlement of Lovell. By mid-July 1900, more than 400 settlers had arrived, pitched tents and planted gardens. The small community of Byron followed in October. At that time, 40 houses were being built there. In 1899 Abraham Owen Woodruff was appointed by LDS authorities as supervisor of the Mormon colonies. At the end of the canal-building and growing season of 1900, the Sidon Canal settlers needed cash so Woodruff negotiated a grading contract on their behalf for 27 miles of the Burlington Railroad branch from Toluca, Mont., through Frannie Junction, Wyo., to Cody.

The Burlington Railroad

The Burlington line ended in Billings in 1894 and was extended into northern Wyoming in 1901, making it possible for residents of the northern basin to ship their cattle and merchandise faster and with less expense. The Toluca-Cody branch ended at Frannie Junction 1901 and was extended south to Kirby, Wyoming (Hot Springs County), in 1905. At that time, a freight terminal which was to become the Town of Greybull was placed eight miles north of the town of Basin. On June 14, 1914, the railroad was completed through the Bighorn Basin via the Wind River Canyon, establishing service between Billings and Denver.

Sugar Beet Farming

Early farmers found the soil and climate of Big Horn County to be well suited for the production of sugar beets. The first shipment of sugar beets by rail was sent from Powell, Wyo., then still part of Big Horn County, on Oct. 14, 1909. The Great Western Sugar Company built a sugar processing plant in Lovell in 1916, ensuring a solid market for locally grown sugar beets. Agriculture remains important to the economy of the Bighorn Basin, exceeding even oil and gas in gross revenues and generating more than \$30 million in 1950. Sheep and cattle accounted for more than 50 percent of this amount.

Oil

The Bonanza oil reserves, despite the early opinion that it was not worth extensive exploration, was developed further in 1951, when it produced 603,686 barrels. By the end of 1956 there were 40 wells producing more than 5,000,000 barrels that year alone. Near Byron, in 1905, natural gas was found to be escaping from a post hole on the farm of Edward E. Jones. Since the commercial possibilities of natural gas were not yet known, this gas was ignited and left to burn. Continued exploration over the next years by found large amounts of natural gas and a number of shallow oil wells that refilled when pumped dry, proving the presence of a larger reservoir, which spurred further exploration. Additional oil fields were developed at Torchlight Dome Oil Field near Greybull; at Grass Creek northwest of Thermopolis; in Elk Basin in present-day Park County; and in Oregon Basin southeast of Cody. By 1917 there were two refineries in Greybull and one in Cowley. By 1919 American Carbon Company's carbon black plant at Cowley, Western Sugar Company, Lovell Brick and Tile Company and the town of Lovell were all using natural gas from the Byron field. This was the beginning of Bighorn County's major industry and most productive revenue stream. In 1950, oil and gas in the basin produced more than \$13 million.

Bentonite

Bentonite, fine clay used primarily in oil drilling, became a primary industry that draws resources from public lands. From 1951 to 1956, over 466,000 tons of bentonite were processed in the Magnet Cove Barium Corporation's mill near Greybull. Magnet Cove later became M-I Swaco and is still in operation. Bentonite Performance Minerals, Wyo-Ben, Inc., Colloid Environmental Technology, and GK Construction all have operations near Lovell. Bentonite is the County's largest employer.

Medicine Wheel

In 1996 Big Horn County became a consulting party to the Historic Preservation Plan for the Medicine Wheel National Historic Landmark and Vicinity. The National Landmark's original boundary of 111 acres was expanded on June 6, 2011 to 4080 acres, amending the Historic Medicine Wheel HPP which has a membership of seven consulting parties

Bighorn Canyon National Recreation Area

The Bighorn Canyon National Recreation Area, established in 1966^{ix}, includes Bighorn Lake and draws more than 200,000 visitors annually for outdoor recreation purposes^x. In 2006 Big Horn County entered into negotiations with the Bureau of Reclamation and the National Park Service to preserve water recreation in Bighorn Canyon National Recreation Area. This cooperative effort is ongoing, with a planning effort to build siltation impoundments south of the Highway 14A causeway.

4.3: CUSTOMS AND CULTURE

County commissions in the State of Wyoming have been charged with responsibility for the preservation of the custom and culture of Wyoming counties in matters relating to the NEPA and federal land planning. Since the customs, culture and history of Big Horn County are inseparably tied to the use of and access to land and resources managed by federal agencies, the Board will use the policies set forth in this *NRMP* to represent the vital interests of the County in federal natural resource planning efforts.

From the earliest days of occupation and settlement of the Bighorn Basin, agriculture has been and continues to be the primary contributor to Big Horn County's economy. Water originating from the mountains around the County irrigates private farms and ranches, many of which have been in the same family for multiple generations. These agricultural operations grow the main cash crops of sugar beets, beans and malt barley, each being of the highest quality. Other crops grown locally include alfalfa hay, alfalfa for seed harvest, grass hay, oats, feed barley, native grass and corn. Some of the irrigated areas are used for pasturing cattle, sheep, and horses, as well as other animals typically found on western ranches. Many of our ranches are operated primarily in support of livestock that graze on public land leases operating on leased rangeland year-round. Range forage is then supplemented with hay as needed during the winter and spring months and during calving and lambing seasons. The livestock industry accounts for a large portion of South Big Horn County's agricultural income, is the oldest continuing industry in the county, and is still the single largest user of public land. It was the livestock industry which originally brought settlement to Big Horn County, followed soon after by families who took up permanent homesteads and built fences, irrigation canals, schools, churches and towns.

Our county is steeped in the traditions of western history, which is a major contributor to our unique identity and way of life. There are many people from out-of-state who come here to sample this proud way of life by visiting dude ranches and museums, attending rodeos and county fairs or simply observing in the beauty of Big Horn Mountains and the high desert of the central basin. Some of the recreation activities enjoyed within the county include off-road vehicle use, snowmobiling, hunting and fishing, rock climbing, rock-hunting, horseback riding, mountain biking, camping, hiking, outdoor photography, bird-watching, observing the many paleontological and geological features, and enjoying the abundant wildlife of the area. Family traditions of outings to camp, hunt, fish, ride horses, backpack, and ride 4-wheelers are our heritage and are central to our identity and our way of life. To live here is to be connected to the land. The greatest outside influence on the continuation of these central aspects of the custom and culture of the County has been and will continue to be the management actions and policy of State and Federal governments, whose jurisdiction over public lands, its resources, and its water is fundamental to the County's economic structure and way of life. Future land management actions in Big Horn County will protect the use, access to and conservation of the land.

Natural gas, oil and bentonite contribute extensively to the current custom, culture, and economy of Big Horn County. The extraction and sale of these important minerals and the businesses that operate draw their livelihood from them employ many residents and provide a major contribution to the tax dollars

that support county and municipal government. Some oil and bentonite related products are currently shipped to market by the railroad that runs through the basin. The railroad was also central to the early development of Big Horn County, first being used for the shipment of livestock, farm produce, and to transport passengers. The railroad is still an important contributor to the county custom, culture, and economy, just as it has been for well over 100 years.

Tourism and recreation in Big Horn County is a smaller but increasingly more significant contributor to the custom, culture, and economy of the area. Many people from metropolitan areas are hungry to experience the peace, solitude, and quiet of majestic mountains and colorful high desert vistas offered by public lands in the County. With the arrival of the popularity of snowmobiles and 4-wheelers, there has been an increase in the different types of recreation enjoyed by residents and those visiting or moving to this area. The Big Horn Canyon National Park is unexcelled in the beauty and grandeur of towering limestone cliffs, where Peregrine Falcons wheel overhead and Bighorn Sheep are observed grazing along remote shorelines. Our County has many historical sites and area attractions, including Bighorn Scenic Byway, which follows US-14 beginning in Shell and climbing through Shell Canyon into mountains which include Bighorn National Forest, Cloud Peak Wilderness Area, and numerous forests, lakes, and streams where trout abound. Red Gulch Dinosaur Tracksite is located near the Red Gulch/Alkali National Back Country Byway, eleven miles east of Greybull, and one of only a few worldwide from the Middle Jurassic Period, with dinosaur tracks dating back 167 million years. Medicine Lodge State Park Archaeological Site, located near Hyattville, has long been known for its Indian petroglyphs and pictographs offering thousands of years of Native American history. The Bridger Trail winds through central Big Horn County, a road blazed by Jim Bridger during the 1860s to offer a safer alternative to the Bozeman Trail east of the Bighorn Mountains that was, at that time, under the control of Red Cloud. Sheep Mountain, a unique mountain range in the middle of the valley of the Big Horn, offers an anticline with an arch over 1000 feet.

4.4: DISTRIBUTION OF LANDS

Table 1 and Figure 2 show the approximate distribution of land in Big Horn County.

Table 1: Approximate Distribution of Land in Big Horn County.

Entity	Acres	Sq. Miles	% of Big Horn County
BLM	1,151,174	1799	57.30%
Private Land	375,361	576.5	18.70%
Forest Service	350,591	548	17.50%
State of Wyoming	73,073	114	3.60%
Park Service	27,918	44	1.40%
Bureau of Reclamation	20,061	31	1.00%
Wyoming Game and Fish	5,971	9	0.30%
DOD	3,531	5.5	0.20%

Figure 2: Land Ownership in Big Horn County, WY

The citizens of Big Horn County rely on both public and private land for natural resources, recreation and their livelihood, namely agriculture and livestock grazing, mining and...; therefore all decisions affecting public lands could potentially affect Big Horn County's economy, customs, culture and enjoyment of the land.^{xi}

4.5: DEMOGRAPHICS

(To be completed during second phase of plan development)

4.6: ECONOMY AND INDUSTRIES

4.6.1: OVERVIEW

4.6.2: CATEGORIES OF INDUSTRIES

4.6.3: LOCAL GOVERNMENT REVENUE

(To be completed during second phase of plan development)

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CHAPTER 5: POLICIES

5.1: ACCESS

Congress, as the constitutional manager of the federal lands, has made it clear through the natural resource statutes that the general public must have use of and access to the federal lands. It is vital to the Counties interests and performance of duties that full and complete access to the federal lands continue.

The multiple-use and recreational uses of these lands which require full access include:

- Agriculture (farming, irrigation, livestock grazing);
- Recreation and related tourist activities (motorized and non-motorized transport and activities, including but not limited to hunting, fishing, water and land sports, hiking, wildlife viewing, etc.);
- Industry (mining, power production, utility corridors, oil and gas production/exploration, and timbering);
- Water (agricultural uses, industrial uses, recreational uses, power, domestic uses, and general water resource development and conservation);
- Intangible Values (historical and cultural sites, open space values and access to open space, aesthetic values, conservation, entrepreneurial values);
- Weed, pest and predator control.

In addition, the County itself relies on access to fulfill its statutory mandate to protect the health, safety and general welfare of the people within its jurisdiction; including but not limited to fire protection, search and rescue, flood control, law enforcement, economy, and the maintenance of improvements.

The Bureau of Land Management (BLM) and U.S. Forest Service both have specific provisions they must follow when considering the closure of roads and trails. A requirement of these provisions is that such activity be conducted in coordination with the County prior to such action being taken to ensure consistency with County policy. Specifically, the BLM is required to coordinate “inventory” with the County (FLPMA 43 USC 1712(c)(9)) and the Forest Service is directed to coordinate the preparation of Travel Management Plans with the County (36 CFR 212).

“The responsible official shall coordinate with appropriate Federal, State, county, and other local governmental entities and tribal governments when designating National Forest System roads, National Forest System trails, and areas on National Forest System lands pursuant to this subpart.” (36 CFR 212.53)

“Designations of National Forest System roads, National Forest System trails, and areas on National Forest System lands pursuant to §212.51 may be revised as needed to meet changing conditions. Revisions of designations shall be made in accordance with the requirements for public involvement in §212.52, the requirements for coordination with governmental entities in §212.53, and the criteria in §212.55, and shall be reflected on a motor vehicle use map pursuant to §212.56.” (36 CFR 212.54)

Road closures have occurred in the County by both federal and state agencies without prior coordination, even though federal law requires such coordination early in their inventory process and prior to a final decision. This has caused economic harm and changed the way the citizens and visitors to our County have utilized and enjoyed our natural resources.

Policies:

1. All open trails and roads should be designated as open. Full open access should be made available to the public lands for local purposes such as safety, health, economics and use of recreation as assured by federal law. No road or trail should be closed unless public safety or health demands its closing. No RS 2477 right of way should be closed.
2. Any planning process or activity that restricts or eliminates access to federal or state lands should first notify the County of such activity, initiate coordination of that issue with the County, and resolve any conflicts such action may cause with the Counties objectives, principles and policies, before taking said action.
3. The County will maintain a map of roads and trails that are recognized by the County as valid access routes. This map will include roads or trails that have not been properly coordinated with the County but may no longer be recognized by federal or state agencies as open.
4. In accordance with the provisions of federal law, the County will work with federal agencies to reopen roads and trails that were closed by the agency without specific coordination with the County as described in Section 2.1, the Federal Land Policy and Management Act, the National Forest Management Act, Travel Management Regulations and other federal provisions requiring coordination. It is expected that the federal agencies will reopen all access routes that restrict the Counties ability to perform its duties or are in conflict with County policy.
5. Roads and/or trails that have not been formally abandoned as recognized by the County will be considered open public roads.
6. Historical stock trails are to be considered valid access routes for the purpose of trailing livestock between grazing areas. It is vital to the sustainability of the livestock industry in Big Horn County that grazing areas, and the stock trails that connect them, be open and accessible. For instance, livestock “trailed” from one grazing area to another must access not only the grazing areas on either end of that process, but also those lands in between. Historical use of stock trails and grazing areas has fluctuated over the years, depending on market prices, weather conditions, etc., but the need for access availability has remained constant, and continues to be relied upon by County residents.
7. It is understood that the federal definition of “roadless” means there are no road improvements present. It is also understood that “improved road” is not limited to mechanically improved, but also includes roads made passable by regular use. It is also understood that the term “maintained road” is not limited to roads which are maintained annually. Rather, it refers to roads which are maintained as needed to continue their use. It is the policy of Big Horn County to consider all formally-established public roads as valid

unless formally abandoned, even if not presently maintained by the County. Public trails shall be considered “public roads and highways” for the purposes of this chapter.

8. A road on federal lands may not be closed until a full NEPA analysis has been completed including full public review and coordination with the County. Road closure is a Major Federal Action and requires public review.

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5.2: AGRICULTURE

Livestock grazing, irrigated farming and other intensive agriculture are integral to this community's ability to remain viable with a diverse, sustainable economy. The acceptance of this tenet is central to a strategy for the protection and preservation of local agricultural lands. Productive farmland has been developed only after a great deal of work, money and commitment. Just as each acre of ground in production contributes to the profitability of a single farm or ranch, so too does each acre contribute to the economic viability of the community as a whole.

The steady decline in the number of self-sustainable farms and ranches is a response to social and economic forces beyond local control. The community needs to be aware of the consequences, direct and indirect, should these trends continue. The NRMP is in part designed to reverse this trend in Big Horn County and ensure it is an area where productive agriculture will flourish.

Agricultural lands contribute to landscape and scenic beauty, available wildlife habitat, and provide recreational opportunities for residents and visitors alike for hunting, fishing, snowmobiling and other tourist related activities. Agriculture is invaluable as an employer, as a source of affordable food and raw materials, as a provider of open space, as an environmental steward benefiting associated ecosystems, and as a component to sustainable County economy.

The bases for the policies in the NRMP are to carry out the state mandate to protect agriculture.

"To protect agriculture as a vital part of the economy of Wyoming, the rights of farmers and ranchers to engage in farm or ranch operations shall be forever guaranteed in this state." (W.S. 11-44-104(a))

If families are to make the investment, and take the risks necessary to keep agricultural business viable, government policies must support and create a climate of confidence for the future of the agricultural industry.

The assessed valuation of agriculture land was \$19,806,263 in Big Horn County in 2014.^{xii} The 2012 market value for livestock products was \$35,761,000 and for crop products was \$53,075,000.^{xiii} Agriculture is the economic engine of the County.

5.2.1: Farming

Policies:

1. All plans and policies that directly or indirectly affect farming should be developed with the intent of increasing the stability and expansion of the industry as well as encouraging innovative techniques that improve the efficiency of crop production.
2. Innovative farming techniques that have proven to improve the condition of habitat, water distribution and forage production on private land operations should be considered and encouraged for use on federal and state lands, such a no-till seeding.
3. Irrigation farming relies on the distribution of water from rivers, canals and reservoirs. Some or all of these may reside on, or pass through federal and state lands where permitting issues are triggered for maintenance and expansion. No permit shall be unnecessarily

withheld or delayed for the construction, maintenance or expansion of irrigation distribution systems to private lands. If such an action is brought to the County's attention, the county will insist on hearing directly from the agency a reasonable explanation and timeframe for approval, since such delays can impact the local economy and harm the Counties ability to perform its responsibilities.

5.2.1a: Honey Production

(To be completed during second phase of plan development)

5.2.2: Livestock Grazing

Livestock Grazing has been a major industry in Big Horn County since early settlement. It continues to be a vital part of the custom and culture of the County as well as a critical part of the economic engine. The most efficient operations are a combination of private and federal lands, proportioned so that livestock can be rotated and raised entirely within the County or Big Horn Basin. Historically, these ranchers were acquired in such a way as to be able to graze the open ranges and mountains on federal and state lands during summer months, and then reside on the private irrigated lands during the winter months where livestock can be closely watched and fed hay raised from the irrigated pastures. This made it possible for the livestock animal to stay within the basis and not be transported out until sold for harvest. Such operations are the most efficient, environmentally responsible and economically productive.

Importantly, when federal agencies reduce permitted livestock numbers for any operator, they impact the entire operation. As of 2015, the U.S. Forest Service authorized 34,220 cattle animal unit months (AUM's) and 5,993 sheep AUM's. The Bureau of Land Management (BLM) authorized 29,239 AUM's but has suspended 29,922 AUM's in recent years. The Bureau of Reclamation authorized ____?

Reduction in livestock numbers on federal and state lands can be a result of natural factors, such as drought. However, the primary factor in determining the quality of resources and livestock capacity is the management of the resources. Proper grazing management is a major aid to the control and prevention of soil erosion and flood control. Livestock Management is an important tool for management of the resources. When sound management practices are in place, the danger of wildfire is greatly diminished because grazing controls the fuels available for destructive fires. Those fires are so devastating to the landscape that soil erosion and wasteful water run-off are the by-product of lack of sound grazing. Throughout the west, we have seen how severe restrictions of grazing by agencies and courts have resulted in damaging and destructive erosion of water waste.

The reduction of permitted livestock numbers on federal and state lands is an indication that range conditions have deteriorated due to a lack of proper habitat management. This then directly affects the economy and culture of Big Horn County.

Additionally, the contribution of the ranching industry to the County goes beyond the critical economic input. Studies in similar Counties have shown that Ranchers tend to spend the majority of their dollars in the County they reside in, for fuel, food, supplies, and equipment. There is very little leakage. (Economic and Cultural Report on the Grand Staircase, by Gil Miller, 2014) They also require limited public services. In fact, they provide many of the public services themselves. They help maintain the rural roads that tourists use, Counties own and federal and state agencies rely on to carry out their duties. They are the volunteer firemen, the search and rescue teams, and deputies as called upon by the

County Sheriff. They volunteer at schools, hospitals and other public services. The fact is that when you remove the rancher from the community, you have lost more than just the revenue. You've lost the people that hold the community together.

Policies

1. All plans and policies that directly or indirectly affect livestock grazing should be developed with the intent of increasing the stability and expansion of grazing on federal, state and private lands as well as encouraging innovative techniques that improve the efficiency of grazing production.
2. Federal lands within Big Horn County must continue as multiple-use lands, which includes continued grazing as intended by Congress in the passage of the Taylor Grazing Act and the Federal Land Policy and Management Act. Both of these acts and all succeeding rangeland statutes have made it clear that grazing is a primary use of the western rangelands and that sound grazing management is critical to protection of and use of the rangelands.
3. Livestock grazing management decisions shall be made based on the best available scientific information that is applicable to the habitat in Big Horn County. The scientific information used will be consistent with standards of the Information Quality Act (see definitions of Quality, Objectivity, Utility and Integrity), as determined by the County.
4. The County has developed Best Management Practices for Livestock Grazing (See Chapter ___) based on current science and the institutional knowledge of the citizens, industry representatives and other experts that have multiple years of hands on experience with different management techniques as applied to the natural resources in Big Horn County. These Best Management Practices shall be consulted and employed by all agencies and landowners with management responsibility of the natural resources in Big Horn County.
5. Livestock Grazing Management plans must incorporate standards and objectives that maintain the health, safety and general welfare of agricultural interests culturally, historically, and economically. Included in these should be the Best Management Practices for Livestock Grazing developed by the County.
6. Management practices must be employed for the purpose of improving range conditions and returning suspended AUM's to active status. The County recognizes that range conditions will not improve overnight, but must insist that federal and state agencies work with the County to move towards that end. This can most effectively be carried out in continued coordination where the County can bring together other entities with the agencies to develop the path forward for increased livestock production.
7. The practice of creating grass banks, or similar forage reserve systems, has led to the reduction of livestock grazing in the County and has not demonstrated to effectively support livestock grazing during drought seasons as intended. Grass banks should be phased out and those areas now reserved under such system need to be returned to be a part of the actively managed grazing system.

5.3: AIR

Air quality is important to the health, safety and welfare of Big Horn County's residents. Under the Clean Air Act of 1970 (42 U.S.C. §7401 et seq.), the U.S. Environmental Protection Agency (EPA) is responsible for setting and enforcing air quality standards. In Wyoming, local enforcement of many air pollutants is delegated to the Department of Environmental Quality (DEQ).^{xiv} DEQ's Air Quality Division has established standards for ambient air quality necessary to protect public health and welfare; ambient air refers to that portion of the atmosphere, external to buildings, to which the general public has access.^{xv} DEQ has also established limits on the quantity, rate and concentration of emissions of various air pollutants from various sources including, but not limited to:

1. Vehicle engines
2. Construction/Demolition activities (asbestos)
3. Handling and transport of materials
4. Agricultural practices
5. Fuel burning equipment
6. Oil and gas operations
7. Manufacturing operations

The degradation of air quality in Big Horn County comes from both natural and man-made sources:

1. Wind-carried dust (especially during periods of drought)
2. Wildfire emissions
3. Emissions from the open burning of vegetation
4. Emissions from farming and agricultural operations
5. Emissions from industrial operations
6. Dust from unpaved roadway use

We believe it to be our responsibility to do all that we can as residents and officials to keep the air quality in the county as clean and as high a quality as we can. Education of the people, farmers, industries, and county government, thru programs that will teach all those involved about burning by citizens, farmers, county, oil and gas industries of limits and the harm it can cause to burn unnecessarily. Dust is also a problem, mostly during drought conditions. Many of the roads in the county are dirt or graveled which cause dust in the air. The county has plans in place to maintain the road system to best of their ability to help control some these problems. The county wishes to prevent air pollution of any kind without hampering the lives of its people, keeping the way of life with its farming and ranching communities, the oil and gas industry that is operating in the county, the mining industry that is spread

across the whole county. The quality of life is a key to people living in this county and also to those who visit and wish to live here.

Policies:

1. Big Horn County supports the promotion of clean air practices and limiting air pollution within the County.
2. The county will work with the Federal, State, and local agencies to educate all entities involved to develop best practices concepts and plans to protect the air quality in the county.

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5.4: CULTURAL, PALEONTOLOGICAL AND ARCHAEOLOGICAL RESOURCES

(Draft Committee Text to be Edited)

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5.5: INVASIVE SPECIES AND PESTS

Invasive Species and pest management is defined as the ability to control invasive species and pests that interfere with management objectives. The Weed and Pest Board is the weed and pest control authority for the County. Ongoing programs to identify locations of all noxious weeds and pests and to initiate management and/or eradication efforts will continue. All State agencies are required to control noxious weeds and pests on State managed lands. State law provides for cooperation with the Federal agencies in controlling noxious weeds and pests on the federally managed lands. The Federal Public Rangelands Improvement Act virtually mandates such cooperation in order to improve unsatisfactory conditions of the federally managed rangelands. Cooperative agreements and legal actions, if warranted, will be utilized to assure protection of vital land resources from noxious weed and pest occupation or invasion.

The Wyoming Weed and Pest Act of 1973 as enacted by the legislature of Wyoming, establishes the guidelines for creating Weed and Pest Control Districts and the regulations which govern the districts. Within the Act, the composition of districts is defined at W.S. § 11-5-103:

“All land within the boundaries of Wyoming including all Federal, State, private and municipally owned lands, is hereby included in the weed and pest districts within the County in which the land is located....”

The act also specifically designates which weeds and pests are designated as weeds and pests in W.S. § 11-5-102.

The Weed and Pest Act of 1973 in W.S. § 11-5-109 also spells out enforcement provisions which ultimately could result in heavy fines if persons are convicted.

“A landowner who is responsible for an infestation and fails or refuses to perform the remedial requirements for the control of the weed or pest...may be fined...Any person accused under this act is entitled to a trial by jury.” (W.S. §11-5-109e)

Big Horn County, as part of the history, custom and culture of the County, has traditionally practiced weed and pest control as a means to increase the productivity of the various lands within the County and as a means of promoting the health, safety and general welfare of the residents of the County. In order to do so, a fundamental goal of weed and pest management has been to hold each of the various property owners in the County responsible for the control of the weeds and pests on their land; and just as importantly, to be responsible for the spread of weeds and pests from their property onto neighboring property.

Big Horn County, by and through the Big Horn County Weed and Pest District, has cooperative agreements and memorandums of understandings with various State and Federal agencies. Various programs are being directed at weed and pest management; including, but not limited to the National Undesirable Plant Management Act (7 USC p.2814).

The weed and pest management tactics presently utilized are as follows:

1. Education (plant identification, life cycles, mapping infestations, etc.);
2. Prevention (irrigation management, soil fertility, range management, etc.);

3. Mechanical and physical (burning, mowing, cultivation, cross-fencing, etc.);
4. Cultural (rotating land uses, establishment of desirable competitive plants, etc.);
5. Biological (grazing, predator control, parasites, pathogens, etc.);
6. Chemical (herbicides, weed oils, plant growth regulators, etc.);
7. Public health and safety (rodent control to minimize plague threats, etc.);
8. Law enforcement (remedial requirements, hearings, etc.);
9. Training (commercial applicator training and certification, etc.);
10. Board of County Commissioners (emergency declarations, budgeting, public meetings, etc.);

Funding for a long-term strategy implementing weed and pest control tactics has been lacking. Various State and Federal agencies support weed and pest management by utilizing monies from discretionary or general fund sources. This only secures short-term funding, which means that most strategies are based around attacks against specific weed and pest infestations that last no more than one season. In recent years, during drought conditions, these short-term efforts have been all but abandoned as agencies at both the State and Federal levels have poured money into drought related issues such as fighting and protecting against wildfires.

The Big Horn County Weed and Pest Control District on the other hand, is funded on a long-term basis by a property tax mill levy which enables consistency and fairly balanced funding over the long-term. The tax basis of the County however, fluctuates with mineral evaluation; and therefore, the funding for the Weed and Pest District reflects the health and production of the minerals industry and agriculture in general. In other words, a healthy, diverse economy is essential to funding for the Weed and Pest District. Although the Federal government does not pay property taxes as such, PILT payments provide a partial remuneration of obligations some of which flows to the Weed and Pest District, either directly or indirectly.

Big Horn County is working to suppress and eradicate all of the State of Wyoming designated, and Big Horn County declared, weeds and Pests. Additionally, the County is pursuing efforts to educate the public about invasive species and pests that are a threat to Big Horn County.

Policy:

1. Requires control of all State of Wyoming Designated and Big Horn County Declared weeds and pests. The County expects coordination with other agencies to ensure access to restricted roads is granted so that the Weed and Pest Control District can perform its required duties.
2. Big Horn County requires long-term pest management and control programs which increase the productivity of the various lands within the County and promote the health, safety and general welfare of the citizens of the County.

3. Big Horn County requires cooperative efforts with State, Federal and private managers to enhance cooperative weed and pest management efforts countywide; coordinated with, and primarily managed by the Big Horn County Weed and Pest Control District.
4. Big Horn County relies upon the Big Horn County Weed and Pest Control District to make use of cooperative agreements, NEPA, the Wyoming Weed and Pest Act of 1973, and broad based legal precedent to assure recognition of local conditions and circumstances in the decision making process, and to keep the County and the public informed of these efforts.
5. To the extent required by Federal law and the Wyoming Weed and Pest Act, Big Horn County requires that all of the various property owners, including State, Federal, private and tribal property owners within the County, must be responsible for controlling the invasive species and pests on their property thus controlling the spread of invasive species and pests onto adjacent lands.
6. Road access across state and federal lands, to access infestations on both public and private lands, is required for the suppression of invasive species and pests.
7. Controlled burns will be evaluated as a means of encouraging revitalization of rangeland vegetation, in order to support and expand multiple use.
8. Grazing rest prescriptions related to either wildfires or prescribed burns, will be determined on a site-specific basis. Post fire grazing will not be limited when unbiased post fire monitoring and evaluation produces relevant accurate data which demonstrates that grazing will not unduly harm the range.
9. Big Horn County supports cheatgrass control research. The County recognizes the spread of cheatgrass on public lands as one of the most severe present-day threats to grassland and sagebrush ecosystems, wildlife population health, and livestock grazing.
10. Big Horn County asserts that leafy spurge, and other noxious weeds are invasive species requiring immediate eradication.

5.6: LAW ENFORCEMENT

(This area of the plan will need extensive research into the federal and state laws that govern the regulation of these resources. Propose that this be prioritized during the second phase of the plan development)

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5.7: MINERAL DEVELOPMENT

5.7.1: GENERAL

Mineral production has and continues to play one of the most significant roles in the culture and economy of Big Horn County. It started with the discovery of crude oil in the early 1900s. It is known today that substantial amounts of crude oil, natural gas, bentonite and gypsum are present in the County. Further, geological evidence suggests there are remaining deposits of undiscovered minerals in the County.

Although the production of minerals, and associated economic and cultural activity, have waxed and waned with demand and pricing over the past; it has been, and remains the most significant portion of Big Horn County's tax base. In 2014, the assessed value of Oil and Gas and Minerals total \$160,808,704 which is approximately 70% of the entire assessed value of Bighorn County.

The County supports the production of minerals in an environmentally safe manner through the political process as well as physically, by providing infrastructure and services such as roads, bridges, medical services, and law enforcement. The administrative and regulatory processes have proven to be cumbersome due to interaction with controlling government agencies such as the Wyoming Oil and Gas Commission, Bureau of Land Management, United States Forest Service, and State of Wyoming Department of Environmental Quality. When this occurs, it jeopardizes the continued economic viability of the County. Therefore, Big Horn County will require coordination with all agencies involved in the regulatory process of mineral extraction as provided for by Federal and state Law.

The Board supports and encourages the extraction of oil, gas, bentonite, gypsum, silica sand, rare earth minerals and all other minerals within the County. Mineral production, namely crude oil and locatable minerals, have been a part of Big Horn County's culture for over 100 years. Therefore, the County will assert its right to be a part of any regulatory process which impacts its cultural and economic stability.

Policy:

1. All lands within the political jurisdiction of Big Horn County are to be considered open to mineral exploration and extraction unless specifically precluded by federal, state or local law.
2. Prior to any lands being closed to mineral exploration or extraction, agencies must coordinate with the County to consider the impact such closure will have on the County's economic viability and to resolve conflicts with County plans and policies, as required by federal and state law.
3. Big Horn County approves the use of enhanced oil recovery and the infrastructure to provide the same (e.g., carbon dioxide pipelines, processing plants, steam flood facilities, etc.).
4. Big Horn County requires that "The public lands will be managed in a manner which recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands, including implementation of the Mining and Minerals Policy Act of 1970." As stated in FLPMA.

5. Delays in permitting and approval of mineral extraction are costly and can deter producers from working in Big Horn County. The County will require regular updates from permitting agencies for current and proposed projects within the County's jurisdiction and expect reasonable timelines and explanations for permitting delays.
6. Local, State and Federal land use and management plans must contain a thorough discussion and evaluation of energy and mineral development, and the implications such development has on surface land uses and the economy of the County. Additionally, all plans must demonstrate an understanding of the County's plans and policies and resolution of any conflicts with the County's plans.
7. It is the policy of Big Horn County that all exploration, development and mining on lands in the county, with mineral or energy potential, shall be governed by scrupulous adherence to all laws which pertain to mining and energy development and production, beginning with the General Mining Law of 1872, as amended, and continuing with FLPMA and 43 CFR 3809 (regulation portion of FLPMA)

5.7.1: MINING

Big Horn County contains some of the largest deposits of bentonite and gypsum in the Big Horn Basin and Wyoming. Bentonite and gypsum production have provided an important contribution to the economy of not only Big Horn County but also the Big Horn Basin and State of Wyoming. Wyoming leads the Nation in the production of bentonite. The mining industry makes up an important part of the property tax base of Big Horn County and the payrolls and expenditures for equipment, materials and supplies are important to the economic stability of the county. Mining is one of the historical uses of the federally managed lands within Big Horn County and predates the establishment of the Forest Service and the Bureau of Land Management and maintenance of such use is statutorily compatible with multiple use principles.

The Congressional Act of July 26, 1866 and the General Mining Law of 1872 granted all American Citizens the right to go into the public domain to prospect for and develop minerals located there. Every mining law or act enacted since then has contained a "savings clause" that guarantees that the originally granted rights have never been rescinded.

Big Horn County's policies for mineral development are for the purpose of increasing the exploration, development and production of mineral and energy resources within the political jurisdiction of the County.

A primary objective of the County is to establish partnerships between the County, Mineral Industries and Federal Agencies to increase and share knowledge of the mineral estate and to develop and foster the trust levels among partners. Through these relationships, the County plans to encourage the showcasing of excellence in mineral and energy development and production.

Policies:

1. All lands not lawfully withdrawn from mineral exploration and/or development must remain available for such use. The County will work to facilitate the orderly exploration, development and production of mineral and energy resources within all lands in Big Horn

County open to these activities, consistent with valid existing rights and in accordance with the Mining and Mineral Policy Act of 1970.

2. Directions and policies of Land Management Agencies shall not interfere with citizens' rights of access, property and occupation while prospecting and developing mineral and energy resources. Access for prospecting, development, processing, and mining of mineral resources must remain open. Any closures shall be coordinated with the County according to the policies set forth in section 1 of this chapter.
3. State, Federal and County agencies are to protect the rights of access, occupation and property of anyone prospecting and/or developing minerals within Big Horn County as required by federal and state law.
4. Mineral resources programs and activities should be integrated with the planning and management of renewable resources through the Land and Resource Management planning process and be coordinated with the NRMP to ensure efficient and unifying policies are implemented.
5. Mineral development can occur concurrently or sequentially with other resources uses in accordance with multiple use management principles in Big Horn County.
6. Prior to initiating the administrative withdrawal of Federal Lands from mineral entry, Coordination with the County must first occur to ensure; (a) the full consideration of the National interest in rural community development; (b) The economic value of the mineral resources foregone; (c) The economic value of the resources being protected and; (d) the risk that the renewable resources cannot be adequately protected pursuant to the application of the minerals surface use regulations.
7. Mineral and energy development and production should not be subjected to unreasonable regulations, taxes, fees and/or reclamation bonds. Additionally, excessive mitigation measures and reclamations bonds deter mineral companies from operating in Big Horn County. These unnecessary restrictions harm the County by restricting business revenue

5.7.2: Oil and Gas

The extraction of oil and natural gas from deposits deep underground is accomplished by three distinct phases of recovery: primary, secondary and tertiary (enhanced). Primary recovery relies on underground pressure to drive fluids to the surface. If pressure falls, artificial lift technologies (pumps) are used to bring more fluids to the surface. Generally, only 10% of a reservoir's original oil in place is produced through primary recovery. Secondary recovery methods, such as water or gas injection, can extend a field's productive life and result in the extraction of an additional 20-40% of the original oil in place. Enhanced oil recovery techniques offer the potential to produce 30-60% more oil. These techniques include thermal recovery, gas injection or chemical flooding, each of which is limited by high costs and unpredictable effectiveness.^{xvi}

Oil and gas production from multiple operators and fields has contributed greatly to Big Horn County's taxable income for over 100 years (insert table of some sort?). In the late 1970s, overall production decreased negatively impacting County revenue. A number of factors led to decreased production, including abandonment of fields with a short production life (exhausted only primary recovery

methods), the high expense of replacing aged drill wells and more stringent permitting requirements on State and Federal lands.

The County's objective is to reverse the decline in oil and gas production by reducing lease restrictions and land withdrawals and creating a climate where the use of new technological advancements within the industry is encouraged.

Policies:

1. Drilling condition requirements should be relaxed where applicable to encourage a more timely and productive extraction of minerals.
2. Opportunities to encourage the nomination of more leases for sale shall be pursued.
3. Where secondary and enhanced (tertiary) recovery methods (e.g., fluid, gas and steam injection) can be employed, extending the life of a production field, appropriate approvals shall be prioritized.
4. New technology development is should be prioritized and encouraged by all agencies, including Hydraulic fracturing (fracking) and horizontal drilling and the use of exploration via 3D seismic surveying technology.
5. Coordination among the various agencies to facilitate oil production permits in a timely manner should occur with the County as prescribe in federal law.

5.8: PREDATION

Predatory animals (including birds) are those that are destructive to livestock, wildlife and poultry, or are a danger to the health and safety of the populous of the County. Predator control became a big issue at the turn of the 20th century. Wolves, bears, mountain lions and coyotes preyed heavily on livestock and wildlife populations.

Under pressure, the mountain lions, grizzly bears and wolves generally retreated into the higher country which was wide open until after World War II. Occasionally, one of them would wander through the lower country. The coyote lived up to his name as “Wiley Coyote” and has never disappeared from the scene to the despair of those who have seen flocks of sheep ripped to pieces, or their chicken flocks decimated, and to the delight of those who count seeing and hearing coyotes as part of their western cultural heritage. It is also generally recognized that a remnant population the original indigenous wolf species was still present in the Northern Rockies when Canadian wolves were introduced to the Greater Yellowstone Region in the 1990s, and that these smaller and less aggressive wolves have subsequently been subdued, killed, genetically mixed, or driven out of the region by the introduced species.

Today, predators continue to play a role in the custom, culture and economics of Big Horn County. Not only the bigger predators, but skunks, foxes and raccoons, have caused problems in Big Horn County. Eagles still prey on newborn lambs and calves. In the past, magpies were such a nuisance that bounties were paid on their legs. Today crows come in large enough numbers to be a health hazard. While there are no large flocks of domestic fowls in the county, game birds have suffered severely from depredation, from coyotes, fox, raccoons, bobcats, and birds of prey (including ravens, crows, and magpies). Larger predators are an increasing problem. Wolves have spread to Big Horn County, and predation of livestock by wolves has increased. Changes in predator control policy has also caused mountain lion activity to increase.

Concern for predation is not the only consideration for control of these species. Rabies and other diseases must be tracked closely, and action taken to eradicate the animal or animals which carry them.

Historically, Big Horn County has employed predator control as a mechanism to increase the productivity of the private, State, and Federal lands within the County. As such, predator control has benefited both wildlife and domestic livestock. Within the County, the Big Horn County Predator Control Board directly administers the program employing a predator control agent, also known as a government trapper. Numerous private individuals also actively participate as sportsmen, agricultural producers or landowners concerned about the wildlife and domestic livestock. Predator control is a well-established custom and culture within the County which directly affects the economic stability of the livestock industry and the sport hunting/fishing industry. To a certain degree, predator control has also been used to protect the health and safety of the public.

The Wyoming State Legislature established predator control statutes in Title 11, Chapter 6 of The Wyoming Statutes. The statutes provide for general provisions, districts and district boards and the Wyoming State Animal Damage Management Board.

Big Horn County recognizes and utilizes the right to control rodents and predators through the issuance of hunting permits, aerial hunting permits as outlined in W.S. § 11-6-105 and the right to pay bounties as provided for in W.S. § 11-6-206. All effective means of controlling rodents and predators, including but not limited to airplanes, helicopters, firearms, electronic calling equipment, gases, fire, smoke, dogs,

archery, explosives, leg-hold traps, snares, poison, ATVs, and snowmobiles has been authorized in the County to control predation and resource damage. Those predatory animals authorized for control shall be as defined by the Wyoming Weed and Pest Act of 1973 as amended for designated pests, the predatory animal list adopted by the Wyoming Game and Fish Department and the powers granted to the County by the Weed and Pest Act to designate additional weeds and pests as needed. The affected lands within the County include all private, State and Federal lands.

Big Horn County relies upon Title 7 of Laws Applicable to the United States Department of Agriculture (1931). APHIS (7 U.S.C. 426) Predatory and Other Wild Animals; Eradication and Control:

“.....The Secretary of Agriculture may conduct a program of wildlife services with respect to injurious animal species and take any action the Secretary considers necessary in conducting the program.....The Secretary of Agriculture is hereby authorized and directed to conduct such investigations, experiments, and tests as he may deem necessary in order to determine, demonstrate, and promulgate the best methods of eradication, suppression, or bringing under control on national forests and other areas of the public domain as well as on State, Territory, or privately owned lands of mountain lions, wolves, coyotes, bobcats, prairie dogs, gophers, ground squirrels, jack rabbits, brown tree snakes, and other animals injurious to agriculture, horticulture, forestry, animal husbandry, wild game animals, fur bearing animals, and birds, and for the protection of stock and other domestic animals through the suppression of rabies and tularemia in predatory or other wild animals; and to conduct campaigns for the destruction or control of such animals: Provided, that in carrying out the provisions of this Act the Secretary of Agriculture may cooperate with states, individuals and public and private agencies, organizations and institutions.”

Big Horn County recognizes that the Department of Agriculture rules and regulations can at times be in direct conflict with the Endangered Species Act. Apparently, the courts have yet to adequately interpret which rules and regulations apply in given situations. Therefore, the County must recognize both until such time as clarification has been made. One situation in particular affects the County; that being the reintroduction of wolves which are protected under the ESA but control is allowed for under the Department of Agriculture regulations. Under certain conditions, the wolf reintroduction and recovery plan allows for destruction of wolves that prey on domestic livestock, by Federal personnel; thereby, recognizing that the effect on the local economy is a valid argument for control.

Big Horn County endorses predator control as an effective method for protecting game bird populations to include, but not limited to, sage grouse of all species, chukars, quail, Hungarian partridges, pheasants, turkeys, ducks, geese, doves, swans, and the other various bird species unnamed. For protecting sage grouse, predator control and habitat improvement are the County's adopted mechanisms to increase the population.

The County recognizes predator control as a valid method of increasing the productivity of the public lands upon which the economy of the County is dependent. Productivity as such is deemed to include higher survivability of deer and antelope fawns, lambs of domestic sheep and bighorn sheep, calves of domestic cattle and elk, foals of domestic and wild horses, chicks of the various game birds and other birds, eggs, and the adult populations of most other animals. Decreased predation of economically important species enhances the efficiency and profitability of agricultural producers and other end users.

It is the goal of the County to ensure predator animal populations shall be maintained to minimize impacts the health, safety and general well-being of the County's residents and their livelihood.

Public Policy:

1. Selective predator control is a valid means of increasing the productivity of State and Federal lands within the County and as a valid method of attaining sustainability of the wildlife and domestic livestock and domestic fowl populations.
2. Predator control measures are applicable on all private, State and Federal lands within the County.
3. The County requires pro-active efforts such as aerial hunting, snares, leg traps, etc. to control predator populations.
4. Predator species such as grizzly bears and wolves shall be deterred from migrating or re-locating to areas that impact the health, safety and welfare of the people, therefore impacting the economy of the County.
5. Because Big Horn County is home to many predators, over predation can trigger a decline in sensitive species. In this case, predator control should be employed prior to placing any restrictions on resource industries such as livestock grazing. Only when predation is determined to not be the cause of decline, can restrictions on the resource industries be considered.
6. The State of Wyoming has made the Department of Game and Fish responsible for management of certain predator species; and the County will be involved in the determination of any impact of management of said species on the economy, culture, custom and safety of the residents of the County.
7. Pursuant to State statute, the County will establish and implement a cooperative plan for predator control. It may promulgate necessary rules and regulations to carry out the purposes of predator control.

5.9: RECREATION AND TOURISM

(To be prepared during second phase of plan development)

5.10: SOIL CONSERVATION

(Draft Committee Text to be Edited)

5.11: SPECIAL LAND DESIGNATIONS

- 5.11.1: Wilderness Areas
- 5.11.2: Wilderness Study Areas
- 5.11.3: Lands with Wilderness Characteristics
- 5.11.4: Areas of Critical Environmental Concern
- 5.11.5: Wild and Scenic River

(Draft Committee Text to be Edited)

5.12: LANDS FOR DISPOSAL FOR ECONOMIC DEVELOPMENT

(To be prepared during second phase of plan development)

5.13: SPECIAL SPECIES MANAGEMENT

- 5.13.1: Sensitive Species
 - 5.13.1a: Bighorn Sheep
 - 5.13.1b: Sage Grouse
- 5.13.2: Threatened and Endangered Species
- 5.13.3: Special Management Species
 - 5.13.3a: Wild Horses
 - 5.13.3b: Feral Livestock

(Draft Committee Text to be Edited)

5.14: FOREST MANAGEMENT

- 5.14.1: Renewable Resource Management
- 5.14.2: Timber and Forest Production

(To be prepared during second phase of plan development)

5.15: UTILITY CORRIDORS

(Draft Committee Text to be Edited)

5.16: WATER RESOURCES

5.15.1: Overview..... 54
5.15.2: Surface Waters 58
5.15.3: Groundwater 59

(Draft Committee Text to be Edited, Groundwater Section to be developed during second phase)

5.17: WILDFIRE SUPPRESSION, FUELS MANAGEMENT AND FIRE REHABILITATION

(To be prepared during second phase of plan development)

5.18: WILDLIFE MANAGEMENT

(To be prepared during second phase of plan development)

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APPENDIX A: BEST MANAGEMENT PRACTICES

1. Livestock Grazing Management

(To be prepared during second phase of plan development)

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APPENDIX B: DEFINITIONS

Unless specifically defined, words or phrases used in the NRMP shall be interpreted according to the meaning they have in common usage.

Consistent: possessing firmness or coherence; marked by harmony, regularity, or steady continuity: free from variation or contradiction. (Webster Revised Dictionary)

Coordinate. Equal in rank or order; not subordinate. (Webster's Revised Unabridged Dictionary)

Coordination. The act of coordinating; the act of putting in the same order, class, rank, dignity, etc.; as, the coordination of the executive, the legislative, and the judicial authority in forming a government; the act of regulating and combining so as to produce harmonious results; harmonious adjustment as, a coordination of functions. (Webster's Revised Unabridged Dictionary)

Coordination Process. A process mandated by federal law that requires federal agencies to coordinate their plans, programs and management activities with local governments. The minimum parameters of this process were defined by Congress at 43 USC 1712(c)(9) and prescribe that the agencies (1) keep apprised of State, local, and tribal land use plans; (2) assure that consideration is given to those State, local, and tribal plans that are germane in the development of land use plans for public lands; (3) assist in resolving, to the extent practical, inconsistencies between Federal and non-Federal Government plans; (4) provide for meaningful public involvement of State and local government officials, both elected and appointed, in the development of land use programs, land use regulations, and land use decisions for public lands, including early public notice of proposed decisions which may have a significant impact on non-Federal lands; and (5) make land use plans consistent with State and local plans to the maximum extent the Secretary finds consistent with Federal law. (Federal Land Policy and Management Act, 43 USC 1701)

Coordination Meeting. A government-to-government meeting between a government agency or agencies and the BOCC. These meetings are public meetings, publicly noticed with agenda provided in advance. While public comment is not received during the meeting, the public is encouraged to attend and provide comments during later regular BOCC meetings as the intent is for the coordination process to be open and transparent to the public. The discussion is between the agency and the BOCC and is for the purpose of fulfilling the coordination duty, informing the agencies and BOCC of relevant projects, plans, studies and management activities. It is also the forum for discussion towards the resolution of unresolved conflicts between the counties policies and plans and the agencies programs.

Cooperation. The act of cooperating, or operating together to one end; joint operation; concurrent effort or labor. (Webster's Revised Unabridged Dictionary)

Collaborate. To work together with another toward a common goal, especially in an intellectual endeavor; as, four chemists collaborated on the synthesis of the compound; three authors collaborated in writing the book. (Webster's Revised Unabridged Dictionary)

Integrity: "Refers to the security of information -- protection of the information from unauthorized access or revision, to ensure that the information is not compromised

through corruption or falsification.” (Information Quality Act (Public Law 106-554)

Multiple Use:

Multiple-Use Sustained-Yield Act (MUSYA) (16 U.S.C. 528-531): “The management of all the various renewable surface resources of the national forests so that they are utilized in the combination that will best meet the needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; that some land will be used for less than all of the resources; and harmonious and coordinated management of the various resources, each with the other, without impairment of the productivity of the land, with consideration being given to the relative values of the various resources, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output.”

Federal Land Policy and Management Act (FLPMA) (43 U.S.C. 1702): “The management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values; and harmonious and coordinate management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.”

Objectivity: “Involves two distinct elements, presentation and substance.

- A. "Objectivity" includes whether disseminated information is being presented in an accurate, clear, complete, and unbiased manner. This involves whether the information is presented within a proper context. Sometimes, in disseminating certain types of information to the public, other information must also be disseminated in order to ensure an accurate, clear, complete, and unbiased presentation. Also, the agency needs to identify the sources of the disseminated information (to the extent possible, consistent with confidentiality protections) and, in a scientific or statistical context, the supporting data and models, so that the public can assess for itself whether there may be some reason to question the objectivity of the sources. Where appropriate, supporting data should have full, accurate, transparent documentation, and error sources affecting data quality should be identified and disclosed to users.
- B. In addition, "objectivity" involves a focus on ensuring accurate, reliable, and unbiased information. In a scientific or statistical context, the original or supporting data shall be generated, and the analytical results shall be developed, using sound statistical and research methods.

i. If the results have been subject to formal, independent, external peer review, the information can generally be considered of acceptable objectivity.

ii. In those situations involving influential scientific or statistical information, the results must be capable of being substantially reproduced, if the original or supporting data are independently analyzed using the same models. Reproducibility does not mean that the original or supporting data have to be capable of being replicated through new experiments, samples or tests.

iii. Making the data and models publicly available will assist in determining whether analytical results are capable of being substantially reproduced. However, these guidelines do not alter the otherwise applicable standards and procedures for determining when and how information is disclosed. Thus, the objectivity standard does not override other compelling interests, such as privacy, trade secret, and other confidentiality protections.” (Information Quality Act (Public Law 106-554)

Quality: “an encompassing term comprising utility, objectivity, and integrity.” The Information Quality Act guidelines sometimes refer to these four statutory terms, collectively, as “quality.” (Information Quality Act (Public Law 106-554)

Scientific integrity: The objectivity, utility, integrity and quality of scientific data as defined in the Information Quality Act.

Sustained Yield:

Multiple-Use Sustained-Yield Act (MUSYA) (16 U.S.C. 528-531): “The achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the national forests without impairment of the productivity of the land.”

Federal Land Policy and Management Act (FLPMA) (43 U.S.C. 1702): “The achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of public lands consistent with multiple use.

Public Road or Highway: Any formally established public travel way, including those on public lands, as well as any public route or wagon road that existed prior to 1924, as well as any road or public highway so designated on a government map or plat on record at any land office of the United States within the state (ref. W.S. 24-1-101).

Utility: “Refers to the usefulness of the information to its intended users, including the public. In assessing the usefulness of information that the agency disseminates to the public, the agency needs to consider the uses of the information not only from the perspective of the agency but also from the perspective of the public. As a result, when reproducibility and transparency of information are relevant for assessing the information’s usefulness from the public’s perspective, the agency must take care to ensure that reproducibility and transparency have been addressed in its review of the information.” (Information Quality Act (Public Law 106-554)

“Ambient air” means

“Feral livestock” means

“Invasive species” means

“Minerals” mean naturally occurring substances formed by organic or inorganic processes.

“Noxious weeds” means

“Valuation” means

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APPENDIX C: AUTHORITIES AND CITATIONS

Coordination

Federal Land Policy and Management Act (FLPMA) (43 USC 1712(c)(9):

“(c) In the development and revision of land use plans, the Secretary shall--

(9) to the extent consistent with the laws governing the administration of the public lands, coordinate the land use inventory, planning, and management activities of or for such lands with the land use planning and management programs of other Federal departments and agencies and of the States and local governments within which the lands are located, including, but not limited to, the statewide outdoor recreation plans developed under the Act of September 3, 1964 (78 Stat. 897), as amended [16 U.S.C. 460l-4 et seq.], and of or for Indian tribes by, among other things, considering the policies of approved State and tribal land resource management programs. In implementing this directive, the Secretary shall, to the extent he finds practical, keep apprised of State, local, and tribal land use plans; assure that consideration is given to those State, local, and tribal plans that are germane in the development of land use plans for public lands; assist in resolving, to the extent practical, inconsistencies between Federal and non-Federal Government plans, and shall provide for meaningful public involvement of State and local government officials, both elected and appointed, in the development of land use programs, land use regulations, and land use decisions for public lands, including early public notice of proposed decisions which may have a significant impact on non-Federal lands. Such officials in each State are authorized to furnish advice to the Secretary with respect to the development and revision of land use plans, land use guidelines, land use rules, and land use regulations for the public lands within such State and with respect to such other land use matters as may be referred to them by him. Land use plans of the Secretary under this section shall be consistent with State and local plans to the maximum extent he finds consistent with Federal law and the purposes of this Act.”

BLM Planning Rules

43 CFR 1610.3-2 Consistency Requirements

(a) Guidance and resource management plans and amendments to management framework plans shall be consistent with officially approved or adopted resource related plans, and the policies and programs contained therein, of other Federal agencies, State and local governments and Indian tribes, so long as the guidance and resource management plans are also consistent with the purposes, policies and programs of Federal laws and regulations applicable to public lands, including Federal and State pollution control laws as implemented by applicable Federal and State air, water, noise, and other pollution standards or implementation plans.

43 CFR 1610.4-2 Development of Planning Criteria

(b) Planning criteria will generally be based upon applicable law, Director and State Director guidance, the results of public participation, and coordination with any cooperating agencies and other Federal agencies, State and local governments, and federally recognized Indian tribes.

43 CFR 1610.4-4 Analysis of the management situation.

(Elements to be considered during the preparation of the AMS include ...)

(e) Specific requirements and constraints to achieve consistency with policies, plans and programs of other Federal agencies, State and local government agencies and Indian tribes;

Scientific Integrity:

Information Quality Act (Public Law 106-554)

Cooperating Agency:

Wyoming Statute 18-3-504(a)(v):

“Represent the county, including but not limited to representing the county as a cooperating agency with special expertise in matters related to the National Environmental Policy Act and in federal land planning, implementation and management actions as provided for by W.S. 18-5-208(a), care for the county property and manage the business and concerns of the county in all cases where no provision is made by law.”

Wyoming Statute 18-5-208:

“(a) When representing a county as a cooperating agency in matters related to the National Environmental Policy Act and in federal land planning, implementation and management actions, a board of county commissioners shall be deemed to have 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.

Weed and Pest Control:

Wyoming Weed and Pest Act of 1973: Provisions referenced in the NRMP include:

W.S. § 11-5-103, W.S. § 11-5-102, W.S. § 11-5-109, W.S. §11-5-109e

National Undesirable Plant Management Act (7 USC p.2814)

Hot Springs County, Wyoming Natural Resource Plan

Mineral Development:

Federal Land Policy and Management Act of 1976

Mining and Minerals Policy Act of 1970

General Mining Law of 1872, as amended

National Environmental Policy Act

National Historic Preservation Act

Hot Springs County Natural Resource Plan

Baker County Natural Resource Plan

The regulation portion of the FLPMA is found at 43 CFR 3809 ("Surface Management regulations").

Predation:

Title 11, Chapter 6 of The Wyoming Statutes

W.S. § 11-6-105

W.S. § 11-6-206

Wyoming Weed and Pest Act of 1973

Title 7 of Laws Applicable to the United States Department of Agriculture (1931). APHIS (7 U.S.C. 426)
Predatory and Other Wild Animals; Eradication and Control

Hot Springs Co. Plan

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