



## *Wyoming County Commissioners' Association*

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### **RESOLUTION**

**Committee: Public Lands  
Committee Chair: Jerry Paxton, Chair  
Resolution Number: 1-2011**

**WHEREAS, the Wyoming County Commissioners Association, and**

**WHEREAS, Secretarial Order 3310 purports to create new wilderness areas on public lands when that authority rests exclusively with the Congress of the United States;**

**WHEREAS, any authority to identify and manage public lands to protect wilderness characteristics was limited to Section 603 of the Federal Land and Policy Management Act (FLPMA), 43 U.S.C. §1782, and that authority expired October 21, 1991;**

**WHEREAS, pursuant to Section 603 the Bureau of Land Management (BLM) inventoried and identified about 12.9 million acres in 545 wilderness study areas (WSAs) and these WSAs are managed so as to not impair their wilderness character unless and until Congress either designates them part of the National Wilderness Preservation System or releases them to multiple use management;**

**WHEREAS, the BLM evaluated the identified WSAs pursuant to FLPMA and in accordance with the National Environmental Policy Act, 42 U.S.C. 4332 and recommended specific areas for wilderness and these recommendations were submitted to the President, who in turn submitted the wilderness recommendations to the Congress within the 15 year deadline;**

**WHEREAS, the public lands not identified for WSAs are managed for multiple use and sustained yield, recognizing that FLPMA establishes principal multiple uses of livestock grazing, minerals, recreation, fish and wildlife habitat, and rights-of-way;**

**WHEREAS, BLM adopted planning regulations for purposes of completing, revising and amending the land use plans and these regulations do not provide for additional wilderness review on the basis that the wilderness review would be done through the Section 603 wilderness review program;**

**WHEREAS, there is no material difference between the WSAs authorized in Section 603 and the “Wild Lands,” mandated in Secretarial Order 3310;**

**WHEREAS, Secretarial Order 3310 represents a material departure from the contemporaneous interpretation of the Secretary’s original mandate that was adopted shortly after FLPMA’s enactment in 1976 to identify, study, and make wilderness recommendations and the interpretation adopted in Secretarial Order 3310 that the Secretary has the authority to identify and manage public lands for wilderness independent of the Congress finds no support in the planning regulations that implement the public land use planning process;**

**WHEREAS, the public lands not designated as WSAs are essential to the public health, safety and well-being of the communities and citizens in Wyoming and these same public lands contribute to the national energy independence of the citizens of the United States;**

**WHEREAS, the revenues generated from energy leases on public lands supports important state and local government programs for education, wildlife management and infrastructure and the reduction or loss of such revenues could be devastating to the State;**

**WHEREAS, Secretarial order 3310 is inconsistent with many local land use plans;**

**WHEREAS, WCCA supports multiple use on public lands, and the socio economic benefits that accrue to state and local governments and the citizens they represent;**

**WHEREAS, existing land use designations and the current and historical management practices have been more than adequate, to maintain the existing naturalness and solitude through the protection of scenic vistas and identification of special management areas or Areas of Critical Environmental Concern (ACEC);**

**WHEREAS, excluding the existing WSAs, the public lands that are identified and designated as Wild Lands for the purposes of protecting their alleged wilderness characteristics may have a long history of existing land management activities based on the culture and custom of range management and stewardship of public property and also have significant mineral and energy resources that could be negatively impacted by a “Wild Lands “ Designation;**



**WHEREAS, the public lands in Wyoming provide important sources for wind and solar energy and the transmission routes necessary to carry the generated power to other areas in the country;**

**WHEREAS, designating Lands with wilderness characteristics as “Wild Lands” will add an unnecessary layer of restriction which will preclude or detract from multiple use objectives, and well as ‘green energy’ initiatives, in particular wind energy and the related transmission facilities;**

**WHEREAS, even assuming the Secretary had the authority to identify and management new wilderness areas, Secretarial Order 3310 and the wilderness inventory and management designation procedures which accompany it (6300-1) are inconsistent with FLPMA and the regulations and BLM cannot act to implement Secretarial Order 3310 unless and until it follows proper rulemaking procedures, including coordination with state and local governments;**

**WHEREAS, Secretarial Order 3310 is a “major federal action” (CEQ Reg. 1508-18) and has not involved a public process and Local Governments as cooperators in its development;**

**NOW THEREFORE BE IT RESOLVED, that the Wyoming County Commissioners Association strongly opposes Secretarial Order 3310 on the basis that it is *ultra vires* and contrary to the clear delineation of authority between the Congress and the Department of the Interior and that it has been adopted without respect for mandatory procedures;**

**BE IT FURTHER RESOLVED THAT, The WCCA requests the Western Governors Association and The Western Interstate Region of NACO collaborate to form a multi-state coalition of local governments to address the impacts of Secretarial Order 3310 on BLM lands.**

**Passed by the General Body of the Wyoming County Commissioners Association on January 19, 2011.**

A handwritten signature in cursive script, reading "Joel Bousman", is written over a horizontal line.

**Joel Bousman, President  
Wyoming County Commissioners' Association**