

**WYOMING PUBLIC LANDS INITIATIVE – TETON COUNTY**  
**RESOLUTION, FINDINGS OF FACT, AND RECOMMENDATIONS**  
**FOR LAW**

The undersigned, being all of the duly appointed members of the Teton County Committee of the Wyoming Public Lands Initiative, have, from October, 2016 through June, 2018, served in compliance with and in service to that Charter of September 2016, attached here to as **Appendix A**, which calls on them to

1. conduct a collaborative review process of
  - A. the federally designated Wilderness Study Areas present in Teton County, Wyoming; and
  - B. other potential land use interests in Teton County.

and

2. develop and submit to the Board of County Commissioners for approval
  - A. a proposed Wilderness Study Area management recommendation for the Wilderness Study Areas in the county, as well as
  - B. recommendations as to other land use designations, transfers, or other management actions not necessarily related to Wilderness Study Area designation or release.

**The Teton County Committee of the Wyoming Public Lands Initiative hereby finds certain facts and resolves to support certain actions, to wit:**

**Findings of fact:**

- I. **The October 30, 1984 Wyoming Wilderness Act (PL 98-550)** established two Wilderness Study Areas (WSAs) on National Forest lands that partially reside within the borders of Teton County, Wyoming. The presence of these WSAs in parts of Teton County, Wyoming, Sublette County, Wyoming, and Lincoln County, Wyoming give these two WSAs the distinction of being supra-county designations. These two WSAs, their total acreages, and their presence in adjacent Wyoming counties are:
  - A. The Shoal Creek Wilderness Study Area, containing 32,373 acres, of which
    1. 11,619 acres are within Teton County, Wyoming; and
    2. 20,754 acres are within Sublette County, Wyoming

B. The Palisades Wilderness Study Area, containing 134,417 acres, of which

1. 71,780 acres are within Teton County, Wyoming;
2. 62,637 acres are within Sublette County, Wyoming;
3. 134,417 acre Wilderness Study Area in Wyoming is contiguous with 62,637 acres of national forest land in Bonneville County and Teton County Idaho which are administered by the Caribou-Targhee National Forest as administratively recommended wilderness.

**II. A draft US Forest Service study titled, “BTNF Evaluation of Areas with Wilderness Potential 2008,”** on file with the US Forest Service, identified nine roadless areas on Bridger-Teton National Forest lands occurring wholly within, or very nearly wholly within, Teton County, Wyoming. Those nine areas are further described, in detail, in **Appendix B**, titled “Nine Outstanding Roadless Assets on the Bridger-Teton National Forest in Teton County, Wyoming. The statements contained in **Appendix B** are hereby determined to be Findings of Fact.

**III. Three federal Wildernesses** exist in close proximity to the roadless areas that are the principal object of this resolution. Those are the Teton Wilderness, the Gros Ventre Wilderness, and the Jedediah Smith Wilderness. The [Wilderness Act of 1964](#) sets the terms of use for these areas, with, among other provisions, this general declaration:

An area of wilderness is . . . undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

**IV. The National Elk Refuge**, as a part of the system of National Wildlife Refuges, occupies 24,700 acres in the Flat Creek and Gros Ventre River watersheds north of the Town of Jackson and is guided by this [basic operating mission](#):

- Conserve, restore where appropriate, and enhance all species of fish, wildlife, and plants that are endangered or threatened with becoming endangered;
- Perpetuate migratory bird, interjurisdictional fish, and marine mammal populations;
- Conserve a diversity of fish, wildlife, and plants.
- Conserve and restore, where appropriate, representative ecosystems of the United States, including the ecological processes characteristic of those ecosystems.
- Foster understanding and instill appreciation of fish, wildlife, and plants, and their conservation, by providing the public with safe, high-quality, and compatible wildlife-dependent public use. Such use includes hunting, fishing, wildlife observation and photography, and environmental education and interpretation.

**V. Grand Teton National Park** contains 310,000 acres of land in Teton County, Wyoming and is generally north and west of the nine roadless areas that are the object of this resolution. Like its neighbor to the north, Yellowstone National Park, this park is a unit in [a system of reserved lands](#) that carry this general mandate:

to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

**VI. Eight Wild and Scenic Rivers** in the direct vicinity of these roadless areas, including the Buffalo Fork River and Pacific Creek in the northern reaches, the Gros Ventre River on the eastern side, and the Snake River to the west and south are governed by the [Wild and Scenic Rivers Act of 1968](#). That Act provides this general guidance:

[C]ertain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values, shall be preserved in free-flowing condition, and [that] they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations.

**VII. The January, 2001 Federal Roadless Area Rule** is a regulation found in the code of federal regulations that sets an administratively declared policy for roadless national forest lands across the United States, including those in Teton County, Wyoming. Though it may be repealed or amended by further

federal administrative action, without legislative oversight, while in place the [“Roadless Area Conservation; Final Rule”](#) offers this direction:

[T]o establish prohibitions on road construction, road reconstruction, and timber harvesting in inventoried roadless areas on National Forest System lands.

**VIII. The May 8, 2012 Jackson and Teton County Comprehensive Plan** sets these goals for the people and natural resources of Jackson Hole:

Preserve and protect the area’s ecosystem in order to ensure a healthy environment, community and economy for current and future generations.

- IX. All of the species of wildlife that are native to the Yellowstone-Teton ecosystem** are cumulatively present in these areas. Almost all of them are stable and viable. A few, such as wolverines and Canada lynx, are rarely seen, difficult to document, and of unusually uncertain viability.
- X. Non-native species of plants and animal species** are now present in and near these areas. Exotic, invasive plants and animals can be as disruptive to natural ecosystem health and welfare as are extinctions and extirpations of native species. Teton County Weed and Pest is doing its best to control the top priority weed species; the scale of the effort required to achieve lasting progress is daunting.
- XI. Recreational activity is a principal form of independent and commercially guided human engagement** with these lands. Hitting the target of sustainability will challenge the public and resource managers for the foreseeable future.
- XII. The national forest roadless areas highlighted in this resolution** are important elements of the greater Yellowstone-Teton ecosystem. There is presently no thematic, integrating federal legislative declaration of purpose for the aggregation of lands that are noted in findings I through VIII above.

**The Teton County Committee of the Wyoming Public Lands Initiative hereby resolves:**

**Resolutions:**

- I. The twelve findings of fact noted hereinabove provide essential pieces of a description of the purposes, protection strategies, and uses of the outstanding natural resources in and around Jackson Hole.
- II. Subject to existing state and federal laws and regulations, the members of the Teton County Committee of the Wyoming Public Lands Initiative hereby declare these integrating themes and general guidance for the public lands in Teton County, Wyoming to be in the local, state, and national interest:
  - A. Preserve and protect the area's ecosystem in order to ensure a healthy environment, community and economy for current and future generations.
  - B. Provide for the perpetual welfare of the Yellowstone-Teton ecosystem, operating on its own, as a wild place, with all of its native component parts and systems respected and viable.
  - C. Establish and support such systems of management as will provide for the enduring public use and enjoyment of the public estate.
- III. To help achieve these ends, the following terms shall apply to each of the roadless areas herein described:
  - A. The roadless character of the landscape shall be maintained. The terms of this maintenance shall comport with 36 CFR Part 294, also known as the 2001 Roadless Area Rule, as it is written on the effective date of this resolution.
  - B. Other than for short-term, emergency purposes, such as firefighting to save human life and man-made improvements, no new roads shall be constructed or maintained.
  - C. Subject to valid, existing rights, the lands described herein are hereby withdrawn from entry for purpose of hardrock mining and precluded from sale or leasing for the purpose of hydrocarbon exploration or development.
  - D. Commercial timber harvest shall not engage clearcutting and shall be limited to projects that use existing road systems and oversnow removal.
- IV. To maintain long term viability, the elements of a healthy ecosystem require functional interaction with each other and through variations in seasonal,

weather, and climate conditions. These interactions include predator-prey relationships, periodic uninhibited migration and movement, and landscape-altering events such as wildfire, flooding, landslides, and major wind events. The first tool for managers to consider to support these processes shall be forbearance.

- V. Recreational activity shall be managed to comply with BTNF forest plan standards.
- VI. Management attention and active programs shall be engaged for the purposes of avoiding, eliminating, and reducing the spatial extent and adverse effects of terrestrial and aquatic exotic and noxious invasive species.
- VII. Interjurisdictional land ownership anomalies such as state land inholdings within the federal estate warrant steady attention through land purchases, conservation easement projects, and trades in order to avoid the transfer of islands of land from public to private ownership and the resulting risk of subdivision for permanent human occupation.
- VIII. The terms of the Wyoming Wilderness Act of 1984, designating the Shoal Creek and Palisades Wilderness Study Areas, shall remain in effect.
- IX. The members of the Teton County Committee of the Wyoming Public Lands Initiative ask their friends, neighbors, and fellow citizens to join in the leadership of this campaign, and in so doing, to heed the advice of U.S. President Abraham Lincoln:

“In this and like communities, public sentiment is everything. With public sentiment, nothing can fail; without it nothing can succeed. Consequently he moulds public sentiment, goes deeper than he who enacts statutes or pronounces decisions.”
- X. The members of the Teton County Committee of the Wyoming Public Lands Initiative call on their elected local, state, and federal representatives to heed the call from the public to use their authority to advance the economic, ecologic, and social well-being of the people and resources of the greater Yellowstone-Teton ecosystem by passing these resolutions into federal law.