Wyoming Department of Agriculture

2219 Carey Avenue, Cheyenne, WY 82002 ■ Phone: 307-777-7321 ■ Fax: 307-777-6593 ■ Website: wyagric.state.wy.us ■ Email: wda1@state.wy.us

The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

Dave Freudenthal, *Governor*
John Etchepare, *Director*

January 4, 2007

David Simons, Project Lead
Bureau of Land Management
Rawlins Field Office
P. O. Box 2407
Rawlins, Wyoming 82301

Dear David Simons:

Following are the comments of the Wyoming Department of Agriculture on your Final Environmental Impact Statement (FEIS) for the proposed Atlantic Rim Natural Gas Development Project.

Our comments are specific to our mission: to be dedicated to the promotion and enhancement of Wyoming=s agriculture, natural resources, and quality of life. As this proposed project affects our agriculture industry, our natural resources, and the welfare of our citizens, it=s important that we be kept informed of proposed actions and decisions and that we continue to be provided the opportunity to express pertinent issues and concerns.

We commend the officials in the Rawlins Field Office (Rawlins FO) of the Bureau of Land Management (BLM) for their continuing coordination with state and local cooperating agencies. They actively considered our comments and incorporated many of them into the environmental study. We also appreciate the increased emphasis in this FEIS on identifying the acres of disturbance, not just the number of wells, created by this project.

We definitely support the two exceptions to re-injection of produced water for the Colorado River Basin. Produced water can greatly benefit livestock and wildlife and the first exception that allows a closed system for produced water provides those benefits with no harm to the basin. The second exception recognizes the importance of providing water for livestock and wildlife to offset the water lost from artesian wells, springs, and seeps as a result of coal bed natural gas production. Both exceptions will allow grazing permittees to contribute to meeting Wyoming BLM Standards and Guidelines for Healthy Rangelands

We also praise the field office for their identification of the impacts of this proposed project upon agriculture producers. This presentation of effects depicts the costly consequences of this project upon grazing permittees and could be used as a model for other EISs in its analysis of the repercussions of this project upon agriculture producers. We appreciate the accurate depiction of the effects of this project upon livestock grazing, agriculture producers, and landowners, and we especially extol the requirement for

BOARD MEMBERS
ee Otto, *District 1* ■ Jack Corson, *District 2* ■ Jim Mickelson, *District 3* ■ Helen Jones, *District 4* ■ Spencer Ellis, *District 5* ■ David J. Graham, *District 6* ■ Gene Hardy, *District 7*
YOUTH ADVISORY BOARD MEMBERS
Patrick Zimmerer, Southeast ■ Dalin Winters, Northwest ■ Emily Horton, Southwest ■ David Largent, Northeast

operators to meet annually with affected grazing permittees to discuss past problems and planned resolutions and activities.

We understand and appreciate the fact that this EIS is the first performance-based EIS for an energy development in Wyoming, as opposed to previous prescriptive-based EISs. This EIS sets an important precedent. For this reason, we recommend that the Record of Decision include desired conditions, monitoring methods, and mitigation considerations. They are not included in the FEIS. The operators and the public deserve to know the desired conditions the operators are expected to achieve. Only monitoring will determine the success in obtaining those desired conditions. Finally, if monitoring discloses desired conditions have not been or are not being achieved, then mitigation actions should be determined.

We remain concerned about the possible untimely and unsuccessful monitoring, reclamation, weed control, and mitigation of the impacts created by this project. Oil and gas operators in the Rawlins Field Office area have often produced slow and ineffective reclamation and weed control during the development of the exploratory wells for this project. While the FEIS, and especially Appendix B of the FEIS, intensifies the demands for monitoring, reclamation, and some weed control upon the operators, those intensified demands may not identify and offset many of the severe and costly impacts of this project upon grazing permittees, other agriculture producers, and landowners. We believe the requirements upon the operators for timely and successful monitoring, reclamation, weed control, and also mitigation need to be further strengthened in the Record of Decision.

We specifically recommend the section on Reclamation Success in Appendix B needs to set additional standards for weed control. The only mention in this section is no noxious weeds in seeding. Other standards for weed control need to be specifically stated. The spread of halogeton and other weeds that have resulted from energy development activities in this area has resulted in the costly deaths and illnesses of livestock and the deterioration of forage and habitat for livestock and wildlife.

The true success of monitoring, reclamation, weed control, and mitigation of the effects of this project will depend upon the available resources of the BLM Rawlins FO to ensure these activities are effectively implemented. The Record of Decision should clearly state the responsibilities and requirements of both operators and BLM officials to ensure timely and successful monitoring and implementation of these activities, to help offset the harmful effects of this project upon agriculture producers, landowners, and resource values. It is vitally important that desired conditions be achieved on the ground, not just in the RoD, and that mitigation of injurious impacts upon the food and habitat of wildlife and livestock occur in actuality, not just on paper.

It is for this reason that we emphasize that BLM's final decision needs to strongly reflect the Congressional intent clearly expressed in the Federal Land Policy and Management

Act of 1976 of BLM's responsibility to manage federal lands in a manner that will provide adequate food and habitat for fish and wildlife and domestic animals (our emphasis).

We remain concerned about the cumulative impacts upon livestock grazing by the Atlantic Rim Project occurring simultaneously as several other energy developments in southwest Wyoming. The cumulative impacts of these projects nearly blanket the Rawlins FO planning area. These impacts not only burden grazing permittees with increased and crippling costs, but also severely limit, if not extinguish, other areas for forage, driveways, water availability, lambing grounds, freedom for herding and animal movement, and other necessary grazing activities. Simply put, the mitigation of impacts is severely restricted, if not eliminated. Moreover, these extensive cumulative impacts magnify the critical importance of timely and successful reclamation and weed control. The cumulative impacts of these projects that encompass and extend beyond the Rawlins FO planning area jeopardize the livelihoods of grazing permittees. The accumulating impacts can be catastrophic to many resource values, including livestock grazing.

In conclusion, we again want to compliment you on your continuing coordination with local and state government agencies and your sincere attention to our recommendations. We appreciate the opportunity to comment on this FEIS, we encourage continued attention to our concerns, and we look forward to hearing about and being involved in proposed actions and decisions about this project.

Sincerely,

John Etchepare
Director

JE/dc
cc: Governor's Planning Office
Wyoming Game and Fish Department