

MOFFAT COUNTY BOARD OF COUNTY COMMISSIONERS

1198 W. Victory Way Craig, Colorado 81625

(970) 824-5517

Tony Bohrer  
District 1

Melody Villard  
District 2

Donald Broom  
District 3

**Board Meeting Agenda**

*Minutes will be recorded for these formal meetings*

**Tuesday, June 10, 2025**

8:30 am Pledge of Allegiance

Call to order by the Chairman / Approval of the agenda

**Consent Agenda -**

Review & Sign the following documents:

**Minutes:**

- a) May 27 (pgs 3-5)

**Resolutions:**

- b) 2025-56: Payroll (pg 6)
- c) 2025-57: A/P (pg 7)

**Contracts & Reports:**

- d) Road & Bridge Department Skid Steer contract (pgs 8-10)
- e) Freeman Reservoir Annual Operating Plan (11-49)
- f) Freeman Reservoir Annual Offset Agreement (pgs 50 & 51)
- g) Department of Human Services Core Services contract FY 25-26:
  - Porch Light Health (pgs 52-56)

Please note that the Board may discuss any topic relevant to County business, whether or not the topic has been specifically noted on this agenda

**Public Comment/General Discussion:**



1:38 PM6/9/2025

## Staff Reports:

- 1) Clerk & Recorder's Office – Elections – Stacy Morgan & Heidi Rogers
  - Bid recommendation for Elections Vendor (pgs 57 & 58)
- 2) Land Use Board -Steve Hinkemeyer
  - Request adoption of updated Land Use Plan (pgs 59-163)
- 3) Fairgrounds – Kyler Scott
  - Bid recommendation for Fairgrounds Livestock Watering System (pg 164)

## Presentation:

- Craig Skatepark Alliance – Jon Miller
- Skatepark project presentation

## Adjournment

The next scheduled BOCC meeting will be Tuesday, June 24, 2025 - 8:30 am

Moffat County's YouTube link to view meeting:

<https://youtube.com/live/7gNTJLfYVIY?feature=share>

OR

<https://www.youtube.com/channel/UC0d8avRo294jia2irOdSXzQ>

**\*\* Agenda is Subject to Change until 24 hours before scheduled Hearings \*\***

*The Board may alter the times of the meetings throughout the day, or cancel or reschedule noticed meetings*



1:38 PM6/9/2025

Moffat County Board of County Commissioners  
1198 W Victory Way Craig, CO 81625

May 27, 2025

**In attendance:** Melody Villard, Chair; Donald Broom, Vice-Chair; Tony Bohrer, Board Member; Erin Miller, Deputy Clerk & Recorder; Lois Wymore, Jane Hume, Rachel Bower, Chip McIntyre, Ashley Dishman, Chris Nichols, John Camponeski, Cathy Nielson

**Call to Order**  
**Pledge of Allegiance**

Commissioner Villard called the meeting to order at 8:30 am

Villard made a motion to approve the agenda as presented. Broom seconded the motion. Motion carried 3-0.

**Consent Agenda –**

Review & Sign the following documents: (see attached)

**Minutes:**

- a) May 13

**Resolutions:**

- b) 2025-52: Payroll
- c) 2025-53: A/P
- d) 2025-54: P-cards

**Contracts & Reports:**

- e) Department of Human Services/CO Department of Human Services Memo of Understanding – CO Works Program
- f) Engagement letter w/Arbitrage Compliance Services for BOK Bonds
- g) Department of Human Services /MGT – Master Services agreement
- h) Fair Entertainment contract w/1340 Band
- i) Addendum to Mountain Air Spray Airport Lease
- j) Department of Human Services Core Services contracts FY 25-26:
  - ProCom/MCC Drug & Alcohol Testing - Substance Abuse Treatment Services
  - The Place I Go – Substance Abuse Treatment Services
  - Behavioral Health & Wellness – Mental Health Services
  - Healthy Minds, LLC – Mental Health Services
  - K. Persichitte – Mental Health Services
  - D. Prather – Life Skills Treatment Services

Villard made a motion to approve the consent agenda items A-J. Bohrer seconded the motion. Motion carried 3-0.

Please note that the Board may discuss any topic relevant to County business, whether or not the topic has been specifically noted on this agenda

## Public Comment/General Discussion:

John Camponeski, a teacher in Hayden and a journalist for the Craig Press & the Steamboat Pilot, came up before the BCC to ask that if they have any good leads on human interest stories or groups that help make Moffat County a great place to live, to let him know so that they can give them the coverage they deserve.

Lois Wymore, complimented the BCC on the job they are doing and let them know they are appreciated.

## Staff Reports:

### Human Resources Department – Rachel Bower & Sheriff's Office – Undersheriff Chip McIntyre

- Discuss Sheriff's Office employee compensation (see attached)

Bower presented a letter requesting consideration and approval of salary increases for all staff within the Moffat County Sheriff's Office. Over the past year, the Sheriff's Office has faced increasing difficulty filling vacant positions and retaining staff. Moffat County is the lowest paid law enforcement agency in the three-county area (Routt, Moffat & Rio Blanco). Statistically, they should have 19 patrol deputies, but they are allocated 11, plus two patrol sergeants. At this point, they only have 8 (with the two patrol sergeants), and the jail staff is down by five employees. The proposed compensation increase has been discussed in several workshops over the last three months.

Bohrer moved to approve the compensation increase package that was presented. Broom seconded the motion. Motion carried 3-0.

### Human Resources Department – Rachel Bower

- Present final employment offer for County Attorney for approval (see attached)

Bower announced that the employment negotiations for the County Attorney position with candidate Max Salazar, have been successfully concluded, and she detailed what the terms of employment were. Salazar's estimated start date will be June 23.

Broom moved to approve the final employment offer to Max Salazar for the Moffat County Attorney position, with an annual salary of \$110,000. Bohrer seconded the motion. Motion carried 3-0.

## Presentation:

### Small Business Development Center – Ashley Dishman

- Program update (see attached)

Dishman presented a slide show and explained the purpose of their program.

Meeting adjourned at 9:06 am

The next scheduled Board of County Commissioners meeting is Tuesday, June 10, 2025



Submitted by:

Erin Miller, Deputy Clerk and Recorder

Approved by: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Approved on: \_\_\_\_\_

Attest by: \_\_\_\_\_

Link to view this meeting on the Moffat County YouTube channel:

<https://www.youtube.com/channel/UC0d8avRo294jia2irOdSXzQ>

RESOLUTION 2025-56  
PAYMENT OF PAYROLL WARRANTS  
Payroll Ending 5/24/2025

WHEREAS, The Board of Commissioners of Moffat County, Colorado, have approved the payment of various debts and obligations from the various county funds:

AND WHEREAS, the warrants issued in payment of said debts and obligations have been issued against the Moffat County Warrant Fund:

NOW THEREFORE, BE IT RESOLVED that the Moffat County Treasurer be and he is hereby authorized to transfer money among the various funds as follows:

**Pay Date 6/6/2025**

FROM FUND:

General	0010.7000	\$249,415.43	cr
Road & Bridge	0020.7000	\$164,901.01	cr
Landfill	0070.7000	\$15,124.23	cr
Airport	0120.7000	\$371.50	cr
Library	0130.7001	\$11,547.74	cr
Maybell WWTF	0280.7000	\$0.00	cr
Health & Welfare	0080.7000	\$0.00	cr
Senior Citizens	0170.7000	\$6,813.39	cr
Mo Co Tourism	0320.7000	\$3,254.97	cr
PSC Jail	0072.7000	\$70,024.71	cr
Human Services	0030.7100	\$67,029.90	cr
Public Health	0065.7000	\$13,588.72	cr
SM I	0168.7000	\$3,935.55	cr
SM II	0169.7000	\$4,621.16	cr

TO FUND:

Warrant	0100.1000	\$610,628.31	dr
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Adopted this 10th day of May, A.D. 2025

Chairman

STATE OF COLORADO )

)ss.

COUNTY OF MOFFAT )

I, Stacy Morgan, County Clerk and Ex-officio Clerk to the Board of County Commissioners, County of Moffat, State of Colorado do hereby certify

RESOLUTION 2025-57  
TRANSFER OF PAYMENT OF WARRANTS  
FOR THE MONTH OF JUNE 2025

WHEREAS, The Board of Commissioners of Moffat County, Colorado, have approved the payment of various debts and obligations from the various county funds:

AND WHEREAS, the warrants issued in payment of said debts and obligations have been issued against the Moffat County Warrant Fund:

NOW THEREFORE, BE IT RESOLVED that the Moffat County Treasurer be and he is hereby authorized to transfer money among the various funds as follows:

FROM FUND:	Check Date:	6/10/2025		
General	110	<u>\$119,891.15</u>	CR	0010.7000
Road & Bridge	200	<u>\$139,298.65</u>	CR	0020.7000
Landfill	240	<u>\$402,638.11</u>	CR	0070.7000
Airport	260	<u>\$417.17</u>	CR	0120.7000
Emergency 911	270	<u>\$30,830.99</u>	CR	0350.7000
Capital Projects	510	<u>\$1,250.00</u>	CR	0160.7000
Conservation Trust	211		CR	0060.7000
Library	212	<u>\$3,193.73</u>	CR	0130.7001
Maybell Sanitation	610	<u>\$690.62</u>	CR	0280.7000
Health & Welfare	720	<u>\$793,575.34</u>	CR	0080.7000
Senior Citizens	215	<u>\$476.69</u>	CR	0170.7000
Internal Service Fund	710	<u>\$660.83</u>	CR	0325.7000
Lease Purchase Fund	410		CR	0175.7000
NCT Telecom	520		CR	0166.7000
Mo Co Tourism Assoc	219	<u>\$8.21</u>	CR	0320.7000
PSC - JAIL	210	<u>\$14,607.90</u>	CR	0072.7000
Human Sevices	220	<u>\$2,011.00</u>	CR	0030.7100
Public Health	250	<u>\$16,195.92</u>	CR	0065.7000
Sunset Meadows I	910	<u>\$2,647.42</u>	CR	0168.7000
Sunset Meadows I Security	910		CR	0167.7000
Sunset Meadows II	920	<u>\$6,931.31</u>	CR	0169.7000
Sunset Meadows II Security	920		CR	0171.7000
ACET	275	<u>\$1,905.00</u>	CR	0040.7000
Shadow Mountain LID	530		CR	0110.7000
MC Local Marketing District	231		CR	0050.7000
To Fund				
Warrant		<u>\$1,537,230.04</u>	DR	

Adopted this 10th day of June, 2025

\_\_\_\_\_  
Chairman



## RENTAL/PURCHASE AGREEMENT

DATE May 29, 2025  
QUOTE# 289757

Aurora, Colorado, Albuquerque, New Mexico, El Paso, Texas

PURCHASER		MOFFAT COUNTY		MOFFAT COUNTY ROAD - BRIDGE	
STREET ADDRESS		PO BOX 667		822 W FIRST	
CITY/STATE		CRAIG, CO		CRAIG, CO 81625	
POSTAL CODE		81626		MOFFAT,	
EQUIPMENT		DAN MILLER		PHONE NO. 970 824 3211	
PRODUCT SUPPORT		DAN MILLER		PHONE NO. 970 824 3211	
INDUSTRY CODE:		COUNTY GOVERNMENT (841)		PRINCIPAL WORK CODE: GOVERNMENT (A30)	
PAYMENTS TERMS:		NET PAYMENT ON RECEIPT OF INVOICE <input type="checkbox"/>		OTHER <input checked="" type="checkbox"/> RPO	
Ownership Customer #	61038	Invoice Customer #	61038	SALES TAX EXEMPTION# (if applicable)	98-03166
CUSTOMER INSURES			VALUE OF EQUIPMENT	AGENT	PHONE #
			\$131,000.00		9708191835
<input type="checkbox"/> INSURANCE BINDER ATTACHED			FOR INSURANCE:	POLICY #	
DESCRIPTION OF EQUIPMENT ORDERED / PURCHASED					
Hereby enter into a rental agreement to lease from WAGNER EQUIPMENT CO., hereinafter called the Company or Lessor, the following equipment:					
MAKE: CATERPILLAR		MODEL: 275XE		YEAR: 2025	
STOCK NUMBER: 538441		SERIAL NUMBER: TBA		SMU: 1	
To be used at or near the City of <u>Craig</u> in the County of <u>Moffat</u> in the State of <u>CO</u>					
275XE 05A COMPACT TRACK LOADER		GUARDING / SEALING PKG, (HD1)		OIL, HYDRAULIC, COLD OPERATION	
LANE 2 ORDER		TRACK, RUBBER, 450MM (17.7IN) BAR		COUPLER, HYD, SELF LVL, RTD, WTP	
CONSISTS OF:		COOLER, STANDARD		CERTIFICATION ARR, P65	
HYDRAULICS, PERFORMANCE (HP6)		COLD STARTING PACKAGE (120V)		INSTRUCTIONS, ANSI, USA	
IDLER WHEELS, TRIPLE FLANGE		REAR LIGHTS		SERIALIZED TECHNICAL MEDIA KIT	
COMFORT PKG, ENCLOSED CAB, HVAC		DOOR, CAB, POLYCARBONATE		COUNTERWEIGHT, MACHINE, EXTERNAL	
SEAT, AIR SUSPENSION, HEAT/VENT		INTEGRATED RADIO		PROTECTION, HYD. COUPLER LINES	
COOLING FAN, DEMAND/REVERSING		SEAT BELT, 2"		PACK, DOMESTIC TRUCK	
HOSE GUIDE, ATTACHMENT		PACKAGE, TECHNOLOGY (T5)		CAB PACKAGE, ULTRA	
END OF CONSISTS		PRODUCT LINK, CELLULAR PLE643		BUCKET-IND, 80", BOCE	
ON THE FOLLOWING TERMS: (All Rental Equipment F.O.B. Wagner Equipment CO. Yard)				Equipment Value \$	
1) For a minimum term of <u>12</u> and a maximum term of <u>12</u> 28-day periods commencing on <u>Jul 31, 2025</u>				\$130,954.43	
2) For the rental of \$ <u>\$1,000.00</u> per month (plus taxes)				AGREED ITEMIZED CHARGES	
3) Additional Terms:				Rental \$	
A. Lessee agrees to pay an additional rental payment of \$ <u>\$40.00</u> for each hour in excess of <u>550</u> hours, equipment usage time in any 28 consecutive day period. In the absence of an overtime rate, overtime will be charged at 1/176 of the 28-day rate for each hour's use in excess of 176 Hours in any one 28 consecutive day period.				\$1,000.00	
B. Tire wear (if applicable) will be charged at the rate of \$ <u>\$0.00</u> per 1/32 inch of wear per tire upon return.				Customer Delivery \$	
C. In the event of subsequent purchase of the unit, rental interest will be calculated at <u>0.9</u> % of the original value of the machine for any month within which the rental payment is received within ten days of the end of the rental period. Rental interest for all other months will be charged at <u>1.1</u> % of the original value of the machine.				\$250.00	
D. In the event that this machine is returned to Wagner Equipment Co. before the guaranteed rental period is completed, the rental rate will revert to \$ <u>\$0.00</u> per month plus applicable taxes.				Return Charge \$	
Wagner Service Plan: 250/500/1000/2000 intervals are performed by Wagner for additional monthly fee. Customer Service Plan: 250/500 intervals are customer performed with aide of Wagner sent CAT Care Kits. 1000/2000 intervals are performed by Wagner and billed at time of conversion.				\$0.00	
x _____				Rental Equipment Protection %	
				0%	
				\$0.00	
				PMAP Charges	
				\$0.00	
				Sales Tax	
				City (Incl. Delv.)	
				0%	
				\$0.00	
				County	
				0%	
				\$0.00	
				RTD/PPRT	
				0%	
				\$0.00	
				State	
				0%	
				\$0.00	
				State (NM&TX)	
				0%	
				\$0.00	
				SMM Tax %	
				0%	
				\$0.00	
				BALANCE DUE	
				\$1,250.00	
				Payment Attached <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
				RENTAL EQUIPMENT PROTECTION	
				Renter must elect A. or B. by signing below.	
				A. Renter elects to purchase Rental Equipment Protection from Owner on the machine retail value of \$ <u>\$0.00</u> at rate of <u>0</u> % of the applicable rental period rental rate or a minimum of \$10.00. A deductible of \$5000.00 applies. (See Rental Equipment Protection on reverse side)	
				x _____	
				B. Renter declines Rental Equipment Protection and will cover the machine retail value of \$ <u>\$130,954.43</u> by providing his/her own all risks insurance coverage. (See INSURANCE on reverse side)	
				x _____	
CSA: BCP National Campaign 2 Year/1000 Hour Parts Only PM Kit					

CUSTOMER AGREES TO PROMPTLY ADVISE THE SALESMAN IF THE UNIT IS MOVED TO ANOTHER PROJECT AND TO PROVIDE ALL NECESSARY INFORMATION REGARDING ANY CHANGE IN LOCATION.

LESSOR BY: [Signature] Date: 5/30/2025  
LESSEE BY: [Signature] Date: \_\_\_\_\_SALESMAN NAME: Garbin, Kurt  
SALESMAN PHONE NO.: \_\_\_\_\_



# TERMS AND CONDITIONS (COLORADO, NEW MEXICO OR TEXAS)

1. **Purchase Order Terms Excluded** : The issuance of a purchase order or other document against this Rental Agreement and not a counter-offer, and no provision of such purchase order or any other document which varies from the terms hereof shall become a part of the Rental Agreement unless separately and specifically agreed to in writing by Lessor.
2. **INDEMNIFICATION**: INDEMNIFICATION. ~~LESSEE AGREES TO DEFEND, INDEMNIFY, AND HOLD HARMLESS, THE COMPANY AGAINST ALL CLAIMS, POTENTIAL CLAIMS, DEMANDS, AND SUITS AND AGAINST ALL INJURIES (INCLUDING DEATH), DAMAGES, LOSSES, PENALTIES, EXPENSES, INSURANCE DEDUCTIBLE AND EXPENSE, ATTORNEY FEES INCLUDING ATTORNEY FEES AND EXPENSES TO ENFORCE THIS AGREEMENT, OR OTHER LOSS OF ANY KIND, WHETHER CAUSED IN WHOLE OR IN PART BY ANY NEGLIGENCE OR ALLEGED NEGLIGENCE ACTS OR OMISSIONS OF THE LESSEE (INCLUDING INJURY OR DEATH TO LESSEE EMPLOYEES) THE COMPANY MAY INCUR ARISING DIRECTLY OR INDIRECTLY FROM THE PICK-UP, USE, POSSESSION, OPERATION, TRANSPORT, REPAIR, OR RETURN BY LESSEE, OUR LESSEE OR ANYONE FOR WHOM ACTS LESSEE MAY BE HELD LIABLE, AND ANY USER OF THE EQUIPMENT WHICH IS THE SUBJECT OF THIS RENTAL AGREEMENT, TO THE EXTENT, IF AT ALL, SECTION 56-74 NMSA IS APPLICABLE TO THIS AGREEMENT. NO INDEMNIFICATION SHALL EXTEND TO LIABILITY, CLAIMS, DAMAGES, LOSSES OR EXPENSES, INCLUDING ATTORNEY'S FEES, ARISING OUT OF (i) THE PREPARATION OR APPROVAL OF MAPS, DRAWINGS, OPINIONS, REPORTS, SURVEYS, CHANGE ORDERS, DESIGNS OR SPECIFICATIONS BY AN INDEMNIFIED EMPLOYEE OF AN INDEMNIFIED PERSON, (ii) THE GIVING OF OR FAILURE TO GIVE DIRECTIONS OR INSTRUCTIONS BY AN INDEMNIFIED PERSON, OR THE AGENTS OR THE EMPLOYEES OF AN INDEMNIFIED PERSON, WHERE SUCH GIVING OR FAILURE TO GIVE DIRECTIONS OR INSTRUCTIONS IS THE PRIMARY CAUSE OF BODILY INJURY TO PERSONS OR DAMAGE TO PROPERTY.~~
3. **Rental Term**: The term of this Rental Agreement shall include the Rental Term specified above plus all additional time spent transporting the Equipment to and from Lessee, any renewals or extensions of the specified Rental Term, and any additional time required for Lessor to regain the full possession or control of, to make repairs to, or to discharge liens or encumbrances upon the Equipment.
4. **Acceptance of Equipment**: Unless Lessee gives written notice to Lessor specifying any defect in or other valid objection to the Equipment within 24 hours after receiving the same, it shall be conclusively presumed that such Equipment was in good operating condition when received and that Lessee accepted and approved the same as the Equipment described in this Rental Agreement.
5. **Transportation**: Unless otherwise specifically provided herein, Lessee shall pay all charges and expenses relating to transportation of the Equipment in connection herewith.
6. **Renewal**: Any failure to return the Equipment to Lessor upon the expiration of the Rental Term or a renewal period shall, at the option of Lessor, constitute a renewal hereof. The provisions of the Rental Agreement shall apply to every renewal period.
7. **Disclaimer of Warranties**: It is understood that Lessor is not the manufacturer of the Equipment and that Lessor makes no warranties against defects in material or workmanship, or relating to the capability or performance of the Equipment, or the profitability of its use. THERE ARE NO EXPRESS WARRANTIES BY LESSOR OF ANY KIND WITH RESPECT TO THE EQUIPMENT AND LESSOR DISCLAIMS THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR ANY PARTICULAR PURPOSE. UNDER NO CIRCUMSTANCES SHALL LESSOR BE LIABLE FOR CONSEQUENTIAL OR INCIDENTAL DAMAGES. Lessor hereby assigns to Lessee for the Rental Term all manufacturer's warranties applicable to the Equipment.
8. **Rental Payments** : Lessee agrees to pay the payment amount as set forth in this agreement. Lessee's payment is due in full upon receipt of invoice unless different terms are stated on the first page of this Contract. All payments shall be made to Lessor at its address set forth herein or at such other address as Lessor may from time to time specify in writing. Lessee waives all existing and future claims and offsets against any rent or other payments due under this Rental Agreement and agrees to pay all rent and perform all other obligations to Lessor hereunder when due regardless of any claim or offset that may be asserted by Lessee or on Lessee's behalf. Lessee's obligations hereunder shall not be suspended or discharged on account of Lessee's inability to use the Equipment due to any cause other than a breach of this Rental Agreement by Lessor. If Lessee fails to pay any part of the rental or any other sum required to be paid to Lessor within 30 days after the due date, Lessee shall pay as additional rent to Lessor interest of 1.75 percent per month on the delinquent amount. Such monthly interest charges shall be cumulative and all payments made by Lessee shall be applied to any accrued interest before to base rent.
9. **Use of Equipment**: Lessee represents and agrees that the Equipment is rented for commercial use and not for personal, family or household use. To minimize the possibility of personal injury or property damage, Lessee agrees to have the Equipment operated only by employees of Lessee properly trained and qualified in its operation and to take all other reasonable precautions to ensure that the equipment is transported and operated only in a safe and lawful manner. Lessee shall pay all expenses relating to operating the Equipment.
10. **Location and Inspection** : Lessee shall operate and when not in operation, store, the Equipment at the location(s) specified above and shall not remove the same from such location(s) without the prior consent of Lessor. Lessee agrees that Lessor shall have the right to enter any premises where the Equipment may be located at any reasonable time for purposes of inspecting the same and without notice or liability to Lessee remove or disable the Equipment if, in the opinion of Lessor, it is being used or kept in violation of this Rental Agreement.
11. **Maintenance and Care**: Lessee agrees at its own expense to maintain the Equipment in good working order, properly serviced and garaged, including performing all necessary repairs and replacements, and to return the Equipment to Lessor upon the expiration or termination hereof in the same condition as when received except for ordinary wear and tear. ALL REPLACEMENT PARTS SHALL BE ORIGINAL EQUIPMENT MANUFACTURERS' PARTS. Lessee shall pay for all labor, material and parts required for the proper operation and protection of the Equipment, including expendable items such as lubrication, cable, end bits, cutting edges, anti-freeze, belts and filters. Lessee shall be responsible for any tire damage or wear beyond ordinary wear and tear. The determination of ordinary or excessive wear and tear shall be made solely by Lessor in its reasonable discretion. If the Equipment is returned to Lessor in any condition inferior to the required hereby, Lessee shall pay Lessor upon receipt of invoice, as additional rent, all charges for cleaning, servicing, repairs and replacements necessary to restore the Equipment to the required condition.
12. **Additions and Alterations**: Lessee shall not make any additions or alterations to the Equipment without the prior written consent of Lessor. All additions or improvements made by Lessee shall belong to and become the property of Lessor and shall be included in the Equipment returned to Lessor upon the expiration or termination of this Rental Agreement; provided, however, that Lessor reserves the right to require Lessee to remove any such additions or alterations and to restore the Equipment to its condition as of the beginning of the Rental Term.
13. **Rental Equipment Protection (REP)**: We offer Optional REP on select items of equipment. Rental Equipment Protection IS NOT INSURANCE; it is merely a waiver of certain claims of the Lessor for loss of or damage to the Lessor's equipment. If you have purchased our Rental Equipment Protection, you will have no liability to Lessor for physical damage to the applicable Rented Item(s), except that you will remain liable to the Lessor in all events for damage or loss caused in whole or in part by: (i) your breach of any provision of this Contract; (ii) failure to return Rented Item(s); (iii) misuse and/or abuse; (iv) malicious mischief or illegal acts; (v) damage that occurs while equipment is being operated on a roadway or while being transported; (vi) damage to tires; (vii) rental payments due under this agreement; and (viii) use of any item in violation of any policy of insurance. A minimum deductible of \$1,000 applies on equipment valued \$25,000 or less and a \$2,500 deductible applies on equipment valued greater than \$25,000.
14. **Insurance**: Lessee agrees to obtain and maintain primary insurance coverage, at its own expense, on the Equipment against all risks in an amount not less than the total actual cash value thereof in all cases. Lessee shall also maintain comprehensive general liability insurance for not less than \$1,000,000 combined single limit coverage for bodily injury and property damage, or in such other amount(s) as Owner may from time to time require. Owner retains the right to approve or disapprove the insurance carrier and the form and contents of the policy. The insurance shall specify Owner as a named insured, shall be primary, without right of contribution from any other insurance carried by Owner, and shall provide that such insurance may not be cancelled or altered so as to affect the interest of Owner without at least thirty days prior written notice to Owner. All insurance covering loss or damage to the Equipment shall name Owner as sole loss payee. Lessee agrees: (i) to promptly notify Owner of any occurrence which may become the basis of an insurance claim hereunder, and (ii) to not make any adjustments with insurers without Owner's prior written consent.
15. **RISK OF LOSS: EXCEPT AS OTHERWISE PROVIDED HEREIN RELATING TO THE OPTIONAL DAMAGE WAIVER, THE ENTIRE RISK OF LOSS OR DAMAGE TO THE EQUIPMENT DURING RENTAL TERM SHALL BE UPON LESSEE AND LESSEE AGREES TO INDEMNIFY AND HOLD OWNER HARMLESS FROM AND AGAINST ANY AND ALL LOSS OR DAMAGE TO THE EQUIPMENT FROM ANY AND ALL CAUSES. LESSEE SHALL PROMPTLY NOTIFY OWNER OF ANY LOSS OR DAMAGE TO THE EQUIPMENT.**
16. **RETURN OF EQUIPMENT**: Upon the expiration or termination of this Rental Agreement Lessee shall at its own expense immediately return the Equipment to Lessor's Equipment yard or to such other destination as Lessor may specify within the same distance from Lessee's location.
17. **Identification**: Lessor may place decals or other markings on the Equipment identifying the same as property of Lessor. Lessee shall not remove or impair the function of any such markings.
18. **Agreement of Rental Only**: This agreement is one of rental only and Lessee shall not have, or acquire, any right title or interest, legal or equitable, in the Equipment or any part thereof except the right to use the same during the term and subject to the provisions of this Rental Agreement. Title to and Lessorship of the Equipment shall remain in Lessor. Lessee shall keep the Equipment free from levy, legal or equitable, tax and other claims, liens and encumbrances and upon request shall provide Lessor proof of payment of any taxes the nonpayment of which may result in a lien upon the Equipment. Lessee shall promptly pay as additional rent all expenses, including attorney fees Lessor may incur in defending or removing any claim, lien or encumbrance upon the Equipment. The Equipment shall remain personal property even though the Equipment or any part thereof may become attached to real property.
19. **Sales of Equipment** : Notice is hereby given that Wagner Rents, Inc. may assign its rights to sell equipment (and to purchase trade-in property, if applicable) described herein to Wagner Exchange LLC.
20. **Default**: Lessor shall be in default under this Rental Agreement upon the happening of any of the following events or conditions: (a) Lessee fails to pay any sum required to be paid hereunder by the due date; (b) Lessee fails at any time to obtain or maintain any insurance coverage required hereunder; (c) Lessee fails to perform or comply with any other obligations or condition hereunder; or (d) Lessee files for, or is subject to, any action of bankruptcy, reorganization, insolvency or receivership.
21. **Remedies on Default**: Upon any default by Lessee as provided in this Rental Agreement, (a) all rentals due or to become due under this agreement and all other sums owing by Lessee hereunder shall immediately become due and payable at the option of Lessor without notice or demand; (b) Lessor may retake possession of the Equipment where located and remove the same without legal process; (c) If this Lease contains a purchase option exercised by Lessee, Lessor may dispose of the Equipment or any part thereof at Lessee's expense as provided or permitted by law; and (d) Lessor may exercise any and all rights or remedies under the Uniform Commercial Code, Leases or other applicable laws or agreements. All remedies of Lessor shall be cumulative and not exclusive and may be exercised simultaneously or separately. ~~It is further agreed that if Lessor shall dispose of the Equipment as provided herein, Lessor may immediately recover from Lessee as liquidated damages, and not as a penalty, a sum equal to the aggregate of the following: all unpaid rentals and other sums due and payable hereunder; all accelerated future rentals for the balance of the Rental Term; discounted to present value at the rate of eight percent per annum; Lessor's estimated residual interest in the equipment; less the net proceeds of the disposition of the Equipment; Lessee shall pay upon demand all costs and expenses, including reasonable attorneys fees, incurred by Lessor in exercising any of its rights or remedies hereunder or enforcing any of the terms hereof, regardless of whether litigation is actually commenced or continued to final judgment.~~
22. **Registration and Taxes**: Lessee shall pay all registration fees, license fees, assessments, charges and taxes, together with any penalties or interest that may now or later be imposed by any taxing authority with respect to the Lessorship, possession, use, rental or value of the Equipment during the Rental Term, whether assessed against Lessor or Lessee and upon request shall provide to Lessor proof of payment of the same.
23. **Entire Agreement; Modification and Waiver**: This Rental Agreement contains the complete and exclusive statement of the agreement between the parties relating to its subject matter and shall not be amended or modified except in writing signed by the parties. No inconsistent or contrary terms contained in any existing or future purchase order issued by or for Lessee relating to the Equipment shall act to vary any term hereof unless separately and specifically agreed to by Lessor in writing time is of the essence hereof Lessor's failure to require strict performance by Lessee of any provision hereof shall not waive Lessor's right thereafter to require strict performance thereof or of any other provision.
24. **Financing Statements**: Lessee appoints Lessor its true and lawful attorney to prepare and execute in Lessee's name and on Lessor's behalf any financing statement in order to protect Lessor's interest in the Equipment.
25. **Assignment** : Lessee may not assign, delegate, sublet, or otherwise transfer any of its rights or duties hereunder or with respect to the Equipment without the prior written consent of Lessor. Lessor may freely assign the sums due to or become due hereunder and Lessee agrees to recognize such assignment.
26. **Force Majeure**: Lessor shall not be liable for any failure or delay of delivery or in performing any obligation hereunder due to any casualty, cause or circumstance beyond its control.
27. **Exposure to Hazardous Material or Waste**: Lessee shall not expose the Equipment to any hazardous material or waste, in the event the Equipment is exposed to any hazardous material or waste, Lessee shall immediately (1) notify Lessor, and (2) completely clean and decontaminate the Equipment. If the Equipment cannot be completely clean, decontaminated and otherwise discharged from all adverse effects of such exposure, Lessee shall pay Lessor the full value of the Equipment, together with interest thereon at the rate of 1.5% per month from that date until the said Equipment sum is paid in full. Lessee indemnifies and holds Lessor harmless from any and all claims, actions, expenses, damages, costs and liabilities arising from any such exposure of the Equipment to hazardous material or waste. This indemnification survives and continues after the term of this lease.
28. **Miscellaneous**: This Rental Agreement shall be binding upon the respective heirs, personal representatives, successors, and assigns of the parties. If any provision of this instrument is held invalid by a court of competent jurisdiction it shall be considered deleted from this instrument but the remaining provisions shall be given effect. Lessee's obligations arising hereunder during the Rental Term shall survive the Rental Term and any termination hereof. Lessee represents and warrants to Lessor that Lessee has the power to make, enter, deliver and perform this Rental Agreement and that each person signing and delivering this instrument is duly authorized to do so on its behalf.
29. **Governing Law**: Venue This Rental Agreement shall be governed by and construed under the substantive laws of the State of Colorado, New Mexico or Texas, as applicable. Lessee agrees that any and all suits arising from the performance or any breach of the Rental Agreement may be commenced and maintained in the courts of Adams County, Colorado, Bernalillo County, New Mexico or El Paso County, Texas, as applicable, and Lessee irrevocably consents to such venue.

This instrument shall not become effective or binding upon Lessor until executed by an authorized representative of Lessor.

Customer Initials: \_\_\_\_\_

Date: DM





## DIGITAL AUTHORIZATION

CATERPILLAR TELEMATICS DATA AND CAT REMOTE SERVICES-SOFTWARE UPDATES PROCESS FOR SELECT PRODUCT LINK TELEMATICS AND CAT EQUIPMENT CONTROL MODULE SOFTWARE.

Customer equipment has installed devices that transmit data to Caterpillar Inc. ("Caterpillar").

Data transmitted to Caterpillar is used in accordance with Caterpillar's [Data Governance Statement](https://www.caterpillar.com/en/legal-notices/data-governance-statement.html) ("DGS"), which describes Caterpillar's practices for collecting, sharing and using data and information related to customer's machines, products, Devices or other Assets and their associated worksites. The DGS can be reviewed at <https://www.caterpillar.com/en/legal-notices/data-governance-statement.html>

Caterpillar's process for performing remote diagnostics and making available remote software and firmware updates and upgrades, such as configuration, patches, bug fixes, new or enhanced features, etc., for Assets and Devices is described in the [Cat® Remote Services – Software Update Process for select Product Link™ Telematics and Cat Equipment Control Module Software](https://www.cat.com/remoteservicesprocess?_ga=2.245276421.1412167159.1561985855-475983137.1559312215) document (the "RSP Document"). The RSP Document can be reviewed at [https://www.cat.com/remoteservicesprocess?\\_ga=2.245276421.1412167159.1561985855-475983137.1559312215](https://www.cat.com/remoteservicesprocess?_ga=2.245276421.1412167159.1561985855-475983137.1559312215).

Company acknowledges and agrees to data transmission to Caterpillar via devices installed on Company equipment or by other means as outlined and described in the DGS, and grants to Caterpillar the right to collect, use, and share such information, including to its Distribution Networks or other affiliates, in accordance with the [Caterpillar Data Governance Statement](#). Company's authorization also applies to any data and information previously collected by Caterpillar.

AGREE ☐

DECLINE ☐

Company acknowledges and agrees to participate in Remote Services (including, remote diagnostics and remote updates and upgrades) and authorizes Caterpillar to remotely access, program, and install updates and upgrades for Company's Assets and Devices in accordance with the [Remote Services Process Document](#).

AGREE ☐

DECLINE ☐

The rights granted in this authorization survive the termination or expiration of the Company's subscriptions to any Digital Offerings. Except as set out in a written agreement between Company and Caterpillar expressly referencing the Data Governance Statement, this authorization supercedes and replaces any other authorizations with regard to the subject matter hereof.

\_\_\_\_\_  
Company

\_\_\_\_\_  
Company (Print)

\_\_\_\_\_  
Company Representative (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### FOR DEALER USE ONLY

\_\_\_\_\_  
Company UCID

\_\_\_\_\_  
Company Representative CWS ID

\_\_\_\_\_  
Main Store Dealer Code

\_\_\_\_\_  
Dealer Representative Name

\_\_\_\_\_  
Dealer Representative CWS ID

Authorization ID: HBE539  
Contact ID: Moffatt County Commissioners  
Use Code: 141

# FREEMAN CAMPGROUND AND DAY USE OPERATING PLAN

## SIGNATURES

This **2025 Operating Plan** has been agreed to by:

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Melody Villard  
Moffat County Commissioners

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Date

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Ryan Nehl  
Forest Supervisor- Medicine Bow- Routt National Forests  
and Thunder Basin National Grassland

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Date

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*The objective of this Operating Plan is to maintain the level of service, maintenance, safety, and sanitation of the facilities for users while retaining the natural resource value.*

*All Forest Service standards will be adhered to in addition to State and local regulations.*

## **OPERATING SEASON**

### **PROPOSED 2025 SEASON**

The minimum operating season for each facility will be met or exceeded.

<b>District</b>	<b>Facility</b>	<b>Open</b>	<b>Close</b>
HPBE	Freeman CG	06/01/2025	10/31/2025
HPBE	Freeman Day Use	06/01/2025	10/31/2025

\*Moffat County intends to open sites earlier than indicated - and close them later - should public demand warrant it and weather conditions are favorable. Any such extensions of the operating season would be done only with the approval of the Forest Service.

## **STAFFING AND MANAGEMENT**

### **SUPERVISION/MANAGEMENT**

<b>NAME TITLE</b>	<b>CELL PHONE</b>	<b>OFFICE PHONE</b>	<b>EMAIL</b>
Barry Barnes Moffat County Facilities Director	970-629-8709	970-824-9107	bbarnes@moffatcounty.net
Jeff Comstock Director Moffat County Natural Resources Department		970-826-3400	jcomstock@moffatcounty.net
Todd Schmutz Hahns Peak/Bears Ears Recreation Program Manager	970-216-8240	970-870-2187	todd.schmutz@usda.gov
Michael Woodbridge Hahns Peak/Bears Ears District Ranger	970-819-7046	970-870-2149	michael.woodbridge@usda.gov

## **Barry Barnes - Moffat County Parks and Recreation**

- Administration of Moffat County GT Permit.
- Maintaining day-to-day operations.
- Implementation of GT Offset agreement.
- Reporting of revenue / use, GT Offset accomplishments, water systems.

Contact: Barry Barnes

W: 970-824-9107

C: 970-629-8709

[bbarnes@moffatcounty.net](mailto:bbarnes@moffatcounty.net)

## **Moffat County Commissioners**

- Approval of the Annual Operating Plan.
- Approval for the Granger-Thye Fee Offset Agreement; and
- Conflict resolution with items not in compliance with the Operating Plan and long-range planning for concession program improvements.

The Moffat County management staff is responsible for the conduct of the company's employees - including the prevention of conduct prohibited under 36 CFR 261, Subpart A - and ensuring that employees are not under the influence of intoxicating beverages or narcotic drugs while on duty or when representing the company.

## **PERSONNEL**

Finding and keeping good personnel is a key component of Moffat County's success.

The primary contacts with the campground users are through the front-line employees. To prepare these employees to answer visitors' questions, provide information about regulations, and the surrounding area, Moffat County will use a variety of different resources to provide visitors with information on recreational opportunities in the area.

All Moffat County employees and staff working at Freeman Campground will have:

- Ability to work with a diverse public and provide quality customer service.
- Conflict resolution skills.
- Ability to perform routine cleaning tasks.

## **STAFFING HOURS AND SCHEDULES**

All Moffat County employees working in the Medicine Bow - Routt National Forests and Thunder Basin National Grassland (MBRTB) will be under the day-to-day supervision of the local Operations Manager who will provide employees in more than sufficient numbers to achieve the following standard of services:

- Complete all Maintenance, Renovation, and Reconditioning (MR&R) items by dates specified in the MR&R Plan, or the Granger-Thye Fee Offset Agreement.
- Maintain levels of service as specified in the Operating Plan.
- Conduct personal contacts with campers at their campsites on a routine basis. Public contacts will consist of general information exchange, fee compliance, enforcement of rules and regulations, and ensuring visitor satisfaction.

All employees - including the Operations Managers - perform all routine maintenance, fee collection, security, interpretive tasks, and be hospitable to the visiting public.

## **EMPLOYEE TRAINING**

Training is the local site training which is fundamental to the success of all Moffat County's operations. It is designed to provide all employees in the Facilities and Maintenance Department and any contracted staff with the following.

- Prepare Moffat County's employees in all areas of operations, including site maintenance, fee collection, law enforcement, conflict resolution, and emergency procedures specific to the MBRTB and the USDA Forest Service Mission.
- Enable Moffat County facilities and maintenance employees and staff to answer commonly asked questions concerning the proximate recreation sites and the local surrounding area.
- Meet and maintain the Quality Standards of the MBRTB.

Moffat County staff will also receive training in the specific skills required in the operation of the recreation facilities of the MBRTB. This includes instruction in communications, public relations, conflict resolution and emergency management, resource protection, safety procedures, water system operation, and general maintenance.

Employees are also taught to maintain a positive, helpful attitude when dealing with the public. Moffat County facilities and maintenance employees and contracted staff will be oriented to the sites and become knowledgeable about the Forest's recreation facilities and visitor attractions in the surrounding area.

## **EMPLOYEE CONDUCT**

Moffat County staff will adhere to a standard of conduct that is consistent with that followed by Forest Service employees and in conformance with the company's standards as set forth in the *Moffat County Employee Handbook*. This handbook also details the company's progressive discipline policies. As previously stated, all Moffat County employees are expected to comply with applicable laws, rules, and regulations, including work rules, and to always conduct themselves in a professional manner. Federal laws prohibit:

- Engaging in conduct prohibited by the Code of Federal Regulations (36 CFR 261); and
- Using or being under the influence of intoxicating beverages or narcotic drugs while on duty or representing the Moffat County.

## **VEHICLE IDENTIFICATION**

Moffat County vehicles, including pickup trucks and golf carts, are marked with Moffat County insignia - striping and logo. Vehicles are maintained to present a high-quality image to the public. Company vehicles are equipped with First Aid kits, flares, and fire extinguishers. All Moffat County motor vehicles will be street legal and licensed.

## **CUSTOMER SERVICE**

Moffat County has always provided - and will continue to provide - responsive and caring customer service. Moffat County will conduct frequent reviews of its operations on the MBRTB to ensure the quality of its staff and their performance. As a part of this program, Moffat County solicits input from visitors using the facilities.

Moffat County continues to honor America the Beautiful Interagency Pass including Senior, Access, and Military passes for ½ price at all campgrounds and in day use areas. The discount does not apply to group sites, extra amenities such as dump stations, extra vehicle parking, electricity, boat storage or season passes. Moffat County will also accept cash, personal checks, traveler's checks, and - where technology permits it - credit cards.

## QUALITY STANDARDS

All operations and maintenance procedures will meet the MBRTB Quality Standards, as well as those outlined in the Forest Service publication *Cleaning Recreation Sites*. The key measures of quality standards applicable to concessionaire operations and maintenance procedures on the MBRTB sites are:

### **Key Measure: Health and Cleanliness**

- Visitors are not exposed to human waste.
- Water, wastewater, and sewage treatment systems meet federal, state, and local water quality regulations.
- Garbage does not exceed the capacity of the garbage containers.
- Individual units and common areas are free of litter including domestic animal waste.
- Facilities are free of graffiti.
- Restrooms and garbage locations are free of objectionable odor.
- Constructed features are clean.

### **Key Measure: Resource Setting**

- Effects from recreation use do not conflict with environmental laws (such as ESA, NHPA, Clean Water, TES, etc.).
- Recreation opportunities, site development, and site management are consistent with recreation management system (ROS, SMS, BBM) objectives, development scale, and the Forest land management plan.
- Landscape character at the developed recreation site is consistent with the Forest scenic integrity objectives.
- Visitors and vehicles do not exceed site capacity.

### **Key Measure: Safety and Security**

- High-risk conditions do not exist in developed recreation sites.
- Utility inspections meet federal, state, and local requirements.
- Laws, regulations, and special orders are enforced.
- Visitors are provided a sense of security.

### **Key Measure: Responsiveness**

- When signed as accessible, constructed features meet current accessibility guidelines.
- Visitors feel welcome.
- Information boards are posted in a user-friendly and professional manner.
- Visitors are provided opportunities to communicate satisfactions (needs, expectations).

- Visitor information facilities are staffed appropriately during seasons of use and current information is available.
- Recreation site information is accurate and available from a variety of sources and outlets.

In addition to these key Quality Standards (above), Moffat County will hold itself to the following, specific standards:

**Key Measure: Condition of Facilities**

- Constructed features are serviceable and in good repair throughout the designated service life.
- Constructed features in disrepair due to lack of scheduled maintenance, or in non-compliance with safety codes (e.g., life safety, OSHA, environmental, etc.) or other regulatory requirements (ABA, ADA, etc.), or beyond the designed service life, are repaired, rehabilitated, replaced, or decommissioned.
- New, altered, or expanded constructed features meet FS design standards and are consistent with an approved site development plan, including an accessibility transition plan.
- At the time the authorization expires, all facilities will be returned to the Forest Service in the same or better condition (allowing for normal wear and tear) as they were when they were authorized for use by the holder.

**Public Service Maintenance Standards**

The following standards should be met in sites offering services to the public in order to ensure a pleasant recreation experience for the visitor.

- Toilets, showers, and dressing areas
- Toilet bowls, risers, seats, covers, and urinals free of deposits on surfaces.
- Building interiors free of dirt, trash, graffiti, insects (dead and alive), and spider webs.
- Floors free of standing water.
- Chrome ware clean and bright.
- Toilet paper, towels, and seat cover (where provided) stocked to last until next day and/or cleaning;
- Unpleasant odors (both sewage and chemical) minimized.

***Toilets and other buildings (exterior)***

- Walkways and trails clean and clear of obstructions for public safety and accommodating people with disabilities.
- Floor mats clean.
- Exterior walls free of graffiti.
- Roof generally free of leaves and branches.
- Eaves free of wasp nests, bird nests, and spider webs.

#### ***Toilet vaults***

- Vaults not more than 3/4's full.
- During pumping, the vaults should be cleaned as thoroughly as possible to prevent the production of odors.
- All vaults shall be locked at all times when pumping is not occurring.

#### ***Tables and benches***

- Tops and seats free of dirt, grease, and large carvings.
- Under portion free of spider webs, etc.
- Tops, seats, and legs secure and functional.

#### ***Fireplaces, char-grills, fire rings, and stoves***

- No more than half full of ashes.
- All ashes and partially burned wood confined to fireplace or grill.
- Grill surface free of grease and food particles when ash is removed.
- Pedestals and bases straight and secure, and components functional.
- Leftover firewood stacked beside unit.

#### ***Garbage cans and depositories***

- Plastic liner half full or less.
- Cans clean on the outside, all litter and debris picked up around cans or container.

#### ***Hand pumps, fountains, and hydrants***

- All units free of grease or residue.
- All units secure and drip free.
- Catch basins (drains) free of food particles, soaps, grease, debris, standing water, and functioning properly.

## **PRESEASON OPERATIONS**

In all those facilities which are closed during the Winter Season, Moffat County will perform the following tasks (in the Early Season) prior to opening the sites to the public:

### **SAFETY INSPECTIONS**

An annual safety and health inspection, to include hazard trees, buildings, septic systems, bridges, and other structured facilities are performed prior to opening each site to public use. Each inspection is documented in writing, on a form acceptable to the Forest Service. Moffat County is responsible for correcting any safety deficiencies, including dropping hazard trees unless the Forest Service specifically states responsibility. All actions proposed to correct deficiencies must be approved by the Forest Service.

Moffat County will take all measures necessary to protect the health and safety of all persons affected by the concession activity. Specifically, Moffat County is responsible for identifying, correcting, and reporting all safety hazards to the authorized officer.

Each annual safety and health inspection will be documented. The documentation will include: all safety and health problems discovered; note corrective action to be taken; and document completion of corrective actions or mitigating measures. A method of tracking will be included to ensure that problems noted in any inspections or throughout the year are followed up on appropriately.

Documentation of safety inspections will be submitted to the designated Forest Service representative as soon as practical.

### **SNOW PLOWING**

Moffat County will - when necessary - arrange to plow access roads free of snow in order to accommodate the minimum operating season. Any such plowing will be done only in consultation with the Forest Service.

### **HAZARD TREES**

Moffat County is responsible for identifying all hazard trees and removal will be in coordination with the Forest Service.

All stumps from hazard tree removal shall be flush cut to ground level in order to reduce tripping hazards. Logs will be bucked to firewood length (16" to 22") and left for camper use or they may be otherwise disposed of by approved methods.

Moffat County is not responsible for any hazard tree removal necessitated by atypical situations such as a major blow down, wildfire, or a large insect infestation or when the Forest Service can sell merchantable material. Atypical situations are generally defined in this offering as the number of hazard trees requiring removal annually that exceed the following quantities in each District (greater than 5" dbh).

Moffat County will notify the Forest Service when merchantable hazard trees are found within the permit area so that the Forest Service may sell the trees. If campers - within a reasonable length of time- do not use slash and bucked logs resulting from hazard tree removal, then Moffat County will dispose of it by a Forest Service-approved method. Trees or any forest product removed from the Forest shall require an appropriate permit such as a fuel wood permit or other written authorization.

### **WATER SYSTEMS**

Moffat County has staff that is extensively trained on water system operations on the Medicine Bow - Routt National Forests. Moffat County will ensure that operation of all systems is in accordance with appropriate federal and state regulations, and follow the guidelines set forth in HBE539.

It is required that Moffat County operates the water system. Though some "tasks" may be assigned or delegated by Moffat County to uncertified operators via specific written procedures, all duties and decisions that affect water quality will be performed directly by Moffat County. In addition to performing routine sampling requirements, Moffat County will actively participate in start-up and shut down processes and make routine observations of system operations to identify



potential problems and correct inadvertent deficiencies, etc. When the State schedules a Sanitary Survey Moffat County will make every possible effort to attend.

Before water from a seasonal system is served to any employee or the public, the following steps are performed on the system under the direct supervision of Moffat County:

- Clean the inside of the well and/or storage tank, where applicable.
- Thoroughly flush the entire system, to remove any foreign matter.
- A chlorine solution that tests more than 10 ppm at the most distant hydrant is distributed throughout the system and allowed to sit for a minimum of 24 hours, to sanitize the system.
- Satisfactory "safe" bacteriological test results must be obtained according to procedures required through a state-certified laboratory. Tests cannot be taken until 72 hours after flushing the chlorine solution from the system. All test results are furnished to the Forest Service.
- All procedures and testing results will be documented and retained in the system records. A sample **Waters Systems Log Sheet is included as Appendix A.**

## **ROADS**

Moffat County will clean all culverts and barrow ditches and fill chuck holes at the beginning and end of each season and following any large storm events to allow proper drainage. Restriping of roads is also done during this period. See the Road Maintenance Plan at Appendix C.

## **GENERAL MAINTENANCE REQUIREMENT**

Prior to the start of the summer repairs, specific tasks include:

***Maintenance Inspection:*** Prior to opening sites to the public, Moffat County will conduct a thorough maintenance inspection of all recreation sites. This survey is documented through photos, notes and/or videotaping. Any maintenance needs discovered will either be corrected prior to opening or corrected as needed. During this same inspection - which is done in conjunction with the Safety and Hazard Tree inspections referenced above - Moffat County and Forest Service personnel will also check and update the physical inventory of all site improvements and other fixtures assigned under this Special Use Permit.

***Pre-Season Clean Up:*** Before the developed sites are opened to visitors, a thorough cleaning of each site, including immediate maintenance needs, is completed and documented.

***Toilets:*** Toilet bowls, risers, seats, and seat covers are clean and free of deposits on the surface. Building interiors are free of dirt, graffiti, dead insects, and spider webs (any painting needs will be noted). Floors are free of dirt and standing water. Toilet paper and paper towels (at all flush toilets) are stocked to last until the next cleaning. The level of the vault waste is noted and scheduled for pumping if needed (when vault becomes  $\frac{3}{4}$  full - pumping is needed). Vault additives and/or deodorants are installed before odors become offensive. The outside step and exterior of the building are swept clean of dirt and webs. Walkways and trails are cleared of obstructions. Overhanging or encroaching vegetation is trimmed from the paths. Signs are in place and in good condition (e.g., No Trash in Toilets Please). All vents are

inspected and cleaned to ensure proper airflow. All vaults shall be locked at all times when pumping is not occurring.

**Tables:** Tops and benches are washed and cleaned of dirt and grease. The undersides of tables are swept clean of spider webs. All carvings and graffiti are sanded out and the tables repainted (sanding and painting may be documented for later completion if approved by the Forest Service). Repainting may also be necessary due to weathering. Table legs are checked for damage and replaced - or recorded for replacement - as needed. All nuts, bolts, and hardware are inspected and tightened or replaced as needed. Moffat County will replace any needed gravel around the tables and re-level tables as necessary.

**Fire Rings and grills:** All ashes, charcoal, unburned wood, grease and trash will be removed. The ring is inspected for excess rust or bent/broken grills. Repairs are made as needed and/or noted for future correction. Fire rings are re-set as needed. Moffat County will clear all combustible materials away from the fire rings to a minimum of 10 feet.

Any rock fire rings or modifications that were not installed or approved by the Forest Service are eliminated.

**Grounds:** Moffat County will clean the area thoroughly in the early spring - before vegetation comes up. All litter - including but not limited to cigarette butts, gum wrappers, and other micro- trash, are removed. Nails, ropes, game poles, etc. are removed from trees. Any erosion problems or other items are noted and scheduled for future correction.

**Barriers:** Concrete barriers and timbers are inspected for damage and/or instability. Barriers are straightened as needed. Dirt is cleaned from around wooden timbers that are close to the ground, or the barriers might be raised, in order to prevent rot and insect nesting. Broken items are replaced as necessary.

**Water hydrants:** The areas around the hydrants are cleaned and weeded. As soon as the water system is activated - all faucets are checked to ensure they are operating properly. Drains are checked to ensure they are working properly. Gravel sumps are inspected and cleaned or replaced as needed.

**Trash receptacles:** Moffat County will place animal resistant trashcans and/or dumpsters at designated locations. Receptacles are checked for damage and repaired and repainted as necessary. The enclosures are swept and cleared of vegetation. Any trashcans used will be lined with plastic garbage bags. Support posts, latch mechanisms and safety chains (if any) will be inspected and repaired as necessary.

In all locations where bear resistant containers are required, the receptacles must be certified through the Interagency Grizzly Bear Committee Courtesy Inspection Program. A container may be certified by the local District Ranger or their designated representative(s) if it meets the IGBC criteria.

Field use of containers can cause stresses and impacts that can damage latches, hinges, seams, etc. Containers that are certified "bear resistant" need to have all the latches (catches, fasteners, etc.) operating properly to remain bear resistant. All animal-resistant trash receptacles will be maintained in a functional working condition as designed, and broken or malfunctioning latches, chains or other appurtenant features will be repaired or replaced by Moffat County in a timely manner. It is also important to keep the containers clean and as free from odors as possible.

***Signs, posters and bulletin boards:*** All bulletin boards are inspected and repaired and/or repainted as needed. All bulletin boards are completely renewed, and any worn out signs, staples, and nails removed. Any future repairs that may be needed are recorded and scheduled for completion. Moffat County will install Forest Service approved signs in an orderly fashion. All weathered signs are replaced with new signs.

***Site markers:*** These are inspected, straightened, and replaced as necessary.

***Fee notification:*** Fee signs are posted at all sites where fees are required. Fresh signs are posted at the start of each season. If visitors are present in the campground on the day that fees go into effect, they are notified, either in person or by leaving a courtesy note, that a fee will be required the following day.

## **OPEN SEASON OPERATIONS**

### **GOOD HOST CUSTOMER SERVICE**

Moffat County will make every reasonable and prudent effort possible to avoid interfering with the normal use and occupancy of recreation areas while engaged in the performance of permit responsibilities.

### **SAFETY AND HAZARD TREE INSPECTIONS**

As noted above, Moffat County will take all measures necessary to protect the health and safety of all persons affected by the concession activity. Specifically, Moffat County is responsible for identifying, correcting, documenting, and reporting all safety hazards to the authorized officer.

Moffat County currently has an extensive Health & Safety Plan in place. This Plan, which includes both inspection and employee training standards, provides the framework for the company's safety program on the MBRTB.

As a part of its Health & Safety program, Moffat County routinely inspects the facilities for safety hazards. When a safety hazard (including a hazard tree) is identified during the open season, Moffat County will take the following steps:

- Inform those who are in immediate danger.
- Take necessary actions to protect the public, at least temporarily.
- Immediately report the hazard to the Forest Service, even if there is no immediate danger to the public.
- Immediately report the hazard to any other employees who might be affected.
- If possible, remove the hazard and document the removal.

Moffat County will close sites and immediately notify the Forest Service of any hazards in the area that Moffat County is not able to remedy. All sites and facilities within 200 feet or two tree lengths (whichever is less) of a standing hazardous tree will be closed until the condition is corrected.

### **SEWAGE/SEPTIC DISPOSAL**

Moffat County has established good relationships with local haulers. All vault toilets will be pumped at the beginning of the season, at the end of the season and as needed. All trash - including rocks, bottles, cans, plastic, or clothing - will be removed at each pumping.

### **WATER SYSTEMS**

Moffat County will conduct all drinking water tests (microbiological, contaminant, and chemical) and meet all public notification requirements as required by federal, state, and/or local regulations. In the event that current regulations change, Moffat County will be responsible for compliance with the newer set of regulations.

Moffat County will make any repairs necessary due to vandalism, natural events, forces of nature, or any events attributed to Moffat County's actions. Moffat County will forward copies of all test results to the Forest Service and maintain its own file on test results and any corrective actions taken.

Spring boxes, wells, pump houses, distribution lines, storage tanks, disinfection systems, chlorinators and faucets are maintained as needed. Rodent access holes are sealed. Any leaking faucets and/or water line breaks will be repaired in a timely manner.

Hydrants and drains are inspected and cleaned regularly. Overhanging brush and ground vegetation are removed from access paths. Each hydrant will be posted with a sign that states No washing dishes, bathing, or cleaning fish.

All hand pumps will be posted with the following required sign: "This hand pump serves non-chlorinated well water.

A water systems operations and maintenance log will be kept for all water systems. Logbooks are always a work in progress. This log includes, at a minimum, the following information: dates and results of all testing, inspections, cleaning, repairs, or adjustments to pressures, chlorination amounts and the initials of the person performing the work. The log will also include changes, modifications, improvements or equipment replacements that occur to each water system. A copy of the log will be sent to the Forest Service on demand.

### **GENERAL MAINTENANCE REQUIREMENTS**

Routine maintenance is initiated once the annual Operating Plan is agreed to and approved. This includes, but is not limited to: maintaining and/or repairing fixtures, partitions, locks, handles, brackets, hinges, broken toilet seats, and toilet paper holders; applying disinfectant and deodorants to toilets; replacing gaskets in leaky faucets; straightening sign posts; tightening door hinges; removing nails, ropes, poles, and wire from trees and facilities; touch up painting and staining;

repairing barriers along roads; etc.

A written record of maintenance procedures performed on facilities will be retained. All records will be available for review upon request of the permit administrator or a designated Forest Service representative. Records should include time, date, location, what was done, by whom, why, quantities and any other information appropriate to the task.

Routine cleaning and policing are performed with sufficient regularity to give the area the overall appearance of being clean and sanitary, well kept, and free of litter. The Forest Service Publications Cleaning Recreation Sites (March 1988 update) and the In-Depth Design and Maintenance Manual for Vault Toilets (July 1992) will provide the basic guidelines for the performance of all routine cleaning and policing.

Major maintenance or improvement projects may be applicable to Granger-Thye Fee Off-Set provisions. However, they must be submitted to the Forest Service for approval prior to implementation.

***Specific general maintenance tasks include:***

***Toilets:*** Toilet bowls, risers, seats, and seat covers are clean and free of deposits on the surface. Building interiors are free of dirt, graffiti, dead insects, and spider webs. Floors are free of dirt and standing water. Floors are clean with either a dry mop or a squeegee to make them as dry as possible. Toilet paper and paper towels are stocked to last until the next cleaning. Vault deodorants are added before odors become offensive. Moffat County will supply all fly strips, deodorants, disinfectants, and signs.

Vaults are pumped when they become  $\frac{3}{4}$  full. During the final year of the permit term any toilet vault with a waste level of more than  $\frac{1}{2}$  of the full volume; and all septic systems will be pumped. Vaults will be visually inspected at the time of pumping and any abnormal observations such as dry waste, cracked vault concrete, excessive trash, etc. and documented in the written maintenance record. All pumping of vault waste will be included in the written maintenance record; including dates, volume pumped-by individual vault, who inspected the vault and any abnormal observations.

The outside step and exterior of the building is swept clean of dirt and webs. Walkways and trails are cleared of obstructions. The transition between the concrete apron to the gravel or native trail surface will be maintained to meet accessibility requirements. Overhanging or encroaching vegetation is trimmed from the paths. Signs are in place and in good condition. All vents are inspected and cleaned to ensure that a proper airflow can occur.

Toilets will be cleaned on a routine basis. In addition to these routine cleanings, each restroom is completely scrubbed down - including ceiling, walls, and floors - a minimum of once each week throughout season.

Toilet vaults and chase rooms must be locked at all times to prevent unauthorized or accidental access by the public. Above-ground gray water or black water line hose lays from host sites or

public RVs to toilets will not be used unless specifically authorized by the Forest Service.

**Tables:** Tops and benches are washed and cleaned of dirt and grease as needed. The undersides of tables are swept clean of spider webs. Tables are regularly inspected for graffiti and other damage. Repainting and sanding are done as necessary. Moffat County will also re-level tables as necessary.

Table legs are checked and repaired as needed. All nuts, bolts, and hardware are inspected and tightened or replaced, as needed.

**Fire Rings and Grills:** All ashes, charcoal, unburned wood, grease and trash are removed when the fire ring or grill is more than half full. Ashes are disposed of off National Forest lands in accordance with local and state regulations. Ashes are not placed in dumpsters or trashcans while hot.

The ring is inspected for excess rust or bent/broken grills. Repairs are made as needed. Any rock fire rings or modifications that were not installed or approved by the Forest Service are eliminated.

All grill surfaces are cleaned of grease and food particles. Any leftover firewood is removed from the site. All combustible materials and vegetation are cleared away from fire rings and grills to a minimum distance of 10 feet.

All grills are inspected for damage and repaired as needed.

**Grounds:** Grounds are patrolled daily and kept free of trash and litter. Nails, ropes, game poles, etc. are removed from trees. Sites are raked routinely.

Vegetation is kept clear around tables, bulletin boards, water hydrants, barriers, signs, and buildings. Parking areas, paths, living spaces, and tent sites are also kept clear. Grass and other ground vegetation are maintained to a maximum height of 8 inches and a minimum distance of 36 inches away from all of the items listed.

**Barriers:** Barriers are straightened, painted, or stained, and/or replaced as needed. Holes caused by insects or rodents are filled in. All materials will be approved by the Forest Service. Excess vegetation is cut away from barriers (18-inch clearance) to keep them visible.

**Trash Receptacles:** All trash receptacles are emptied regularly - before they overflow. All trash is removed from National Forest lands and disposed of in accordance with all local and state regulations. Excess-bagged garbage outside full trash receptacles is not permitted.

Dumpster retainer chains (where applicable) are secured to support posts at all times. Any trash scattered by animals is cleaned up and deposited in the dumpsters by Moffat County staff.

All trash receptacles are regularly checked for damage and repaired/repainted as necessary. Particular attention will be given to assuring that bear-resistant containers are fully functional as

designed. All trash receptacles and enclosures are regularly cleaned and kept cleared of vegetation.

***Signs, Posters and Bulletin Boards:*** Bulletin boards and signs are kept current and neat. Old nails and staples are removed. Vegetation around and in front of all signs and fee tubes is cut. Repairs and repainting are done as necessary. All appropriate Forest Service and Moffat County rules and regulations will be posted.

***Cleanliness and Safety Inspections:*** Facilities are routinely checked by Moffat County staff in the course of performing their normal cleaning and maintenance duties. In addition, all facilities are, on a periodic basis, formally reviewed for cleanliness and safety through the Moffat County Services' Quality Assurance & Health & Safety programs.

## **POST SEASON OPERATIONS**

As services are reduced - or campgrounds close - Moffat County will contact all visitors in those facilities at least two days in advance of the change in service level and inform them of the scheduled change(s). Entrance stations and bulletin boards also have signs posted indicating the changes in services. In addition, Moffat County will take the following steps:

### **WATER SYSTEMS**

Moffat County will shut down all water systems prior to freezing temperatures according to the procedures required for each system. This includes:

- Draining designated pumps, holding tanks, water lines, hydrants, faucets, hot water heaters, etc. If necessary, a compressor is used to pressurize the lines to drain them.
- Moffat County will assume responsibility for any damage that might occur due to improper winterization.

### **GENERAL MAINTENANCE REQUIREMENTS**

Moffat County will thoroughly clean all sites, including grounds, fire pits, grills, tables, etc., prior to closure for the Winter Season.

***Toilets:*** Moffat County will clean all toilet buildings before securing them for the winter. Any vaults over 3/4 full are pumped.

***Bulletin Boards and Fee Stations:*** All areas that are closed for the Winter Season are posted as Closed or Off Season. Signs are posted indicating whether or not potable water and/or trash collection is provided. All other posters, signs, and staples are removed. All entry gates are closed and locked.

Bulletin boards in any open areas are maintained according to the standards set forth in Open Season Operations above.

**Trash Receptacles:** All receptacles will be stored appropriately for winter. When storing dumpsters and trashcans for the winter, they will be tipped upside down or otherwise protected to prevent snowmelt and water from accumulating inside and causing premature rusting. All wheels and roller bearings on dumpsters will be greased at a minimum of once annually to prevent water and rust build up. This will typically occur when they are tipped for winter storage. Two, three or four foot long 4" x 4" s or the equivalent will be placed on the ground under each dumpster for stabilization and keep them off native soils that can promote rusting.

**Other:** As noted, all site cleaning tasks are completed as per those performed during the Preseason Operations outlined above.

## **UTILITIES**

Moffat County will pay for all utilities, phone service, vault pumping, and garbage collection relating to this operation on a year-round basis. During the post season, Moffat County ensures that all utilities are properly shut off and closed.

## **YEAR-END REPORTS AND INSPECTIONS**

Moffat County will turn in year-end reports of use and maintenance as required by the Forest Service. Data for year-end reports is collected throughout the year on the company's Occupancy Logs. Monthly totals on use figures are forwarded monthly. The year-end annual summary is provided no later than 30 days after the close of Moffat County's fiscal year.

All year-end financial summaries are reported within 30 days after the close of Moffat County's fiscal year. Additional information of **Use and Revenue Reporting is included in Appendix E.**

A year-end facilities inspection is also done during the Late or Winter Seasons. All maintenance and repair needs are identified, recorded in writing, and prioritized for the coming year.

Moffat County will work from the post-season inspection list in preparing to open sites the following spring.

## **USER FEES AND COLLECTION PROCEDURES**

Rates: The rates proposed for the 2025 season are:

District	Facility	Site Fee	Group Fee	Hook Up Fee
HPBE	Freeman CG	\$20.00	N/A	N/A
HPBE	Freeman Day Use	\$5.00	N/A	N/A

When a campground, which typically has a potable water source between Memorial Day and September 30, does not have potable water available due to system failure, an "Unsafe" water sample, or any other circumstance determined to be to the result of Moffat County negligence, nightly fees charged to the public will not exceed 50% of the normal advertised price. With written authorization from the Authorized Officer, an alternative source of potable water may be provided to remove this fee restriction, provide that it meets all required standards.



This 1/2 price restriction does not apply to post season (after September 30) operations in sites with pressurized water systems that require shut down and draining due to freezing temperatures. It does not apply if a water system fails due to circumstances beyond the control of Moffat County.

**Method of Collection:** Fees are normally collected by Moffat County employees through an honor system- both in the campgrounds and at the entrance stations. Moffat County will check sites for fee payment regularly.

**Posting:** Moffat County will post all applicable fees in each facility.

## **GENERAL OPERATING CONDITIONS**

### **EMERGENCY RESPONSE**

Moffat County will take the following steps in responding to emergencies on the MBRTB.

**Overview:** The Operations Managers, Site Managers, and/or Hosts respond as quickly as possible to emergencies which may arise. Many of these employees are trained in CPR and First Aid. Radio equipment or mobile telephones may be used to notify outside authorities (when needed) and to coordinate response from other Moffat County employees.

**Protocols:** Threats to life, serious injury, and serious property damage are attended to first. As soon as possible, Moffat County employees will notify Moffat County management and the Forest Service representative of the emergency and submit an incident report with appropriate information. Emergency numbers and notification procedures will be provided to every employee. Employees are instructed to take the following steps in emergency situations:

- I. Protect your own safety first. Do not take risks. The most important objective is notification of appropriate response entity.
2. Notify authorities (such as Sheriff's Office, Forest Service LEO, ambulance, etc.) and Moffat County management.
3. Attend to life threatening situations and other serious injuries.
4. Protect property.
5. Gather information.

**Serious Injury:** In the event of injury or sudden illness of a visitor, Moffat County will notify emergency services via radio or cell phone, if possible. If radio or cell contact is not possible, a Moffat County employee will remain with the injured or sick individual while another employee or a volunteer citizen drives to the closest telephone to call 911 or to the closest point where radio or cell contact is possible. Emergency notification procedures, including telephone numbers and radio call procedures, specific to the MBRTB are included in the Handbook, which each employee maintains.

**Evacuations:** In the event of a wildfire or other disaster, Moffat County employees will notify campers of the threat as soon as possible. If evacuation is necessary, Moffat County employees will direct evacuation with a marked Moffat County vehicle and uniformed employees. Moffat

County determines the area to be evacuated and the area in which to relocate after consulting with the Forest Service and/or Sheriff. Once the evacuation has begun, Moffat County staff directs movement by placing employees along the evacuation route. Positioned employees communicate via radio or cell phone.

Moffat County staff will maintain a calm, orderly evacuation by providing information, giving clear concise instructions, and by coordinating traffic direction. Once the evacuation has been completed, the Operations Manager(s) sweep the area and secures the facility.

***Hazardous Materials Spills:*** In the event of a spill of any chemicals or other hazardous materials, Moffat County staff will take the following steps:

1. Contain the spill if it is safe to do so.
2. Notify the Moffat County Operations Managers.
3. Notify the local Forest Service permit administrator - and the appropriate county and/or state agencies.
4. Clean up and remove as much of the spilled material as possible, but only after verifying the correct procedure for safe cleanup of the material involved.
5. Dilute any chemical residue remaining on the ground, if appropriate.
6. Safely dispose of any recovered chemical materials.
7. Arrange for an inspection of the spill site by the Forest Service.
8. File a Moffat County Services' Incident Report -- including a copy to FS.

**Emergency Notification of Guests:** When notified by the public, Forest Service, or a local official of the need for emergency contact with a guest, Moffat County will immediately locate that guest's registered site by use of Occupancy Logs and radio contact with campground hosts. Once the guest is identified, the closest available employee will deliver an emergency message. The employee directs the guest to the nearest phone, if necessary, and assists with any other immediate needs that the guest may have to act on.

## **LAW ENFORCEMENT**

All law enforcement will be done in conformance with the rules and policies set forth in The Special Use Permit for Campground Related Granger-Thye Concessions, Authorization ID HBE539 for Freeman Campground. If the non-cooperative guests refuse to comply with Moffat County's formal request to leave the premises, Moffat County will contact the local Sheriff's Department for assistance.

Moffat County employees will be made aware that the sites included under the special use permit are relatively remote and it may take several hours for sheriff or FS law enforcement to be able to respond once a request for assistance is made.

***Visitor Approach:*** It is important when contacting the public to have an approach which is

professional and non-confrontational. When approaching a situation with which a Moffat County employee is uncomfortable, they will be instructed to retreat and call for assistance. Employees are expected to be professional when making contact -- through attire, attitude and general demeanor - and to be knowledgeable in the rules and helpful in assisting with the compliance of those rules.

***Requests for Assistance:***

When requesting assistance, the following applies:

Life-threatening Situations (Medical Emergency - heart attack, excessive bleeding, etc.)  
911

Non-Emergency Assistance Not Requiring Immediate Attention  
Forest Service contact, Todd Schmutz cell 970 216 8240

***General Incident Reporting Procedures:*** All Incidents in which 911 or the MBRTB has been contacted must be verbally reported to the local Forest Service permit administrator within 24 hours and in writing within one week.

***Damage to Facilities:*** All damage to Government facilities in excess of \$250.00 resulting from vandalism, breakdown of government equipment or other causes is reported verbally to the permit administrator within 24 hours of occurrence, and by written report within one week on Moffat County Incident Report Form. Damage of less than \$250.00 will be reported on a weekly basis in writing to the Forest Service permit administrator on the Moffat County Incident Report Form.

***Accidents and Personal Injuries:*** All injuries, accidents, or medical emergencies involving visitors or employees, or damage to public or government property in excess of \$250.00, in connection with the operation of this permit and occurring on National Forest Lands will be reported as soon as practicable after the incident to the FS Permit Administrator or Ranger District Office where the incident occurred. Additionally, Moffat County shall contact the Authorized Officer (District Ranger) as soon as practicable, but no more than one business day, following incidents that occur on National Forest System (NFS) lands within the authorized area after:

- Any incident resulting in death, permanent disability, or personal injuries that are life-threatening or that are likely to cause permanent disability.
- A search and rescue operation to locate a person; or
- Any incident that had or has high potential for serious personal injury, significant property damage, or significant environmental or other natural resource damage, including but not limited to avalanches, landslides, flooding, fire, structural failures, or release of hazardous substances.
- When notifying the Authorized Officer of an incident, Moffat County shall specify when, where, and how it occurred, and who was present or affected by the event. Moffat County

will follow-up all incidents with a complete written report to the Forest Service within 5 business days of the incident.

***Violation Occurrences:*** Moffat County will report all violations that have occurred where no specific violator has been determined, such as resource damage (not associated with a designated recreation site), vandalism, etc. on a weekly basis, in writing on Moffat County Services' Incident Report Form.

## **RECYCLING**

Moffat County will recycle campground items when feasible.

## **EQUIPMENT, SUPPLIES, STORAGE**

Moffat County has an extensive inventory of vehicles, tractors, power tools, hand tools, and other equipment and supplies necessary for providing services on the MBRTB. Much of this equipment will be stored in the various administrative use areas assigned to the Moffat County under this permit.

## **PRE-MAINTENANCE INVENTORY**

Prior to opening sites to the public, Moffat County will conduct a thorough maintenance inspection of all recreation sites. This survey will be documented through photos, notes and/or videotaping. Any maintenance needs discovered will either be corrected immediately or scheduled for future correction. This inspection is addressed further in the Pre-Season Operations section above.

## **USE REPORTS**

Moffat County will submit use reports as identified by the Forest Service representative monthly.

## **UTILITIES**

Moffat County will be responsible for securing, managing, and paying for all utilities required to operate the facilities under this permit.

## **SOLID WASTE COLLECTION**

Moffat County will provide for garbage removal at all sites, maintain all government furnished garbage bins, and pay all of the costs associated with trash removal.

## **WATER SYSTEM OPERATION AND TESTING**

Moffat County will operate and maintain all water systems in the permit area to be in compliance with applicable federal, state, county and local drinking water laws and regulations and Forest Service requirements found in FSH and FSM direction for operation and maintenance of a public water system. Moffat County will be responsible for water testing and preparing the required

reports and maintaining the required records. Moffat County will also conduct any necessary follow-up testing and additional procedures to be taken when notified of positive test results. **Appendix F** of the Special Use Permit will govern Moffat County's operations of the water systems. Copies of water system test reports are provided to the FS upon receipt by Moffat County. If current regulations change and it becomes necessary to perform more or different tests, Moffat County is responsible for compliance.

## **NATURAL GAS/PROPANE**

Moffat County will be responsible for all propane costs related to their operations during the term of this permit.

## **SEWAGE/SEPTIC**

Moffat County is responsible for all flush and vault toilets that fall within the boundaries of developed sites. Operating procedures were discussed previously in the pre-season, open season, and post-season sections of this proposal.

## **TOILET PUMPING**

Sanitation services to pump vault toilets, holding tanks, septic tanks and dump stations will be the responsibility of the Moffat County for the term of the permit. All disposal sites must meet federal, state, county, and local regulations. Moffat County and its contracted pumping service will adhere to the USDA Forest Service Recreation Tech Tip Publication Vault Toilet Pumping Contract Specifications/Guidelines for Preparing Contracts (October 1992).

## **SITE HAZARDS**

As previously noted, Moffat County takes all measures necessary to protect the health and safety of all persons affected by the concession activity. Specifically, Moffat County is responsible for identifying, correcting, and reporting safety hazards to the authorized officer. The Forest Service must approve actions proposed to correct health and safety hazards and/or deficiencies.

As safety hazards are identified, Moffat County will take the following steps:

- Inform those who are in immediate danger.
- Take necessary actions to protect the public, at least temporarily.
- Immediately report the hazard to the Forest Service, even if there is no immediate danger to the public.
- Immediately report the hazard to any other employees who might be affected; and
- If possible, remove the hazard and document the removal.

Moffat County will close sites and immediately notify the Forest Service of any hazards in the area that the Moffat County is not able to remedy.

## **SIGNS AND POSTERS**

Moffat County will post signs provided by U.S. Forest Services on bulletin boards, restroom buildings and similar information centers. This includes posters covering rules and regulations, fees, and information on the area. All signs must meet Forest Service standards. Handwritten posters are not allowed. Bilingual signs are posted in appropriate locations. Per Appendix A, MR & R Plan, on page 39, Forest Service will provide bulletin boards, posters, and signs.

Moffat County will post signs and/or posters indicating that: These facilities are operated by Moffat County under a Special Use Permit from the USDA Forest Service. Moffat County also posts any and all required Forest Service signs such as:

P23-14a Camp Host  
P23-30 Pets on Leash  
P23-39 Quiet Hours  
P23-40 Camp Must be Occupied 1st Night.  
P23-43 Welcome to NF  
P23-54 Camping Limit 14 Days  
P23-56 Vehicles on Roads and Spurs Only  
PI 7-8 Special Use Permit  
Don't Feed the Animals sign.  
Federal Outdoor Recreation Facility sign

Moffat County will repair and/or replace Moffat County -responsibility signs damaged by weather, wear, or vandalism. Paper posters will be replaced within one week of occurrence and

delivery of materials from Forest Service. Metal and/or wooden signs are replaced within one month of occurrence and delivery of materials from Forest Service. Moffat County will work with the Forest Service to develop and record a complete sign plan for the concessional facilities.

If bear attractant storage or other pertinent Supervisor's Order regulations are in place, the special regulation posters will be posted or affixed to the tables or in locations approved by the FS. The signage will be provided by the Forest Service.

## **ADVERTISING**

Moffat County will accurately represent the accommodations and services provided to the public within the permit area in all advertisements, signs, brochures and any other materials. The fact that the permit area is located on National Forest Lands is made apparent in all advertising and signing.

## **FIRE PREVENTION**

Moffat County field operations are conducted with both wildfire and structural fire prevention as a paramount goal. Moffat County includes an overview of fire prevention and suppression training

in the annual training, and has developed procedures, equipment, and practices intended to minimize loss from fire. Employee safety is also emphasized in training, as well as the importance of a quick response, the basics of the fire triangle and methods to extinguish a fire. Evacuation procedures are also covered.

In addition - each Moffat County vehicle will carry 1 - I A-10BC fire extinguisher (5 pound).

Moffat County believes that the primary tool for prevention of fire is maintenance. Moffat County's maintenance program will provide for vegetation management to both eliminate hazards and the spread of wildfire. Periodic inspections include consideration for buildup of fuel or unsafe conditions which may cause or assist the spread of wildfire. In all campgrounds specified clearance of hazardous vegetative fuels are maintained from fire rings, parking areas, and tables. Fire officers from the Forest Service are invited to our facilities and a contact is made each year to discuss any special conditions which may exist. Should critical fire conditions exist, Moffat County employees will be given specific instructions to relay to the public about fire restrictions or special hazards. A **Fire Prevention Plan** is included as **Appendix B** of this Operating Plan.

## **ROAD AND TRAIL MAINTENANCE**

Moffat County is responsible for trimming road shoulders, areas around parking barriers, and signs for visibility (when necessary), filling chuck holes with asphaltic materials on paved services, clearing of small rocks, etc., grading and/or controlling dust on unpaved surfaces, and erosion control through grading, ditching, or use of check dams. All culverts are routinely inspected and cleaned during the Early and Late Season as well as after significant weather events. Roads and parking lots are re-stripped as necessary. A **Road Maintenance Plan** is included as **Appendix C** of this Operating Plan.

Moffat County is responsible for maintaining all trail surfaces within the permit area (as identified in the facility inventory) in a safe and passable condition. This includes the removal of rocks and debris from the trail surfaces (including steps). In all cases where a hazard exists, it is suitably marked and barricaded until a repair can be made.

## **BEAR, MOUNTAIN LION AND OTHER PREDATORS**

Moffat County will work closely with the Forest Service, US Fish and Wildlife, and state Department of Parks and Wildlife to ensure maximum protection for the visitor from natural predators, while at the same time insuring protection of wildlife.

Moffat County will provide handouts, posters, and - through its check in procedures - incorporate public notification of the correct procedures in dealing with these wild predators. Moffat County will diligently control garbage, and sanitation to discourage predators from visiting public use areas.

Moffat County employees will set an example by managing bird feeders, personal food / drink coolers, pet food, BBQ grills, trash, etc., in a manner that will not attract undesirable animals or

insects. In many locations hosts may be completely prohibited from having bird feeders, pet food or other attractants outside at any time.

Include posting information concerning bear precautions and adherence to the bear precaution guidelines as follows:

1. Do not feed the bears.
2. Report bears activity within 24 hours to US Forest Service.
3. Post messages relating to bear activity on signboards.
4. Use approved bear resistant garbage containers if required.
5. Keep all food and any other odiferous supplies in secure containers.
6. Properly dispose of all garbage and wastewater containing food ASAP.

If bear, cougar, or other predatory animals are observed in a campground, then Moffat County personnel will notify customers immediately and will notify the district permit administrator and Colorado Parks and Wildlife officer by phone. The Moffat County employee who saw the animal, or who received the report from the public will complete a **sighting/incident report** in as much detail as possible (See form in **Appendix D**). Once completed, the report will be sent via FAX or computer to the Hahns Peak Bears Ears District permit administrator.

## **DISEASES (HANTAVIRUS AND PLAGUE)**

Moffat County will cooperate with state and local officials, as necessary, in plague monitoring and suppression. Moffat County will provide information to the public in the form of signs and handouts. Moffat County will authorize its personnel to perform dusting and baiting duties under the direction of local vector control officials. Moffat County will take precautions, including the wearing of skin and respiratory protection, when dealing in situations where Hantavirus is present. Sick/dead rodents and other small animals will be investigated to determine if either of these diseases is possibly present. Disease prevention and control is incorporated into staff training.

## **RODENT CONTROL**

Moffat County will cooperate with state, county and Forest Service officials in the monitoring and control of rodents. Moffat County staff is authorized to assist local vector control officials in setting live bait traps. Moffat County employees are instructed not to feed the animals.

Moffat County will participate in the prevention and control of rodent disease control efforts under the supervision of the state Department of Health Services, the local county, and the Forest Service. Activities may include posting information signs, dusting with approved rodenticides or insecticides, and notifying the Forest Service promptly of any unusual number of dead and dying rodents.

## **HERBICIDES/PESTICIDES**

Moffat County will not use any herbicides and pesticides in carrying out the operations under this permit without the prior approval of the Forest Service. If such approval is sought- Moffat County



will submit its request annually on a due date established by the Forest Service permit administrator. Only those materials registered by the US Environmental Protection Agency for the specific purpose planned are considered for use on National Forest system lands.

## **NOXIOUS WEEDS**

Moffat County is responsible for control of noxious weed infestations within permitted boundaries and will actively prevent any new and/or the increase of existing infestations. For species which require herbicide treatment to control, Moffat County will report those species to the Forest Service if found. (i.e. toadflax, knapweeds, Canadian thistle, etc.) For bi-annual species that can be controlled by pulling or chopping (plumbless thistle, musk thistle, hounds' tongue, etc.), Moffat County will be responsible for that type of treatment.

Moffat County will work with local weed abatement officials and the Forest Service to determine how to prevent infestation and/or spread of noxious weeds. Forest Service approval must be obtained for any treatments used.

## **VANDALISM**

Moffat County will work diligently to prevent vandalism by a three-step approach.

First, vandalism such as paint "tagging" or carvings is corrected as soon as possible to lessen the spread of such vandalism.

Second, vandal resistant materials are used wherever practical to prevent excessive damage.

Third, public education and awareness are promoted to help report and perhaps apprehend vandals. Moffat County is interested in aggressively pursuing, both criminally and civilly, any individual who vandalizes permitted facilities.

All damage to government facilities in excess of \$250.00 resulting from vandalism, breakdown of government equipment, or other causes, are reported verbally, or by FAX, to the Forest Service within 24 hours of occurrence -- followed by a written report within one week. Damage of less than \$250.00 is reported on a weekly basis in writing. Moffat County uses the standard, company Incident Report Form for written reports of these and similar incidents. Incidents of disorderly conduct are handled in a similar fashion.

Potential problems are identified (where possible) and the visitors contacted prior to any problems arising. The primary focus is on education of the guest and voluntary compliance. In those cases where voluntary compliance is not effective, Moffat County will take steps to properly enforce its own Innkeeper's Rules and Regulations and to contact local law enforcement agencies as necessary. Disorderly conduct and vandalism are approached as a zero-tolerance issue.

## **IMPROVEMENTS**

All standards specified in the Maintenance, Reconditioning, and Renovation Plan will be adhered to in any improvements made to the MBRTB facilities.

## **SPECIAL CONDITIONS**

### **ACCESSIBILITY**

The Architectural Barriers Act of 1968 (ABA) and Section 504 of the Rehabilitation Act of 1973 required new or altered facilities to be accessible, with few exceptions. In 2004, the Architectural and Transportation Barriers Compliance Board (Access Board) issued revised accessibility guidelines for buildings and facilities subject to the ABA and the Americans with Disabilities Act (ADA). These new guidelines are called the ADA/ABA Accessibility Guidelines. In 2006, the Forest Service issued the Forest Service Outdoor Recreation Accessibility Guidelines (FSORAG). The FSORAG addresses types of recreational facilities, including developed recreation sites that are not covered by ADA/ABA Accessibility Guidelines.

Any government maintenance, reconditioning, or improvement must meet ADA/ABA Accessibility Guidelines, where applicable, as well as the FSORAG.

Moffat County staff will work with the Forest Service to develop and implement an Accessibility Transition Plan for the recreation sites operated under this permit, if requested. Corrective measures and/or developments will be included in the annual Granger-Thye plan for implementation. Moffat County staff is aware of barriers to access and monitors existing sites and facilities to provide assurance that pathways and entrances are not obstructed.

### **SITE PROTECTION**

Moffat County will enforce the rules of use effectively to best protect the natural resources within the facilities it operates. All site capacity limits will be enforced. A 14-day stay limit will be enforced during any consecutive 30-day period throughout the Forest or as otherwise regulated by Supervisor's Order. Allowing the public to occupy, or otherwise use any campground for residential purposes will be prohibited unless specifically authorized in writing by the Forest Service.

### **ARCHEOLOGICAL RESOURCES**

Moffat County will immediately notify the authorized officer of all antiquities or other objects of historic or scientific interest, including but not limited to historic or prehistoric ruins, fossils, or artifacts discovered in connection with the use and occupancy authorized by this permit. The holder shall leave these discoveries intact and in place until directed otherwise by the authorized officer.

### **FS USE OF CAMPGROUNDS**

FS road crew personnel frequently utilize self-contained campers/trailers and stay overnight at locations around the Forest in order to reduce travel costs and improve logistics for work they are assigned. Many road crew projects also involve improvements to campground features and/or areas that the public who stay in campgrounds also enjoy. Other types of FS crew members may need to stage in a campground during trail or wildlife habitat projects or other remote projects. Developed Campgrounds are a logical location to stay during many of these assignments. Moffat County is

willing to allow FS crew personnel who are in work status to stay in campgrounds at no cost as long as no expense is incurred. The following protocols should be followed:

- FS personnel must inform the District or Forest concession permit administrator during planning stages of a project. The administrator will then discuss with the Moffat County Site Manager to determine feasibility and concerns prior to the date of arrival.
- FS personnel must check in with the host at arrival and inform them of how long they anticipate staying.
- FS crews should coordinate with the host as to which site(s) they should use.
- FS crews should never occupy prime sites in a campground.
- FS crews will not utilize electrical hook-ups or sewage dump stations without fully compensating Moffat County.
- FS crews should not fill water holding tanks at developed campgrounds - potable water tanks should be filled prior to arrival.
- FS crews should not plan on leaving trailers in sites over weekends or holidays without prior approval by the Forest permit administrator and the Moffat County site manager.
- FS crews should inform the host of any changes to their schedule and when they plan on leaving a site.

## **GRANGER-THYE PROJECTS**

### **GRANGER-THYE FEE OFFSET PROJECTS**

Moffat County will complete the maintenance and/or refurbishment of Government-owned improvements set forth in the annual Granger-Thye Fee Offset Agreement, approved by the Forest Service. The specific tasks to be performed will be negotiated and agreed upon annually as set forth in Authorization HBE539.

### **DEPOSITS AND ADVANCE PAYMENTS**

Moffat County will pay an annual permit fee to the USDA, Forest Service, pursuant to Section IV Permit Fees and Accounting Records, set forth in HBE539.

For the 2025 season the estimated fees are approved at 6% of the actual gross revenues on camping fees. Final reconciliation will occur once final revenue reports are submitted.

### **MULTI-YEAR GRANGER-THYE FEE OFFSET PROJECTS**

Multi-year projects are subject to the terms and conditions set forth in Authorization HBE539, as outlined in Section IV "Permit Fees and Accounting Records."

## Appendix A Water System Operation And Maintenance Log Sheet

WATER SYSTEM NAME: \_\_\_\_\_ PWSID # \_\_\_\_\_

Date: \_\_\_\_\_ Meter Reading: \_\_\_\_\_

Name/Signature of ORC on site: \_\_\_\_\_

Assisted by (names): \_\_\_\_\_

Describe existing condition. Provide DETAILED account of actions taken, tasks performed, processes, procedures, and outcomes. **Who did what!** (Include things such as size, amount, quantity, sequence, reactions, results, time, duration, etc.). Identify any items left pending or needing future attention.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

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Continue another sheet if necessary.

## **Appendix B Fire Prevention Plan**

Moffat County will make every effort to prevent wildfires and structural fires by employing the following measures:

- Maintain hazard reduction clearances to meet state and Forest Service standards as follows:
  - I. Fire Rings - a 4' clearance will be maintained of all combustible materials around fire rings and pedestal fire grills. Fire rings will be cleaned so as not exceed ½ full. Ashes, charcoal, and unburned wood shall be removed from fire rings and grills when there is less than four (4) inches of free side clearance on 7" rings and 10" on 18" rings or higher rings. Hot ashes will not be placed in dumpsters.
  2. Tables, Bulletin Boards, Water Hydrants, Barriers, Signs, and Buildings - Vegetation will be cleared for a 10' radius around all buildings. Grass and ground vegetation will be maintained to a maximum height of 8" and a minimum distance of 36" away from all tables. Roofs will be cleared of pinecones and needles.
  3. Trash Containers - the area immediately adjacent to trash containers will be kept clear of pine needles, weeds, and trash.
- Hazardous material will be stored in a safe manner and location.
- Forest Orders and Fire Restrictions will be communicated to the public and followed.
- Campfires will be monitored to ensure that all are:
  - I. In authorized fire rings or pedestal fireplaces
  2. Contain no material larger than the device.
  3. Not left unattended
  4. If found unattended they are put out.

### **Unattended Fires**

If a Moffat County employee observes a fire outside of a fire ring, the following protocols will be used:

- First notification of a fire will be reported to the Moffat County office.
- If a fire extinguisher or a canteen of water can be used to put it out, then put it out and report the incident as indicated above. If not, get people out of the way, including yourselves, and then do the following:

Call 9-1-1 to get a cooperator fire engine rolling. They will respond per a FS/BLM/County Mutual Aid Agreement and may get there faster than a Forest Service engine will.

- After notifying 9-1-1, if it's during business hours, call the associated HPBE District Office and describe the problem and what's been done about it.

- If it isn't during regular business hours, call 9-1-1 and do nothing other than camper crowd control (as in, keeping everyone away from the scene) and directing them to the nearest safe zone. The dispatch system will work to get responders there.
- If an evacuation of the campground becomes necessary - the holder will comply.

## **Training**

As part of Moffat County's employee training program all employees working at Freeman Campground and in the Moffat County Sheriffs Office are informed on this Fire Prevention Plan and the relationship with the Operating Plan.

The basics of the fire triangle (fuel, air, temp.) are explained. The importance of fuel reduction is made clear along with our commitments in the Operating Plan. The combustible qualities of *duff* are presented. Moffat County will invite Forest Service personnel to discuss likely threats and appropriate responses.

The locations and contents of Fire Prevention Tool Caches are posted in all offices and storage areas. Copies are provided to each employee and placed in all Moffat County vehicles.

## **Fire Prevention Tool Caches**

As noted elsewhere in this Operating Plan - Moffat County will prepare and maintain Fire Prevention tool caches that will contain the following tools: a Pulaski, 2 long handled shovels, buckets, and a fire extinguisher.

These caches will be located at some host sites, storage areas, and with the approval of the Forest Service in selected restroom utility closets.

## **Appendix C Road Maintenance Plan**

### **EARLY SEASON**

Sweep and/or blow all roads, parking lots and paved campsite spurs.

- Material will not be piled,
- Material will be scattered or disposed of properly,
- Pinecones and limbs will be kept off roadways and walkways for public safety,
- Use of blowers at beach sites will be limited to when the wind is blowing away from the lake.

Cut back vegetation

- Limbs and brush will be trimmed back to a distance no less than six inches from the edge of all roadways and spurs (limbs will be flush cut to the trunk),
- No limb over hanging below 12 feet,
- All signs in place clear and visible,
- Allow for visibility to all vehicles on roadway,
- Allow for full use of road and spur surface,
- Special attention to beach parking lots.

Paint

- Center lines in roadways,
- Parking stalls,
- Directional arrows & lines,
- ADA Designations.

Check for and correct

- Culvert obstructions will be cleared,
- Potholes will be filled with asphaltic materials,
- Road buckles will be corrected,
- Loose or misaligned speed bumps,
- Failing edges will be supported with base material and patched with asphaltic materials.

A survey of the overall condition of the roads and walkways included in this Special Use Permit will be conducted during the Early Season. Responsibility for repairs (landlord/tenant) will be determined in time for inclusion in the Granger-Thye Agreement if necessary.

**APPENDIX C (continued)**  
**ROAD MAINTENANCE PLAN**

**PEAK SEASON**

Sweep and/or blow all areas of roads, parking lots and paved campsite spurs.

- Material will not be piled,
- Material will be scattered or disposed of properly,
- Pinecones and limbs will be kept off roadways and walkways for public safety,
- Special attention will be given to the beach parking lots for accumulations of sand,
- Use of blowers at beach sites will be limited to when the wind is blowing away from the lake.

All roadway shoulders and around all barrier posts will be trimmed of weeds.  
Monitor all roadways to ensure the following do not develop.

- Culvert obstructions,
- Potholes,
- Road buckles,
- And failing edges.

Any items that do develop will be addressed as in the Early Season.

**LATE SEASON**

Sweep and/or blow all areas of roads, parking lots and paved campsite spurs.

- Material will not be piled,
- Material will be scattered or disposed of properly,
- Pinecones and limbs will be kept off roadways and walkways for public safety,
- Use of blowers at beach sites will be limited to when the wind is blowing away from the lake.

Prepare all culverts for the winter.

- Culvert approaches will be cleared of loose material,
- Culverts will be cleared of all obstructions,
- Culvert discharges will be cleared of loose material,
- Other water flow controls will be examined to ensure proper operation.
- Inspect for and make repairs as previously mentioned to Potholes, road buckles and failing edges.



## Appendix D Bear/Moose Sighting/Incident Report Form

Circle One	BEAR MOOSE OTHER:		
Name of person filing report			
Phone			
Email			
Date of Report			
Date of Incident & time			
Did the party see the animal?		Circle YES or NO	
If yes, how many of the animals were seen?			
Color(s)	#1	#2	#3
Size (S/M/L) Adult/juvenile	#1	#2	#3
Any Unique Markings?	#1	#2	#3
Where did the incident/sighting occur:			
Was less than 100 yards from trail campground visitor area or facility		Circle YES or NO	
If Yes, provide campground name, campsite #, which Parking Lot, a specific dumpster, trail name etc.			
Was any property damaged/destroyed? If yes, explain.			
Was anyone injured? If yes, explain.			
Did the incident involve dog(s) or were any present? If yes, provide details.			
Description of the incident: Use back of page if needed.			
Scan/Email to Forest Service: ToddSchmutz@usda.gov			

## **Appendix E Use & Revenue Reporting**

Moffat County will provide use and revenue reports to the Forest Service monthly for each campground and designated day use site as required in the prospectus. A final year-end report will be submitted by January 30, one month after the close of Moffat County's fiscal year. The monthly use and cash sale revenue reports will be submitted by the 20<sup>th</sup> day of the month following the reporting period.

At a minimum, monthly and year-end use reports will include:

- The total number of units occupied based on daily counts.
- Total recreation fee revenue.
- Total fee revenue for other goods and services.
- All extra vehicle charges.
- The total number of America the Beautiful Interagency Pass including Senior, Access and Military Passes honored.

## Use and Revenue Data- Freeman Campground

Month (example July 1- 31st) \_\_\_\_\_

column		Week 1	Week 2	Week 3	Week 4	MONTHLY TOTAL
I	Total Revenue (add columns a-d)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
a	Day Use/ Boat Ramp	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
b	Campground	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
c	All extra vehicle charges	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
d	Any other Revenue charged	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
II	Total Passes honored (add columns e-g)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
e	America the Beautiful Senior	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
f	America the Beautiful Access	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
g	America the Beautiful Military	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
III	number of sites occupied					

## Use and Revenue Data- Freeman Campground

### SEASON REPORT

column		June	July	August	September	October	November	MONTHLY TOTAL
I	Total Revenue (add columns a-d)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
a	Day Use/ Boat Ramp	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
b	Campground	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
c	All extra vehicle charges	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
d	Any other Revenue charged	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
II	Total Passes honored (add columns e-g)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
e	America the Beautiful Senior	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
f	America the Beautiful Access	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
g	America the Beautiful Military	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
III	number of sites occupied	0	0	0	0	0	0	0

## **Appendix F Child Abuse or Neglect Reporting Procedures**

In December of 2012 the Forest Service issued Interim Directive No, 2709.11-2012-4 which adds new requirements for any special use authorizations that involve supervision of children under the age of 18 by the holder or the holder's agent.

Moffat County or its staff does not regularly supervise children under the age of 18, but situations conceivably could arise during the operating season where a child could be supervised by an employee. Moffat County will comply with the requirements of the Directive. This **Appendix F** will serve as Moffat County's fulfillment of the operating plan portion of the requirements.

Should any allegations of sexual abuse, observed serious physical injuries, or life-threatening neglect of children under the age of 18 be reported, Moffat County will immediately report them to the local social services and law enforcement agencies with authority to take emergency action to protect children who are abused or neglected (the local agencies) and as soon as practicable thereafter to the authorized officer.

The name, address, telephone number, and facsimile number of the local agencies for all counties in which Moffat County operates with this special use authorization are as follows:

Colorado

<http://www.colorado.gov/cs/Satellite/CDHS-ChildYouthFam/CBON/1251590165629>

Click on the website above for information on reporting or call (303) 866.5932

As stated in the Staffing and Management section of this operating plan, all new employees undergo a formal background check, including criminal history.

Moffat County will provide periodic training of prospective reporters of child abuse or neglect during the annual management training program that has already been established as discussed in the Employee Training section of this operating plan. The training will cover the signs of child abuse and neglect and the reporting requirement when child abuse or neglect is suspected.

**SPECIAL USE PERMIT FOR  
CAMPGROUND AND RELATED GRANGER-THYE CONCESSIONS**

**APPENDIX B  
ANNUAL GRANGER THYE FEE OFFSET AGREEMENT**

**AUTHORITY: Section 7 of the Granger-Thye Act, 16 U.S.C. 580d  
<Reference FSH 2709.11 chapter 50>**

This Annual Granger-Thye (GT) Fee Offset Agreement (agreement) is made by the **Moffat County Commissioners** (the holder) and the U.S. Department of Agriculture, Forest Service, Medicine Bow- Routt National Forests and Thunder Basin National Grassland (the Forest Service), under section 7 of the G-T Act, 16 U.S.C. 580d, and clause IV.E of the special use permit issued to the holder on **June 22, 2015** (the permit). The total estimated annual land use fee is **\$1500.00**. **100** percent of that land use fee may be offset by the cost incurred by the holder for the Government maintenance, reconditioning, renovation, or improvement (MRRI) projects listed below in accordance with this agreement. Additionally, **100** percent of that fee may be offset by the cost incurred by the Forest Service for the Government MRRI projects under a separate collection agreement. Projects to be performed by the holder shall be completed by the date specified and within the holder's fiscal year for the year the fee is due. The Forest Service may modify the projects and dates as necessary, after consultation with the holder.

1. Amount of Land Use Fee Subject to Offset. The actual cost of each project that is satisfactorily completed as determined by the Forest Service may be offset against the holder's land use fee. Due dates and cost estimates for completion of each project are enumerated below. Examples of allowable costs include salaries and wages, materials and supplies, and subcontracts that are direct costs of a G-T fee offset project and indirect costs based on an approved indirect cost rate. The total cost for Government MRRI projects to be performed under this agreement shall not exceed the holder's annual land use fee.

2. Projects and Project Costs Covered by This Agreement. Upon a determination by the Forest Service that a project has been satisfactorily completed by the holder, the holder shall submit documentation of its actual cost to the Forest Service and shall certify that the representations in that documentation are accurate and complete. The certification shall be signed and dated, and shall state that failure to sign the certification shall vitiate the fee offset claim. The Forest Service shall verify that documentation before giving any credit against the holder's land use fee, and reserves the right not to grant any fee offset if any representations in the documentation are inaccurate or incomplete.

The holder shall perform the work itemized below under this agreement.

Description of Project	Due Date	Estimated cost	Completion Date	Actual Cost
Freeman Restroom Demolition	10/31/2025	1500.00	TBD	TBD
Intentionally Left Blank				
Intentionally Left Blank				
Intentionally Left Blank				
Intentionally Left Blank				

3. Documentation of Project Costs. Upon a determination by the Forest Service that a project has been satisfactorily completed by the holder, the holder shall submit documentation of its actual cost to the Forest Service and shall certify, using form FS-2700-4h, Appendix G, that the representations in that documentation are accurate and complete. The certification shall be signed and dated and shall state that failure to sign the certification shall vitiate the fee offset claim. The Forest Service shall verify that documentation before giving any credit against the holder's land use fee and reserves the right not to grant any land use fee offset if any representations in the documentation are inaccurate or incomplete.

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**Melody Villard**  
**Moffat County Commissioners**

**DATE**

**APPROVED:**

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**Ryan Nehl**  
**Forest Supervisor**  
**Medicine-Bow Routt National Forests**  
**& Thunder Basin National Grassland**  
**USDA Forest Service**

**DATE**

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond, to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. Response to this collection of information is mandatory. The authority to collect the information is the Organic Administration Act, 16 U.S.C. 551. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*

*In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.*

*Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.*

*To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).  
USDA is an equal opportunity provider, employer, and lender.*

*The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.*

PURCHASE OF  
SERVICE CONTRACT  
CORE SERVICES PROGRAM  
SUBSTANCE ABUSE TREATMENT SERVICES &  
MENTAL HEALTH TREATMENT SERVICES  
06/01/2025-05/31/2026

1. THIS CONTRACT, made this 10<sup>th</sup> day of June, 2025 by and between the Moffat County Board of County Commissioners, 1198 West Victory Way, Suite 204, Craig, CO 81625(address), hereinafter called "County" and Porch Light Health at 390 Yampa Avenue, Craig, CO 81625, hereinafter called "Contractor."
2. This contract will be effective from June 1, 2025 Until May 31, 2026, regardless of the date of execution.
3. County agrees to purchase, and Contractor agrees to Substance Abuse Treatment Services and Mental Health Treatment Services, to eligible youth and families at a location that shall facilitate the provision of such services. This service is described in Rule Manual Volume 7, Section 7.303, and, if appropriate, the State-approved County Core Services Plan.
4. County agrees to purchase and the contractor agrees to provide services to be billed at the following rates:
  - MAT Outpatient in Clinic Initial Evaluation - \$186.02/Hour
  - MAT Outpatient Virtual Initial Evaluation - \$191.12/Hour
  - MAT Outpatient in Clinic Follow-Up Appointment - \$106.67/30 Minutes
  - MAT Outpatient Virtual Follow-Up Appointment - \$111.67/30 Minutes
  - Psych Outpatient Virtual Initial Evaluation - \$191.12/Hour
  - Psych Outpatient Virtual Follow-Up Appointment - \$111.67/30 Minutes
  - Alcohol Breath Test (BAC) - \$30/Test
  - MAT Presumptive Drug Testing (POC Cup) - \$12.60/Test
  - MAT Presumptive Drug Testing (Immunoassay) - \$50.70/Test
  - MAT Confirmatory Drug Testing - \$212.12/Test
  - Comprehensive BH/SUD Assessment - \$168.16/Hour
  - Anger Management Group - \$39.08/Group
  - Dialectical Behavioral Therapy (DBT) Emotional Regulation Group - \$39.08/Group
  - Co-Occurring Treatment - Individual - \$156.11/Hour
  - Co-Occurring Treatment - Individual - \$118.11/45 Minutes
  - Co-Occurring Treatment - Individual - \$84.82/30 Minutes
  - Co-Occurring Treatment - Group - \$39.08/Group
  - EMDR Therapy - Individual - \$156.11/Hour



- Cognitive Processing Therapy (CPT) - Individual - \$156.11/Hour
- Cognitive Processing Therapy (CPT) - Group - \$39.08/Group
- Enhanced Outpatient Program (EOP) - \$39.08/Day - 4 Days/Week
- Intensive Outpatient Program (IOP) - \$39.08/Day - 3/Week
- DUI Level II Education classes - \$25/Person
- DUI Level II Therapy - Group - \$39.08/Day - 2 Days/Week
- DUI Level 4+ Felony DUI - Group - \$39.08/Day - 2 Days/Week
- Cognitive Behavioral Therapy (CBT) - Individual - \$156.11/Hour
- Cognitive Behavioral Therapy (CBT) - Individual - \$118.11/45 Minutes
- Cognitive Behavioral Therapy (CBT) - Individual - \$84.82/30 Minutes
- Cognitive Behavioral Therapy (CBT) - Group - \$39.08/Group
- Moral Reconciliation Therapy (MRT) - Group - \$39.08/Group - 2 Groups/Week

The amount to be expended pursuant to this Agreement shall not exceed TEN THOUSAND DOLLARS AND NO/100 CENTS (\$10,000). The Moffat County Board of County Commissioners has lawfully appropriated an amount that is equal to or in excess of the compensation set forth herein, which amount shall constitute the Contract amount.

5. The parties agree that the Contractor's relationship with the county is that of an independent Contractor and not as an employee. Contractor affirms that it has or will secure at its own expense all personnel and materials necessary to perform all services to be provided as described herein. Such personnel shall not be employees of nor have any contractual relationship with the County. The Contractor shall receive no additional reimbursement for expenses without prior approval from the County (i.e. travel, computer supplies, meeting expenses of its employees, phone/fax/internet fees, etc.).

Services required hereunder shall be performed by the Contractor or under its supervision, and all personnel engaged in the services shall be fully qualified and properly licensed or certified, as required by local, state and federal law or regulation to perform such services. Neither Contractor nor its personnel, if any, is entitled to Worker's Compensation Benefits or any other benefit of employment with the County. Further, the Contractor is obligated to pay federal and state income tax on any compensation paid pursuant to this Contract. Contractor agrees to bear full risk of any loss or damage to persons or property, including the loss or damage of the Contractor's property, which may occur during the performance of duties needed to complete this Contract.

None of the services to be performed by Contractor under this Contract shall be subcontracted or otherwise delegated.

6. The parties agree that payment pursuant to this Contract is subject to and contingent upon the continuing availability of funds for the purpose thereof. Each party hereto agrees that the revenues and expenditures hereunder shall constitute current expenditures and revenues payable and receivable in the fiscal years for which funds are appropriated for the payment thereof. The obligations of County under this agreement shall be from year to year only and shall not constitute a multiple-fiscal year direct or indirect debt or other financial obligation or any obligation payable in any fiscal year beyond the fiscal year for which funds are appropriated for the payment thereof or payable from any funds other than funds appropriated for the payment of current expenditures. No provision of this agreement shall be construed to pledge credit or to create a lien on any class or source of County monies. Notwithstanding any termination, County shall remain liable for any amounts for prior services provided and not paid so long as services are billable services as set forth in Paragraphs 3 and 4, are authorized by County as described in Paragraph 7(b), and are billed by Contractor according to Paragraph 8 (e) and (f).
7. County agrees:
  - a) To determine child eligibility and, as appropriate, to provide information regarding rights to fair hearings.
  - b) To provide the Contractor with written prior authorization on a child or family basis for services to be purchased.
  - c) To provide the Contractor with referral information, including name and address of family, social, medical, and educational information as appropriate to the referral.
  - d) To monitor the provision of contracted service.
  - e) To pay the Contractor after receipt of timely billing statements for services rendered satisfactorily and in accordance with this Contract. Due to Moffat County payroll restrictions, payment can only be made for services rendered and billed within the current month or two months prior.
8. Contractor agrees:
  - a) Not to assign any provision of this Contract to a subcontractor.
  - b) Not to charge clients any fees related to services provided under this contract.
  - c) To hold the necessary license(s) which permits the performance of the service to be purchased, and/or to meet applicable Colorado Department of Human Services qualification requirements.
  - d) To comply with the requirements of the Civil Rights Act of 1964 and Section 504, Rehabilitation Act of 1973 concerning discrimination on the basis of race, color, sex, age, religion, political beliefs, national origin, or handicap.
  - e) To provide the service described herein at a cost not greater than that charged to other persons in the same community.
  - f) To submit a billing statement by the 5th working day of the month following provision of service. The Contractor acknowledges that billing statements must be received in a timely manner, no later than forty-five (45) days after services. Failure to do so may result in non-payment.
  - g) To safeguard the information and confidentiality of the child and the child's family in accordance with the rules of the Colorado Department of Human Services and the County Department of Human/Social Services, the laws of the United States of America and the State of Colorado.
  - h) To provide County with reports on the provision of services as follows:
    - Within 6 weeks of enrollment/participation, submission of a treatment plan for the child/child's family with specific objectives and target dates. The

- treatment plan is subject to county approval.
  - At intervals of 1 month with the submission of the monthly bill, from the time of enrollment/participation, submit reports that include progress and barriers in achieving provisions of the treatment plan.
  - Contractor will provide the County with a printed, comprehensive test result for each test that is billed for. The test result will provide a breakout of the substances tested for and results of the presence of each in the test sample was extraordinary in any way, i.e., temperature, color, amount, etc.
- i) To provide access for any duly authorized representative of the County or the Colorado Department of Human Services until the expiration of five (5) years after the final payment under this Contract, involving transactions related to this Contract.
- j) Indemnify the County and the Colorado Department of Human Services from the action based upon or arising out of damage or injury, including death, to persons or property caused or sustained in connection with the performance of this contract or by conditions created thereby, or based upon any violation of any statute, regulation, and the defense of any such claims or actions.
- k) Insurance. At all times during the term of this Contract, Contractor shall maintain the following insurance in the minimum coverage limits specified:

Workers' Compensation and Employer's Liability and Unemployment insurance in accordance with sections 8-40-101 and 8-70-101, et. seq., C.R.S., as amended;

Professional Liability insurance: \$1,000,000 per claim, and \$1,000,000 aggregate.

If any aggregate limits set forth above are reduced below the stated amount because of claims made or paid during the required policy period, the Contractor shall immediately obtain additional Insurance to restore the full aggregate limit and furnish a certificate or other document showing compliance with this provision.

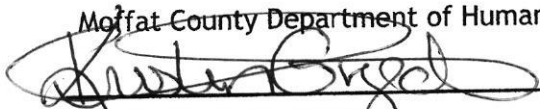
All insurance shall be issued by a company(ies) authorized to do business in the State of Colorado and shall be written in a form satisfactory to Moffat County and filed with and approved by the Colorado Department of Insurance. Contractor shall demonstrate contractual liability coverage supporting the indemnity provisions of this contract, either through policy language or by waiver of exclusion. Proof of Workers' Compensation, Employer's Liability and Unemployment Insurance shall be delivered to Moffat County's Representative, identified below, for execution by the Board of County Commissioners. The Certificate(s) shall provide that the insurance may not be materially changed, altered or canceled by the insurer without first giving ten (10) days written notice by certified or registered U.S. Mail, return receipt requested, to Moffat County

9. Termination: Either party may terminate this Contract by thirty (30) days prior notification in writing.
10. All payments will be paid through the State's approved automated system, as appropriate.

Core Services Program expenditures will not be reimbursed when the expenditures may be reimbursed by some other source. (As set forth in Rule Manual Volume 7, at 7.414, B (12 CCR 2509-5).

11. Each person signing this Contract represents and warrants that he/she is fully authorized to enter into and execute this Contract and to bind the party represented to the provisions of this Contract.

Moffat County Department of Human Services

  
Kristin Grajeda, Director


5/28/2025  
Date

Moffat County Board of County Commissioners

Melody Villard, Chair

Date

Contractor

  
Scott Ziegler, CBO

5/28/25  
Date


STATE OF COLORADO )

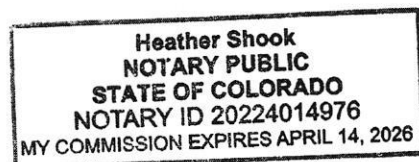
) ss.

COUNTY OF Larimer )

Subscribed and affirmed to before me this 28<sup>th</sup> day of May, 2025, by  
Scott R Ziegler.

Witness my hand and seal.

  
Notary Public



Original to Contractor Copy  
to the Case File  
Copy to County Bookkeeping

# BALLOT PRINTING & MAILING PROPOSAL

**June 10, 2025**

Dear Board of County Commissioners,

We are here this morning to discuss bid recommendations for our 2025 Coordinated Election Ballot Printing & Mailing service vendor.

We have three vendors that met the bidding requirements of Moffat County's Resolution 2021-102.

BlueCrest

ProVote Solutions

KP Election Services

After reviewing the processes of Blue Crest, they can't provide the services our county Election Department requires at this time. We can keep them in mind for future elections when we have the needed software and equipment necessary to serve our county.

ProVote Solutions' proposed bid is \$1.95/per packet with a 10,000 VBM (vote by mail) minimum. As of June 5, 2025, our count of active/inactive voters in Moffat County is 9,856.

The estimated cost of \$1.95/per packet x 9,856 active voters equals \$19,219.20. Additional costs to this price would include Pre-marked test decks, ballot length, (I won't know the ballot length until September) 2 ballot types with 13 precincts for a total of **\$19,399.20**.

Although I have positive remarks for ProVote, I do not recommend them at this time.

KP Election Services

I want to focus on KP Election Services for the 2025 Coordinated Election.

A brief review of this company.

KP, LLC. ("KP") is a privately owned, Limited Liability Company operating out of 6 facilities in 4 states: Utah, California, Washington, and Texas.

Their focus on smaller counties is to expand their year-round base of business, allowing them to serve this segment while remaining competitive.

I have spoken with Custer County's Election Manager Peggy Miller. She was pleased with how efficiently KP provided their services to them.

I spoke with Steamboat Springs' City Clerk Julie Franklin, who was very pleased with KP services, along with Summit and Montrose Counties.

KP has a Dominion Qualification Letter stating the scope of testing for KP's quality assurance process. This will be essential for November's election.

KP's Price Proposal was quoted with 9,700 active/inactive voters at \$17,707

As of June 5<sup>th</sup>, 2025 our active/inactive voter count is 9,856.

I have adjusted the estimated costs for our active/inactive voters to 10,000.

Adding cost of \$180.00, brings the total to \$17,887.

Our supplemental inventory and the specific requirements for this election may require additional costs.

Postage estimates with USPS increases beginning in July 2025 will significantly add to the cost structure of this election.

Unfortunately, unforeseen circumstances can rapidly increase election costs.

I believe KP has quoted us a reasonable price, including services required for the November 4, 2025 Coordinated Election.

Thank You,

Stacy Morgan

Heidi Rogers

Alison White

# **2025 Land Use Policy Changes and Additions**

## **Summary of Changes**

### History of the Plan

- 1) Original plan release in 1994 as Policy Statement
- 2) Major update with public input on plan September 11, 2021
- 3) Update & Additional Information on June 10, 2025

### Changes, Additions and Correction to Plan

- 1) Separated Plan into Principals of Land Use and Land Management Policies
- 2) Added information on Wildland Fire Responsibilities (Input from Kacey
- 3) Added policy section for Political Initiatives (Resolution 2021-3 30X30, and other letters)
- 4) Added policy section for No Net Loss of Private Lands (Resolution 2024-46)
- 5) Added Travel Management and Rights of Ways Policy Language to original Access policy
- 6) Added policy section for Wild Horse Management (April 27, 2001, MCC Letter to BLM in support of SWB Horse Gathers)
- 7) Added policy language for Wolf Reintroduction for original Wildlife Management policy
- 8) Added policy language for Soils Conservation to original Vegetation policy
- 9) Added Appendix for 2002 Moffat County Land Use Policy Statement
- 10) General cleanup of language and projects that are complete, or studies that were outdated.
- 11) Moved Mission Statement to cover page of Plan document

# MOFFAT COUNTY'S FEDERAL AND STATE LAND USE PLAN

Moffat County, Colorado  
*Amended June, 2025*

## **Mission Statement:**

The mission of the Moffat County Land Use Plan is to promote the custom and culture of Moffat County's residents and land users by identifying Moffat County's position and recommended action steps to support Moffat County's position on public land use issues.



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## **Basis for the Land Use Plan**

### **Introduction and Land Use Plan Purpose:**

The following plan will act to update the 2002 Land Use Policy Statement (*see Appendix C*) and represent Moffat County's position on public land use within Moffat County. This plan identifies the issues, background, and action steps recommended by Moffat County related to land use planning on federal and state lands within Moffat County. The information contained in this plan is a result of a thorough public input process developed and implemented by the Moffat County Land Use Board (*See Appendix B*). Although Chapter 1 of the Land Use Plan concentrates on public lands, this in no way implies a lack of support by Moffat County for private property rights or protection of private lands and the resources they provide which are integral to Moffat County's custom and culture.

The Moffat County Land Use Plan is intended to identify and make recommendations about land use issues Moffat County has identified as relevant to federal and state land management planning. Due to Moffat County's dependence on public lands and accompanying resources, this land use plan is intended to provide direction for federal and state land management efforts in Moffat County. Statements and recommendations within this Plan shall not violate the Constitution of the United States of America or of the State of Colorado. The Moffat County Land Use Plan is continually evolving and addresses dynamic and ever-changing issues and may be amended at any point by the Moffat County Land Use Board, based on need.

## **Moffat County Land Use Profile**

### **Land Base**

Moffat County, Colorado is located in the extreme northwestern corner of Colorado and is adjacent to the states of Utah and Wyoming. Moffat County is the second largest County in Colorado and makes up about 4.57 % of the entire state. Moffat County, Colorado contains 3,028,480 acres divided into the following categories (*see Appendix F*):

46.8% or 1,418,513 Acres	Bureau of Land Management
6.32% or 191,424 Acres	State of Colorado
5.1% or 154,161 Acres	National Park Service
1.4% or 41,763 Acres	Forest Service
0.40% or 12,150 Acres	Fish and Wildlife Service
.053% or 1,609 Acres	Bureau of Reclamation
39.93% or 1,208,860 Acres	Private Land

Thus, approximately 60% of the land in Moffat County, Colorado is under the federal or state governments' management and control.

## **Land Uses**

Major land uses in Moffat County include but are not limited to:

- Agriculture (cattle/sheep ranching, small grain and hay farming)
- Mineral exploration and extraction (coal, gas, and oil, gravel and other minerals)
- Electric power generation and transmission
- Motorized recreation (hunting, snowmobiles, dirt bikes, four-wheelers, jeep use, motorboats, jet-skis, etc.)
- Non-motorized recreation (hunting, hang gliding, horse packing, hiking, rafting, canoeing, fishing, bird watching, traditional and electric biking, etc.)
- Rare species management (Greater Sage Grouse recovery efforts, Black-Footed Ferret reintroductions and wolf reintroductions)
- Water right issues (Agricultural, industrial, and municipal etc., both surface and underground sources)

## **Economics**

A more detailed explanation of economics is addressed in the “Economics” section of this plan. However, the following text is provided to demonstrate the economic dependence the County has on federal lands.

In the year 2024, Moffat County’s Top Ten Taxpayers were comprised entirely of mineral and energy companies. In 2024, \$15,796,343 in revenue was received and, as in the last three decades the taxes from the Top Ten Taxpayers between 58% - 75% of the annual County tax revenue. Several of the Top Ten Taxpayers directly depend on federal lands in Moffat County to generate their revenue. Reducing opportunity for these companies to conduct business on federal lands, proportionally reduces company revenue, and tax revenue collected by Moffat County. The link between public lands and the Top Ten Taxpayers impacts the local economy in several ways. Similar to the last three decades, in 2024 the County school system received 54% of the annual County tax revenue. Thus, the education and financial support for our local school system and all taxing districts in Moffat County is directly dependent on federal lands.

Agriculture (livestock and crops) and resource extraction/energy production (natural gas and oil extraction, coal mining, and electricity generation, etc.) are the two largest export sectors in Moffat County. Moffat County ranks among the top producers of wool, sheep, and cattle in the state of Colorado, therefore, maintenance and growth of these exports is crucial to the economic base of Moffat County.

## **Principals of Land Use Plan**

### **County Authority and Cooperating Agency Status on Federal and State Lands**

There are several laws which provide for local government involvement in state and federal land use planning efforts. Many of these laws provide for local government participation in cooperating

agency status as well as the ability to influence federal and state planning efforts. Appendix E identifies citations from federal laws that either require or provide for federal agency consultation or notification to units of local governments, including counties (*see Appendix E*). These laws involve general categories of 1) federal and state land management; 2) wildlife protection; 3) pollution control; 4) roads and highways; 5) resource development on federal and state lands; 6) plant and animal damage control, and 7) federally funded public airports.

For purposes of land use planning efforts and management decisions on federal and state lands in Moffat County, federal and state agencies shall expect that Moffat County will request cooperating agency status, or the equal thereof, in all applicable cases.

In general, Moffat County supports the continued management of the public lands and the national forests under principles of multiple use and sustained yield, recognizing the Nation's need for domestic sources of minerals, energy, timber, food, and fiber, and in careful coordination with Moffat County to ensure consistency with County land use plans and land management policies, as required by federal and state laws governing use of those lands and under all applicable MOUs and Cooperating Agency Agreements.

The following reflect topics of concern to Moffat County and applicable policy statements.

### **Custom and Culture**

Custom and culture of Moffat County is defined by the activities and values that people of Moffat County, in the past, present, and future, depend upon for well-being and subsistence. Protection of private property rights and their associated resources are integral to defining custom and culture in Moffat County. Custom and culture defines the activities which make Moffat County unique. As per this Land Use Plan, the activities which Moffat County's custom and culture rely upon include but are not limited to:

- Agriculture (livestock grazing, farming, etc.)
- Recreation and Tourism (motorized and non-motorized recreation, water & land sports, hunting, fishing, hiking, wildlife viewing, etc.)
- Industry (mining, electric power production, oil and natural gas extraction, and timbering, etc.)
- Water (industrial uses, agricultural uses, recreational uses, and general surface and subsurface water resource development and conservation)
- Intangible Values (historical and cultural sites, open space values and access to open space, desire for free enterprise, aesthetic values, conservation stewardship)

The people of Moffat County have traditionally and will likely continue to earn their livelihoods from activities associated with Moffat County's custom and culture. Moffat County's economy is and will continue to be dependent upon these activities. Since Moffat County is directly dependent upon its natural resources, management decisions affecting public land directly impacts and changes Moffat County's custom and culture. Therefore, a critical tie exists between the use of private, federal, and state natural resources and the economic stability of Moffat County. It is imperative that stakeholders and informed representatives review natural resource issues as they occur, to assure public land management decisions do not negatively impact Moffat County's custom and culture. The Moffat

## Moffat County Land Use Plan 2025 Update

County Land Use Board acts to evaluate the effects of federal and state land management actions on the custom and culture of Moffat County and to inform the Moffat County Commissioners of those effects.

During the public input process to update this plan, citizens consistently expressed strong desire to empower Moffat County to promote sustainability of the custom and culture of this county.

Moffat County realizes Custom and Culture is dynamic and ever-changing based on the desires of Moffat County residents. Therefore, what has traditionally defined Moffat County's custom and culture, may and likely will, change over time. Hence, this plan will require continual modification coinciding with changes in Moffat County's custom and culture, making this plan an evolving document.

### **Moffat County's Policy and Position:**

Moffat County will

- support the maintenance and enhancement of the custom and culture of the County
- oppose any change in land use that does not evaluate, mitigate, and minimize impacts to custom and culture and the economic stability of Moffat County.
- recommend federal and state agencies enhance opportunities for responsible use of public lands, which benefit the custom and culture and economic base of Moffat County.

Federal and state agencies shall consider the social, cultural, and economic needs of the County when developing plans and making recommendations that affect the custom and culture of the County to the extent consistent with the laws governing the administration of public lands. Furthermore, the consideration process which was used to assess impacts to County custom and culture shall be cited in federal and state land management plans.

The Moffat County Land Use Board will review federal and state land use and planning issues impacting the County's custom and culture and make recommendations to the Moffat County Commissioners pertinent to the issue(s) in question, typically authorized under an MOU or as a cooperating agency.

Federal and state agencies shall notify Moffat County of any actions or regulations which may impact the custom and culture of Moffat County; and Moffat County will review and comment on federal or state actions which impact the custom and culture of Moffat County.

## **Law Enforcement and Wildland Fire Responsibilities**

Law enforcement on federal and state lands is promulgated through a variety of laws such as the Federal Land and Policy Management Act (FLPMA) on BLM managed lands. Section 1733 (c) provides opportunities for contracts for enforcement of federal laws and regulations by local law enforcement. In addition, Sec. 1733 (c)(2) states "The Secretary may authorize Federal personnel or appropriate local officials to carry out his law enforcement responsibilities with respect to the public lands and their resources. Such designated personnel shall receive the training and have the responsibilities and authority provided for in paragraph (1) of this subsection."

## Moffat County Land Use Plan 2025 Update

Enforcement officers employed by federal, state, and local government have jurisdiction on federal lands in Moffat County. However, there are instances where one federally employed law enforcement officer does not have jurisdiction on other federal agencies' land. Certain jurisdictional limitations can be overcome with cooperative efforts and contracts or agreements between agencies and the County. The Moffat County Sheriff's department and federal and state law enforcement departments have developed working relationships and cooperate in law enforcement training to assure continuity between agencies and departments. However, to help alleviate jurisdictional conflicts and to allow agencies to respond to incidents, contracts or agreements more efficiently as described in the above, should be maintained.

Due to the vastness of federal and state land in Moffat County, enforcement of criminal and civil law continually creates new challenges as land uses and custom and culture of the County change.

In Colorado, the County Sheriff serves as the principal authority and fire warden for wildland fires occurring in unincorporated regions of the county. This includes private and state-owned lands, particularly those lands outside the jurisdiction of a fire protection district. The Sheriff is tasked with oversight and management of fire control operations and may seek assistance from the state if the wildland fire surpasses the county's resource capability. Should a wildfire exceed the capabilities of a fire protection district, the Sheriff will assume responsibility of the wildland fire and designate a local incident management team to the fire. Reference C.R.S. 30-10-513(1)(a)

### **Moffat County's Policy and Position:**

Moffat County recommends that cooperative efforts between federal agencies and Moffat County occur to develop contracts or agreements in accordance with each respective agency's Acts or regulations for the enforcement of applicable federal, state, and local laws to handle specified criminal and civil cases on federal and state lands. For example, FLPMA allows counties to develop contracts and agreements for cooperative law enforcement between the County and BLM, on BLM managed lands within the Moffat County.

The management of wildland fires in Colorado involves a collaborative partnership among local, county, state, tribal, and federal agencies. Moffat County's policies recognizes this collaborative interagency effort as a crucial element for effective and efficient responses for fire control of wildland fires in the county.

Cooperative efforts to create contracts, agreements, or plans between Moffat County and state and federal agencies to help facilitate law enforcement and wildfire management partnerships on state and federal lands.

## **Land Management Policies**

### **Agriculture**

Agriculture is a significant factor in defining the custom and culture of Moffat County and is the art and science of growing crops and raising and breeding livestock. As per this Land Use Plan, activities which traditionally define agriculture in Moffat County, include but are not limited to:

- cattle and sheep ranching
- hay, wheat, and other small and large grain crop production
- alternative livestock (bison, elk, emu, etc.)

Of the three major revenue sources for Moffat County, agriculture, hunting, and mineral extraction/energy production, agriculture is the oldest source of revenue and land use in Moffat County. Livestock grazing is also the most extensive land use within Moffat County, occurring on Bureau of Land Management, Park Service, Forest Service, State of Colorado as well as private lands in Moffat County. Because of the cultural, biological, and economic importance of livestock grazing to Moffat County, 1960 legislation allowed grazing in Dinosaur National Monument until such time (decades later) when it will be phased out, a rare case in National Park Service history. Private agriculture operations within Moffat County depend on the proximal federal and state lands for long-term sustainability and viability.

Managing land for agriculture has become increasingly difficult on federal and state lands with complicating factors and issues for consideration in public land use. Recently in Moffat County, special land designations, recovery efforts for the Greater Sage Grouse, road closures for travel management, big game management, and several other land use interests threaten the viability of agriculture. It is important to realize and understand that the very existence of agriculture for the last several decades contributes significantly to the existence of all other values and land uses which people find desirable and are trying to protect. Wild game populations, open space and other land and water-based recreation opportunities are directly related to the subsistence of agriculture. When making public land management decisions, a balance of agriculture needs along with other land uses must be achieved.

#### **Moffat County's Policy and Position:**

Moffat County:

- encourages agriculture viability due to its direct tie to the custom and culture of the area as well as its impact on other public land uses those residents and visitors to Moffat County rely upon.
- will support opportunities for grazing livestock on federal and state lands, protection of equitable property rights, and science-based land stewardship.
- recommends federal and state agencies cooperate with Moffat County and the agriculture industry to define Desired Plant Communities (DPC's) on federal and state lands. Several reasons for the need to establish DPC's exist, among which includes establishing appropriate livestock carrying capacity goals for the DPC.
- encourages locally driven interdisciplinary groups to address agriculture issues in relation to public land uses on a case-by-case basis.

## Moffat County Land Use Plan 2025 Update

- recommends federal and state agencies promote responsible agriculture use and educational opportunities for protecting the natural resources in Moffat County.
- requires federal agencies and recommends state agencies conduct a thorough investigation of economic impacts to agriculture during any proposed land management changes or natural resource related planning efforts.
- recommends federal and state agencies do not adjust Animal Unit Months (AUM's) on state or federal lands without scientifically based justification and full consultation between the permittee and administering agency.
- requests federal and state agencies work with the public to develop Desired Plant Community goals for management areas. The Desired Plant Community goals shall provide for a variety of land uses. Moffat County recommends establishment of Desired Plant Communities which would maintain a viable agriculture industry.
- recommends federal and state agencies partner with the County to explore programs to compensate agriculture operations for maintaining open space. The alternative is to reduce open space areas in Moffat County in exchange for encroachment of development and urban sprawl.
- recommends federal and state agencies promote public respect for private structures (corrals, fences, water development, etc.) on federal and state land to reduce vandalism, educate land users, and promote the multiple use concept.
- recommends at least one representative from agriculture be included on any team-based decision-making process which state or federal agencies undertake as pertaining to natural resources in the County.

### Federal and State Agencies

- shall cooperate with Moffat County and the agriculture industry to define Desired Plant Communities on public lands in the County and associated livestock carrying capacity goals for the Desired Plant Communities.
- shall notify the County of any actions or regulations, which may impact agriculture on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to agriculture in the County.

Federal and state agency plans, or management recommendations proposed for implementation without economic impacts analysis for agricultural businesses (either brief or in-depth depending on the case needs) will not be supported by Moffat County.



## Political Initiatives

Under the National Environmental Policy Act (NEPA), federal agencies must assess the effects of major federal actions that affect the environment. Such “effects” or “impacts” mean changes to the human environment from the proposed action or alternatives that are reasonably foreseeable and have a reasonably close causal relationship to the proposed action or alternatives. Moffat County has seen a trend of Federal and State planning documents addressing climate change as well as the insertion of other political initiatives through the NEPA process. Current political initiatives have been reversed by a White House Executive Orders, Unleashing American Energy (2025)

### **Moffat County’s Policy and Position:**

Moffat County:

- will require inclusion of credible scientific data that meets the “credible data criteria”, even if not produced by a federal agency (See Section 2.4).
- will not support climate change analysis on a regional level unless identified as an issue through consultation and coordination with Moffat County and County supported Districts (CFCD & others).
- supports reasonable national, regional, and global pollution emission policies and goals that are comprehensive, practical, cost-effective, and do not unnecessarily single out specific industries or activities but opposes the use of global climate change as an excuse to set aside large tracts of land as preserves or open space to fulfill a political initiative program’s objective.
- oppose use of the “social cost of carbon” unless all data, including models used in the analysis are available and supported by the District, County and public.
- opposes political motivated initiatives that harm our economy and custom and culture. For example, 30 x 30 type political programs, which include an objective of permanently preserving a percent of the Nation’s lands and waters in its natural state by a certain date, or any similar program that will set aside and prevent the productive use of millions of acres of our lands consistent with our local economy and culture.
- opposes any unilateral special designations of public lands and national forests in Moffat County without full public participation and local support. Public and local involvement in designation for wilderness, wilderness study areas, wildlife preserves, open space, or other conservation land, thereby restricting public access to such lands and preventing the development and productive use of the resources on or within such lands must directly involve and defer to the preferences of our community.
- The Land Use Board supports the continued management of the public lands and the national forests under principles of multiple use and sustained yield, recognizing the Nation’s need for domestic sources of minerals, energy, timber, food, and fiber, and in careful coordination with Moffat County to ensure consistency with County land use plans and land management policies, as required by law.

- supports maintaining and enhancing public access to public lands and national forests and opposes road closures, road decommissioning, moratoria (?) on road construction, and other limitations on public access for the purpose of fulfilling a political initiative program's objective.
- requests quantification of the economic costs and social benefits of any management decision or regulation adopted to address climate change.
- oppose management decisions that are proposed primarily to regulate greenhouse gases through climate change analysis that could harm the local economy.
- support the NEPA process as the tool and process that evaluates any need to conserve and protect the land and water. Therefore, oppose any other effort to implement other "protection" rules and regulations such as America the Beautiful (30 X 30) Plan.
- oppose identifying "conserved land or water" through the political initiatives as this would minimize or remove multiple uses of the land and reduce the productivity of the land. unless supported locally and on net exchanges and support local custom and culture.
- maintains that the designation of public lands and national forest lands as wilderness, wilderness study areas, wildlife preserves, open space, or other conservation land to fulfill the political initiative objectives may lawfully occur, if at all, only through the planning process mandated by the Federal Land Management and Policy Act (for public lands) or the National Forest Management Act (for national forest lands), including public notice and an opportunity to comment, analysis and disclosure of the impacts of such land acquisitions on the well-being, health, safety, welfare, economy, and culture of Moffat County, its businesses, and its citizens, and careful coordination with Moffat County to ensure consistency with County land use plans and land management policies.
- maintains that any non-federal lands or other rights that are acquired to fulfill political initiative objectives should be acquired only from willing landowners and for the payment of full and fair market value for all rights and interests acquired, and not through regulatory compulsion, and only after analyzing and considering the impacts of such land acquisitions on the well-being, health, safety, welfare, economy, and culture of Moffat County, its businesses, and its citizens.

## **Cultural and Archeological Resources**

Archeology is the art and science of studying history from the remains of early human cultures as discovered chiefly by systematic excavations. Cultural resources are evidence of patterns from a way of life of a specific period, race, or people. As per this Land Use Plan, items and activities which traditionally define archeological and cultural resources in Moffat County, including, but not limited to arrowheads, wickiup camps, petroglyphs, pictographs, medicine wheels, bone hunting or rock hounding, or other activities that effect cultural or archeological resources.

Moffat County offers a unique expression of human occupation between 11,000 and 12,000 years ago. As of 1984, when the Overview of Prehistoric and Cultural Resources of the Little Snake Resource Area was printed, over 1,300 sites were identified in the Little Snake BLM Resource Area. Approximately 1,085 sites are prehistoric, 288 sites are historical, and 21 sites contain both historical and prehistoric remains. As of 2025, site numbers have not changed significantly.

Balancing the need for existing public land uses and the classification, recording, and protection of cultural and archeological sites present a significant challenge for federal and state agencies which manage public lands in Moffat County. Although the National Historic Preservation Act (NHPA) of 1966 and the Archaeological Resources Protection Act (ARPA) of 1979 provides strict and meaningful penalties against vandals caught destroying sites on public lands, federal and state land managers do not have the resources to completely record or protect sites warranting special care. However, most sites found in Moffat County are open-lithic scatters with a few tools and flakes not likely to be noticed by the general public. Most sites (approximately 76%) in Moffat County remain unmarked and essentially unprotected. Some more noticeable sites offer a balance between protection and visitation, such as the rock art site in Irish Canyon, which is a designated landmark with a viewing platform.

Moffat County recognizes the need to develop public education and stewardship programs which increase awareness about cultural sites in Moffat County. Public education programs in Moffat County should focus on responsible visitation, the history and meaning of various sites found on public lands, and the impacts of surface collecting and excavating existing sites both in lost history and potential legal ramifications under ARPA and NHPA. Site protection strategies need to be balanced with other current and future uses of the public lands and under current State Historic Preservation Office protocol and programmatic agreements.

### **Moffat County's Policy and Position**

Moffat County:

- recognizes the unique archeological features which occur across the County and supports their protection.
- supports responsible stewardship on cultural sites and balancing resource protection with tourism and visitor values.
- supports balancing the current and future land uses dictated by custom and culture with the protection of cultural sites.
- shall be recognized by federal agencies as a consulting party as described in Section 106 of the National Historic Preservation Act and subsequent amendments.

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- Consulting Party status would provide opportunities for Moffat County to cooperate with federal agencies to identify sites which do not offer unusual or special cultural and archeological values and develop plans to release these areas from restrictions which do not allow typical multiple use activities enjoyed on surrounding areas.
- Consulting Party status would provide opportunities for Moffat County to cooperate with federal agencies to disclose locations of cultural and archeological sites not warranting special protection more openly.
- recommends federal, state, and local governmental offices cooperate to identify significant cultural and archeological sites, make such sites known to the County, and evaluate the significance of proposed land use actions and their impact on the site.
- recommends federal and state agencies provide public visitation opportunities to cultural and archeological sites while providing sufficient site protection. This can be accomplished through federal and state agencies dedicating resources to identify and mark cultural sites in Moffat County.
- recommends that federal and state agencies not jeopardize existing land uses, such as oil and gas exploration, mining, road maintenance, and grazing, through the protection of cultural and archeological sites. This can be accomplished through evaluating the economic and cultural impacts associated with land management decisions based around cultural and archeological sites in the County. Moffat County realizes there can be a balance of existing uses and the need to protect cultural sites.
- recommends at least one representative from cultural and archeological resources be included on any team-based decision-making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which may impact cultural and archeological resources on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to cultural and archeological resources in the County as per our protocol agreement.

## Multiple Use

Multiple use for public lands is defined as the management of lands and their associated resource values to be utilized in a combination of ways that best meet the present and future needs of the American people. This means making judicious use of public land for all, some, or none of the resources on a given unit of land based upon ever changing needs, conditions, and desires of the American people. Decisions about multiple use must be based upon individual circumstances. Multiple use can mean several uses on a given tract of land or limited uses on a given tract of land. As per this Land Use Plan, activities which traditionally define multiple use in Moffat County, include but are not limited to:

- Agriculture (grazing, farming, etc.)
- Recreation and Tourism (motorized and non-motorized recreation, water & land sports, hunting, fishing, hiking, etc.)
- Industry (mining, electric power production, natural gas extraction, timbering, etc.)
- Water (industrial uses, agricultural uses, recreational uses, and general water resource development and conservation)
- Intangible Values (historical, cultural, and archeological sites, open space values and access to open space, desire for free enterprise, conservation stewardship)

There is a direct tie between multiple use and custom and culture in Moffat County. Multiple use concepts are an integral part to the custom and culture of Moffat County. Moffat County residents are directly dependent upon the County's public lands natural resources for their livelihoods and recreation opportunities. Therefore, Moffat County's economy is dependent upon multiple use concepts and public use of federal and state natural resources. The federal and state agencies that manage public land in the County often directly impact multiple use options within the County. The Moffat County Land Use Board and other interested groups and organizations act to review and evaluate the effects of federal and state land use management actions related to multiple use in Moffat County.

During the public input process to update this Plan, citizens consistently expressed strong desire to maintain and promote multiple use of federal and state lands in Moffat County (*see Appendix B*).

### **Moffat County's Policy and Position:**

Moffat County:

- will support multiple use concepts on federal and state lands in Moffat County.
- will support or oppose a range of land uses on a given tract of land, including limited uses based on a case-by-case investigation.
- supports prioritizing, or considering primary uses, in multiple use designated areas, based on sound science, community input, and economic impact.
- recommends education and communication with the public during any land use management decision which affects traditional multiple use status of federal and state lands in the County.
- Land Use Board will review federal and state land use and planning issues pertaining to natural resources, such as plan amendments, in the County and make recommendations to the Moffat County Commissioners who will notify applicable agencies and parties.

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- recommends federal and state agencies promote public respect for private structures (corrals, fences, water development, etc.) on federal and state land to reduce vandalism, educate land users, and promote the multiple use concept.
- recommends federal and state agencies evaluate opportunities for commercial use of public lands for purposes of benefiting the custom and culture of Moffat County as well as the economic base of the County.

### Federal and state agencies:

- shall evaluate the economic needs of the County when making recommendations for multiple use management.
- shall notify the County of any actions or regulations, which may impact the multiple use of federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to multiple use of public land in Moffat County.

## Minerals and Industry

Minerals are naturally occurring homogeneous substances formed by organic or inorganic processes. Industry is a specific branch of production or manufacture. As per this Land Use Plan, activities which traditionally define minerals and industry in Moffat County, include but are not limited to:

- electrical power generation
- coal mining
- gravel mining
- natural gas exploration and extraction
- oil exploration and extraction
- timbering and other wood products
- any other mineral(s) deemed in extractable quantities

Supporting infrastructure for the above listed mineral and industry activities in Moffat County includes the ability for the associated industries to operate and maintain transmission lines and towers, rails, roads, and water rights.

Over the last three decades, natural resource industries (utilities, coal, oil and gas, and other minerals) in Moffat County make up the top 10 taxpayers of Moffat County, which provide 58% - 75% of the County tax revenue. The standard of living and services which Moffat County residents benefit from and enjoy, are directly tied to sustainable management of natural resource extraction and use. In addition to good judgment and balance of other land uses, economics are always a consideration in county planning.

Moffat County has an abundance of high-quality, low sulfur coal and natural gas reserves. Together, Colowyo and Trapper coal mines in Moffat County, provide coal locally and throughout Colorado. Although the Deserado Mine is just south of Moffat County, it supplies jobs to Moffat County residents who pay taxes and contribute to the economy and custom and culture of Moffat County. The northwest quadrant of Moffat County contains the Mesa Verde Sandstone and Lewis Sandstone formations, which were recently identified as potential gas reserves based on recent studies by the Gas Research Institute and the Department of Energy. Most of this land is managed by federal and state agencies. Recent technological advances have made areas that were previously not considered as high mineral and gas potential, now economically feasible to explore and extract minerals and gas. As a result of natural gas shortages occurring across the United States, the increased demand for natural resources to supply electric power plants will continue to be an issue as human populations grow. To meet this increasing demand, wise use of our natural resources and access to additional power generation and transmission opportunities will occur in the foreseeable future.

In addition to the above-mentioned industries, logging, and mining of construction materials in northwestern Moffat County are recognized as economically important and has historically contributed to the custom and culture of Moffat County. For example, gravel mining is relied upon for several uses, including county road maintenance.

**Moffat County's Policy and Position:**

**Moffat County:**

- supports efforts to develop power generation and transmission in Moffat County through responsible development of natural resources (taking into consideration land, air, and water quality) and a thorough public involvement process.
- encourages future coal, oil and gas exploration, and extraction in an environmentally responsible manner (taking into consideration land, air, and water quality) and utilizing public involvement.
- recommends no federal and state air quality standards redesignations occur without first consulting Moffat County
- recommends federal and state agencies support mineral and mining company efforts to conduct science-based research applicable to mineral and mining industry subsistence, expansion, and new development.
- recommends continuing support for current and new mineral materials free use permits for the county under 43 CFR 3604, while keeping new gravel pit excavation possibilities open on federal and state lands on or near the Browns Park Refuge area to replace the existing expired gravel pit near the Browns Park Refuge boundary.
- recommends federal and state agencies take into consideration the potential economic impact of any proposed land management changes or natural resource related plans to the minerals and electricity generation industry, and on the residents of Moffat County. Any economic impacts to Moffat County's mineral and electricity generation industry directly impacts County tax revenues and County supported programs, such as the Moffat County School District. Therefore, federal and state agency plans, or management recommendations shall include an economic impact description (either brief or in-depth depending on the case needs).
- recommends federal and state agencies conduct a thorough investigation as to future mineral and industry estimated potential, and consequences to land use decisions being made. Federal or state planning documents shall acknowledge future potentials and estimate economic impacts, where possible, to the County's minerals and industry.
- will support the development and enforcement of air quality and water quality regulations that provide a balance between environmental protection and economics.
- opposes redesignation of federal and state air quality classifications that do not first involve Moffat County as a consulting party, interested party, or equivalent thereof.
- recommends at least one representative from minerals and industry be included on any team-based decision-making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which may impact minerals and industry opportunities on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to minerals and industry opportunities in the County.



## **No Net Loss of Private Lands**

Moffat County is the second largest county in Colorado with over 3,000,000 acres of land, containing approximately 60% federal or state owned and/or managed land and 40% privately owned land. Moffat County acknowledges the critical and inseparable tie between federal, state, and private lands within the County. Numerous agricultural, industrial, recreation and other private business rely upon private, state, and federal nexus to maintain a socially and economically viable community in NW Colorado.

Moffat County desires to maintain or increase economic opportunity on private property land in Moffat County and a “working landscape” on federal, state, and non-profit lands where public land management balances resource use and care. Much of the land within Moffat County’s jurisdiction are in a protected status, as the County hosts 339,036 acres of Wilderness Study Areas (9 WSA’s) and Lands with Wilderness Character. Moffat County hosts 10’s of thousands of acres of private perpetual conservation easements. Moffat County hosts, over 150,000 acres of National Monument, 14,000 acres of US Fish and Wildlife Refuge, and 10’s of thousands of acres of State Wildlife Areas, Areas of Critical Environmental Concern, and other conserved lands. Furthermore, every single acre of Bureau of Land Management, Forest Service, and State of Colorado lands are conserved and managed with active land management plans.

Private land and mineral ownership in Moffat County are critical to maintaining land values, tax base, employment, business opportunity, and a socially and economically viable community. Land ownership patterns can influence and enhance responsible natural resource management, through rangeland and forestland management, enhance desired plant communities that benefit watersheds, wildlife, water quality, recreation, and private business, such as livestock grazing and production and energy independence.

### **Moffat County’s Policy Position:**

Moffat County supports federal agencies implementing their land disposal policies established in their respective resource plans, as well as land exchanges consistent with this policy.

Federal, State, or Non-Profit surface and mineral acquisitions and disposals should result in “no net loss” of private land ownership in Moffat County.

No net losses of private land shall be evaluated on a “deal-by-deal” basis and not an accrual basis over time.

As Moffat County consults, cooperates, and coordinates, with federal agencies, state agencies, and non-profit organizations, the county requests State, Federal, and Non-Profit coordination prior to land being offered for sale or exchange, and Moffat County shall be afforded the opportunity to re-zone or otherwise regulate the new use of such lands prior to conveyance.

There shall be an equal or greater exchange in acres or value in favor of the County, to retain at a minimum, a net-neutral ownership pattern in Moffat County.

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If a federal, state, or non-profit cannot honor Moffat County's no net loss policy, it shall provide, in writing, the reasoning for continuing the land acquisition contrary to this policy, including an analysis of the socio-economic impact assessment to Moffat County.

## **Noxious Weeds and Invasive Species**

Weed Management and Invasive Species is a high priority within Moffat County and receives substantial funding dedicated to supporting weed management efforts. The Moffat County Board of County Commissioners adopted the most recent version of the Moffat County Noxious Plant Management Plan in March 2017 to formalize weed and invasive species control procedures within the County. This plan details a method of Integrated Plant Management to implement weed and invasive species management within the County.

Traditionally, Moffat County and federal and state land management agencies have had cooperative agreements and Memorandums of Understanding referencing weed management activities within the County. These agreements follow closely with the Moffat County Undesirable Plant Management Plan and concepts of Integrated Plant Management. Overall, there is federal, state, and County consensus that using Integrated Plant Management concepts will result in acceptable weed control. The major weed control tactics addressed in Integrated Plant Management include various combinations of the following:

- Education (plant identification, life cycles, mapping infestations, etc.)
- Prevention (irrigation management, soil fertility, range management, etc.)
- Mechanical and physical (cutting, mowing, burning, cultivation, cross-fencing, etc.)
- Cultural (rotating land uses, establishment of desirable and competitive plants, etc.)
- Biological (grazing, predators, parasites, pathogens, etc.)
- Chemical (weed oils, non-selective and selective herbicides, plant growth regulators, etc.)

Moffat County has, itself, committed long-term funding and recommended funding requirements necessary for federal and state contributions to weed management in the County. Moffat County feels it is imperative for federal and state agencies to dedicate line-items in their annual budgets specifically allocated for weed management efforts. Although various federal and state agencies have supported weed management by utilizing monies in discretionary or general funds, this does not secure funds for regular long-term weed management, a need justified by numerous scientifically based studies. Annual uncertainty as to funding sources and available dollars by federal and state agencies does not allow federal and state agencies to establish long-term weed management programs which adhere to the Moffat County Undesirable Plant Management Plan.

### **Moffat County's Policy and Position:**

Moffat County:

- supports and implements the concepts of Integrated Plant Management and weed control tactics described in the 1991 Moffat County Undesirable Plant Management Plan.
- supports cooperative efforts with federal, state, and private land managers to enhance cooperative weed management efforts county-wide.
- provides secure long-term funding for weed management efforts in the County by appropriating dollars earmarked for weed management and recommends federal and state agencies do the same.

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- recommends cooperative efforts with federal, state, local conservation districts and private land managers continue to be an option for County weed control.
- recommends federal, state, local conservation districts and private land managers follow the concepts recommended in the Moffat County Noxious Plant Management Plan and cooperate with Moffat County to update this Plan on an as-needed basis.
- recommends federal and state agencies which have not budgeted for reoccurring annual funds necessary to maintain weed management programs, allocate and earmark monies specific to weed management.
- recommends the Natural Resources Conservation Service provide cost share options for weed control within the County.
- recommends at least one representative from weed management be included on any team-based decision-making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which involve weed management on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to weed management issues in the County.

## **Recreation and Tourism**

Moffat County offers a variety of recreational and tourism opportunities for residents and visitors alike. These may include but are not limited to big game hunting, trapping, fishing, off-road vehicle use, traditional and electric biking, hiking, camping, snow-machining, cross-country skiing, river rafting, kayaking, hang-gliding, bird, wild horse and wildlife watching. A majority of these opportunities are found on public lands. Visitors to these areas directly impact the County by drawing on County-provided infrastructure such as, road networks for access, law enforcement, emergency medical response, and waste disposal services. Moffat County outfitters, store owners, restaurants, hotels and motels, and many more interests depend on seasonal recreation and tourism for their livelihoods.

Hunting based tourism is one of three major revenue sectors for the County. The other two sectors are agriculture and resource extraction/energy production.

### **Moffat County's Policy and Position:**

Moffat County:

- will promote recreation and tourism and associated businesses in Moffat County in an environmentally responsible manner.
- supports efforts to determine appropriate visitor uses, densities, and timing on water and land recreation activities in Moffat County.
- supports state and federal agencies to work collaboratively to support current recreational infrastructure needs and closely consider future recreational needs that are sustainable.
- acknowledges inventories of road and trail systems remain to be completed in support of public lands access utilizing Global Positioning System (GPS) and Geographic Information Systems (GIS) to accurately map established trails used by recreationists representing motorized and non-motorized recreation in Moffat County.
- recommends federal and state agencies undertake an intense signage effort to clearly identify Off-Highway Vehicle roads and trails throughout the federal lands in the county.
- recommends that recreation-based clubs (i.e. Colorado Off-Highway Vehicle Coalition, Bass Masters, and other sportsmen's clubs) promote responsible use for protecting the natural resources of Moffat County through education opportunities.
- recommends at least one representative from recreation and tourism be included on any team-based decision-making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which may impact recreation and tourism opportunities on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to recreation and tourism on public land in Moffat County.

## **Socio-Economic and Economic Viability**

Economics pertain to the development and management of the material wealth of a government or community. As per this Land Use Plan, items and activities which traditionally define economics in Moffat County include, but are not limited to, revenue from:

- Agriculture (livestock grazing, farming, etc.)
- Recreation and Tourism (motorized and non-motorized recreation, water & land sports, hunting, fishing, hiking, etc.)
- Industry (mining, power production, timbering, etc.)
- Residential or private property owner taxes
- Local businesses (private and corporate owned enterprises, businesses, etc.)
- Wildlife resources (big game hunting, wildlife habitat improvements, tourism, etc.)
- Surface and sub-surface Water rights

Economics is one of the baseline tools for evaluating many land use management decisions. This should not be construed to mean economics should drive land management decisions, rather it should be balanced with other goals during land management decisions. Economics is a crucial tie to the ever-changing custom and culture of Moffat County.

Moffat County's economy is dramatically changing due to coal mine and power plant shutdowns and is impossible to predict where the future economics of this county will land.

Moffat County was the only Colorado Western Slope County to see a negative GDP number for 2023, falling by 6.7%. The decline in GDP is due to utilities and mining falling from the previous year.

The Colorado State Demography Office produces population estimates and population forecasts. Their forecast for Moffat County is a loss of population, falling from 13,265 in 2020 to 12,851 in 2030, to 12,577 in 2040, and to 12,261 in 2050. Population is a function of birth rate, death rate, and migration. Moffat County has a high birth rate and a lower death rate, leading to an overall increase in natural population. Moffat County population decline is expected to be driven by out-migration. As the region moves towards different economic development ideas to replace coal, it is possible that this out-migration forecast will change over the next several decades.

Almost every land management decision change has a rippling effect on the economics of Moffat County. Therefore, it is crucial that each land use decision be balanced with its anticipated economic impact and population declines.

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Moffat County's authority to request federal agencies to evaluate economic impacts to the County through land use decisions that are made by agencies, are based on citations from the Federal Land Policy and Management Act (FLPMA), the National Environmental Policy Act (NEPA), and the Endangered Species Act (ESA). Citations from FLPMA include 43 USC Sec. 1701(a)(8), 1701(a)(12), 1702(i)(1), 1712(c)(9), and 42USC Sec. 4332(2). NEPA directs agencies to consider economic, social, and environmental consequences from land management proposals. The ESA, 16 USC 1539, makes designation of habitat a matter of economics. Only the decision to list a species as endangered is made on the basis of pure biology.

### **Moffat County's Policy and Position:**

Moffat County:

- will support efforts to maintain or improve the overall economic base of the County through the judicious use and enjoyment of federal and state lands in the County.
- will not support federal and state agencies on land decisions when economics has not been considered as a factor in the decision.
- will oppose any change in land use that does not evaluate, mitigate, and minimize impacts to custom and culture and the economic stability of Moffat County.
- recommends federal and state agencies entertain and evaluate opportunities for free trade and enterprise based on their merits and impacts to federal and state lands.
- recommends that any federal and state agency considering natural resource management changes, evaluate, mitigate, and minimize the economic impacts of the proposed changes, to the custom and culture of Moffat County.

Federal and state agencies shall notify the County of any actions or regulations, which affect the economic base of the County; and Moffat County will review and comment on proposed federal or state actions significant to the economic base of the County.

## Special Land Designations

Land Designations refer to tracts of land with distinctive and uniquely recognized use characteristics. Much land within Moffat County's jurisdiction are in a protected status, as the County hosts 339,036 acres of Wilderness Study Areas (9 WSA's) and Lands with Wilderness Character. Moffat County hosts 10's of thousands of acres of private perpetual conservation easements. Moffat County hosts, over 150,000 acres of National Monument, 14,000 acres of US Fish and Wildlife Refuge, and 10's of thousands of acres of State Wildlife Areas, Areas of Critical Environmental Concern, and other conserved lands.

Greater than 40 recognized special land designations exist nationwide. As per this Land Use Plan, multiple use is not a special land designation, rather it is a concept and management practice for most lands in Moffat County not assigned to a special land designation.

Moffat County and many other western states counties have received proposals by different interest groups to implement special land designations to achieve specific goals from the interest group that proposed the designation. Moffat County is concerned that many special designations do not consider the economic impact to the county, communities, and agencies which special use designations affect. In addition, these special designation proposals have not included input from local government, communities, nor citizens of Moffat County. Moffat County strongly opposes blanket proposals, which do not involve local input.

In 2001, the Moffat County Commission passed resolution 2001-14, which among other statements, opposes executive orders creating new land designations without complete and thorough public involvement. Moffat County realizes there are areas in the County which may be worthy of special land designations, but these areas must NOT be designated without substantial local input, local support, and sound science to justify their need.

### **Moffat County's Policy and Position:**

Moffat County:

- will only support special designations with substantial local input and support, as well as sound scientifically based research to support their need.
- does not support the Colorado Wilderness **Act** as introduced by Congresswoman Dianna DeGette every year, up to and including 2024, or similar pieces of legislation.
- supports special land designations that coincide rather than conflict with multiple use concepts and the custom and culture of Moffat County.

The Moffat County Land Use Board will provide the Moffat County Commissioners clear recommendations as to each proposed special land designation area within Moffat County. This Land Use Plan will subsequently defer action steps to Moffat County Land Use Board and to the Moffat County Commissioners.

Federal and state agencies shall notify the County of any actions or regulations, which involve special land designations on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to special land designation issues in the County.



## **Travel Management, Access, and Rights of Way**

Access is a way of approach, entrance, passage, or egress for activities which depend upon public land access in Moffat County, include but are not limited to:

- Agriculture (livestock grazing, farming, etc.)
- Recreation and tourism (motorized and non-motorized recreation, water & land sports, hunting, fishing, hiking, etc.)
- Industry (mining, electric power generation and transmission, natural gas extraction, timbering, etc.)
- Surface and sub-surface water (industrial uses, agricultural uses, recreational uses, and general water resource development and conservation)
- Intangible values (maintaining custom and culture, historical and cultural sites, open space and access to open space values, desire for free enterprise, conservation stewardship)

Access to federal and state lands in Moffat County offers passage, and egress to all the above defined activities associated with access in Moffat County. Many access issues in Moffat County deal with roads and rights-of-way as well as undefined routes associated with general foot or walk-in ingress, passage, and egress.

Many public lands access issues in Moffat County deal with roads and rights-of-way. Many rights-of-way in Moffat County are defined using Revised Statute 2477 (R.S. 2477), which states in its entirety, “the right-of-way for the construction of highways across public lands not otherwise reserved for public purposes is hereby granted.” In November of 2000, Moffat County passed resolution number 2000-34 which claims highway rights-of-way on federal lands within the northwestern corner of Moffat County. In 2003 Moffat County adopted R.S. 2477 right of way assertions throughout the county.

Moffat County is dependent upon the use and development of public land resources. To utilize and protect these resources, adequate and feasible access is required. Despite Moffat County’s dependence on access to federal lands as well as existing federal regulations which require County consultation about access issues, closure of access routes has occurred in Moffat County by public land management agencies with little or no County input. It is important that governmental agencies honor legal access rights in Moffat County and regularly communicate about access issues on public lands.

Access to or across federal lands shall not entail encumbrances or restrictions on private property rights or privileges.

### **Moffat County’s Policy and Position:**

Moffat County:

- opposes the closure of existing roads or R.S. 2477 rights-of-way without scientific justification, support of the Moffat County Commission, and support of the citizens of the affected area.

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- recommends that prior to any road closures on federal land within the County, full consultation with the County and local citizens occur.
- will continue to undertake a detailed inventory of highway rights-of-way on federal lands within the affected areas, based on available funding, time, and necessity. The inventory will to the fullest extent possible, involve all interested parties, and consider citizen and agency input.
- requests federal agencies recognize and plan management actions to include R.S.2477 rights-of-way when defining roads, rather than using agency specific definitions of roads, which typically occurs.
- will provide R.S. 2477 information to federal agencies, as it becomes available, to provide evidence of existing rights-of-way that may affect federal land management planning and decisions.
- recommends cooperative efforts occur, without infringing on private property rights and associated privileges, between federal, state, and private landowners to allow access to islands of public land encircled by lands which are not designated for public use.
- recommends at least one representative from travel management, access and rights-of-ways be included on any team-based decision-making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which involve access on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to access issues in the County.

## Water Resources

Water resources are simply supplies of water (both surface and sub-surface) that can be drawn upon for various uses. The Yampa River Basin has been declared over appropriated for sub-surface water. As per this Land Use Plan activities depending on water resources in Moffat County include, but are not limited to:

- Recreation uses (water skiing, motorized and non-motorized water recreation, fishing, swimming etc.)
- Industry uses (power plant operations, mining operations, etc.)
- Municipal and Community uses (city and unincorporated town water supplies)
- Agriculture uses (irrigation of crops, livestock drinking, wells, etc.)
- Wildlife uses (habitat for aquatic life, drinking for wild animals, etc.)

Water and associated water rights in Moffat County are integral to municipal, industrial, agricultural, and recreational uses. Two local coal mines and power plant utilize and control substantial agricultural, industrial flow and storage water rights in Moffat County. The Tri-State power plant (located in Moffat County) also controls water storage rights in Routt County. These water rights are essential for the continued operation of coal mining and electricity generation activities in Moffat County. The agricultural uses of water from the Yampa River and its tributaries are directly associated with the viability of agricultural operations throughout Moffat County. The Yampa River and the lower reaches of the Green River host habitat necessary for the survival of four federally endangered fish species. The Green River is bordered by mostly federal land in Moffat County, with the two major river frontage owners being the Fish and Wildlife Service's Browns Park Refuge, and the National Park Service's Dinosaur National Monument. Supplying adequate flow regimes for the four endangered fishes, providing additional agricultural storage, meeting industrial storage needs, and needs for recreational storage has resulted in several proposals to develop small reservoir storage in tributaries to the Yampa River.

Currently, the Yampa River is second only to the Colorado River, in acre feet of water exported from the state of Colorado. Much discussion has centered around retaining more water within Colorado and specifically, Moffat County, under cooperative agreements between landowners and agencies. Adequate water quality and availability is necessary for significant municipal, industrial, commercial, agricultural, and recreational opportunities in Moffat County. Several interdisciplinary planning, management, and implementation groups/agencies exist to address water resource issues in Moffat County. Some of the groups/agencies include but are not limited to the Yampa River Basin Partners, the Yampa-White-Green Basin Roundtable, the Yampa River Programmatic Biological Opinion (USFWS), the Colorado River Water Conservation District, the Division of Water Resources Division 6, the Colorado Department of Public Health and Environment Water Quality Control Commission (known as the Water Quality Control Commission), individual irrigation and ditch companies.

### ***Moffat County's Policy and Position:***

Moffat County:

- does not support leasing County water interests to "out-of-state" interests when local needs have not first been evaluated.

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- is opposed to any water use plans which do not involve complete public scoping.
- supports additional water storage facilities (i.e. small reservoirs) on federal and state lands within the County.
- supports the protection of individual water rights and a fair additional increment allocation of water among uses and users.
- The Board recognizes and supports the State of Colorado's water rights system, including the doctrine of prior appropriation and other state laws and programs governing water rights and water use, and opposes any federal designation of waters and watercourses within the County that would impair or restrict water diversions and uses authorized under Colorado law.
- Believes that future water rights will remain uncertain until more clarity is gathered around the closure of local mines and power plants.
- adamantly supports additional water storage capacity, including development of new or enlargement of existing reservoirs to provide for new water storage as the Yampa, Green, and Little Snake Rivers, along with their tributaries have limited water storage available.
- recommends federal and state agencies identify future water use issues and needs of Moffat County residents, when creating planning documents.
- supports Colorado State Law, and the Prior Appropriation Doctrine and requests that federal and state agencies utilize the State's system during future water appropriations.
- recommends any water quality programs (i.e. non-point source pollution programs) evaluate, mitigate, and minimize the impacts on Moffat County's custom and culture and economic viability.

Federal and state agencies shall notify the County of any actions or regulations, which involve water resources on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to water resource issues in the County.

## Wild Horse Management

Moffat County is home to the Sand Wash Horse Management Area (SWHMA). The Wild Free-Roaming Horses and Burros Act of 1971 and amended in 1996 requires BLM to manage wild horses according to multiple use management principles to achieve and maintain a thriving natural ecological balance (TNEB) on public lands. It is the sole responsibility of the BLM to manage horses in Moffat County. The appropriate management level set by the BLM 2011 LSFO Resource Management Plan is 163-362. A May 2024 aerial survey found 409 horses in Sand Wash Basin, with approximately 38 horses outside of the HMA. Plans are in place to continue the removal to within AML. With the extensive drought situation over the last 20 years, more pressure has been put on the limited resources within the HMA, especially around the limited water resources. The rangeland shows signs of bouncing back from the overgrazing prior to the 2021 large gather. When populations of wild horses are within AML, other wildlife thrive, including greater sage-grouse, big game animals, as well as livestock. It will take years (likely decades) for the range degradation from overgrazing to be reversed and the land to recover to "TNEB".

### **Moffat County's Policy and Position:**

Moffat County:

- believes that the current level of range degradation, there are concerns about the protection of Sage Grouse populations as well as Big Game Critical Winter Habitat and livestock grazing, and the health of the Wild Horse herd.
- believes that these multiple use management principals should continue to guide any action taken within the Sand Wash HMA.
- supports federal agencies having the authority to gather and planning authority (Categorical Exclusion) to remove the horses outside of the HMA.
- recognize that horses protected under the WFRHBA are in fact feral horses even when they are referenced as "wild".
- believes Rangeland health should be the driving goal in trying to manage the multiple uses on lands within the HMA. Consideration should be given to identify lands that may reasonably not recover on their own. With the multiple uses identified for these lands, they won't be "rested", but will have to recover over a number of years or decades without some assistance. Recovering the range quickly is in the best interest for all users of the HMA, as well as the remaining horses.
- supports proactive management of horses within the SWHMA at AML (163 – 362) as identified in the current Resource Management Plan (U. S. Interior 2011). Remove horses to the lowest range of the AML to reduce the frequency of gathers. Completing a gather is a lengthy and expensive undertaking, often hampered by litigation, and since horses have no predators, if they are not gathered to the lowest end of AML population, numbers will rebound requiring another gather in too short of time.
- supports immediate removal of wild horses from private lands when notified of their presence as defined through the WFRHB Act and Colorado estray laws. All excess horses outside of the SWHMA shall be gathered and either be removed or driven back within the boundaries

of the Sand Wash Horse Management Area before horses are gathered within the HMA. Immediate removal should be conducted in such a manner so that the horses will not return to the private land.

- supports the use of long-term fertility controls such as spaying of mares or other means to keep reproduction down, but only if the numbers are within AML.
- believes monitoring plans should accurately identify the causal factors in resource changes (e.g., separate wild horse, livestock, and wildlife impacts) and if monitoring shows any adverse impacts, take action to manage the activity based on the specific results in the monitoring.
- opposes livestock AUMs being reduced due to excess numbers of horses on the rangelands.
- supports reinstating livestock AUM's as once excess horses are removed from areas where livestock grazing permittees have taken reductions in AUMS
- opposes any equine animal released from private individuals, tribes, or neighboring lands onto public lands.

## Wildlife Management

Wildlife describes animals living in nature that are not domesticated or tamed. As per this Land Use Plan activities depending on wildlife in Moffat County, include but are not limited to:

- Hunting (elk, deer, antelope, bear, mountain lion, coyotes, grouse, rabbits, waterfowl, etc.)
- Aquatic wildlife (fishing, managing endangered fishes etc.)
- Passive recreation (bird watching, wildlife viewing, etc.)
- Species of concern (Black-Footed Ferrets, Greater Sage Grouse, Columbian Sharp-tailed Grouse, endangered fishes, and Wolves, etc.)

Moffat County enjoys a diverse and abundant game and non-game wildlife population. Statutory authority charges the Colorado Parks and Wildlife (CPW) to preserve and enhance the wildlife resources for the use and benefit of residents and visitors to Colorado. The Colorado Division of Wildlife is responsible for statewide habitat management, setting seasonal harvest and production goals, and buffer zone land use restrictions. Both private and public land provide vital habitat for wildlife species managed for consumptive and non-consumptive uses.

Locally generated teams have been established to create species conservation plans because of concerns about Black-footed Ferret, Columbian Sharp-tailed Grouse, and Greater Sage Grouse populations. In 2001, the Columbian Sharp-tailed Grouse Conservation Plan was completed and signed by private individuals, agencies, and organizations, including Moffat County. In 2008, the Northwest Colorado Greater Sage-grouse (GSG) Conservation Plan was completed, as well as a Colorado Plan. Various other GSG plans by various state and federal agencies. Recovery efforts for Black-Footed Ferrets re in various stages of completion.

In December 2023, Colorado reintroduced gray wolves from Oregon into a remote forest in Grand and Summit counties. This action was part of a plan developed by Colorado Parks and Wildlife following the approval of Proposition 114 by voters in 2020, which directed the reintroduction of gray wolves in the state. This makes Colorado the first state where voters directed the reintroduction of wolves rather than the federal government.

Many issues relating to big game hunting management have surfaced. Hunting permit numbers, distribution, disease and costs are some of the issues of controversy. All fourteen hunting units within Moffat County have some detectable number of big game animals affected by Chronic Wasting Disease (CWD). Moffat County has traditionally been involved during local meetings and periodically during management planning efforts by the Colorado Division of Wildlife. Big Game hunting also defines the custom and culture, and economic viability for many citizens and communities of Moffat County.

### **Moffat County's Policy and Position:**

Moffat County: supports recovery planning efforts for sensitive, threatened, and endangered species, which evaluate, mitigate, and support Moffat County's custom and culture and economic viability.

- supports efforts by the Colorado Division of Wildlife and other agencies who manage wildlife to responsibly reduce predation of sensitive species, increase hunting and fishing opportunities within appropriate carrying capacities, decrease game damage conflicts, and

generally balance wildlife numbers with other factions representing the custom and culture and multiple use values of the County.

- supports responsible wildlife habitat preservation, development, and management.
- opposes the introduction of wolves in Colorado and Moffat County
- Moffat County wildlife management agencies manage public hunting access and public recreation opportunities within appropriate wildlife and recreation carrying capacities.
- recommends agencies which manage wildlife, dedicate financial and personnel resources to predator management. As the custom and culture of Moffat County has changed since the 1960's, predator survival rates are higher than previously existed.
- recommends Division of Wildlife game harvest numbers be based on a balance of habitat carrying capacity, effects on other wildlife and livestock populations, custom and culture, and economic impact to Moffat County.
- recommends currently recognized methods of predator control remain as viable options for predator control, until such time that new and better technology offers new options for predator control.
- recommends agencies which manage wildlife, dedicate funds to game damage based on problematic site needs.
- recommends federal and state agencies research and provide funding opportunities and compensation to landowners for resource enhancement, to provide exceptional / unusually high habitat qualities for wildlife species of concern.
- recommends testing procedures continue by federal and state agencies to track and reduce CWD in big game management areas within the County.
- recommends testing procedures continue by federal and state agencies to track and reduce Whirling Disease in fish populations.
- recommends endangered fish recovery efforts in the Yampa River continue based on a balance of scientific justification, conserving past and future adjudicated water rights, and economic stability of Moffat County.
- recommends regulatory agencies adopt bond release criteria for mine reclaimed lands based on a combination of established wildlife habitat (topographic relief, surface water management techniques, establishment of diverse vegetation, etc.) rather than only woody plant density.
- recommends at least one representative from wildlife (animal) interests be included on any team-based decision-making process which state or federal agencies undertake as pertaining to natural resources in the County.
- insists all losses to agriculture (i.e. livestock losses, both direct and indirect) caused by wolves be fully compensated from State funds.
- supports the establishment of a **wolf population cap as well as wolf population objectives.**
- **supports** Colorado Parks and Wildlife utilizing hunting and lethal management to control wolf populations. Every tool available to CPWS should be utilized to support control of wolf populations.

Predator control shall be based on a balance between the best science available, economics, and logistics, evaluated on a case-by-case scenario.



## Moffat County Land Use Plan 2025 Update

Federal and state agencies shall notify the County of any actions or regulations, which involve animal wildlife on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to animal wildlife issues in the County.

## Vegetation and Soils

Vegetation and Soils describes plants, and the soils within which they live, which include both native and introduced plants as well as desirable and undesirable plants. As per this Land Use Plan activities depending on plant wildlife in Moffat County, include but are not limited to:

- Agriculture (livestock carrying capacities, Desired Plant Communities)
- Weeds and Invasive forbs (undesirable plant and grasses management)
- Recreation and education (plant identifying, 4-H range judging, etc.)
- Habitat for animal wildlife
- Species of concern (rare, threatened, and endangered plants or habitat for animal species of concern).
- Soil conservation measures to allow desired plant communities to thrive and to minimize airborne dust and soil transference via surface water runoff (sediment occurrence).

Moffat County enjoys a diverse and abundant plant wildlife population. Both private and public land provide vital plant wildlife species managed for various consumptive and non-consumptive uses.

The Colorado Natural Heritage program maintains the most current plant database in Colorado and this database is accessible to the public on the internet. There are currently no known federally endangered plant occurrences in Moffat County and one federally threatened plant occurrence (Ladies'-tresses orchid) along the Green River of Moffat County. However, Moffat County, and virtually all Colorado counties, host several rare plants which meet varying levels of vulnerability and threats which support proposals to list them as either threatened or endangered.

The continued presence of the possibility of listing any of the rare plant species as federally endangered or threatened heightens the need for Moffat County private citizens and federal and state agencies to establish a Desired Plant Community for areas within Moffat County. One reason for the need to establish Desired Plant Communities is to set goals for rare plant management.

Healthy soils sustain plant communities, keep sediment out of streams, and dust out of the air. Land managers of federal lands are mandated to manage soils and vegetation to ensure land-health standards are maintained and to safeguard sustainable plant and animal populations (NRCS, 2018). Soil type dictates the vegetation within an area, which determines the area's uses, productivity, resistance to disturbance, and scenic quality.

Most natural resource work, whether for agriculture, energy, or wildlife purposes, begins with the evaluation of the soils to determine site potential. Managing soils so they are healthy and sustainable for future generations is important. One Natural Resources Conservation Service (NRCS) definition of soil health, also referred to as soil quality, is "the continued capacity of soil to function as a vital living ecosystem that sustains plants, animals, and humans." (NRCS, n.d.-c) Soil has inherent properties like the soil's natural ability to function that does not change easily. For example, sandy soil drains faster than clayey soil. Dynamic soil quality on the other hand can change more easily and is dependent on how it is managed. Management choices affect the amount of soil organic matter, soil structure, soil depth, and water and nutrient holding capacity. Soils respond

differently to management depending on the inherent properties of the soil and the surrounding landscape. (NRCS, n.d.-c)

### **Moffat County's Policy and Position:**

Moffat County:

- supports efforts to conduct plant surveys to validate existing data and add new plant inventory data.
- supports recovery planning efforts for sensitive, threatened, and endangered plant species, which evaluate, mitigate, and support Moffat County's custom and culture and economic viability.
- supports locally driven efforts to identify Desired Plant Communities which do not compromise the custom and culture and the economy of Moffat County.
- opposes land use designations or management objectives that eliminate or reduce the opportunity to implement practices that can improve soil health.
- supports and encourages the use of natural processes, including livestock grazing, in site reclamation for soil health and biodiversity.

Federal and state agencies:

- shall notify the County of any actions or regulations, which involve vegetation and soils disturbance on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to vegetation and soils issues in the County.
- should support projects and policies which improve soil quality and ecology throughout Moffat County.
- should support erosion control as a means of flood control.
- should consult with existing surface users, the County, and conservation districts when developing reseeding and reclamation requirements on federal and state lands conducting soil disturbing activities.

For new soil disturbing projects or permits, federal agencies should support implementation of best management practices to manage runoff, preservation and maintenance of topsoil, watershed management, stabilize soils on site and reclamation.

**THE BOARD OF COUNTY COMMISSIONERS OF MOFFAT COUNTY, STATE OF COLORADO MOVED, READ, AND ADOPTED BY UNANIMOUS VOTE, Moffat County's Federal and State Land Use Plan- June 2025.**

By, Board of County Commissioners of Moffat County, State of Colorado, at its regular meeting held this May 13, 2025.

ADOPTED this 10th day of June, 2025.

MOFFAT COUNTY BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Melody Villard, Chair

STATE OF COLORADO )  
                                  )§  
COUNTY OF MOFFAT )

I, Erin Miller, Deputy County Clerk and Ex-officio to the Board of Commissioners, do hereby certify that the above and foregoing is a true and complete copy of the resolution as adopted by the Board of County Commissioners on the date stated.

Witness my hand and the seal of said County this 13th day of May, 2025.

\_\_\_\_\_  
Erin Miller, Deputy Clerk and Ex-Officio to the  
Board of County Commissioners, Moffat  
County, Colorado

## **APPENDIX A: Acronyms**

AML	Appropriate Management Level
ARPA	Archaeological Resources Protection Act (1979)
AUM	Animal Unit Month
BLM	Bureau of Land Management
CEC	Colorado Environmental Coalition
CPW	Colorado Parks and Wildlife
CWD	Chronic Wasting Disease
DPC	Desired Plant Community
ESA	Endangered Species Act
GIS	Geographic Information System
GPS	Global Positioning Systems
NRCS	Natural Resources Conservation Service
NEPA	National Environmental Policy Act
NHPA	National Historical Preservation Act (1966)
FLPMA	Federal Land Policy and Management Act
NPS	National Park Service
R.S. 2477	Revised Statute 2477
TNEB	Thriving Natural Ecological Balance
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service



**APPENDIX B,  
2001 Moffat County Land Use Policy Statement**

# **LAND USE PLAN**

## **Chapter 1: Public Lands**

Moffat County, Colorado  
Amended September, 2001



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## **Mission Statement:**

The mission of Chapter One of the Moffat County Land Use Plan is to promote the custom and culture of Moffat County's residents and land users by identifying Moffat County's position and recommended action steps to support Moffat County's position on public land use issues.

## **Introduction / Land Use Plan Purpose:**

The following plan will act to update the 1994 Land Use Policy Statement (*see Appendix C*), and represent Moffat County's position on public land use within Moffat County. This plan identifies the issues, background, and action steps recommended by Moffat County related to land use planning on federal and state lands within Moffat County. The information contained in this plan is a result of a thorough public input process developed and implemented by the Moffat County Land Use Board (*See Appendix B*). Although Chapter 1 of the Land Use Plan concentrates on public lands, this in no way implies a lack of support by Moffat County for private property rights or protection of private lands and the resources they provide which are integral to Moffat County's custom and culture.

Chapter 1 of the Moffat County Land Use Plan is intended to identify and make recommendations about land use issues Moffat County has identified as relevant to federal and state land management planning. Due to Moffat County's dependence on public lands and accompanying resources, this land use plan is intended to provide direction for federal and state land management efforts in Moffat County. Statements and recommendations within this Plan shall not violate the Constitution of the United States of America or of the State of Colorado. The Moffat County Land Use Plan is continually evolving and addresses dynamic and ever changing issues, and may be amended at any point by the Moffat County Land Use Board, based on need.

## **County Authority on Federal and State Lands**

There are several laws which provide for local government involvement in state and federal land use planning efforts. Many of these laws provide for local government participation in cooperating agency status as well as the ability to influence federal and state planning efforts. Appendix E identifies citations from federal laws that either require or provide for federal agency consultation or notification to units of local governments, including counties (*see Appendix E*). These laws involve general categories of 1) federal land management; 2) wildlife protection; 3) pollution control; 4) roads and highways; 5) resource development on federal lands; 6) plant and animal damage control; 7) federally funded public airports.

***For purposes of land use planning efforts and management decisions on federal and state lands in Moffat County, federal and state agencies shall expect that Moffat County will request cooperating agency status, or the equal thereof, in all applicable cases.***

## Moffat County Land Use Profile

### Land Base

Moffat County, Colorado is located in the extreme northwestern corner of Colorado and is adjacent to the states of Utah and Wyoming. Moffat County is the second largest County in Colorado and makes up about 4.57 % of the entire state. Moffat County, Colorado contains 3,028,480 acres divided into the following categories (*see Appendix F*):

46.8% or 1,418,513 A	Bureau of Land Management
6.32% or 191,424 A	State of Colorado
5.1% or 154,161 A	National Park Service
1.4% or 41,763 A	Forest Service
0.40% or 12,150 A	Fish and Wildlife Service
.053% or 1,609 A	Bureau of Reclamation
39.93% or 1,208,860 A	Private Land

Thus, approximately 60% of the land in Moffat County, Colorado is under the federal or state governments' management and control.

### Land Uses

Major land uses in Moffat County include but are not limited to:

- Agriculture (cattle/sheep ranching, small grain and hay farming)
- Mineral exploration and extraction (coal, gas, and oil, gravel)
- Electric power generation and transmission
- Motorized recreation (hunting, snowmobiles, dirt bikes, four-wheelers, jeep use, motorboats, jet-skis, etc.)
- Non-motorized recreation (hunting, hang gliding, horse packing, hiking, rafting, canoeing, fishing, bird watching, etc.)
- Rare species management (Greater Sage Grouse recovery efforts and Black-Footed Ferret reintroductions)
- Water right issues (Agricultural, industrial, and municipal etc.)

### Economics

A more detailed explanation of economics is addressed in the "Economics" section of this plan. However, the following text is provided to demonstrate the economic dependence the County has on federal lands.

The year 2000 Top Ten Taxpayers of Moffat County are comprised entirely of mineral and energy companies. In 2000, \$20,214,930 in revenue was received and, as in all years, the taxes from the Top Ten Taxpayers are 69% of the annual County tax revenue. Several of the Top Ten Taxpayers directly

depend on federal lands in Moffat County to generate their revenue. Reducing opportunity for these companies to conduct business on federal lands, proportionally reduces company revenue. The link between public lands and the Top Ten Taxpayers impacts the local economy in several ways. For example, the County school system receives 55.80% of the annual County tax revenue. Thus, the education and activities in our local school system are directly dependent on federal lands.

Agriculture (livestock and crops) and resource extraction/energy production (natural gas and oil extraction, coal mining, and electricity generation, etc.) are the two largest export sectors in Moffat County. Moffat County ranks among the top producers of wool, sheep, and cattle in the state of Colorado, therefore maintenance and growth of these exports is crucial to the economic base of Moffat County.

## Custom and Culture

### Definition:

Custom and culture of Moffat County is defined by the activities and values that people of Moffat County, in the past, present, and future, depend upon for well-being and subsistence. Protection of private property rights and their associated resources are integral to defining custom and culture in Moffat County. Custom and culture defines the activities which make Moffat County unique. As per this Land Use Plan, the activities which Moffat County's custom and culture rely upon include but are not limited to:

- Agriculture (livestock grazing, farming, etc.)
- Recreation and Tourism (motorized and non-motorized recreation, water & land sports, hunting, fishing, hiking, etc.)
- Industry (mining, electric power production, oil and natural gas extraction, and timbering, etc.)
- Water (industrial uses, agricultural uses, recreational uses, and general water resource development and conservation)
- Intangible Values (historical and cultural sites, open space values and access to open space, desire for free enterprise, aesthetic values, conservation stewardship)

Moffat County realizes custom and culture is a traditional way of life subject to gradual but continuous modification by succeeding generations. Hence, this plan will require continual modification coinciding with changes in Moffat County's custom and culture, making this plan an evolving document.

### Background:

The people of Moffat County have traditionally and will likely earn their livelihoods from activities associated with Moffat County's custom and culture. Moffat County's economy is, and will continue to be dependent upon these activities. Since Moffat County is directly dependent upon its natural resources, management decisions affecting public land directly impacts and changes Moffat County's custom and culture. Therefore, a critical tie exists between the use of private, federal, and state natural resources and the economic stability of Moffat County. It is imperative that stakeholders and informed representatives review natural resource issues as they occur, to assure public land management decisions do not negatively impact Moffat County's custom and culture. The Moffat County Land Use Board acts to evaluate the effects of federal and state land management actions on the custom and culture of Moffat County.

During the public input process to update this plan, citizens consistently expressed strong desire to empower Moffat County to promote sustainability of the custom and culture of this county.

**Moffat County's Position:**

Moffat County will support the maintenance and enhancement of the custom and culture of Moffat County.

Moffat County will oppose any change in land use that does not evaluate, mitigate, and minimize impacts to custom and culture and the economic stability of Moffat County.

Moffat County realizes custom and culture is dynamic and ever-changing based on the desires of Moffat County residents. Therefore, what has traditionally defined Moffat County's custom and culture, may and likely will, change over time.

**Recommended Action Steps to Support Moffat County's Position:**

Federal and state agencies shall consider the social, cultural, and economic needs of the County when developing plans and making recommendations that affect the custom and culture of the County. Furthermore, the consideration process which was used to assess impacts to County custom and culture shall be cited in federal and state land management plans.

The Moffat County's Land Use Board will review federal and state land use and planning issues impacting the County's custom and culture and make recommendations pertinent to the issue in question.

Moffat County recommends federal and state agencies enhance opportunities for responsible use of public lands, which benefit the custom and culture and economic base of Moffat County.

Federal and state agencies shall notify the County of any actions or regulations which may impact the custom and culture of Moffat County; and Moffat County will review and comment on federal or state actions which impact the custom and culture of Moffat County.



## Economics

### Definition:

Economics pertain to the development and management of the material wealth of a government or community. As per this Land Use Plan, items and activities which traditionally define economics in Moffat County include, but are not limited to, revenue from:

- Agriculture (livestock grazing, farming, etc.)
- Recreation and Tourism (motorized and non-motorized recreation, water & land sports, hunting, fishing, hiking, etc.)
- Industry (mining, power production, timbering, etc.)
- Residential or private property owner taxes
- Local businesses (private and corporate owned enterprises, businesses, etc.)
- Wildlife resources (big game hunting, wildlife habitat improvements, tourism, etc.)
- Water rights

### Background:

Economics is one of the baseline tools for evaluating many land use management decisions. This should not be construed to mean economics should drive land management decisions, rather it should be balanced with other goals during land management decisions. Economics is a crucial tie to the ever-changing custom and culture of Moffat County. For example, according to a 1994 Economic Baseline Study of Moffat County, if a 10% drop in exports or sales were to occur in the following sectors of Moffat County, the below listed job losses would occur.

10% DROP IN MOFFAT COUNTY EXPORTS/SALES OF:	EQUATE TO JOBS LOST IN MOFFAT COUNTY:
Agricultural Products	82 jobs (45 jobs directly, 37 jobs indirectly)
Mining	62 jobs (34 jobs directly, 27 jobs indirectly)
Electricity	196 jobs (37 jobs directly, 159 indirectly)
Trade, Lodging, and Other Services	56 jobs (43 jobs directly, 13 indirectly)

The above chart totals an estimated 396 jobs lost in Moffat County with a 10% reduction in sales of the four (4) sectors identified. This represents over 7.5% of the 5232 total jobs available in Moffat County, a significant number compared to a nationwide unemployment that ranges between 2-5%. The above numbers do not include other areas such as the increasing number of recreation enterprises and natural gas and oil exploration, both of which have significantly increased since the 1994 economic study.

Moffat County has had numerous proposals by environmental groups, federal and state agencies, and other interests to designate special land management uses in the County. Almost every special land management use change has a rippling effect on the economics of Moffat County. Therefore, it is crucial that each land use decision be balanced with its economic impact.

## Moffat County Land Use Plan 2025 Update

Moffat County's authority to request federal agencies to evaluate economic impacts to the County through land use decisions that are made by agencies, are based on citations from the Federal Land Policy and Management Act (FLPMA), the National Environmental Policy Act (NEPA), and the Endangered Species Act (ESA). Citations from FLPMA include 43 USC Sec. 1701(a)(8), 1701(a)(12), 1702(i)(1), 1712(c)(9), and 42USC Sec. 4332(2). NEPA directs agencies to consider economic, social, and environmental consequences from land management proposals. The ESA, 16 USC 1539, makes designation of habitat a matter of economics. Only the decision to list a species as endangered is made on the basis of pure biology.

### **Moffat County's Position:**

Moffat County will support efforts to maintain or improve the overall economic base of the County through the judicious use and enjoyment of federal and state lands in the County.

Moffat County will not support federal and state agencies on land decisions when economics has not been considered as a factor in the decision.

Moffat County will oppose any change in land use that does not evaluate, mitigate, and minimize impacts to custom and culture and the economic stability of Moffat County.

### **Recommended Action Steps to Support Moffat County's Position:**

Moffat County recommends federal and state agencies entertain and evaluate opportunities for free trade and enterprise based on their merits and impacts to federal and state lands.

Moffat County recommends that any federal and state agency considering natural resource management changes, evaluate, mitigate, and minimize the economic impacts of the proposed changes, to the custom and culture of Moffat County.

Federal and state agencies shall notify the County of any actions or regulations, which affect the economic base of the County; and Moffat County will review and comment on proposed federal or state actions significant to the economic base of the County.

## Multiple Use

### Definition:

Multiple use for public lands is defined as the management of lands and their associated resource values to be utilized in a combination of ways that best meet the present and future needs of the American people. This means making judicious use of public land for all, some, or none of the resources on a given unit of land based upon ever changing needs, conditions, and desires of the American people. Decisions about multiple use must be based upon individual circumstances. Multiple use can mean several land uses on a given tract of land or limited uses on a given tract of land. As per this Land Use Plan, activities which traditionally define multiple use in Moffat County, include but are not limited to:

- Agriculture (grazing, farming, etc.)
- Recreation and Tourism (motorized and non-motorized recreation, water & land sports, hunting, fishing, hiking, etc.)
- Industry (mining, electric power production, natural gas extraction, timbering, etc.)
- Water (industrial uses, agricultural uses, recreational uses, and general water resource development and conservation)
- Intangible Values (historical, cultural, and archeological sites, open space values and access to open space, desire for free enterprise, conservation stewardship)

### Background:

There is a direct tie between multiple use and custom and culture in Moffat County. Multiple use concepts are an integral part to the custom and culture of Moffat County. Moffat County residents are directly dependent upon the County's public lands natural resources for their livelihoods and recreation opportunities. Therefore, Moffat County's economy is dependent upon multiple use concepts and public use of federal and state natural resources. The federal and state agencies that manage public land in the County often directly impact multiple use options within the County. The Moffat County Land Use Board and other interested groups and organizations act to review and evaluate the effects of federal and state land use management actions related to multiple use in Moffat County.

During the public input process to update this Plan, citizens consistently expressed strong desire to maintain and promote multiple use of federal and state lands in Moffat County (*see Appendix B*).

### Moffat County's Position:

Moffat County will support multiple use concepts on federal and state lands in Moffat County.

Moffat County will support or oppose a range of land uses on a given tract of land, including limited uses based on a case-by-case investigation.

## Moffat County Land Use Plan 2025 Update

Moffat County supports prioritizing, or considering primary uses, in multiple use designated areas, based on sound science, community input, and economic impact.

### **Recommended Action Steps to Support Moffat County's Position:**

Federal and state agencies shall evaluate the economic needs of the County when making recommendations for multiple use management.

Moffat County recommends education and communication with the public during any land use management decision which affects traditional multiple use status of federal and state lands in the County.

Moffat County's Land Use Board will review federal and state land use and planning issues pertaining to natural resources, such as plan amendments, in the County and make recommendations to applicable agencies and parties.

Moffat County recommends federal and state agencies promote public respect for private structures (corrals, fences, water development, etc.) on federal and state land in an effort to reduce vandalism, educate land users, and promote the multiple use concept.

Moffat County recommends federal and state agencies evaluate opportunities for commercial use of public lands for purposes of benefiting the custom and culture of Moffat County as well as the economic base of the County.

Federal and state agencies shall notify the County of any actions or regulations, which may impact the multiple use of federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to multiple use of public land in Moffat County.

## **Access:**

### **Definition:**

Access is a way of approach, entrance, passage, or egress. As per this Land Use Plan activities which depend upon access in Moffat County, include but are not limited to:

- Agriculture (grazing, farming, etc.)
- Recreation and tourism (motorized and non-motorized recreation, water & land sports, hunting, fishing, hiking, etc.)
- Industry (mining, electric power generation and transmission, natural gas extraction, timbering, etc.)
- Water (industrial uses, agricultural uses, recreational uses, and general water resource development and conservation)
- Intangible values (maintaining custom and culture, historical and cultural sites, open space and access to open space values, desire for free enterprise, conservation stewardship)

### **Background:**

Access to federal and state lands in Moffat County offers passage, and egress to all the above defined activities associated with access in Moffat County. Many access issues in Moffat County deal with roads and rights-of-way as well as undefined routes associated with general foot or walk-in ingress, passage, and egress.

Many public lands access issues in Moffat County deal with roads and rights-of-way. Many rights-of-way in Moffat County are defined using Revised Statute 2477 (R.S. 2477), which states in its entirety, “the right-of-way for the construction of highways across public lands not otherwise reserved for public purposes is hereby granted.” In November of 2000, Moffat County passed resolution number 2000-34 which claims highway rights-of-way on federal lands within the northwestern corner of Moffat County. In the same resolution rights-of-way claims on the remainder of public land in Moffat County were reserved based on priority and need. Moffat County staff have begun an intensive process to map and define all R.S. 2477 rights-of-way in the County.

Moffat County is dependent upon the use and development of public land resources. To utilize and protect these resources, adequate and feasible access is required. Despite Moffat County’s dependence on access to federal lands as well as existing federal regulations which require County consultation about access issues, closure of access routes has occurred in Moffat County by public land management agencies with little or no County input. It is important that governmental agencies honor legal access rights in Moffat County and regularly communicate about access issues on public lands.

**Moffat County's Position:**

Access to or across federal lands shall not entail encumbrances or restrictions on private property rights or privileges.

Moffat County opposes the closure of existing roads or R.S. 2477 rights-of-way without scientific justification, support of the Moffat County Commission, and support of the citizens of the affected area.

**Recommended Action Steps to Support Moffat County's Position:**

Moffat County recommends that prior to any road closures on federal land within the County, full consultation with the County and local citizens occur.

Moffat County will continue to undertake a detailed inventory of highway rights-of-way on federal lands within the affected areas, based on available funding, time, and necessity. The inventory will to the fullest extent possible, involve all interested parties, and consider citizen and agency input.

Moffat County requests federal agencies recognize and plan management actions to include R.S.2477 rights-of-way when defining roads, rather than using agency specific definitions of roads, which typically occurs.

Moffat County will provide R.S. 2477 information to federal agencies, as it becomes available, to provide evidence of existing rights-of-way that may affect federal land management planning and decisions.

Moffat County recommends cooperative efforts occur, without infringing on private property rights and associated privileges, between federal, state, and private landowners to allow access to islands of public land encircled by lands which are not designated for public use.

Moffat County recommends at least one representative from access be included on any team based decision making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which involve access on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to access issues in the County.

## **Agriculture**

### **Definition:**

Agriculture is the art and science of growing crops and raising and breeding livestock. As per this Land Use Plan, activities which traditionally define agriculture in Moffat County, include but are not limited to:

- cattle and sheep ranching
- hay, wheat, and other small and large grain crop production
- alternative livestock (bison, elk, emu, etc.)

### **Background:**

Of the three major revenue sources for Moffat County, agriculture, hunting, and mineral extraction/energy production, agriculture is the oldest source of revenue and land use in Moffat County. Livestock grazing is also the most extensive land use within Moffat County, occurring on Bureau of Land Management, Park Service, Forest Service, as well as private lands in Moffat County. Because of the cultural, biological, and economic importance of livestock grazing to Moffat County, 1960 legislation allowed grazing in Dinosaur National Monument until such time (decades later) when it will be phased out, a rare case in National Park Service history. Private agricultural operations within Moffat County depend on the proximal federal and state lands for long-term sustainability and viability.

Agriculture is a significant factor in defining the custom and culture of Moffat County. A 2001 Moffat County Tourism Authority video spends most of its footage documenting horse roundups, cattle drives, rodeos, outlaw histories, grazing lands, and other scenes tied to the “Moffat County, The Real West” theme. Managing land for agriculture has become increasingly difficult on federal and state lands as other interests become apparent. Recently in Moffat County, special land designations, recovery efforts for the Greater Sage Grouse, road closures, big game management, and several other land use interests threaten the viability of agriculture. It is important to realize and understand that the very existence of agriculture for the last several decades contributes significantly to the existence of all other values and land uses which people find desirable and are trying to protect. Wild game populations, open space and other land and water based recreation opportunities are directly related to the subsistence of agriculture. When making public land management decisions, a balance of agricultural needs along with other land uses must be achieved.

### **Moffat County’s Position:**

Moffat County encourages agricultural viability due to its direct tie to the custom and culture of the area as well as its impact on other public land uses that residents and visitors to Moffat County rely upon.

Moffat County will support opportunities for grazing livestock on federal and state lands, protection of equitable property rights, and science based land stewardship.

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Moffat County recommends federal and state agencies cooperate with Moffat County and the agriculture industry to define Desired Plant Communities (DPC's) on federal and state lands. Several reasons for the need to establish DPC's exist, among which includes establishing appropriate livestock carrying capacity goals for the DPC.

Moffat County encourages locally driven interdisciplinary groups to address agricultural issues in relation to public land uses on a case-by-case basis.

Federal and state agency plans or management recommendations proposed without an agricultural economic impact description (either brief or in-depth depending on the case needs) will not be supported by Moffat County

### **Recommended Action Steps to Support Moffat County's Position:**

Moffat County recommends federal and state agencies promote responsible agricultural use and educational opportunities for protecting the natural resources in Moffat County.

Moffat County requires federal agencies, and recommends state agencies conduct a thorough investigation of economic impacts to agriculture during any proposed land management changes or natural resource related planning efforts.

Moffat County recommends federal and state agencies do not adjust Animal Unit Months (AUM's) on state or federal lands without scientifically based justification and full consultation between the permittee and administering agency.

Moffat County requests federal and state agencies work with the public to develop Desired Plant Community goals for management areas. The Desired Plant Community goals shall provide for a variety of land uses. Moffat County recommends establishment of Desired Plant Communities which maintain a viable agricultural industry.

Moffat County recommends federal and state agencies partner with the County to explore programs to compensate agricultural operations for maintaining open space. The alternative is to reduce open space areas in Moffat County in exchange for encroachment of development and urban sprawl.

Moffat County recommends federal and state agencies promote public respect for private structures (corrals, fences, water development, etc.) on federal and state land in an effort to reduce vandalism, educate land users, and promote the multiple use concept.

Federal and State Agencies shall cooperate with Moffat County and the agriculture industry to define Desired Plant Communities on public lands in the County and associated livestock carrying capacity goals for the Desired Plant Communities.

Moffat County recommends at least one representative from agriculture be included on any team based decision making process which state or federal agencies undertake as pertaining to natural resources in the County.



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Federal and state agencies shall notify the County of any actions or regulations, which may impact agriculture on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to agriculture in the County.

## **Cultural and Archeological Resources**

### **Definition:**

Archeology is the art and science of studying history from the remains of early human cultures as discovered chiefly by systematic excavations. Cultural resources are evidence of patterns from a way of life of a specific period, race, or people. As per this Land Use Plan, items and activities which traditionally define archeological and cultural resources in Moffat County, include but are not limited to:

- arrowheads
- wickiup camps
- petroglyphs
- pictographs
- medicine wheels
- bone hunting
- rock hounding

### **Background:**

Moffat County offers a unique expression of human occupation between 11,000 and 12,000 years ago. As of 1984, when the Overview of Prehistoric and Cultural Resources of the Little Snake Resource Area was printed, over 1,300 sites were identified in the Little Snake BLM Resource Area. Approximately 1,085 sites are prehistoric, 288 sites are historical, and 21 sites contain both historical and prehistoric remains.

Balancing the need for existing public land uses and the classification, recording, and protecting of cultural and archeological sites presents a significant challenge for federal and state agencies which manage public land in Moffat County. Although the Archaeological Resources Protection Act (ARPA) of 1979 provides strict and meaningful penalties against vandals caught destroying sites on public lands, federal and state land managers do not have the resources to completely record or protect sites warranting special care. However, most sites found in Moffat County are open-lithic scatters with a few tools and flakes not likely to be noticed by the general public. Most sites (approximately 76%) in Moffat County remain unmarked and essentially unprotected. Some more noticeable sites offer a balance between protection and visitation, such as the rock art site in Irish Canyon, which is a designated landmark with a viewing platform.

Moffat County recognizes the need to develop public education and stewardship programs which increase awareness about cultural sites in Moffat County. Public education programs in Moffat County should focus on responsible visitation, the history and meaning of various sites found on public lands, and the impacts of surface collecting and excavating existing sites. Site protection strategies need to be balanced with other current and future uses of the public lands.

### **Moffat County's Position:**

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Moffat County recognizes the unique archeological features which occur across the County and supports their protection.

Moffat County supports responsible stewardship on cultural sites and balancing resource protection with tourism and visitor values.

Moffat County supports balancing the current and future land uses dictated by custom and culture with the protection of cultural sites.

### **Recommended Action Steps to Support Moffat County's Position:**

Moffat County shall be recognized by federal agencies as a consulting party as described in Section 106 of the National Historic Preservation Act and subsequent amendments.

- a) Consulting Party status would provide opportunities for Moffat County to cooperate with federal agencies to identify sites which do not offer unusual or special cultural and archeological values and develop plans to release these areas from restrictions which do not allow typical multiple use activities enjoyed on surrounding areas.
- b) Consulting Party status would provide opportunities for Moffat County to cooperate with federal agencies to more openly disclose locations of cultural and archeological sites not warranting special protection.

Moffat County recommends federal, state, and local governmental offices cooperate to identify significant cultural and archeological sites, make such sights known to the County, and evaluate the significance of proposed land use actions and their impact on the site.

Moffat County recommends federal and state agencies provide public visitation opportunities to cultural and archeological sites while providing sufficient site protection. This can be accomplished through federal and state agencies dedicating resources to identify and mark cultural sites in Moffat County.

Moffat County recommends that federal and state agencies not jeopardize existing land uses, such as oil and gas exploration, mining, road maintenance, and grazing, through the protection of cultural and archeological sites. This can be accomplished through evaluating the economic and cultural impacts associated with land management decisions based around cultural and archeological sites in the County. Moffat County realizes there can be a balance of existing uses and the need to protect cultural sites.

Moffat County recommends at least one representative from cultural and archeological resources be included on any team based decision making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which may impact cultural and archeological resources on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to cultural and archeological resources in the County.

## **Law Enforcement**

### **Definition:**

Law enforcement is the ability to compel observance of a rule of conduct.

### **Background:**

Due to the vastness of federal and state land in Moffat County (*see “Moffat County Land Use Profile” section of this plan*) enforcement of criminal and civil law continually creates new challenges as land uses and custom and culture of the County change.

The Federal Land and Policy Management Act (FLPMA) provides for local law enforcement authority on BLM managed lands. Section 1733 (c) provides opportunities for contracts for enforcement of federal laws and regulations by local law enforcement. In addition, Sec. 1733 (c)(2) states “The Secretary may authorize Federal personnel or appropriate local officials to carry out his law enforcement responsibilities with respect to the public lands and their resources. Such designated personnel shall receive the training and have the responsibilities and authority provided for in paragraph (1) of this subsection.”

Enforcement officers employed by federal, state, and local government have jurisdiction on federal lands in Moffat County. However, there are instances where one federally employed law enforcement officer does not have jurisdiction on other federal agencies’ land. Certain jurisdictional limitations can be overcome with cooperative efforts and contracts or agreements between agencies and the County. The Moffat County Sheriff’s department and federal and state law enforcement departments have developed working relationships and cooperate in law enforcement training to assure continuity between agencies and departments. However, to help alleviate jurisdictional conflicts and to allow agencies to more efficiently respond to incidents, contracts or agreements as described in the above FLPMA citation should be created.

### **Moffat County’s Position:**

Moffat County supports cooperation between the County and federal agencies to handle specified criminal and civil cases on federal and state lands. The level to which Moffat County is involved with federal lands law enforcement shall be determined in contracts or agreements.

Moffat County supports cooperative efforts between the federal and agencies and the County in law enforcement activities on federal lands.

### **Recommended Action Steps to Support Moffat County’s Position:**

Moffat County recommends that cooperative efforts between federal agencies and Moffat County occur to develop contracts or agreements in accordance with each respective agency’s Acts or regulations for the enforcement of applicable federal, state, and local laws on these lands. For

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example, FLPMA allows county's to develop contracts and agreements for cooperative law enforcement between the County and BLM, on BLM managed lands within the Moffat County.

Moffat County recommends at least one representative from law enforcement be included on any team based decision making process which state or federal agencies undertake as pertaining to natural resources in the County.

Cooperative efforts to create contracts, agreements, or plans between Moffat County and federal agencies shall occur, to help facilitate law enforcement partnerships on federal and state lands.

## Minerals and Industry

### Definition:

Minerals are naturally occurring homogeneous substances formed by organic or inorganic processes. Industry is a specific branch of production or manufacture. As per this Land Use Plan, activities which traditionally define minerals and industry in Moffat County, include but are not limited to:

- electrical power generation
- coal mining
- gravel mining
- natural gas exploration and extraction
- oil exploration and extraction
- timbering and other wood products

Supporting infrastructure for the above listed mineral and industry activities in Moffat County includes the ability for the associated industries to operate and maintain transmission lines and towers, rails, roads, and water rights.

### Background:

Natural resource industries (utilities, coal, oil and gas) in Moffat County make up the top 10 taxpayers of Moffat County, which provide 69% of the County tax revenue. The standard of living and services which Moffat County residents benefit from and enjoy, are directly tied to sustainable management of natural resource extraction and use. In addition to good judgment and balance of other land uses, economics are always a consideration in county planning.

Moffat County has an abundance of high quality low sulfur coal and natural gas reserves. Together, Colowyo and Trapper coal mines in Moffat County, provide 25% of the total coal production in Colorado. Although the Deserado Mine is just south of Moffat County, it supplies jobs to Moffat County residents who pay taxes and contribute to the economy and custom and culture of Moffat County. The northwest quadrant of Moffat County contains the Mesa Verde Sandstone and Lewis Sandstone formations, which were recently identified as potential gas reserves based on recent studies by the Gas Research Institute and the Department of Energy. Most of this land is managed by federal and state agencies. Much of the Nation's natural gas reserves occur on government agency managed land. including, approximately 75% of natural gas resources located on federal lands. Recent technological advances have made areas that were previously not considered as high mineral and gas potential, now economically feasible to explore and extract minerals and gas. As a result of natural gas shortages occurring across the United States, the increased demand for natural resources to supply electric power plants will continue to be an issue as human populations grow. A recent report by Stone and Webster projected a need for 4,700 megawatts of additional power generation in Colorado by 2018. To meet this increasing demand, wise use of our natural resources and access to additional power generation and transmission opportunities will occur in the foreseeable future.

In addition to the above mentioned industries, logging and mining of construction materials in northwestern Moffat County are recognized as economically important and has historically

contributed to the custom and culture of Moffat County. For example, gravel mining is relied upon for several uses, including county road maintenance.

**Moffat County's Position:**

Moffat County supports efforts to develop power generation and transmission in Moffat County through responsible development of natural resources (taking into consideration land, air, and water quality) and a thorough public involvement process.

Moffat County encourages future coal, oil and gas exploration, and extraction in an environmentally responsible manner (taking into consideration land, air, and water quality) and utilizing public involvement.

Moffat County recommends no federal and state air quality standards redesignations occur without first consulting Moffat County

**Recommended Action Steps to Support Moffat County's Position:**

Moffat County recommends federal and state agencies support mineral and mining company efforts to conduct science based research applicable to mineral and mining industry subsistence, expansion, and new development.

Moffat County recommends new gravel pit excavation possibilities remain open on federal and state lands on or near the Browns Park Refuge area in order to replace the existing expired gravel pit near the Browns Park Refuge boundary.

Moffat County recommends federal and state agencies take into consideration the potential economic impact of any proposed land management changes or natural resource related plans to the minerals and electricity generation industry, and on the residents of Moffat County. Any economic impacts to Moffat County's mineral and electricity generation industry directly impacts County tax revenues and County supported programs, such as the Moffat County School District. Therefore, federal and state agency plans or management recommendations shall include an economic impact description (either brief or in-depth depending on the case needs).

Moffat County recommends federal and state agencies conduct a thorough investigation as to future mineral and industry estimated potential, and consequences to land use decisions being made. Federal or state planning documents shall acknowledge future potentials and estimate economic impacts, where possible, to the County's minerals and industry.

Moffat County will support the development and enforcement of air quality and water quality regulations that provide a balance between environmental protection and economics.

Moffat County opposes redesignation of federal and state air quality classifications that do not first involve Moffat County as a consulting party, interested party, or equivalent thereof.

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Moffat County recommends at least one representative from minerals and industry be included on any team based decision making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which may impact minerals and industry opportunities on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to minerals and industry opportunities in the County.



## Recreation and Tourism

### Definition:

Recreation is defined as an action or lack-there-of, which results in relaxation, entertainment, and is enjoyed by those who participate. Tourism is traveling as, or for recreation.

As per this Land Use Plan, activities, which traditionally define recreation and tourism in Moffat County, include but are not limited to:

big game hunting, trapping, fishing, off-road vehicle use, mountain biking, hiking, camping, snow mobiling, cross country skiing, river rafting, kayaking, hang-gliding, bird watching, etc.

### Background:

Moffat County offers a variety of recreational and tourism opportunities for residents and visitors alike. A majority of these opportunities are found on public lands. Visitors to these areas directly impact the County by drawing on County-provided infrastructure such as, law enforcement, emergency-medical, and waste disposal services. Moffat County outfitters, store owners, restaurants, hotels and motels, and many more interests depend on seasonal recreation and tourism for their livelihoods.

According to formal testimony by the Moffat County Tourism Authority, the Craig Chamber of Commerce, and the Downtown Business Association during the 2000 Land Use Board public hearings, hunting based tourism is one of three major revenue sectors for the County. The other two sectors are agriculture and resource extraction/energy production. According to this testimony, certain retail merchants' and hotel operators' (located in small communities in western Moffat County) revenue has been traditionally derived during the few weeks of hunting season each year in Moffat County. In 1996, out-of-state hunters spent \$6,000,000 in Moffat County. As illustrated by hunting, recreation and tourism to Moffat County helps drive the socioeconomic system, which defines the custom and culture of Moffat County.

### Moffat County's Position:

Moffat County will promote recreation and tourism and associated businesses in Moffat County in an environmentally responsible manner.

Moffat County supports efforts to determine appropriate visitor uses, densities, and timing on water and land recreation activities in Moffat County.

**Recommended Action Steps to Support Moffat County's Position:**

Moffat County recommends the recently formed Recreation Subcommittee of the Moffat County Land Use Board investigate methods to determine appropriate carrying capacities for popular recreation activities in the County.

Moffat County recommends recreation user groups and Moffat County assist federal and state agencies with Global Positioning System (GPS) and Geographic Information Systems (GIS) efforts to accurately map established trails used by recreationists representing motorized and non-motorized recreation in Moffat County.

Moffat County recommends federal and state agencies undertake an intense signing effort to clearly identify Off-Highway Vehicle trails in Sandwash Basin.

Moffat County recommends that recreation based clubs (i.e. Colorado Off-Highway Vehicle Coalition, Bass Masters, and other sportsmen's clubs) promote responsible use for protecting the natural resources of Moffat County through education opportunities.

Moffat County recommends at least one representative from recreation and tourism be included on any team based decision making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which may impact recreation and tourism opportunities on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to recreation and tourism on public land in Moffat County.

## **Special Land Designations**

### **Definition:**

Land Designations refer to tracts of land with distinctive and uniquely recognized use characteristics. As per this Land Use Plan, commonly used Land Designations in Moffat County include but are not limited to: national monuments, national forests, wilderness areas, wilderness study areas, wildlife refuges, national recreation areas, areas of critical environmental concern, etc. Greater than 40 recognized land designations exist nationwide. As per this Land Use Plan, multiple use is not a special land designation, rather it is a concept and management practice for most lands in Moffat County not assigned to a special land designation.

### **Background:**

Moffat County and many western states' counties have received proposals by different interest groups to implement special land designations in order to achieve specific goals from the interest group that proposed the designation. Moffat County is concerned that many special designations do not consider the economic impact to the county, communities, and agencies which special use designations affect. In addition, the wilderness area designation proposals by environmental groups have not included input from local government, communities, nor citizens of Moffat County. Moffat County strongly opposes blanket proposals, which do not involve local input.

Recently the Colorado Environmental Coalition, a coalition of several state and national environmental groups, have proposed nine (9) wilderness areas in Moffat County totaling just under 300,000 acres of federal and state land in the County. Their proposal has not involved the input of local citizens, and subsequently has received very limited congressional support and virtually no local support.

In 2001, the Moffat County Commission passed resolution 2001-14, which among other statements, opposes executive orders creating new land designations without complete and thorough public involvement. Moffat County realizes there are areas in the County which may be worthy of special land designations, but these areas must NOT be designated without substantial local input, local support, and sound science to justify their need.

### **Moffat County's Position:**

Moffat County will only support special designations with substantial local input and support, as well as sound scientifically based research to support their need.

Moffat County does not support the Colorado Wilderness Act of 1999 (H.R. 829 IH) as introduced by Congresswoman Dianna DeGette.

Moffat County supports special land designations that coincide rather than conflict with multiple use concepts and the custom and culture of Moffat County.

**Recommended Action Steps to Support Moffat County's Position:**

The Moffat County Land Use Board and recently established Recreation Subcommittee will provide clear recommendations as to each proposed wilderness area within Moffat County. This Land Use Plan will subsequently defer action steps to the Subcommittee and Moffat County Land Use Board.

Federal and state agencies shall notify the County of any actions or regulations, which involve special land designations on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to special land designation issues in the County.

## Water Resources

### Definition:

Water resources are simply supplies of water that can be drawn upon for various uses. As per this Land Use Plan activities depending on water resources in Moffat County include, but are not limited to:

- Recreation uses (water skiing, motorized and non-motorized water recreation, fishing, swimming etc.)
- Industry uses (power plant operations, mining operations, etc.)
- Municipal and Community uses (city and unincorporated town water supplies)
- Agricultural uses (irrigation of crops, livestock drinking, wells, etc.)
- Wildlife uses (habitat for aquatic life, drinking for wild animals, etc.)

### Background:

Water and associated water rights in Moffat County are integral to municipal, industrial, agricultural, and recreational uses. Two local coal mines utilize and control substantial agricultural and industrial flow and storage water rights in Moffat County. The Tri-state power plant also depends heavily on water within the Yampa and storage reservoirs in Routt and Moffat Counties. These water rights are essential for the continued operation of coal mining and electricity generation activities in Moffat County. The agricultural uses of water from the Yampa River and its tributaries are directly associated with viability of agricultural operations throughout Moffat County. The Yampa River and the lower reaches of the Green River host habitat necessary for the survival of four federally endangered fish species. The Green River is bordered by mostly federal land in Moffat County, with the two major river frontage owners being the Fish and Wildlife Service's Browns Park Refuge, and the National Park Service's Dinosaur National Monument. Supplying adequate flow regimes for the four endangered fishes, providing additional agricultural storage, meeting industrial storage needs, and needs for recreational storage has resulted in several proposals to develop small reservoir storage in tributaries to the Yampa River.

Currently, the Yampa River is second only to the Colorado River, in acre feet exported from the state of Colorado. Much discussion has centered around retaining more water within Colorado and specifically, Moffat County, under cooperative agreements between landowners and agencies. Adequate water quality and availability is necessary for significant municipal, industrial, commercial, agricultural, and recreational opportunities in Moffat County. Several interdisciplinary planning, management, and implementation groups/agencies exist to address water resource issues in Moffat County. Some of the groups/agencies include but are not limited to: the Yampa River Basin Partners, the Yampa River Programmatic Biological Opinion, the Colorado River Water Conservation District, the Colorado Department of Public Health and Environment Water Quality Control Commission (known as the Water Quality Control Commission), individual irrigation and canal companies, and the Yampa Valley Bassmasters.

**Moffat County's Position:**

Moffat County does not support leasing County water interests to “out-of-state” interests when local needs have not first been evaluated.

Moffat County is opposed to any water use plans which do not involve complete public scoping.

Moffat County supports additional water storage facilities (i.e. small reservoirs) on federal and state lands within the County.

Moffat County supports the protection of individual water rights and a fair additional increment allocation of water among uses and users.

**Recommended Action Steps to Support Moffat County's Position:**

Moffat County recommends results from the Small Reservoir Study being conducted by the Colorado River Water Conservation District be implemented on federal, state, and private lands, to increase water storage capacity for a balance of endangered fishes, agricultural, industrial, and municipal uses.

Moffat County recommends the expansion of Elkhead Reservoir, as proposed by the Colorado River Water Conservation District, remain an option for increasing options for recreation opportunities, endangered fishes, and the economic stability of surrounding communities.

Moffat County recommends water rights be allocated to individuals or agencies which fund and develop new water sources while managing for established Desired Plant Communities.

Moffat County recommends federal and state agencies identify future water use issues and needs of Moffat County residents, when creating planning documents.

Moffat County supports Colorado State Law and the Prior Appropriation Doctrine and requests that federal and state agencies utilize the State's system during future water appropriations.

Moffat County recommends any water quality programs (i.e. non-point source pollution programs) evaluate, mitigate, and minimize the impacts on Moffat County's custom and culture and economic viability.

Moffat County recommends at least one representative from water resources be included on any team based decision making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which involve water resources on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to water resource issues in the County.

## Weed Management

### Definition:

Weed management is defined as the ability to control plants that interfere with management objectives for a given area of land at a given point in time. As per this Land Use Plan, weed management has a direct impact on all the categories listed in the table of contents, as weeds disrupt land uses and degrade the environment.

### Background:

Weed Management is a high priority within Moffat County and receives substantial funding dedicated to supporting weed management efforts. The Moffat County Board of County Commissioners adopted the Moffat County Undesirable Plant Management Plan on November 25, 1991 to formalize weed control procedures within the County. This plan details a method of Integrated Plant Management to implement weed management within the County.

Traditionally, Moffat County and federal and state land management agencies have had cooperative agreements and Memorandums of Understanding referencing weed management activities within the County. These agreements follow closely the Moffat County Undesirable Plant Management Plan and concepts of Integrated Plant Management. Overall there is federal, state, and County consensus that using Integrated Plant Management concepts will result in acceptable weed control. The major weed control tactics addressed in Integrated Plant Management include various combinations of the following:

- Education (plant identification, life cycles, mapping infestations, etc.)
- Prevention (irrigation management, soil fertility, range management, etc.)
- Mechanical and physical (cutting, mowing, burning, cultivation, cross-fencing, etc.)
- Cultural (rotating land uses, establishment of desirable and competitive plants, etc.)
- Biological (grazing, predators, parasites, pathogens, etc.)
- Chemical (weed oils, non-selective and selective herbicides, plant growth regulators, etc.)

General agreement exists on how to appropriately control weeds, however, a long-term commitment of funding from federal and state agencies has not occurred. As an example of lack of federal agency commitment to weed management, the Natural Resources Conservation Service (NRCS) does not cost share funding for weed control, yet they cost share on several other land management and improvement practices. Moffat County has, itself, committed long-term funding and recommended funding requirements necessary for federal and state contributions to weed management in the County. Moffat County feels it is imperative for federal and state agencies to dedicate line-items in their annual budgets specifically allocated for weed management efforts. Although various federal and state agencies have supported weed management by utilizing monies in discretionary or general funds, this does not secure funds for regular long-term weed management, a need justified by numerous scientifically based studies. Annual uncertainty as to funding sources and available dollars

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by federal and state agencies does not allow federal and state agencies to establish long-term weed management programs which adhere to the Moffat County Undesirable Plant Management Plan.

### **Moffat County's Position:**

Moffat County supports and implements the concepts of Integrated Plant Management and weed control tactics described in the 1991 Moffat County Undesirable Plant Management Plan.

Moffat County supports cooperative efforts with federal, state, and private land managers to enhance cooperative weed management efforts county-wide.

Moffat County provides secure long-term funding for weed management efforts in the County by appropriating dollars earmarked for weed management and recommends federal and state agencies do the same.

### **Recommended Action Steps to Support Moffat County's Position:**

Moffat County recommends cooperative efforts with federal, state, and private land managers continue to be an option for County weed control.

Moffat County recommends federal, state, and private land managers follow the concepts recommended in the Moffat County Undesirable Plant Management Plan and cooperate with Moffat County to update the Plan on an as-needed basis.

Moffat County recommends federal and state agencies which have not budgeted for reoccurring annual funds necessary to maintain weed management programs, allocate and earmark monies specific to weed management.

Moffat County recommends the Natural Resources Conservation Service provide cost shares options for weed control within the County.

Moffat County recommends at least one representative from weed management be included on any team based decision making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which involve weed management on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to weed management issues in the County.



## **Wildlife (Animal)**

### **Definition:**

Animal wildlife describes animals living in nature that are not domesticated or tamed. As per this Land Use Plan activities depending on wildlife in Moffat County, include but are not limited to:

- Hunting (elk, deer, antelope, bear, mountain lion, coyotes, grouse, rabbits, waterfowl, etc.)
- Aquatic wildlife (fishing, managing endangered fishes etc.)
- Passive recreation (bird watching, wildlife viewing, etc.)
- Species of concern (Black-Footed Ferrets, Greater Sage Grouse, Columbian Sharp-tailed Grouse, endangered fishes, etc.)

### **Background:**

Moffat County enjoys a diverse and abundant game and non-game wildlife population. Statutory authority charges the Colorado Division of Wildlife (CDOW) to preserve and enhance the wildlife resources for the use and benefit of residents and visitors to Colorado. The Colorado Division of Wildlife is responsible for statewide habitat management, setting seasonal harvest and production goals, and buffer zone land use restrictions. Both private and public land provide vital habitat for wildlife species managed for consumptive and non-consumptive uses.

Locally generated teams have been established to create specie conservation plans because of concern about Black-footed Ferret, Columbian Sharp-tailed Grouse, and Greater Sage Grouse populations. In 2001, the Columbian Sharp-tailed Grouse Conservation Plan was completed and signed by private individuals, agencies, and organizations, including Moffat County. Recovery efforts for Black-Footed Ferrets and Greater Sage Grouse are in various stages of completion.

Many issues relating to big game hunting management have surfaced. Hunting permit numbers, distribution, and costs are some of the issues of controversy. Moffat County has traditionally been involved during local meetings and periodically during management planning efforts by the Colorado Division of Wildlife. Big Game hunting also defines the custom and culture, and economic viability for many citizens and communities of Moffat County.

### **Moffat County's Position:**

Moffat County supports recovery planning efforts for sensitive, threatened, and endangered species, which evaluate, mitigate, and support Moffat County's custom and culture and economic viability.

Moffat County supports efforts by the Colorado Division of Wildlife and other agencies who manage wildlife to responsibly reduce predation of sensitive species, increase hunting and fishing opportunities within appropriate carrying capacities, decrease game damage conflicts, and generally balance wildlife numbers with other factions representing the custom and culture and multiple use values of the County.

Moffat County supports responsible wildlife habitat preservation, development, and management.

**Recommended Action Steps to Support Moffat County's Position:**

Moffat County recommends wildlife management agencies manage public hunting access and public recreation opportunities within appropriate wildlife and recreation carrying capacities.

Moffat County recommends agencies which manage wildlife, dedicate financial and personnel resources to predator management. As the custom and culture of Moffat County has changed since the 1960's, predator survival rates are higher than previously existed.

Moffat County recommends Division of Wildlife game harvest numbers be based on a balance of habitat carrying capacity, effects on other wildlife and livestock populations, custom and culture, and economic impact to Moffat County.

Moffat County recommends currently recognized methods of predator control remain as viable options for predator control, until such time that new and better technology offers new options for predator control.

Predator control shall be based on a balance between the best science available, economics, and logistics, evaluated on a case-by-case scenario.

Moffat County recommends agencies which manage wildlife, dedicate funds to game damage based on problematic site needs.

Moffat County recommends federal and state agencies research and provide funding opportunities and compensation to landowners for resource enhancement, to provide exceptional / unusually high habitat qualities for wildlife species of concern.

Moffat County recommends testing procedures continue by federal and state agencies to reduce Whirling Disease in fish populations.

Moffat County recommends endangered fish recovery efforts in the Yampa River continue based on a balance of scientific justification, conserving past and future adjudicated water rights, and economic stability of Moffat County.

Moffat County recommends results from the Small Reservoir Study being conducted by the Colorado River Water Conservation District be implemented to increase water storage capacity for a balance of endangered fishes, agricultural, industrial, recreational, and municipal needs.

Moffat County recommends regulatory agencies adopt bond release criteria for mine reclaimed lands based on a combination of established wildlife habitat (topographic relief, surface water management techniques, establishment of diverse vegetation, etc.) rather than only woody plant density.

Moffat County recommends at least one representative from wildlife (animal) interests be included on any team based decision making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which involve animal wildlife on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to animal wildlife issues in the County.

## **Wildlife (Plant)**

### **Definition:**

Plant wildlife describes plants living in nature which include both native and introduced plants to the United States as well as desirable and undesirable plants. As per this Land Use Plan activities depending on plant wildlife in Moffat County, include but are not limited to:

- Agriculture (livestock carrying capacities, Desired Plant Communities)
- Weeds (undesirable plant management)
- Recreation and education (plant identifying, 4-H range judging, etc.)
- Habitat for animal wildlife
- Species of concern (rare, threatened, and endangered plants or habitat for animal species of concern).

### **Background:**

Moffat County enjoys a diverse and abundant plant wildlife population. Both private and public land provide vital plant wildlife species managed for various consumptive and non-consumptive uses.

The Colorado Natural Heritage program maintains the most current plant database in Colorado and this database is accessible to the public on the internet. There are currently no known federally endangered plant occurrences in Moffat County and one federally threatened plant occurrence (Ladies'-tresses orchid) along the Green River of Moffat County. However, Moffat County, and virtually all Colorado counties, host several rare plants which meet varying levels of vulnerability and threats which support proposals to list them as either threatened or endangered.

The continued presence of the possibility of listing any of the rare plant species as federally endangered or threatened heightens the need for Moffat County private citizens and federal and state agencies to establish a Desired Plant Community for areas within Moffat County. One reason for the need to establish Desired Plant Communities is to set goals for rare plant management.

### **Moffat County's Position:**

Moffat County supports efforts to conduct plant surveys to validate existing data and add new plant inventory data.

Moffat County supports recovery planning efforts for sensitive, threatened, and endangered plant species, which evaluate, mitigate, and support Moffat County's custom and culture and economic viability.

Moffat County supports locally driven efforts to identify Desired Plant Communities which do not compromise the custom and culture and the economy of Moffat County.

**Recommended Action Steps to Support Moffat County's Position:**

Moffat County recommends federal and state agencies research and provide funding opportunities and compensation to landowners who provide unusually high habitat qualities for animal and plant wildlife species of concern.

Moffat County recommends locally driven efforts be initiated to identify Desired Plant Communities for areas within Moffat County.

Moffat County recommends at least one representative from wildlife (plant) interests be included on any team based decision making process which state or federal agencies undertake as pertaining to natural resources in the County.

Federal and state agencies shall notify the County of any actions or regulations, which involve plant wildlife on federal and state land within the County; and Moffat County will review and comment on federal or state actions or changes significant to plant wildlife issues in the County.

## **APPENDIX C: Moffat County 2001 Land Use Plan Public Involvement Process**

### **Tours**

The Moffat County Land Use Board sponsored three tours to familiarize the public with land use issues on state and federal lands within Moffat County. The tours were designed to give citizens on-site information before public hearings took place. Tours were conducted in the Little Yampa Canyon vicinity, the Sandwash/Vermillion Basin vicinity and the Dinosaur/Pinyon Ridge vicinity. A total of forty-eight (48) citizens attended the tours. Detailed information and publications about each of the below listed public input meetings is available for public review at the Moffat County Natural Resources office.

### **Public Hearings**

Five separate public hearings were held during November and December of 2000 to allow the public to identify land use issues and to provide the Land Use Board with detailed information to aid in the drafting of the County Land Use Plan. Hearings were held in different locales across Moffat County to give all citizens the opportunity to voice their concerns and make recommendations. The hearings took place in Browns Park, Dinosaur, Maybell and two hearings were held in Craig. One hundred ten (110) people attended the hearings.

An additional public hearing was held in Craig on November 8, 2000 to gather testimony from invited special interest groups and stakeholders in Moffat County. Forty-four (44) organizations representing recreation, agriculture, business, environmental clubs/organizations, minerals/mining and government affiliates attended this meeting to present the Moffat County Commissioners and Land Use Board testimony on land use interests.

### **CNCC**

Colorado Northwestern Community College sponsored State & Federal Land Use Informational Meetings in cooperation with Moffat County. These informational meetings were designed to coincide with the Moffat County Land Use Board's tours and public hearings. Three separate two-hour meetings with guest speakers were held in October and November 2000 dealing with the following topics:

- 1) Wildlife Management - Sage Grouse, Prairie Dogs, Black-Footed Ferret, Elk, Deer, Antelope
- 2) Management of Agriculture/Mineral & Mining Sheep/Cattle Ranching, Mining, Minerals, Electricity, Waste Disposal
- 3) Recreation - Hunting/Fishing, Rafting/Water Sports, OHV, Motorcycles, Snowmobiles, Mountain Biking/Hiking/Camping, Hang Gliding, Birding, Back Packing/Goat Packing, Mountain Climbing

## **Surveys**

Moffat County, the University of Wyoming, and Colorado State University cooperatively developed a land use evaluation survey. The survey focused on asking citizens about several land use planning issues present in Moffat County. A focus group consisting of city/county officials, landowners and representatives of the general public met during several workgroup meetings to build survey questions concerning planning and land use issues in the County.

The survey population was determined from households of two types:

- 1) owners of land in Moffat County regardless of place of residence, and
- 2) residents

A random sample was drawn from about 35% of total households from the population sample.

## **Citizen Petition**

During 2000, concerned residents gathered an estimated 9,000 signatures from citizens opposing any expansion of Dinosaur National Monument. The petition and signatures are on file in the Moffat County Board of County Commissioners office and the Moffat County Natural Resources Department.

## **Public Scoping Documents**

After the public hearing process concluded, the Moffat County Natural Resources Department compiled all information and testimony received into three books:

- 1) The November 8, 2000 *Stakeholders and Special Interest Group Testimony* is a two hundred seventy eight (278) page volume with speakers' written testimony and verbatim records of questions and answers recorded by a court stenographer.
- 2) *The Moffat County Land Use Board Public Hearing Summary* includes the information gathered from the five public hearings. This summary book is divided into a category summation, a city summation, and includes a section of verbatim notes taken at each hearing.
- 3) The Land Use Board also offered the public a "general comment period" from November 2000 through January 15, 2001. The public was invited to submit comments on land use issues via telephone, general mail, email or hand delivered to the Natural Resources Department. *The Moffat County Land Use Board Public Comment Received* is the compilation of these comments.

Each of the above described books, CD's, and videotapes of the November 8<sup>th</sup> meeting are on file in the Natural Resources Department and available to the public at cost.

## **Advertising**

Press releases from the Moffat County Commissioners outlining the Special Interest/Stakeholders Meeting, public hearings, and tours to address land use issues were sent to newspapers in Craig, Grand Junction, Steamboat, Meeker/Rangley and Denver; radio stations in Craig, Steamboat and Vernal, Utah; the Craig TV station; and six stations in Denver. The specific tours and public hearings were individually advertised in the Craig Daily Press Regional Datebook section as each date approached. The public comment period was also advertised periodically in the Craig Daily Press. The Moffat County Natural Resources website detailed the public information and specific dates for the three tours, five public hearings, Special Interest/Stakeholders Meeting and an email address and telephone numbers for comment. Staff from the Moffat County Natural Resources Department were interviewed during various Craig Daily Press articles and KRAI Radio Public Announcements to provide more detailed information about the respective events.



## **APPENDIX D: 1994 Moffat County Land Use Policy Statement**

### **Moffat County Land Use Policy Statement**

#### **LAND USE POLICY STATEMENT**

The Moffat County Land Use Statement is intended to be the County government's statement of policy relative to the use of public land and public resources in Moffat County and to the protection of the rights of private landowners and the resource itself.

Federal and state lands make up approximately 65% of Moffat County. Moreover, Moffat County's economy is inseparably dependent on land and water based resources located on federal, state, and private lands. The nature and intent of Moffat County government land use policy is to protect the custom and culture of County citizens through protection of private property rights, the facilitation of a free market economy, and the establishment of a process to ensure self-determination through planning by local communities and individuals, in cooperation with local, state, and federal agencies.

This Land Use Policy Statement addresses federal and state land use management issues directly and is intended to be used as a positive guide for federal and state land management agencies in their development and implementation of land use plans and management actions. The County and its citizens support the continued wise conservation and use in accordance with custom and culture of federal and state lands in Moffat County. Therefore, it is the policy of Moffat County that federal and state agencies are expected to inform the Moffat County Commission, city councils/town boards, hereinafter referred to as "the local governments," of all pending actions affecting local communities and citizens and coordinate with them in the planning and implementation of those actions. The local governments when affected by such actions, are expected to be consulted and coordinated in accordance with the laws of Colorado and the laws of the United States.

In compliance with current federal and state laws, all federal and state agencies are expected to coordinate with the local governments the purpose of planning and managing federal and state lands within the geographic boundaries of Moffat County, Colorado. Federal and state agencies proposing actions that will impact the Moffat County Land Use Policy Statement are expected to prepare and submit in writing, and in a timely manner report(s) on the purposes, objectives, and estimated impacts of such action including economic, to the local governments. These report(s) should be provided by the local, state and federal representative to the local governments for review and coordination prior to federal or state initiation of action.

## **PREAMBLE**

Based on existing custom and culture, all resource decisions affecting Moffat County will be guided by the principles of protecting private property rights, protecting local custom and culture, maintaining traditional economic structure through self-determination, and opening new economic opportunities through reliance on free markets. Resource decisions made in this manner contemplate enhancement of environmental quality.

## **LAND DISPOSITION**

Recognizing that land is essential to local industry and residence, it will be the policy of the county that the design and development of all federal and state land disposals, including land adjustments and exchanges, be carried out to the benefit of the citizens of Moffat County.

## **POLICIES**

1. Increase opportunities for local economic development by increasing the amount of patented lands within the county, while encouraging a no-net loss of private land valuation within the boundaries of Moffat County.
2. Federal and state land agencies shall be requested to not acquire any private lands or rights to private lands within Moffat County without first ensuring:
  - a. That at a minimum, parity in patented land valuation is maintained; and
  - b. That private property interests are protected and enhanced.
3. The local governments are expected to be notified of, consulted with, and otherwise involved in all federal and state land exchanges in Moffat County. Further, the local governments expect to be partners in planning all federal and state land adjustments occurring within the County's political boundaries.
4. Local governments expect to be partners with federal and state agencies in determining land withdrawals for hazardous and non-hazardous waste storage or disposal as well as the types and points of origin of such waste.
5. Before federal and state land agencies can change land use, impact studies on uses should be conducted and mitigation measures considered with concurrence from local governments. Impact studies will address community stability, local economics, local custom and culture, resource enhancement, etc.

## **WATER RESOURCES**

The local governments recognize that the protection and development of its water resources are essential to its short and long term economic and cultural viability.

### **POLICIES**

1. The protection of existing water rights and water uses within Moffat County is of primary importance to the County's economic and cultural well-being. Therefore, changes in water uses for federal, state or district purposes that will potentially reduce available water or effect existing water rights should be carefully considered in relationship to the history, traditions, and culture of Moffat County. Moffat County expects state or federal agencies to coordinate any such changes with local governments. Preparation of recovery plans for the protection of all aquatic threatened and endangered species are expected to be coordinated with the local governments.
2. The local governments will support the facilitation of a free market economy of water resource for existing as well as future water rights for agricultural, domestic, industrial, municipal, and recreational purposes.
3. The local governments will develop their water use policy to ensure both water quantity and water quality.

## **AGRICULTURE**

The custom and culture associated with agricultural production in Moffat County is desirable and necessary to the livelihood and well-being of its citizens. Therefore, it is the policy of Moffat County and local governments to encourage protection of agricultural land and promote the continuation of agricultural pursuits by protecting private property rights, relying on self-determination, and promoting open market conditions.

### **POLICIES**

1. Opportunities for grazing livestock on federal and state lands should be at levels consistent with customs and culture, the protection of equitable property rights, and proper stewardship of the resource.
2. Federal and state governments are expected to coordinate with the local governments to provide agricultural opportunities on their respective lands.

3. Federal and state land managing agencies, and all other federal and state agencies are expected to coordinate with the local governments on matters affecting livestock grazing on public lands.
4. Incentives for improving grazing lands and promoting good land stewardship should be developed by local advisory councils.

## **TIMBER AND WOOD PRODUCTS**

The custom and culture associated with wood products in Moffat County is desirable and necessary to the livelihood and well-being of its citizens. Therefore, it is the policy of the local governments to encourage protection of the timber resources and promote the continuation of a sustainable wood products industry based upon self-determination, and promoting open market conditions.

### **POLICIES**

1. The local governments will encourage the Federal or State government to allow bidding on harvest sizes that provide opportunities for a wide spectrum of producers and that allow for local entrepreneurship.
2. Opportunities for a sustainable wood products industry should be continued at levels consistent with custom and culture and as affected by prevailing market conditions.

## ***ARCHEOLOGICAL RESOURCES/HISTORIC PRESERVATION, RECREATION, WILDLIFE, AND WILDERNESS***

The local governments will promote and foster public and private archeological resources/historical preservation, recreational, wilderness, and wildlife opportunities compatible with local custom and culture and within the constraints of private property rights and local self-determination.

### **POLICIES**

1. Federal and state land and wildlife management and enforcement agencies are expected to coordinate with the local governments on matters regarding wildlife.
2. Any state or federally proposed change or designation of wilderness areas or status in Moffat County should be coordinated with the local governments prior to the adoption and implementation of any such change or designation.
3. Any federal, state, private organization and/or individual are expected to coordinate, cooperate and consult with local governments in matters regarding archeological resources

and historic preservation to foster conditions under which historic resources can exist in productive harmony with the custom and culture of Moffat County.

### **MINERAL RESOURCES**

The custom and culture associated with mineral production in Moffat County is desirable and necessary to the livelihood and well-being of its citizens. Therefore, it is the policy of the local governments to promote procedures that provide for the long term availability and responsible development of its mineral resources, including but not limited to limestone, coal, oil, gas, gold, copper, and gravel.

### **POLICIES**

1. Any state or federally proposed change or designation of mineral use should be coordinated with the local governments prior to the adoption and implementation of any such change or designation.

### **INDUSTRIES AND MANUFACTURING**

The custom and culture associated with industries and manufacturing in Moffat county is desirable and necessary to the livelihood and well-being of its citizens. Therefore, it is the policy of local governments to promote procedures that provide for the long term availability and responsible development of industries and manufacturing.

### **POLICIES**

1. Any state or federally proposed change affecting industry and manufacturing in Moffat County should be coordinated with the local governments prior to the adoption and implementation of any such change.

### **ACCESS AND TRANSPORTATION**

Federal and state land agencies are expected to assist the local governments in maintaining the existing transportation network that optimize accessibility within Moffat County and that minimizes the cost movement between all communities and across public lands. Access to or across federal or state lands should not entail encumbrances or restrictions on private property rights or privileges.

### **SUMMARY**

In summary, this Land Use Policy Statement is intended to be utilized as a positive process, whereby federal and state land, water, and wildlife decisions can be coordinated with the local governments on existing custom and culture, the protection of private property rights, maintaining traditional economic structures through self-determination, and opening new economic opportunities through reliance on a free market economy.

## Moffat County Land Use Plan 2025 Update

*(Signature page on file with the Moffat County Board of County Commissioners and the Moffat County Natural Resources Department)*

## **APPENDIX E: Moffat County and BLM Memorandum of Understanding**

MEMORANDUM OF UNDERSTANDING  
Between  
Board of County Commissioners, Moffat County, Colorado  
And  
State Director, Bureau of Land Management  
U.S. Department of the Interior

This Memorandum of Understanding, made and entered into by and between the Board of County Commissioners, Moffat County, Colorado, and the State Director, Bureau of Land Management, Colorado, acting pursuant to the Federal Land Policy and Management Act of 1976, National Environmental Policy Act of 1969, Title IV of the Intergovernmental Cooperation Act of 1968, and the Local Government Land Use Enabling Act of 1974, as codified at § 29-20-105, C.R.S. 1973; § 29-1-201 et seq., C.R.S. 1973; and § 30-11-102 (1) (d), C.R.S. 1973; and all amendatory acts thereof or supplemental thereto, and such other legislation and regulations as may apply, WITNESSETH, that:

WHEREAS, Moffat County (hereinafter referred to as the County) has adopted zoning, and other land use control regulations to guide development of all lands in the County, and

WHEREAS, Bureau of Land Management (hereinafter referred to as BLM) has developed management framework plans to guide management and development of public lands, and

WHEREAS, Land use or development decisions by either party may become constraints on similar decisions by the other party, and

WHEREAS, Both the County and BLM desire to coordinate their respective planning and decision processes in order to achieve maximum benefits from available resources, to reduce duplication of effort and to attain better overall coordination of land management throughout Moffat County,

NOW, THEREFORE, it is agreed that;

I. Each party will:

- A. Cooperate in land use decision-making, including consultation in land use decisions and in preparation of land use plans, including, for example County Master plans and BLM management framework plans, including any amendment to or revision of said plans.

- B. Inform each other as far in advance as possible of anticipated plans and proposed activities that might affect either party, but in no case shall such information be provided less than thirty-five (35) days prior to the adoption of such plans or taking place of such activities.
- C. Cooperate in development and implementation of specific agreements supplemental to this agreement, including, but not limited to, agreements regarding zoning, subdivision of lands, road construction, maintenance and use, and rights –of –way.

II. The Bureau of Land Management will:

- A. Solicit County participation in developing plans, programs, and proposals for management of public lands and consider those views in the decision process. Participation will specifically include analysis of preliminary recommendations (Step 1, MFP) and conflicts, development of recommendations (Step 2, MFP) for adoption of the management framework plan, and all rights to receive notice of and to participate in such planning as are provided by § 202(F) of the Federal Land and Policy Management Act of 1976 and regulations adopted pursuant thereto.
- B. Provide the County an opportunity to (1) review and comment on applications submitted to BLM that would affect land use or development in Moffat County, and (2) to participate in development of the requisite environmental assessments (environmental statements and environmental assessment reports). Participation will specifically include analysis of land use impacts and analysis of alternatives. Those types of applications the County will review include, but are not limited to, those on Exhibit A, attached hereto.
- C. Make available to the county all non-proprietary resource and land use information concerning land located in Moffat County in possession of BLM and all data from public land inventories maintained under §201 (a), (b) of the Federal Land Policy Management Act of 1976 and all regulations adopted pursuant thereto.
- D. Insert in all licenses, permits, leases and other such documents granting permission to occupy or use public lands a stipulation requiring all such licensees, permittees, and leasees to exercise the rights granted thereby in conformance to the following Moffat County Ordinances and amendments thereto:



Moffat County, Zoning Resolution (on private land and acquired surface)

Moffat County, Subdivision Regulations

Moffat County, Individual Sewage Disposal Regulations

Moffat County Road Specifications

- E. Make personnel available to assist the County in complementary data gathering and land use planning as is determined by the State Director to be practical within financial, legal, and personnel limitations.
- F. To the extent consistent with the laws governing the administration of the public lands, coordinate the land use inventory, planning, and management activities of BLM lands with the land use planning and management programs of the County. In implementing this section, the BLM shall assure that consideration is given to County Land Use Plans that are germane in the development of land use plans for BLM lands, assist in resolving inconsistency between land use plans of BLM and the County, and provide for meaningful public involvement of County Officials in land use decisions for public lands, including early public notice of proposed decisions which may have significant impact on County Lands.
- G. Assure that land use plans for public lands are consistent with County plans to the maximum extent possible under federal law and the purposes of the Federal Land Policy Management Act of 1976.
- H. To the maximum extent possible, agree that no lease, grant, or other conveyance of public lands shall exempt such lessee, grantee, or other conveyee from compliance with County land use plans, laws, or regulations which are or may be in effect as of the date of the lease, grant, or other conveyance.
- I. At least sixty (60) days prior to offering for sale or otherwise conveying public lands within the county notify the board of County Commissioners of such sale or conveyance in order to afford them an opportunity to zone or otherwise regulate, or change or amend existing zoning or other regulations concerning the use of lands prior to such conveyance. The BLM shall also promptly notify the board of County Commissioners of the patent or other document of conveyance for such lands.
- J. Cooperate with the County in the enforcement of the County regulations specified at § II.D of this Memorandum of Understanding.

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- K. In the development and revision of BLM land use plans, provide for compliance with all state pollution laws and county regulations promulgated thereunder pursuant to state law regarding air, water, noise, or other pollution standards or implementation plans.
- L. Cooperate with the County in mitigating the socio-economic impacts land use activities on federal lands and with regard to federal mineral rights.

### III. Moffat County Will:

- A. Solicit BLM participation in developing master plans and zoning, or revisions thereto, for lands in Moffat County. Participation will include review and comment on planning and zoning proposals and may include non-voting ex-officio membership on the County Planning Commission.
- B. Provide BLM an opportunity to review and comment on proposals submitted to the County (including the Planning Commission) that involve land use or zoning that may impact public lands. Those types of proposals BLM will review are included but not limited to those located on Exhibit B., attached hereto.
- C. Make available to BLM social and economic information in possession of the County.
- D. Make County expertise or personnel available for complementary data-gathering, environmental studies, and land use planning as is determined by the County to be practical, recognizing financial and personnel constraints.
- E. Unless agreed to the contrary, the County shall not rezone any land described in §II.I above, after the notification and before the sale therein described.

### IV. Timeliness:

Both parties recognize that time is of the essence in performance under this agreement; in some cases it may be critical. Where necessary, reasonable time limits may be set for participation by either party.

- V. Nothing in this agreement will be construed as limiting or affecting in any way the authority or legal responsibility of the Board of County Commissioners of the State Director, or as bidding either County or the Bureau of Land Management to perform

- beyond the respective authority of each, or as requiring either party to assume or expend any sum in excess of appropriations available.
- VI. Amendments or supplements to this agreement may be proposed by either party and shall become effective upon written approval of both parties.
- VII. This agreement shall become effective as soon as signed by the parties hereto and shall continue in force unless formally terminated by either party after thirty (30) days notice in writing to the other of the intention to do so.
- VIII. Each and every provision of this Memorandum of Understanding is subject to the laws of the State of Colorado, Moffat County, and the laws of the United States, and the regulations of the Secretary of the Interior.

This agreement supercedes the general Cooperative Agreement between the parties hereto dated 4/19/74.

*(Signature page on file with the Moffat County Board of County Commissioners and the Moffat County Natural Resources Department.)*

## **EXHIBIT A**

Moffat County will be afforded an opportunity to review and comment on the following types of application or proposals that may be filed with Bureau of Land Management, including, but not limited to:

1. Rights-of-way for roads, power lines, pipelines, telephone lines, and other rights-of-way projects.
2. Land use planning information (resource inventories, management framework plan, etc.)
3. Environmental assessments and statements.
4. Withdrawals and revocations.
5. Sale, exchange, lease or other conveyance of lands.
6. Mineral exploration and reclamation plans (where required by BLM).
7. Any action proposed on County identified flood plains areas which require special authorization.
8. Mine land reclamation plans.
9. Sand and Gravel contract application.
10. Applications for permit to drill oil and gas wells.

## **EXHIBIT B**

The Bureau of Land Management will be afforded an opportunity to review and comment on the following types of applications or proposals that may be filed with Moffat County.

1. Subdivision or mobile home parks within one mile of Public lands or that may impact Public lands.
2. Roads, power lines, pipelines, telephone lines, and similar rights-of-way.
3. Dams, diversions, ditches, and similar water development or conveyance facilities.
4. Solid waste disposal sites and sewage treatment sites within one mile of Public Lands or that may impact Public Lands.
5. Sand and gravel permits.

## **APPENDIX F: County Authority on Federal and State Lands**

### **FEDERAL LAWS AND REGULATIONS PROVIDING FOR CONSULTATION OR INVOLVEMENT OF COUNTY GOVERNMENT.**

#### **A. Process and Procedural Statutes**

1. Administrative Procedure Act ("APA"), 5 U.S.C. §553, requires notice and comment of proposed regulations.
2. Intergovernmental Cooperation Act, 3 U.S.C. §301, 42 U.S.C. §4231(a), provides that federal agencies are to coordinate programs and plans with state and local governments. See also Executive Order 12372 (July 14, 1982).
3. National Environmental Policy Act ("NEPA"), 42 U.S.C. §4331, 40 C.F.R. §1506.6;
  - a. NEPA policy is to promote public involvement. 40 C.F.R. §1506.6.
4. Code of Federal Regulations (CFR), 40C.F.R. Sec. 1508.5 "A State or local agency of similar qualifications or, when the effects are on a reservation, and Indian Tribe, may by agreement with the lead agency become a cooperating agency."

#### **B. Management of Federal Land**

1. Federal Land Policy and Management Act ("FLPMA"), 43 U.S.C. §1701, et seq.,
  - a. "The Secretary shall allow an opportunity for public involvement and by regulation shall establish procedures, including public hearings where appropriate, to give federal, State and local governments and the public adequate notice and opportunity to comment upon and participate in the formulation of plans and programs relating to the management of the public lands." 43 U.S.C. §1712(f).
  - b. Coordination with local government is required in addition to public involvement by regulation for development of land use plans, guidance and revision or amendment of plans. 43 C.F.R. §1610.3.
  - c. "In exercising his authorities under this Act, the Secretary by regulation shall establish procedures, including public hearings where appropriate, to give the federal, State, and local governments and the public adequate notice and an opportunity to comment upon the formulation of standards and criteria for, and to participate in, the preparation and execution of plans and programs for, and the management of, the public lands." 43 U.S.C. §1739(e).
  - d. "The Secretary, with respect to the public lands, shall promulgate rules and regulations to carry out the purposes of this Act and of other laws applicable to the public lands, and the Secretary of Agriculture, with respect to lands within the National Forest System, shall promulgate rules and regulations to carry out the purposes of this Act." 43 U.S.C. §1740.

2. National Forest Management Act ("NFMA"), 16 U.S.C. §§1600 et seq.
  - a. "In developing the reports required under subsection (b) [Resource Planning Assessments] of this section, the Secretary shall provide the opportunity for public involvement and shall consult with other interested governmental departments and agencies." 16 U.S.C. §1601(c).
  - b. "The Secretary shall provide for public participation in the development, review, and revision of land management plans including, but not limited to, making the plans or revisions available to the public at convenient locations in the vicinity of the affected unit for a period of at least three months before final adoption, during which period the Secretary shall publicize and hold public meetings or comparable processes at locations that foster public participation in the review of such plans or revisions." 16 U.S.C. §1604(d).
  - c. National Forest System land use planning is implemented in 36 C.F.R. Part 219.
  - d. Public involvement in land use planning, 36 C.F.R. §§219.14-219.18.
  - e. Coordination with other governmental entities. §219.14, 219.15, 219.16. The revised planning regulations emphasize "collaborative planning" but in a clear policy departure from the previous rules, the Forest Service does not need to consider land use plans of local government or Indian tribes nor is it required to resolve conflicts.
  - f. The previous Part 219 rules provided for coordination with local government on research needs but this is deleted entirely.
  - g. Amendments to NFMA plans require public notice as well. 16 U.S.C. §1604(f)(4).
  - h. Land use planning regulations are to follow the Administrative Procedure Act (APA) requiring notice and public comment. 16 U.S.C. §1604(g).
  - i. "In carrying out this subchapter, the Secretary of Agriculture shall utilize information and data available from other Federal, State and private organizations and shall avoid duplication and overlap of resource assessment and program planning efforts of other Federal agencies." 16 U.S.C. §1610.
  - j. "In exercising his authorities under this subchapter and other laws applicable to the Forest Service, the Secretary, by regulation, shall establish procedures, including public hearings where appropriate, to give the federal, State and local governments and the public adequate notice and opportunity to comment upon the formulation of standards, criteria, and guidelines applicable to Forest Service programs." 16 U.S.C. §1612(a).

k. Public involvement in all Forest Service decisions, 36 C.F.R. Part 216, implements 16 U.S.C. §1612 of NFMA.

(1) Exempts from public notice and comment manual direction on personnel, contracting and routine business operations. 36 C.F.R. §216.3(a)(3).

(2) Notice of new direction or guidelines based on level of interest and impact, 36 C.F.R. §216.4.

l. Secretary has authority to create advisory boards necessary "to secure full information and advice on the execution of his responsibilities." 16 U.S.C. §1612(b).

m. Secretary is to implement NFMA through rulemaking with notice and public comment pursuant to Administrative Procedure Act (APA). 16 U.S.C. §1613.

3. Other Forest Service Regulations:

a. Community stability, 36 C.F.R. §221.3. "Management plans for national forest timber resources shall . . . Be designed to aid in providing a continuous supply of national forest timber for the use and necessities of the citizens of the United States."

4. National Park Service

a. Deputize local law enforcement, 16 U.S.C. §1a-6(c).

b. Consult with local agencies when conducting periodic review every three years of National Park System, 16 U.S.C. §§1a-9, 1a-10.

c. Any changes in the boundaries of a national park unit requires consideration of impacts on local communities, 16 U.S.C. §1a-12.

d. Cooperative agreements to fund state and local government education programs, 16 U.S.C. §1g.

e. National Park Service authorized to coordinate with the state and political subdivisions in land use planning, 16 U.S.C. §17l.

5. Protection of Historic and Cultural Resources

a. Cooperation with state and local governmental agencies in protection of historic sites. 16 U.S.C. §464

- b. Establishes policy of partnership with states, tribes and counties in protecting historic and cultural resources, 16 U.S.C. §470-1.
  - c. Historic Advisory Council authorized to adopt regulations to implement local government participation, 16 U.S.C. §470s.
  - d. Public notice and state agency involvement in rulemaking to protect archeological resources on public lands, 16 U.S.C. §470ii.
6. Executive Order 12630 (E.O. 12630) March 15, 1988 Governmental Actions and Interference with Constitutionally Protected Property Rights.

C. Wildlife Protection

- 1. Coordination with state and other agencies in wildfire protection, 16 U.S.C. §661.
- 2. National Wildlife Refuge System is to coordinate with state agencies and other agencies and to provide for public involvement, 16 U.S.C. §668dd.
- 3. Coordinate with state and other entities in developing comprehensive plans for wildlife restoration, 16 U.S.C. §670g, 670h.
- 4. Counties are entitled to 25% of revenues from sales of operations within units of the National Wildlife Refuge System, 16 U.S.C. §715s.
- 5. National Trail System administration and coordination to occur in consultation with state, tribal and local governments, 16 U.S.C. §1246.
- 6. Wild & Scenic Rivers System to be designated and expanded in consultation with state and local governments, 16 U.S.C. §1273,
- 7. Endangered Species Act, 16 U.S.C. §1533.
  - a. "With respect to any regulation proposed by the Secretary to implement a determination, designation or revision referred to in subsection (a)(1) or (3) [listing or critical habitat], the Secretary shall-- . . .give actual notice of the proposed regulation (including complete text of the regulation) to the State agency in each state in which the species is believed to occur, and to each county or equivalent jurisdiction in which the species is believed to occur, and invite the comment of such agency, and each such jurisdiction, thereon;" 16 U.S.C. §1533(b)(5)(A)(ii); 50 C.F.R. §§424(c)(ii); 424(c)(iii);
  - b. Public comment of at least 60 days from F.R. and 30 days in all other rules. 50 C.F.R. §424.16(c)(2);



- c. Public hearings if requested. 50 C.F.R. §424.16(c)(3).
  - d. The Secretary shall prior to final approval of a new or revised recovery plan, provide public notice and an opportunity for public review and comment on such plan. The Secretary shall consider all information presented during the public comment period prior to approval of the plan." 16 U.S.C. §1533(f)(4).
  - e. Guidelines for classifying petitions and review of potentially threatened or endangered species shall have public notice and opportunity for comment. 16 U.S.C. §1533(h).
  - f. Secretary is to cooperate with the states "to the maximum extent practicable." 16 U.S.C. §1535(a). This includes signing cooperative agreements and working with state fish and wildlife programs.
- 8. Coordinate, consult and provide for public involvement with local governments in conservation of soil and water, including private land grazing. 16 U.S.C. §§2003-2005.
  - 9. State authority to develop conservation program for nongame wildlife and fish and public involvement, 16 U.S.C. §2903.

D. Federal Pollution Laws

- 1. Clean Water Act, 33 U.S.C. §§1251, et seq.
  - a. "It is the policy of the Congress to recognize, preserve, and protect the primary responsibilities and rights of the States to prevent, reduce and eliminate pollution, to plan the development and use (including restoration, preservation, and enhancement) of land and water resources and to consult with the Administrator in the exercise of his authority under this chapter." 33 U.S.C. §1251(b).
  - b. "Public participation in the development, revision, and enforcement of any regulation, standards, effluent limitation, plan or program established by the Administrator or any State under this chapter, shall be provided for, encouraged, and assisted by the Administrator and the States. The Administrator, in cooperation with the States, shall develop and public regulations specifying minimum guidelines for public participation in such process." 33 U.S.C. §1251(e).
  - c. "It is the policy of Congress that the authority of each State to allocate quantities of water within its jurisdiction shall not be superseded, abrogated, or otherwise impaired by this chapter. It is the further policy of Congress that nothing in this Chapter shall be construed to supersede or abrogate rights to quantities of water which have been established by any State. Federal agencies shall cooperate with State and local agencies to develop comprehensive solutions to prevent, reduce and

eliminate pollution in concert with programs for managing water resources." 33 U.S.C. §1251(g).

d. "The Administrator, shall, after careful investigation and in cooperation with other federal agencies, State water pollution control agencies, interstate agencies, and the municipalities and industries involved prepare or develop comprehensive programs for preventing, reducing or eliminating the pollution of the navigable waters and ground waters and improving the sanitary conditions of surface and underground waters." 33 U.S.C. §1252(a).

2. Resource Conservation Recovery Act ("RCRA"), 42 U.S.C. §§6901 et seq.
  - a. State solid waste regulatory programs authorized. 42 U.S.C. §6926.
  - b. State underground storage tank programs authorized. 42 U.S.C. §6991c.
3. Clean Air Act, 42 U.S.C. §§7401, et seq.
  - a. Public involvement in preparation of state and regional implementation plans, 42 U.S.C. §7410.
4. Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. §§9601, et seq.
5. Community Right to Know, 42 U.S.C. §§11001 et seq., implements broad authority to inform members of the public regarding the existence or presence of regulated substances.

E. Resource Development

1. Mined Land Reclamation, C.R.S. §§34-32-101-127; 34-101-32.5 to 32.5-125.
2. Federal leasing laws.
  - a. Coal leasing, 30 U.S.C. §201
  - b. Coal leasing on acquired lands, 30 U.S.C. §357
  - c. Leasing in railroad lands or rights-of-way, 30 U.S.C. §301
3. Federal Lease Royalties, C.R.S. §34-61-101.
4. Surface Mining Coal Reclamation Act ("SMCRA"), 30 U.S.C. §§1201, 1253, 1255.
  - a. Public notice required for coal mining permits. 30 U.S.C. §1263.

## Moffat County Land Use Plan 2025 Update

### F. Public and Rural Services

1. Plant and Animal Damage
  - a. 7 U.S.C. §2808, 2814 (cooperate with counties on noxious weed control);
  - b. 7 U.S.C. §\*\* (cooperate with state and local government in animal damage control).
  - c. State agencies authorized to control noxious weeds on public lands, 43 U.S.C. §1241.
2. Electrical and Telephone Services
  - a. 7 U.S.C. §950aa (economic development aid for service)
  - b. 7 U.S.C. §2281 US Department of Agriculture advisory councils

### G. Federal Transportation System

1. Federal Highway Act
  - a. Consult with local governments, 23 U.S.C. §204, 214.

## COLORADO REVISED STATUTES

### I. LAND USE PLANNING

#### A. Planning Authority of County Governments

1. C.R.S. § 29-20-102 grants county government broad authority to plan for land uses within boundaries of the county so long as it does not impinge on state authority
2. C.R.S. § 29-20-104 enumerates scope of authority including regulation of hazardous areas, protection of significant wildlife habitat and species, preserving areas of historical and archeological importance, roads, phased development and changes in population densities
3. C.R.S. § 29-20-105 authorizes counties to cooperate with other units of government in land use planning, including comprehensive development plans
4. C.R.S. §29-20-108 grants specific direction and authority to plan and authorize utilities and natural gas facilities
5. C.R.S. §29-20-201 protects private property rights from public use without compensation, including conditions on land use approvals that are not proportional, C.R.S. §29-20-203

#### B. State Coordination

1. C.R.S. §24-32-101 establishes a Division of Local Government
  2. C.R.S. §24-32-109, Local Affairs Department to aid counties in identification and designation of matters of state interest.
  3. C.R.S. §24-32-112, Department of Local Affairs to develop data relevant to local and regional planning and to encourage comprehensive planning
  4. C.R.S. §24-32-207, Provide financial or other planning assistance in accordance with federal or state laws,
  5. C.R.S. §24-32-302; Division of Planning is to focus on economic development for rural and lesser populated areas of the state,
  6. C.R.S. §24-32-802, establishes a specific rural development office to provide technical assistance, recommend changes in state law, do studies and identify solutions, if requested,.
  7. Smart Growth legislation, C.R.S. §§24-32-3201, et seq.
    - a. C.R.S. §24-31-3201 provides incentives for master planning and growth management
    - b. C.R.S. § 24-32-3203 Authorizes designation of communities as Colorado heritage communities with additional funding and assistance to manage development
- B. State Land Use Commission, C.R.S. §§24-65-101, et seq
1. C.R.S. §24-65-101 establishes a statewide land use commission to develop land use programs
  2. C.R.S. §24-65-101(1)(b) requires that land use programs delegate authority to local government
  3. Directs consultation with county governments on many matters concerning land use, growth management, and data.
- C. Designation of Areas and Facilities as Areas of State Interest
1. C.R.S. §24-65.1-102 establishes a policy to protect areas and facilities which are found to be of state interest
  2. C.R.S. §24-65.1-102(b), counties are encouraged to identify and designate Areas of State Interest;

3. C.R.S. §24-65.1-102(b) the authority to designate Areas of State Interest applies to all lands within the state, including public domain and private land
4. C.R.S. §24-65.1-104, Areas of State Interest may include lands, wetlands, erosion areas, plus any natural resource of statewide importance such as wildlife habitat,
5. C.R.S. §24-65.1-104 Areas of State Interest also applies to facilities, such as airports, minerals and mineral resource areas, roads, highways, and interchanges
6. C.R.S. §24-65.1-201-204, defines scope of state interest under this section
7. C.R.S. §24-65.1-301 defines role of county in identification and designation
8. C.R.S. §24-65.1-401-403 establishes procedures for identification and designation
9. C.R.S. §24-65.1-405 requires public hearing before designation and notification to State Land Use Commission, which has right of review

## II. NATURAL RESOURCES

### A. C.R.S. §24-33-102, establishes a Department of Natural Resources

1. C.R.S. §24-33-106, if state lands are to be sold and will be acquired by the Department of Natural Resources, then must have a public hearing
2. C.R.S. §24-33-106(4)(b) land transactions must protect agriculture and grazing interests
3. C.R.S. §24-33-109(4), Conservation agreements may include counties, must be voluntary and must protect private property rights,

### B. State Land Board

1. C.R.S. §36-1-118.2(1), Must consider impacts of leasing of state lands on community stability,
2. C.R.S. §36-1-120, County rules cannot prevent development,
3. Art IX, §10(1)(b)(I) Stewardship Land Trust
  - a. C.R.S. §36-1-107.5 establishes stewardship trust for some state lands
  - b. C.R.S. §36-1-107.5(2) counties are to be notified if state lands are nominated for trust and to have opportunity to comment

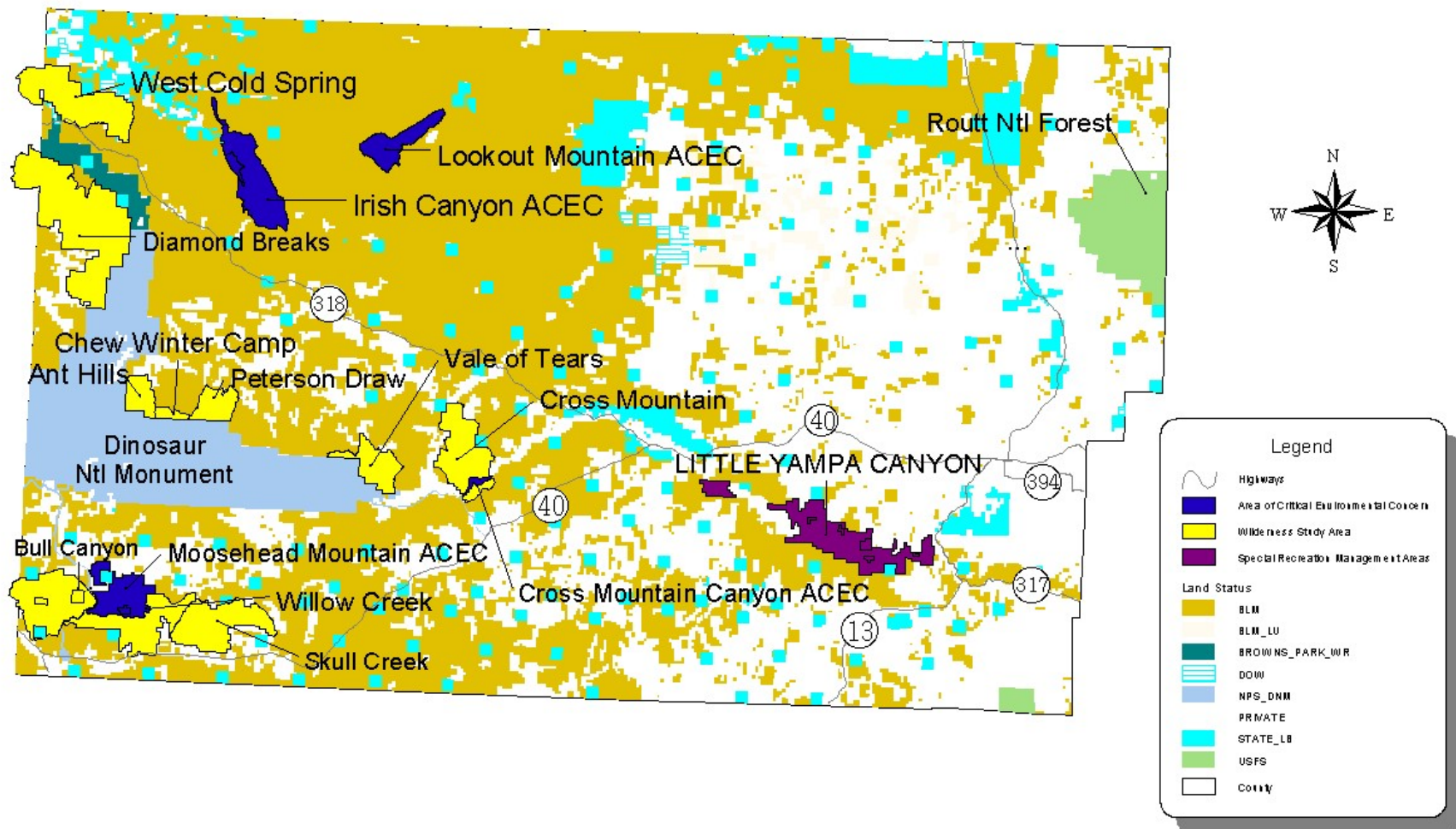
### C. Wildlife

## Moffat County Land Use Plan 2025 Update

1. C.R.S. §33-1-108(1), Division of Wildlife authorized to issue regulations, which require public comment
2. C.R.S. §33-1-110, Authorized to coordinate control of noxious weeds and to reimburse counties
3. C.R.S. §33-2-105.5, Must secure legislative approve for reintroduction of any state or federally listed species or candidate,
4. C.R.S. § 33-2-105.6(1)(b)(II), must work with counties as to black footed ferret reintroduction

## APPENDIX G: Moffat County Land Status Map

# Moffat County Land Status





# Bid Tab

RFP Number: 202504		Description: Livestock Watering Sstem	
Issue Date:	5/6/2025	Pre-Bid Meeting:	5/15/2025
Submission of Questions:	5/19/2025	Bid Submission	6/4/2025
BOCC Award:	6/10/2025	Contract Time:	6/10/25-10/31/25
Vendor	Bid Bond	Addendums	Bid Amount
CRC	✓	✓	44,233
Anson	✓	✓	66,000
High Country Excavating	✓	✓	64,869
X Field Services	✓	✓	55,300
Fones	✓	✓	75,200





## **Craig Skatepark Alliance Proposal for MOU with Moffat County**

### **DRAFT Presented to the Moffat County Board of County Commissioners**

Date: June 10, 2025

Subject: Request for Memorandum of Understanding (MOU) for Public Skatepark Development at Loudy-Simpson Park

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## **Executive Summary**

The Craig Skatepark Alliance (CSA), a grassroots nonprofit organization dedicated to expanding equitable access to outdoor recreation for youth and families in Northwest Colorado, respectfully submits this proposal to enter into a formal Memorandum of Understanding (MOU) with Moffat County. The purpose of this MOU is to establish a collaborative framework that enables CSA to raise funds and implement a modern, professionally designed concrete skatepark at Loudy-Simpson Park in Craig, Colorado.

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## **Background**

Since the removal of the previous city skatepark in 2017, Craig and surrounding communities have lacked a safe and dedicated space for skateboarding, scootering, BMX biking, and other forms of wheeled recreation. CSA was formed in response to this need and is committed to bringing a durable, inclusive, and inspiring skatepark facility back to the region. Loudy-Simpson Park, already a well-used recreational hub, offers an ideal location to serve local youth and attract regional visitors.

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## **Proposal Overview**

CSA respectfully requests that Moffat County enter into an MOU that grants CSA the right to develop and maintain a new public skatepark facility at Loudy-Simpson Park under the following terms:

### **Craig Skatepark Alliance Commitments:**

- **Fundraising and Grant Acquisition:** Lead and manage all fundraising efforts, including pursuit of local, state, and federal grant opportunities, private donations, and in-kind contributions.

- CSA currently works with Community Foundation of Northwest Colorado as our 501c3 fiscal agent, and would work with CFNC to bridge the gap of planning up to shovel ready.
- Community Engagement and Design: Facilitate inclusive community input sessions and manage the design process to ensure the skatepark meets the needs of local users.
- Construction Management: Select a qualified skatepark design-build contractor through a competitive process and co-manage the construction timeline and budget.
- Public Communications and Signage: Oversee wayfinding, rules signage, educational materials, and branding and PR that reflects community values.
- Ongoing Oversight: Ensure the successful execution of the skatepark and act as a long-term partner for future needs: improvements, programming, and stewardship.

### **Moffat County Commitments:**

- Land Use Agreement: Provide a 30-year lease of the designated parcel at Loudy-Simpson Park to CSA for skatepark development and public recreational use.
  - Public Partnership: Acknowledge CSA as a formal public partner in the design, development, and programming of the facility.
  - Maintenance Support: Collaborate with CSA on shared maintenance protocols as needed for long-term success.
- 

## **Conclusion**

This proposal represents an opportunity for Moffat County to partner with a motivated, community-rooted organization to bring a transformative public recreation asset to Loudy-Simpson Park. A formal MOU will provide the necessary legal structure and shared accountability to make this project a success for generations of Moffat County youth.

We respectfully request time on the June 10 Board of County Commissioners meeting agenda to present this proposal and discuss next steps toward formalizing the MOU.

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## **Summary of Why this is Important**

The Craig Skatepark is a vital project for our community—especially for underserved youth, families, and young adults who lack access to safe, healthy, and engaging recreation opportunities. In Northwest Colorado, where addiction, mental health challenges, and suicide rates remain among the highest in the state, young people have few outlets for expression, connection, and physical activity. Nearby towns like Steamboat and now Hayden boast multiple skateparks and robust recreation infrastructure, while Craig has almost none—particularly for

youth without transportation beyond city limits. Craig once had a well-used skatepark that was removed without notice, with promises of a replacement that remain unfulfilled. This new skatepark is more than just a place to ride—it's a critical investment in community wellness, youth development, and regional recreation. It would serve as a powerful tool for prevention, inclusion, and both physical and mental health, while also becoming a destination for action sports visitors from across the region. It's an investment in a place where young people can belong, grow, and thrive—for this generation and the next.

Loudy-Simpson Park is one of Craig's most visible and welcoming community assets—a central hub for sports, events, and outdoor gatherings. Adding a skatepark to this multi-use complex would significantly increase its value and appeal, especially for visiting families and youth. Imagine events at the park where attendees—of all ages—are drawn to a variety of active pursuits, from team sports to skating, all in one vibrant, inclusive space. The skatepark wouldn't just enhance recreation opportunities; it would make Loudy-Simpson a true destination for both locals and visitors alike.

Submitted by:

Craig Skatepark Alliance

[www.craigskatepark.org](http://www.craigskatepark.org)

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