

Written testimony of Micah A. Christensen,
Natural Resource Counsel, Wyoming County Commissioners Association.

“Examining the BLM Land Use Planning Process Under FLPMA”

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I. Introduction

Chairman Lee and Ranking Member Heinrich, thank you for holding a hearing to discuss the planning process under the Federal Land Policy and Management Act (FLPMA). Federal land management plans have outstretched significance to Wyoming counties, where nearly 50% of our state’s surface estate and 66% of our mineral estate is managed by federal agencies.

Wyoming counties serve as local partners and co-regulators for the 18.4-million acres of Bureau of Land Management (BLM) surface lands and 42.9-million acres of federal mineral estate within their jurisdictions. As legal arms of the state, counties are entrusted with implementing statutory and regulatory objectives locally. Nearly all of Wyoming’s public land counties have developed natural resource plans through the required public process, to establish local priorities for resource use, development, and protection. These plans empower counties to fully engage with federal land managers and participate meaningfully in federal decision-making processes. Under Section 202(c)(9) of FLPMA, federal land management agencies must coordinate their plans with properly adopted local plans and remain consistent to the extent practicable. 43 U.S.C. § 1712(c)(9).

Beyond establishing their own natural resource plans, Wyoming county governments are actively engaged in planning processes with the BLM under FLPMA and the United States Forest Service under the National Forest Management Act (NFMA). Under these Acts and through cooperation under the National Environmental Policy Act (NEPA), Wyoming counties help our federal partners create, revise and amend management plans that encourage productive and enjoyable harmony between man and his environment. 42 U.S.C. § 4321. Wyoming counties take their responsibilities seriously and strive to ensure their communities are economically vibrant, safe, and healthy places to live, work, and recreate. Wyo. Stat. § 18-5-208(b).

Founded in 1976, the Wyoming County Commissioners Association (WCCA) is a non-partisan, statewide organization that unites all 23 Wyoming counties and their 93 elected county commissioners. Our mission is to strengthen Wyoming’s counties—and the people who lead them—through networking, education, and unified action. The WCCA serves as the collective voice of county governments on state and federal policy, with a particular focus on natural resources, public lands, and local governance. To this end, the WCCA employs two full-time natural resource professionals, a natural resource policy analyst and a natural resource attorney, that work with county commissioners before, during, and after the NEPA process.

Our goal is to assist federal management agencies by supplying local data and co-creating management alternatives that advance federal objectives and reflect the socioeconomic needs of Wyoming's people and communities. FLPMA, NFMA, and NEPA all contain various provisions and requirements that reflect the nation's commitment to cooperative federalism while also conserving the nation's natural resource values to be enjoyed by future generations.

II. “Conservation” under the Federal Land Policy and Management Act

In 1910, President Theodore Roosevelt delivered a speech titled *The New Nationalism*, in Osawatimie, Kansas. While the speech focused on nationalism, the civil war, concerns of special interests, agriculture, labor standards, and the like, it is President Roosevelt's discussion of conservation that bears repeating today. Perhaps one of the most remembered quotes given by the Father of Conservation is this: “Conservation means development as much as it does protection. I recognize the right and duty of this generation to develop and use the natural resources of our land; but I do not recognize the right to waste them, or to rob, by wasteful use, the generations that come after us.” President Roosevelt goes on to say, “Conservation is a great moral issue for it involves the patriotic duty of insuring the safety and continuance of the nation. Let me add that the health and vitality of our people are at least as well worth conserving as their forests, waters, lands, and minerals, and in this great work the national government must bear a most important part.”

Over fifty years after President Roosevelt's death, FLPMA was passed into law. In many ways, FLPMA embodies the federal commitment to the balanced conservation ethic that President Roosevelt envisioned—requiring federal agencies to develop plans that guide the use and enjoyment of natural resources for the benefit of both present and future generations. Conservation remains a great moral issue for our nation – often a source of public division, yet a responsibility that federal land management agencies, in partnership with tribal, state, and local governments, are nonetheless obligated to pursue.

FLPMA requires the BLM to manage public lands “on the basis of multiple use and sustained yield” and “in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, atmospheric, water resource, and archeological values.” 43 U.S.C. § 1701(a)(8). This is no small task, and the Supreme Court has called “multiple use” a “deceptively simple term that describes the enormously complicated task of striking a balance among the many competing uses to which land can be put.” *Norton v. S. Utah Wilderness All.*, 542 U.S. 55, 58 (2004). Thankfully, the BLM does not have to tackle this complicated task alone. In fact, FLPMA and NEPA demand the BLM cooperate and coordinate with tribal, state, and local governments in the development of its resource management plans (RMPs).

The purpose of BLM RMPs under FLPMA is to guide the multiple-use and sustained-yield management of public lands through a science-based, interdisciplinary planning process that prioritizes protection of ecological and environmental values and is coordinated with state and local government land use plans. 43 U.S.C. § 1712(c). As during President Roosevelt's day, conservation continues to mean development, as much as it means protection. Federal agencies impute this conservation ethic into every permitted use on public lands, directing grazing lessees to make progress towards land health standards, requiring strict pollution and waste controls on

fluid mineral development, demanding the highest standards of reclamation for mining operations, and mitigating and minimizing impacts to resources in when citing renewable energy.

III. Areas of Critical Environmental Concern

The BLM employs a range of management tools to achieve multiple use and sustained yield goals across vast landscapes that sustain both local communities and the nation as a whole. A distinctive feature of FLPMA—one not granted to any other federal land management agency—is its authority to designate Areas of Critical Environmental Concern (ACECs). Section 202(c)(3) of FLPMA provides: “In the development and revision of land use plans, the Secretary shall give priority to the designation and protection of areas of critical environmental concern.” 43 U.S.C. § 1712(c)(3).

The advent of ACECs reflects an explicit federal statutory mechanism to identify and protect particularly important public land values within the broader multiple use and sustained yield framework. Before FLPMA, the BLM lacked a clear legal authority to manage lands for special conservation purposes short of a formal withdrawal for national monuments or wilderness areas. With FLPMA’s passage, ACECs were established to allow flexible, locally tailored protection through land use planning rather than new legislation.

Legislative history provides a view into the goals of Congress in the creation of this unique BLM land management tool. Prior to FLPMA’s passage, the 1975 Senate Report No. 94-583 discussed the ACEC concept, “Unlike wilderness areas ... [ACECs] are not necessarily areas in which no development can occur. Quite often, limited development, when wisely planned and properly managed, can take place in these areas without unduly risking life or safety or permanent damage to historic, cultural or scenic values or natural systems or processes.”

Consequently, ACECs should not automatically restrict all land uses but instead should establish specific management prescriptions to protect the unique resource value from permanent damage while authorizing other uses. In fact, only one management prescription comes automatically with an ACEC designation: a Plan of Operations for locatable mineral exploration and development, regardless of the amount of surface disturbance. 43 CFR § 3809.11(c)(3). The lack of mandatory management prescriptions was not accidental; it ensured that any new prescriptions would be carefully considered and applied solely to explicitly protect the values thoroughly evaluated during the designation process.

The designation of ACECs is governed by 43 CFR § 1610.7-2, and requires that the three criteria of relevance, importance, and special management attention be achieved.

- **Relevance.** To be relevant, the area must contain “important historic, cultural, or scenic values; fish or wildlife resources; natural systems or processes; or natural hazards potentially impacting life and safety.” 43 CFR § 1610.7-2(d)(1).
- **Importance.** To be important, the relevant values must have “special worth, consequence, meaning, distinctiveness, or cause for concern; national or more than local importance, subsistence value, or regional contribution of a resource, value, system, or process; or contributes to ecosystem resilience, landscape intactness, or habitat connectivity.” 43 CFR § 1610.7-2(d)(2).

- **Special Management Attention.** To meet this criterion, the area must “require” special management attention that “would not be prescribed if the relevant and important values were not present” to “protect and prevent irreparable damage to the relevant and important values, or that protect life and safety from natural hazards.” 43 CFR § 1610.7-2(d)(3).

The bar for ACEC designation is intentionally high, with the principal criterion being evidence that special management measures are needed to avert irreparable damage. ACECs are to be prioritized in the planning process but their priority does not establish them as a separate program, removing designated lands from the Congressional mandate to manage lands for multiple use and sustained yield. To the extent other uses can exist on the land without causing irreparable damage to identified relevant and important values, they should continue to be authorized. The BLM regulations also require a surgical approach when setting ACEC boundaries to encompass the relevant and important values and geographic extent of the special management attention needed to provide protection. 43 CFR § 1610.7-2(f).

Opponents and proponents of increased ACEC designations share many of the same procedural concerns, primarily, the lack of information around the BLMs actions to identify, designate, manage, and monitor ACECs. The public, tribes, state and local governments all suffer from BLM’s lack of up-to-date or centralized data on ACECs, inadequate identification of resource values of ACECs in RMPs, limited identification of the special management prescriptions required to protect values, and a lack of monitoring data to allow decision makers to determine whether restrictions have achieved the protection they envisioned.

Numerous RMPs offer little, and in some instances no information, about the resources and values that warranted an ACEC designation. For example, authors of a recent Colorado Environmental Law Journal analyzed 36 RMPs and sampled 111 individual ACECs and discovered that the Salem, Oregon Field Office RMP did not identify any resources, values, or management prescriptions for the Williams Lake, Soosap Meadows, or White Rock Fen ACECS.¹ The ACECs simply exist. Numerous other plans resort to repeating the generic categories found in FLPMA to describe relevant and important values, such as scenic, historic, cultural, fish and wildlife, natural systems and processes, and geologic features. It is not uncommon for an ACEC to be designated for wildlife or plants yet fail to name the species of wildlife or plants for which protections are needed.

When the “relevant and important values” of an ACEC are poorly defined, neither governments, the public, nor BLM can discern what the designation is actually intended to protect. Without clearly identified values, management prescriptions cannot be meaningfully tied to preventing irreparable harm. Without knowing what is necessary to prevent irreparable harm, it is impossible for the BLM to have “informed decision-making on the trade-offs associated with ACEC designation” that it is required to undertake as it balances its multiple use and sustained yield mission.” 43 CFR § 1610.7-2(g). Ambiguity also undermines effective

¹ Sheldon, Karin P. & Baldwin, Pamela, *Areas of Critical Environmental Concern: FLPMA’s Unfulfilled Conservation Mandate*, 32 *Colo. Env’tl. L. J.* (Nov. 2, 2022).

monitoring and adaptive management, making it difficult to determine whether protections are working or when adjustments are needed.

Ultimately, the acceptance and proliferation of RMPs that have inadequate evaluations of values, lack necessary prescriptions, don't describe trade-offs, and fail to monitor, make ACEC designations vulnerable to political influence rather than being grounded in the deliberate development of management prescriptions aimed at preventing irreparable harm to identified resource values. This politicalization not only harms the effectiveness of the ACECs as a management tool but imposes substantial risks to the planning process and impacts to local communities.

Although the previous administration's *Land Health and Conservation Rule* emphasized expanding public land protections through ACEC prioritization and designation, on-the-ground outcomes continue to reflect long-standing challenges in ACEC implementation. The Wyoming BLM's Rock Springs RMP marked a significant shift toward politically driven designations—welcomed by some and criticized by others—but it failed to resolve persistent weaknesses in the identification, expansion, management, and monitoring of ACECs across BLM lands, ultimately undermining the very stewardship objectives these designations are meant to advance.

IV. Rock Springs Resource Management Plan

The Rock Springs BLM Field Office manages roughly 3.6-million acres of surface land and 3.7-million acres of mineral estate in Wyoming. Prior to signing the Record of Decision (ROD) on December 20, 2024, the Rock Springs Field Office managed 11 ACECs containing 286,470 acres.

In 2011, the Rock Springs Field Office initiated scoping, starting its 13-year plan revision journey.² In that time, cooperating agencies from the state and counties worked with the BLM to craft a range of alternatives which included two “bookend alternatives” that prioritized heavy resource development and resource preservation and a third that balanced management prescriptions to accomplish both goals. While the BLM worked on the bookend alternatives alone and quickly³, it relied heavily on local cooperating agency input to develop its balanced alternative. In 2016, the BLM released a preliminary draft RMP internally and amongst cooperating agencies for review and selected the balanced management approach as its preferred alternative.

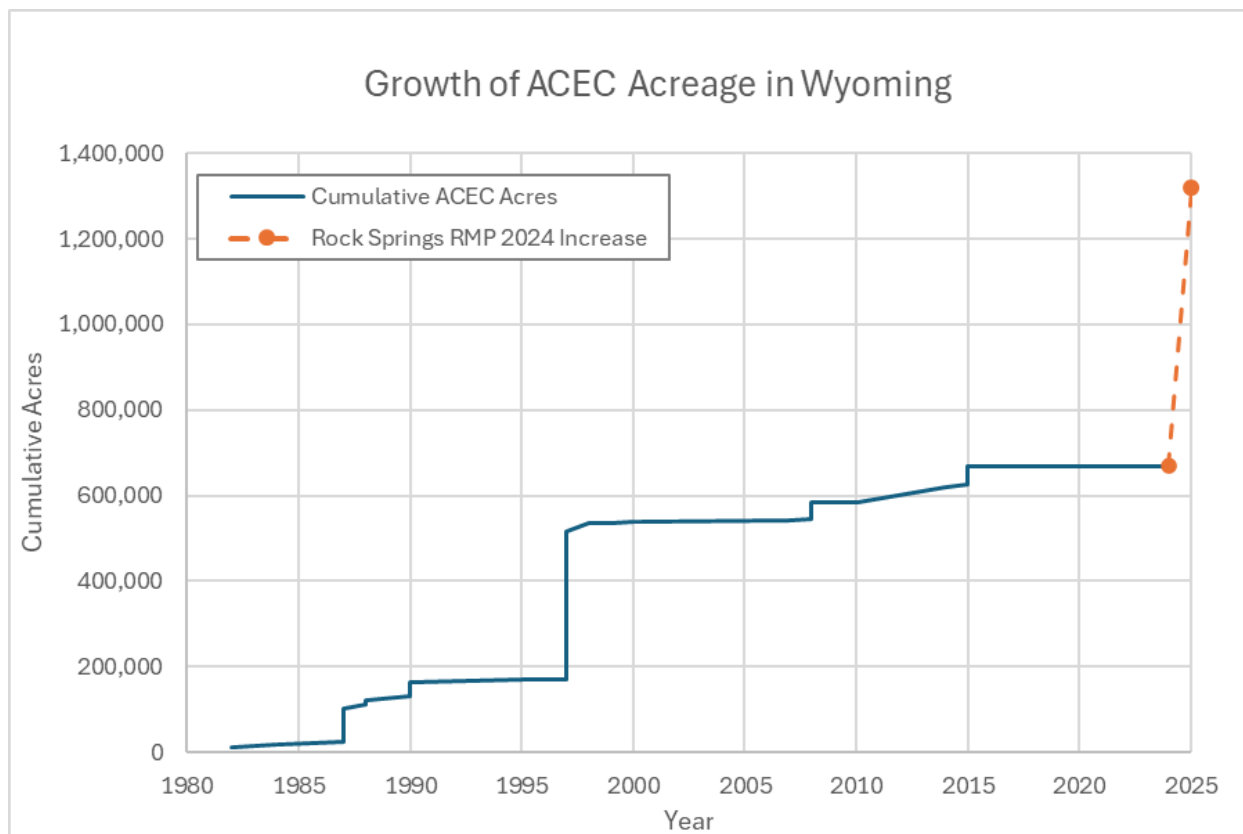
However, administration changes in 2016 and again in 2020 injected additional federal policy considerations into the planning process. In August of 2023, the BLM surprised cooperating agencies when it released its Draft Environmental Impact Statement and RMP, selecting as its preferred alternative the most restrictive management direction of those

² While not the primary topic of this testimony, the 13-year plan revision process is problematic. The Rock Springs RMP's reliance on outdated data and information prevented it disclosing environmental and socioeconomic effects to the public. For example, the RMP relied on a 2013 Reasonably Foreseeable Development Scenario for Oil and Gas, even though there have been significant changes in known oil and gas potential, drilling and completion technology, drilling and spacing unit design and layout, and the federal royalty rate.

³ On October 6, 2023, a retired BLM employee from the Rock Springs Field Office testified before a Wyoming legislative committee that Alternative B (resource conservation) was developed by the agency in a week.

evaluated. The preferred alternative would designate over 1.6-million acres of ACECs covering over 44% of the BLM lands managed by the Rock Springs Field Office. Those designations would include heavy resource use restrictions, closing over 2.1-million acres to fluid mineral leasing, increasing the acres with no allowable surface occupancy for oil and gas from 4% of the field office to 22%, cutting areas open to locatable minerals and trona in half, closing 98% or 3.5-million acres to coal, and excluding 69% of the field office area from right of way permits.

On December 20, 2024, the Rock Springs RMP ROD was signed by the Principal Deputy of the BLM instead of the customary field office manager or state director as described in 43 CFR § 1601.0-4(b) and (c).⁴ The ROD established 12 ACECs totaling 935,135 acres, an increase of 226% over the previous land and resource management plan. To put this acreage figure into perspective, prior to the signing of the Rock Springs ROD, Wyoming's seven BLM field offices had 49 established ACECs totaling 688,491-acres across the state. With the passage of the Rock Spring RMP, the state saw over an 85% increase in ACECs acres in Wyoming.



Although the Rock Springs RMP designated a markedly larger area as ACECs, the accompanying justifications and analysis were sparse. The RMP did not describe how a lack of specific restrictions would cause irreparable damage to specific relevant and important values. Additionally, the RMP enlarged existing ACEC boundaries without detailing that the additions were necessary to encompass relevant and important values that needed special protections.

⁴ “Field Managers will prepare resource management plans, amendments, revisions and related environmental impact statements. State Directors must approve these documents.”

The BLM's analysis of the No Action Alternative stated that "maintaining the designation of ten ACECs... will ensure special management attention is generated to protect and prevent irreparable damage." When comparing it to the management direction it was selecting, the BLM simply stated that the RMP "would be the same as those under the [the no action alternative], except they would occur over a larger area for ACECs and thereby offer greater protections." Offering "greater protections" does not meet the third criteria for identifying management restrictions that are required to protect and prevent irreparable harm.

Additionally, the BLM did not carefully consider the degree or intensity of management restrictions as it is instructed to do by its ACEC Manual. (BLM Manual 1613). For example, the BLM's *Summary of the Analysis Management of the Situation*, described the Steamboat Mountain ACEC as being "good" due to the Jack Morrow Hills Coordinated Activity Plan. Nevertheless, the BLM proceeded to not only increase the size of the ACEC from 47,280 acres to 439,081 acres, but also increased the restrictions, such as changing it from right-of-way avoidance to right-of-way exclusion. To the extent that existing management was producing "good" results, the BLM had no basis for increasing restrictions in the ACEC.

The BLM never described the possible trade-offs under FLPMA § 202(c) when weighing benefits of restrictions in comparison to allowing other uses. 43 CFR § 1610.7-2(j). FLPMA requires that the State Director must consider "the value of other resource users," management feasibility, and the relationships to other designations. Additionally, the BLM manual tells planners to analyze issues "to understand the trade-offs between designating ACECs and other uses" during the RMP and associated Environmental Impact Statement. (BLM Manual 1613, Section 4.5). This analysis is vital for the BLM to balance resources by understanding long and short-term benefits and consequences of ACEC designations.

Finally, there was no analysis of how ACEC restrictions would impact state and private lands adjacent to or wholly inside ACECs. Although not directly controlled by the BLM, under Section 202(c)(9) of FLPMA and then existing provisions of NEPA under 40 CFR § 1508.1(i)(3), the BLM was required to consider impacts in its cumulative effects analysis. Each of these issues were raised by Wyoming counties and the state in comments and in the Governor's consistency review. Unfortunately, the BLM did not adjust the RMP prescriptions or its analysis.

V. Consistency Review with State and Local Plans

FLPMA directs the BLM to stay apprised of local land use plans and assure that approved plans are given consideration. Most importantly, to the extent practicable, the BLM must assist in resolving inconsistencies between local and BLM land use plans and provide meaningful involvement of local governments in the development of BLM land use programs, regulations, and decisions. 43 U.S.C. § 1712(c)(9). During a governor's consistency review, "The Director shall accept the recommendations of the State Governor ... if he finds they provide for a reasonable balance between the national interest and the State's interest." 43 C.F.R. § 1610.3-2(e).

The BLM's efforts during the Rock Springs RMP to achieve consistency with state and local plans were negligible at best. While alleging to have reviewed and considered the five

county plans, the BLM provided references to outdated county plans in its analysis. The RMP never identified inconsistencies, nor attempted to explain or reconcile inconsistencies raised by counties. The WCCA and five counties provided the BLM with a side-by-side comparison of county plans and its proposed management prescriptions and offered to work with the BLM through the matrix. The BLM never responded to the good faith effort. Instead, the BLM merely referred us to a list of cooperating agency meeting dates, as if hosting a meeting is all the law requires.

In response to the public uproar over the preferred direction in the preferred alternative, the BLM allowed the Governor additional time to submit comments and put together a Task Force made up of local governments, industry representatives, and conservation groups, to determine if there were prescriptions in the proposed RMP that were generally agreed upon. Unfortunately, the Task Force's charter required that consensus be unanimous, making addressing the contentious questions around ACECs impossible. A single vote could, and did, overrule the rest of the Task Force. While the Task Force was unsuccessful in providing recommendations around the BLM's expansion of ACECs, it is telling that it unanimously approved an Agreement in Principle (Number 23) that "The BLM has not meaningfully met with cooperating agencies in over two years."

Presidents Reagan and Clinton both issued a "Federalism" Executive Order (EO) that directed federal agencies to defer to states and consult and collaborate with state, local, and tribal governments. EO 13132 states, "Federalism is rooted in the belief that issues that are not national in scope or significance are most appropriately addressed by the level of government closest to the people." Section 2(i) of the EO provides that "The national government should be deferential to the States when taking action that affects the policymaking discretion of the States and should act only with the greatest caution where State or local governments have identified uncertainties regarding the constitutional or statutory authority of the national government."

The Wyoming Governor's Consistency Review for the Rock Springs RMP raised many of the issues outlined above, as well as several others, including the fact that BLM was utilizing ACECs as a de facto mineral withdrawal instead of complying with the detailed process required by FLPMA. Another major component of the Governor's Consistency Review centered on BLM imposing significant restrictions on lands within ACEC designations that contain landlocked and adjacent private and state parcels. The Governor's letter details that these restrictions, like right of way exclusions, prevent the state from generating revenue on lands that were received by Wyoming upon admission into the Union in 1890 to support public education and other services. Ultimately, the Governor's consistency review recommendations were all rejected by the BLM and no changes were made to the RMP.

VI. Other Resource Management Plans in Wyoming

The Rock Spring RMP reveals that BLM's immense authority to designate ACECs enables it to accommodate political pressures with little accountability to local, state, and congressional oversight. However, not all RMPs or ACEC designations have suffered from the same blatant disregard of FLPMA's provisions and coordination requirements. The BLM can, and has, done a significantly better job working with state and local governments in the context

of ACECs to craft management prescriptions to protect important and relevant values while still allowing for other uses that communities rely upon.

Though we are awaiting the substantive details of the ROD, the Newcastle RMP process provides a timely example of how the BLM can execute meaningful cooperating agency involvement. The Newcastle Field Office has undertaken several commendable practices in the development of its RMP, particularly in its engagement with county governments and its approach to coordination under FLPMA. The Field Office made a clear and meaningful effort to coordinate with Crook, Weston, and Niobrara counties throughout the planning process. This commitment helped establish a strong foundation for the plan and reflects the cooperative spirit envisioned under NEPA, where counties serve as key cooperating agencies bringing localized expertise and on-the-ground understanding to federal planning. The counties' active participation, facilitated by the Field Office's openness and accessibility, ensured that the perspectives of the communities most directly affected were incorporated early and constructively into the RMP's development.

The Newcastle RMP process has also demonstrated the Field Office's attention to FLPMA's consistency review requirements. With input from local conservation districts, the three participating counties developed a matrix identifying the RMPs preferred alternative's inconsistencies with their natural resource plans, which we believe the BLM is utilizing in its preparation of the ROD. The Newcastle Field Office's approach embraces FLPMA's coordination requirements by working collaboratively with counties to identify, discuss, and resolve inconsistencies so that the BLM can develop a durable, community-supported RMP that is both legally defensible and reflective of local priorities.

Further back, in 2014, the Lander Field Office signed its ROD, approving eight ACECs consisting of 243,691 acres in Wyoming. During its planning process the BLM produced a 95-page ACEC Report that evaluated, analyzed, and discussed the lands in question and the legal basis and the specific special management needs to conserve specific values.

In its report, the BLM describes the Lander Slope ACEC, as a "citizens' proposal" which recommended closing the area to livestock grazing due to overgrazing and invasive plant species concerns. The BLM articulated that grazing management issues could be addressed through adjustments to livestock grazing to enhance wildlife habitat and alleviate invasive species in the area. The BLM Report provides a general description and location of the roughly 25,000-acre ACEC, the primary values considered and a description of how the ACEC meets the relevance and importance criteria. Most importantly, the ACEC Report utilizes five pages to describe the needs for special management prescriptions of the area.

While there were inevitably detractors to the ACEC designations, there was not the same public fervor we experienced with the Rock Spring RMP. This is likely because the BLM adequately presented its identified values to the public, articulated reasonable special management actions to achieve value protection, and allowed other uses to coexist with protections. The BLM's responses to protests also showed a willingness to correct errors and achieve consistency with approved state and local plans where possible. While the BLM does not

require specific ACEC reports, the Lander Field Office displayed a good-faith effort to follow its regulations and achieve consistency while designating ACECs.

VII. Improving the Land Management Planning Process

Congress did not give the BLM unilateral authority to establish wilderness areas or national monuments. Instead, Congress created a specific and narrowly tailored conservation tool—the ACEC—designed to protect important public land values within the multiple-use and sustained-yield framework in full coordination with state and local governments. When properly implemented, ACECs enable targeted, locally responsive conservation without unnecessarily displacing other valuable land uses. When misapplied, however, ACECs can override FLPMA’s balanced-management mandate and function as de facto land withdrawals without the oversight Congress intended.

The Rock Springs RMP ACEC designation process demonstrated how easily BLM can identify nominal values across large landscapes and assign sweeping restrictions on other multiple uses without explaining how existing or future uses would cause irreparable harm. The process exposed how vulnerable ACEC designations are to being shaped by broad political objectives, such as limiting fossil-fuel development, rather than by carefully targeted measures aimed at protecting truly relevant and important values on the ground.

This breakdown in process is not merely technical. Sweetwater County estimated energy tax revenue losses of over \$12-million to the county and losses of \$5.6-million to their school district revenue. Loss of industry opportunity chips away at the size of its workforce, which reduces the number of people eating at cafes and sending their kids to school. The effects of the Rock Springs RMP BLM plan are not just environmental or financial, the effects will be socially palpable.

With the vast scenic, cultural, historical, and ecological values that BLM lands have in Wyoming, it is not farfetched that a future administration may determine that all BLM lands in Wyoming have relevant and important values that should be protected under an ACEC designation. When ACECs can be designated without rigorous criteria or transparent justification, they become highly vulnerable to political pressure.

The ease with which expansive ACEC proposals could proliferate across BLM lands is already evident. In 2022, a group of 19 non-governmental organizations put forward a single nomination – the 48-million acre “Sagebrush Sea Reserve” – underscoring existing pressures for landscape-scale designations that Congress never intended. If “important and relevant values” can be asserted broadly and “special management” prescriptions need not be tied to preventing irreparable harm, then virtually all BLM lands could be considered candidates for ACEC designation and land use restrictions can be applied capriciously.

Changing administrative priorities moves planning decision authority out of local field offices to Washington D.C., harming our working relationships with local land managers, undermining the speed of the planning process, and jeopardizing the use and protection of the natural resources that FLPMA intends to be conserved. These landscapes and resources cannot

be managed on four- or eight-year terms but must be grounded in the coordination and cooperative federalism principles that Congress envisioned and FLPMA demands.

Both sides of the aisle need to understand that top-down edicts produce instability that undermine the necessary balance of conservation on public lands. Wyoming's counties support the appropriate use of ACECs. We believe they can be powerful tools for protecting unique and sensitive resources. But their effectiveness and legitimacy depends on agencies following the law and their own regulations: identifying values explicitly, demonstrating the necessity of special management to prevent irreparable harm, evaluating trade-offs, considering impacts to state and private lands, and working collaboratively with local governments whose communities will live with the consequences.

We desperately need federal agencies to empower local land managers on the ground, who understand the impacts of their management actions, that prioritize relationships with local governments, and work under the requirements set by Congress in FLPMA and NEPA, so that we can cooperatively craft RMPs that can carefully address the moral issue of conservation to the betterment of ourselves and future generations of Americans.

Thank you again for the opportunity to testify, I look forward to answering questions.