

RESOLUTION NO. 2022 - 22

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO ADOPTING THE 2022 AMENDED AND UPDATED RIO BLANCO COUNTY LAND AND NATURAL RESOURCE PLAN AND POLICY

WHEREAS, Rio Blanco County, (“County”) is a body politic and corporate of the State of Colorado whose powers are exercised by its Board of County Commissioners pursuant to C.R.S. §§ 30-5-158 and 30-11-103, as amended; and

WHEREAS, White River Conservation District and Douglas Creek Conservation District (“Districts”), are conservation districts established pursuant to C.R.S §35-70-101, et seq., and whose powers are exercised by their respective Board of Supervisors pursuant to C.R.S §35-70-121; and

WHEREAS, The Parties are authorized to make the most efficient and effective use of their powers and responsibilities by cooperating and contracting with other governmental entities to provide any function, service, facility or other public purpose which each of them is authorized and empowered to do individually pursuant to §§18(2)(a) and (2)(b) of Article XIV, and the Amendment to §2 of Article XI of the Colorado Constitution, and C.R.S. §29-1-201 et seq., as amended; and

WHEREAS, County is empowered by Colorado Statute to:

“coordinate, pursuant to 43 U.S.C. sec. 1712, the ‘National Environmental Policy Act of 1969’, 42 U.S.C. sec 4321 et seq., 40 U.S.C. sec. 3312, 16 U.S.C. sec. 530, 16 U.S.C. sec 1604 and 40 CFR parts 1500 to 1508, with the United States secretary of the interior and the United States secretary of agriculture to develop land management plans that address hazardous fuel removal and other forest management practices, water development and conservation measures, watershed protection, the protection of air quality, public utilities protection, and private property protection on federal lands within such county’s jurisdiction.” §30-11-101 (1) (k) C.R.S.; and

WHEREAS, Districts and County, pursuant to various powers and policies, have the obligation to protect the customs and cultural of the citizens of Rio Blanco County and to provide for community stability, protect the natural environment and natural resources; and

WHEREAS, Districts and County have joined together and contributed jointly to the preparation of the 2022 Amended and Updated Rio Blanco County Land and Natural Resource Plan and Policy, hereinafter referred to as “the Plan”, intended to be a guide to the efficient and effective use of the resources in the County, while protecting the environment, and to facilitate, protect and preserve the utilization and conservation of natural resources on public lands; and

WHEREAS, it is intended that the Plan as required by the National Environmental Policy Act (“NEPA”), the Federal Land Policy Management Act, (“FLPMA”), the National Forest Management Act (“NFMA”) and other federal statutes, will be applied to federal regulatory frameworks that govern; and

WHEREAS, federal law requires federal agencies such as the Bureau of Land Management and the Forest Service to give meaningful consideration to policies asserted in natural resource plans developed by local governments; and

WHEREAS, the adoption of the Plan will allow County and Districts to achieve continued cooperating agency status, coordinating with land management agencies and provide direction and polices for “Governor consistency review purposes”; and

WHEREAS, the Plan is intended to protect local citizens’ use of land and access to federal and public lands and resources; and

WHEREAS, the Plan is a critical tool allowing County and Districts to continue to have a substantial impact on federal decisions, plans, policies and programs related to public lands in Rio Blanco County; and

WHEREAS, the Plan protects Rio Blanco County's tax base as well as its customs and cultures which federal agencies are required to consider; and

WHEREAS, Colorado law specifically recognizes that County is to use its authority to protect the economic, social, and general wellbeing of the people and resources located in Rio Blanco County and Districts are required to provide for the ongoing stability and health of soil and water resources within Rio Blanco County;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO FINDS AS FOLLOWS:

A. The amended and updated policies set forth in the plan will support access to and wise use of natural resources found on federal land located within Rio Blanco County; protect private property rights; protect and enhance the customs, cultures and economy of Rio Blanco County; and protect the tax base of Rio Blanco County.

B. The amended and updated policies set forth in the plan are in the best interests of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Rio Blanco County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO AS FOLLOWS:

1. The 2022 Amended and Updated Rio Blanco County Land and Natural Resource Plan and Policy attached to this Resolution as Exhibit A is hereby approved and adopted.
2. Within 30 days of this date of adoption, County officials will transmit a copy of the Plan to appropriate federal and state agencies owning land and operating within the boundaries of Rio Blanco County.
3. If any section, subsection, sentence, clause, phrase or portion of this Resolution is, for any reason, held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of County Commissioners of Rio Blanco County, Colorado declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion herein, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions would be declared invalid or unconstitutional.

DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 3 FOR AND 0 AGAINST THIS 12th DAY OF JULY 2022.

ATTEST:



Clerk & Recorder



**BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY, COLORADO**


Ty Gates, Chairman


Jennifer O'Hearon, Commissioner


Ginny Love, Commissioner