

Northwest Colorado Working Landscape Pilot Project Proposal

by:
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Executive Summary

The Northwest Colorado Working Landscape Pilot Project Proposal is a land and natural resource conservation plan for northwestern Colorado. It asserts the indivisibility of humans and nature – the mutual interdependence of one upon the other. As such, the proposal is rooted in the following nine conservation principles:

- 1) Land/water conservation and economic well-being of human communities are mutually interdependent.
- 2) Conservation outcomes are assessed at the landscape level, considering entirety of the land and its residents.
- 3) ‘Net Conservation Gains’ are evaluated and implemented on a landscape basis.
- 4) Multiple responsibilities for management decisions accompany multiple uses.
- 5) Conservation is dependant upon science-based decisions, flexibility, and adaptability.
- 6) Voluntary innovation is fostered through incentives and engaging local information while protecting private land and water rights.
- 7) Full transparency and public participation.
- 8) Outcome based management is used to measure progress through continual monitoring.
- 9) Conservation goals are met regardless of changes in political office and appointments.

These conservation principals and objectives will guarantee long-term predictability for all authorized land uses, protect the environment, and guarantee regional cooperation between agencies and citizens, regardless of changes in political appointments or offices. The Northwest Colorado Working Landscape Pilot Project proposal is focused on exploring innovative methods of federal land management and offers the mechanisms to:

- (a) foster cooperation,
- (b) benefit all land users in the project area while protecting the environment, and
- (c) empower the people who are most directly affected by federal land management decisions.

Moffat County is a focal point for natural resource issues and human activities. In Moffat County natural resource issues include four endangered fish, Sage Grouse, Black-Footed Ferrets, nine proposed wilderness areas, one proposed BLM monument, livestock and wildlife management on federal/private lands, electricity generation, and oil, gas, and coal extraction. For each of these natural resource issues, an indivisible human relationship is associated. Examples of this interdependency are evident in the past and present activities associated with agriculture, recreation and tourism, industry, water management, and cultural resources. Ironically, Moffat County is the focus of several special land designation initiatives which threaten, rather than protect, the socio-economic condition, livelihoods, recreational opportunities, natural resources and the general viability of local communities.

The Northwest Colorado Working Landscape Pilot Project proposal offers a new approach for federal land management that incorporates federal land management decisions with the people most directly affected by those decisions. The Pilot Project is a process which will maintain and enhance land uses, the local economy and custom and culture. In addition, the Pilot Project will protect unique characteristics and values for which federal lands in the project area are used. The basis for the Pilot Project is that no one interest or use will exclude another. The Objectives listed within the Pilot Project assure stakeholders long-term predictability of land protection and use. The Pilot Project offers a new opportunity to foster cooperation between stakeholders and ensure implementation of projects that benefit and protect the lands and people within the project area and nationwide. In addition, the Pilot Project closes by suggesting tools consistent with the Secretary’s 4C’s agenda to implement the elements of the proposed pilot project.

Statement of Purpose

Moffat County's viability is based on a healthy social, economic, and environmental structure. Moffat County desires to enhance ecosystem health and local economic stability through an interactive land management decision-making process across landscapes directly involving all stakeholders. The Proposed Pilot project assures land use is balanced with environmental protection and stakeholders are represented and empowered to demonstrate a new innovative method for federal land management.

Statement of Need

Pilot projects across the western United States are necessary to explore new and innovative options for long-term management of public lands to ensure sustainability of working landscapes dedicated to the mutual well-being of the land and its living residents. These pilot projects should guarantee long-term predictability for all authorized land uses, protect the environment, and guarantee regional cooperation between agencies within each project boundary. Moffat County is the focus of several initiatives which threaten our socio economic position, our livelihoods, recreational opportunities and the general viability of a healthy community. Pilot projects focused on exploring innovative methods of federal land management will offer the mechanisms to (a) foster cooperation, (b) benefit all land users in the project area, and (c) empower the people who are most directly affected by federal land management decisions.

Introduction

The people of Moffat County propose the Northwest Colorado Working Landscape Pilot Project (hereafter referred to as the Pilot Project), which is a conservation pilot project for the establishment and implementation of a working landscape dedicated to the mutual well-being of the land and its living residents, including the human communities whose livelihood rests on the health of their surrounding environment and the sustainable use of its natural resources.

Phase I of the Pilot Project is proposed for the lands managed by the Bureau of Land Management and, on a voluntary participation basis, for private lands and lands owned and managed by the State of Colorado that lie within Moffat County. Phase II will focus on other Department of the Interior managed lands such as Fish and Wildlife Service lands, National Park Service lands and lands managed by the Department of Agriculture, such as U.S. Forest Service lands. Although this Pilot Project is focused on lands within Moffat County, Colorado, it is open to and invites participation from federal agencies, private and state lands of adjacent counties in Wyoming, Utah and Colorado that have ecological issues affecting Moffat County.

The Pilot Project Proposed by Moffat County applies to a very small portion of federal lands as demonstrated by the following table.

Agency	Proposed Project Phases	Total U.S. Acreage	Acreage Proposed for Pilot Project	% of Agency's Land Base Proposed for Pilot Project
Bureau of Land Management	Phase I	262,000,000	1,400,000	.53 %
National Park Service	Phase II	83,300,000	154,200	.19 %
U.S. Fish and Wildlife Service	Phase II	93,000,000	12,200	.01 %
U.S. Forest Service	Phase II	187,700,000	41,800	.02 %

Conservation Principles

The Pilot Project proposal is a land and natural resource conservation plan for northwestern Colorado. It asserts the indivisibility of humans and nature – the mutual interdependence of one upon the other. As such, the proposal is rooted in key conservation principles. They are:

Conservation of forestlands, rangelands and wetlands and the economic well-being of human communities naturally go hand in hand; the long-term welfare of one is mutually interdependent on the other.

Conservation actions and outcomes must be made and assessed on a landscape-basis, and in consideration of the health and well-being of the entirety of the land and its living residents.

*Conservation is the flip side of resource use; sustainable use of land and natural resources implies commensurate conservation; the Pilot Project commits to a policy of **net conservation gains** on a landscape-basis for all land use activities undertaken in the pilot proposal.*

*Conservation is consistent with multiple use so long as the users of land and natural resources accept, and are accountable for, the multiple responsibilities that accompany those uses; the Pilot Project commits to a policy of **multiple use, multiple responsibilities**.*

*Conservation takes its cue from the land; **flexibility, adaptability, and science-based** decisions in use and management are necessary pre-conditions in order for a working landscape to deliver sought-after conservation outcomes.*

*Conservation must be judged by the criteria of environmental outcomes; the Pilot Project commits to a policy of **outcome-based performance management** backed-up by a thorough and intensive program of monitoring, analysis and assessment.*

- *Conservation works best when local information is maximized, innovation is fostered and incentives are provided to encourage individual and community-based stewardship. The Pilot Project commits to a policy of **engaging local information, promoting science-based conservation innovation** whenever possible, and **steadfastly embracing incentives**, including full protection of property rights in land and water, commitment to voluntary action, and the use of economic tools to facilitate and reward private and public resource stewardship.*
- *Conservation is a private obligation with public implications. The Pilot Project commits to a policy of **transparency and public participation** in all matters that involve publicly-owned resources or that impact publicly-owned resources.*
- *Conservation works best when measurable outcomes are evaluated on a timely manner and pilot **projects and goals are completed** regardless of changes in political appointments or offices.*

The Conservation Vision

The Pilot Project is a conservation initiative aimed at the several landscapes that constitute Moffat County and its neighboring ecosystems. The initiative proposes a new approach to conservation that is holistic, science-based, citizen-based, place-based, and performance-based.

The conservation challenges that face Moffat County are no less daunting than the economic challenges that face the current and upcoming generations: how best to live with and on the land, and how best to meet our obligations to the land while meeting our economic obligations to our families, neighbors and surrounding communities. We believe the best way to serve ourselves is to serve the land to which we owe our existence.

The Pilot Project views Moffat County and its landscape extensions into neighboring counties a single ecological unit. The ability to sustain a viable livestock industry is connected to our success in addressing environmental challenges, such as the restoration of the sagebrush ecosystem, and meeting the national challenges posed by the Endangered Species Act and the Clean Water Act. Energy production in Moffat County is an integral part of our lives, but how it is conducted also impacts other dimensions of our livelihood – recreation and agriculture.

The Pilot Project is an attempt to integrate human activity with conservation activities ranging from enhancement of the sage grouse population to protection of the Yampa River to successful restoration or, in select cases, re-introduction of species such as the black-footed ferret – all within the context of willing and voluntary participation from the community, secure property rights, and an open and transparent public process.

Federally managed lands are predominant in the western part of the county while private lands are principal in the eastern half. Yet the conservation challenges the County faces, and the economic opportunities that lie ahead, are not restricted in place; wildlife migrates east to west and the economic fate of one area of the county is not isolated from the economic fate of another area.

We envision a working landscape that serves all Americans, while providing opportunities for local residents – and, most critically, that meets the needs of the land and natural resource base. We see gas production as an economic and conservation opportunity, so long as other land values –

integral to multiple use – are not irreparably harmed, and so long as the principle of net conservation gain is faithfully met.

We believe endangered species can either be a threat or an opportunity. We choose to see listed species, as well as wildlife in general, as an untapped opportunity for our community, so long as laws and regulations provide the requisite incentives for us to enjoy a part of the benefits that can come from stewarding those resources, and so long as those laws build upon the values we hold in secure property rights. We rely upon our rivers for the lifeblood they give to our businesses and our homes; we also understand that the best way to ensure the continuous flow of that lifeblood is to conserve our landscapes. Our uplands are vital to our livestock, just as they are essential to species of concern. Using incentives and scientifically-based management practices, we believe we can increase and enhance the habitat of the species of concern while securing a permanent place for ourselves on the same landscape. This is our home and it is our intent to keep it a living testament to the diversity of nature and to the proud history from which is our heritage.

Objectives of the Pilot Project

Landscape-scale management that accomplishes net conservation outcomes can seem like an overwhelming project. We feel that ecosystems all over Moffat County and the nation should be managed in a holistic approach. Focusing on limited natural resource issues, all too often causes trickle-down effects that hamper function of large landscapes. The citizens of Moffat County believe the following (A-M) objectives accomplish landscape-scale management and empower stakeholders to determine their destiny and enhance net conservation outcomes:

A. Economics and Economic Decision-Making

Within the framework of the federal and state laws and regulations that govern, guide or influence land and natural resource uses, the Pilot Project seeks:

- Greater reliance on market-based tools and mechanisms. Ecosystem based incentive programs for stakeholders that contribute to the goals of net conservation should be established. For example it is decided to increase sage-grouse populations on a landscape level, then partners that provide sage-grouse habitat or contribute to grouse population increases, should be rewarded.

- Federal and state partnerships to explore new and compatible economic opportunities on public lands for local citizens that are conducted in a conservation oriented manner.
- Application of outcome-based performance standards to commercial activities on public lands; *federal agency focus should be on whether, not how (via prescription), commercial users of public lands meet desired land management outcomes.* Past federal management judged a citizen's ability to access and use resources on the basis of how well he or she complied with federal regulations – many of which bore little or no relation to land and resource conservation. Future federal management should judge a citizen's ability to access and use resources by the environmental outcomes of his or her actions. This does not imply it is acceptable to use methods to accomplish land management goals that harm natural resource values within the landscape, only that federal policy should not restrict the options that land managers have to accomplish the desired environmental outcomes.
- Policies and programs to minimize adverse local economic impacts on residents from federal land-use decisions [Economic incentives that direct local knowledge and local expertise to the task of environmental problem-solving help minimize the likelihood of adverse impacts and help ensure that socially-desired conservation outcomes are reached.]

B. Social and Cultural Considerations

Mining, energy production, agriculture and recreation are the cornerstones of the economy and culture of the people of Moffat County. Those cornerstones can and will change in time due to forces beyond the control of individuals, the community and the county government. The citizens of Moffat County, however, seek a role and a voice in what happens to their lives and lifestyles as change occurs. Specifically, the people of Moffat County seek, through the Pilot Project, opportunities to:

- Maintain and protect open space for future generations to allow for continuance of a viable and sustainable rural lifestyle on whatever economic base it may be founded
- Maintain the opportunity of free choice and participation for local citizens in determining how they, individually and collectively, can best adapt their economy, society and culture to the forces of change that affect their lives and livelihood
- Preserve and protect the institution of private property while, simultaneously, using private property as a constructive and forward-looking tool to achieve the conservation goals that will sustain the social and cultural life of Moffat County into the future

C. Multiple Use Policy

Multiple use by citizens, local and visiting, is predicated upon multiple responsibility for the care, conservation and stewardship of the affected land and natural resources. Multiple use is a not a pre-set pattern; what uses occur, and in what patterns and quantities they occur, are dictated by the land and the many people who seek them. The Pilot Project commits to a policy of **multiple use, multiple responsibilities** that meets the following criteria:

- Multiple use is responsive to both conservation needs and market forces
- Multiple use is flexible and adaptive; options for future generations to manage federal lands should be constrained as little as possible by the choices and activities of current generations.
- Special land-use designations are appropriate within multiple use policy so long as those designations are consistent with the principles of landscape-based management, facilitate place-based conservation, provide for democratic input from affected parties, including those in closest proximity to the resource, and do not preclude management options that are otherwise essential to land and community health
- Multiple use means multiple responsibility – responsibility that leaves the door open for innovation and experimentation. The Northwestern Colorado Working Landscape Pilot Project proposal commits to meeting the environmental outcomes society seeks in a setting that fosters and encourages the application of local knowledge, local participation, and voluntary initiative.

D. Access

The Pilot Project is committed to maintaining access to public lands and to maintaining historic access options across public lands as regulated by Colorado State Law. This means:

- Moffat County will retain the right to determine the status of R.S. 2477 roads across federal lands
- Moffat County will work to maintain access to all public lands, including public areas isolated by private land ownership. Where access is limited or currently unavailable, the Pilot Project will collaborate with willing participants to provide non-regulatory means, including incentives and cooperative agreements, to encourage private landowners to provide rights-of-way for public use. The pilot Project will not use regulatory means to gain access, i.e. 1. litigation, 2. condemnation, 3. access stipulations on permits, etc.

E. Agriculture

The Pilot Project supports agriculture that is consistent with the protection of other multiple use values and that meets the principle of net conservation gain on a landscape level. The Pilot Project also seeks to participate in decisions regarding management of agriculture development. The Pilot Project is committed to the restoration and conservation of its rangelands for agricultural uses that are consistent with the principle of net conservation gain and that rely upon science and best management practices to protect the viability of the land for future generations and uses. It is also committed to identifying desired plant communities within the greater Moffat County landscape through an open and democratic process, and providing land users sufficient flexibility and amplitude in land management to determine how best to meet those public conservation targets. To this end, Moffat County is participating as a full partner with BLM in the development and implementation of the county's fire management plan. The Pilot Project seeks to supplement individual conservation action with an array of incentive programs that will both encourage landowners and compensate landowners for providing conservation outcomes that benefit not only themselves, but the general public too.

F. Cultural and Archaeological Resources

The Pilot Project is committed to protecting cultural and archaeological resources through expanded public participation and new and more effective ways to meet the requirements of federal law and agency policy. Specifically, it seeks:

- A full and effective partnership between BLM and county government to identify and protect cultural resources in a manner consistent with the Secretary of Interior's 4 C's agenda: Conservation through Consultation, Communication and Cooperation
- Pilot Projects to assess and determine new and more practical ways to reach mandated cultural and archaeological outcomes in a more streamlined, cost-effective manner, consistent with other multiple use values and the principle of net conservation gain
- Voluntary engagement of citizen archaeologists under the auspices of the Northwest Colorado Working Group to cooperate and assist the BLM

G. Law Enforcement

The Pilot Project seeks partnerships with federal agencies in the provision of local law enforcement services as provided under FLPMA, and represented in general by partnerships among federal agencies in such programs as Service First. Law enforcement contracts between federal agencies and local authorities can reduce duplication in services, enhance protection in sensitive areas, and provide more effective and thorough protection to life and property.

H. Mineral and Energy Development

The Pilot Project supports energy development within its landscape that is consistent with the protection of other multiple use values and that meets the principle of net conservation gain on a landscape level. The Pilot Project also seeks to participate in decisions regarding management of mineral and energy development. Specifically, it seeks:

- An active and meaningful participation in determining where and how energy is extracted from Pilot Project lands
- Energy development and extraction technologies that have minimal visual and ecological impact on undeveloped rangeland areas, but which allow production to proceed at economically profitable levels
- Application of additional federal royalties from new production to land and resource conservation within the Pilot Project

I. Recreation

The Pilot Project supports recreational activities that are responsible and consistent with other multiple uses and the principle of net conservation gain. It seeks to participate in decisions regarding management of recreation. The Pilot Project is committed to new and innovative ways for local government and local groups to engage in hands-on-management of recreational opportunities and to explore management and fee options.

J. Special Land Designations

The Pilot Project supports special land designations that are consistent with holistic landscape level conservation management, that do not preclude future conservation options, that meet the principle of net conservation gain, and that contribute to a sound and sustainable policy of multiple use, multiple responsibilities. The Pilot Project is eager to explore designations that engage local information and local participation and that are suitable to the conservation tasks proposed by the Pilot Project. We acknowledge that wilderness, and the values of solitude and wildness that attend it, are legitimate and important. We challenge, however, the proposition that these values can only be attained by legal designations that narrow rather than broaden the options available for landscape level conservation. The Pilot Project is committed to maintain more than just open space; it seeks open space that can provide *by informal and non-regulatory means* the gamut of values normally attributed to designated wilderness.

K. Water Resources/ Water Quality / Air Quality

The Pilot Project is committed to protecting its water and air resources for human, wildlife and fisheries applications. Specifically, it seeks:

- Protection of water rights under Colorado state law and the constructive use of those rights, through incentives and voluntary agreements, to meet landscape-scale conservation goals
- Partnerships with federal and state agencies to implement effective landscape-scale management to ensure adequate water flows and high water quality in the county's principal rivers
- Continued participation in the management of endangered species habitat in the Yampa River through control of non-native species
- Appropriate small-reservoir development to supplement in-stream flow during dry or drought periods for both listed fish species and human use

L. Noxious Weed Management

The Pilot Project proposes a more effective and proportionately financed partnership between BLM and local government for the purpose of invasive weed management. The ability of BLM and the Pilot Project to meet goals of desired plant communities and the principle of net conservation gain is predicated on successfully controlling invasive weeds that replace native species and threaten the ability to have a working landscape.

M. Wildlife (Plant and Animal)

The Pilot Project supports scientifically informed wildlife habitat preservation, development and management and inventory and recovery planning efforts for sensitive, threatened or endangered plant and animal species. Consistent with Moffat County's Land Use Plan, we support efforts to conduct plant surveys to validate existing data and add new plant inventory data. We also support locally driven efforts to identify Desired Plant Communities which do not compromise the custom and culture and the economy of Moffat County. Consistent with other components of the Pilot Project proposal, wildlife restoration and conservation for both listed and non-listed species should be consistent with the various policies stated above. Specifically, wildlife management, if it is to be successful and if it is to adhere to the principle of net conservation gain, must provide a mechanism by which the benefits of wildlife conservation that would otherwise accrue exclusively to the general public accrue also to landowners and land users. Wildlife conservation of listed or non-listed species must make wildlife an asset to the land users and landowners who perform the public acts of stewardship. This means that private property rights in land and water must be respected and used as a constructive force for wildlife conservation. It also means that incentives should be the primary conservation tool for meeting wildlife objectives. Specific ongoing wildlife activities supported by the Pilot Project include:

- Continued support for recovery of the black-footed ferret in Moffat County as an experimental, non-essential population

- Continued support for and participation in the recovery of the Colorado Pikeminnow in the Yampa River
- Development of a landscape-wide sage grouse recovery program – consistent with maintenance of other wildlife species and their populations – predicated on a sound understanding of the factors contributing to the grouse’s current decline
- Expansion of wildlife incentive programs that are consistent with the policies of the Colorado Division of Wildlife and which provide a mechanism by which landowners and land users who steward wildlife habitat and wildlife populations can share in the benefits of wildlife enhancement

Implementation of the Pilot Project

We have stated our vision and listed the various components of a pilot project in Moffat County. We are aware of the constraints that must guide us in its implementation. We must meet the requirements of national laws, including most importantly the Endangered Species Act and the Clean Water Act. We acknowledge the national values at stake within the pilot project area, and we are committed to giving voice, representation and protection to those values. We must act within the bounds of the National Environmental Policy Act, and we shall. We understand the legal authority of the Bureau of Land Management, and the statutory constraints on its delegation of powers to non-federal entities. Yet within these sideboards, the people of Moffat County seek a real and meaningful role in the planning, management and governance of the environment that constitutes our home.

We are uniquely situated. We live with the land; we know the land; and we have place-specific information about the land that few others enjoy. This does not suggest that other Americans are less entitled or qualified to enjoy the benefits and blessings of the federal estate. It simply suggests that we, the people of Moffat County, have an opportunity, a responsibility, and an ability by virtue of our residence to fill a niche in the stewardship of these lands that no one else can so readily achieve. We are bound to the land by a thousand ties. Our fate is the land's fate, and our moral responsibility is to assure the ecological health and economic capacity of the land – *however that is expressed in decades to come* – for all of our citizens, and for all Americans.

We ask the Department of the Interior and the Bureau of Land Management to work with us to find ways consistent with the Secretary's 4 C's agenda to implement the elements of the proposed pilot project that we have outline above. We ask the Department and the Bureau to entertain the administrative options that can empower us to do more of the work of stewardship that is needed for the conservation and long-term well-being of our public lands. The list below provides our suggestions on ways to implement a pilot project in Moffat County under existing agency authorities. Moffat County requests the Department of the Interior consider the following options to empower local communities in federal land management decisions. In addition, we request the Department of Interior examine the tools available to the agency to implement the following options. Specifically, we wish to explore ways:

- in which we can develop contracts and agreements under the authority of FLPMA to provide for a positive and meaningful role by our community in the future stewardship of federal lands of Moffat County. We are particularly intrigued by the precedent set by our Utah neighbor, Grand County, in the formulation and implementation of the Sands Flat Agreement in partnership with the BLM. We seek to develop and extend such ideas, as appropriate, to the issues and challenges that are unique to our county. Moffat County believes contracts under FLMPA offer the best opportunity to complete stewardship projects and overall management on federal lands.
- to shift the emphasis of agency management from prescription and command and control to a focus on environmental outcomes and conservation performance. We believe that if

conservation is to work on our federal lands, it must be founded on the principles of incentives and innovation. Rangeland standards and landscape goals can and should be met; they will be best met when people are free to pursue them by the power of their own labor and imagination.

- in which we can better coordinate federal and county land-use plans, and reach consistency in our goals and activities. We share the Department's and the Bureau's commitment to conservation excellence and we are committed to making the 4 C's the cornerstone of our common efforts.
- in which we can engage the 4 C's to improve our working relations with the Dinosaur National Monument and the Brown's Park Wildlife Refuge. Although not the focus of our initial pilot project request, we recognize that landscape-level and watershed-based conservation cannot work in the absence of cooperation, communication, and consultation with these important land units. In a similar vein, we anticipate creative use of such programs as Service First to build a working alliance between ourselves, the BLM and the Forest Service.
- in which the community can play a more creative and active role in land-use planning.
- in which we can improve the working relationship between ourselves and the various federal agencies in Moffat County so as to create a common and united front for the goals and actions we have identified as important.
- in which we can set aside a substantial portion of the new royalties, not simply limited to oil and gas, expected from responsible resources use, and apply those dollars exclusively to such conservation tasks as recovery of endangered species, restoration of the sagebrush ecosystem, enhancement of threatened species, watershed restoration and increased water flow in the county's principal rivers for human consumption and fisheries maintenance. Keeping a portion of gas royalties on the land to serve the land would provide a conservation template transportable throughout the West.
- To make RACs and sub-groups of RACs more effective place-based decision-making bodies who can help articulate the standards and guidelines for rangeland health that are appropriate to our environment and which will become the basis for judging our stewardship success;

We believe that these actions will provide the foundation for a pilot governance project of immense potential. We are convinced that they will provide us the niche we seek to advance our vision of the land. We are mindful, too, of the ambitions and aspirations of all those Americans who are not resident in Moffat County but who have a stake in these lands. We are no less aware of the priceless national values that are at stake. All of these needs can be met, and should be met, by a crafted and considered application of new administrative approaches to the making and perpetuation of a Northwest Colorado Working Landscape.