Wyoming Department of Agriculture

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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*

May 23, 2006

Pit 14 Coal LBA
Attention: Teri Deakins
Bureau of Land Management
Rock Springs Field Office
280 Highway 191 North
Rock Springs, Wyoming 82901

Dear Teri Deakins:

Following are the comments of the Wyoming Department of Agriculture (WDA) on the Draft Environmental Impact Statement (DEIS) by the Bureau of Land Management (BLM) Rock Springs field Office (RSFO) for the proposed Pit 14 Coal Lease-by-Application (LBA) 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 you continue to inform us of your proposed actions and provide us the opportunity to express pertinent issues and concerns.

The Environmental Impact Statement (EIS) needs to better emphasize the critical importance of timely and effective reclamation and weed control to offset harmful effects of this project. We are concerned about the unsuccessful reclamation that has occurred with other energy development projects in BLM planning areas in southern Wyoming. Prompt and beneficial reclamation and weed control must occur throughout the life of this project. The EIS also needs to specify those actions that will ensure successful reclamation and weed control and the consequences if they do not occur. Those assurances and consequences are not evident in the DEIS.

Regarding reclamation, we recommend the requirement to use locally adapted seed whenever possible. In the past, energy companies have used native, but non-local, seed for reclamation. Because this seed was not adapted to the growing conditions in the area, the result often was unsuccessful reclamation.

The EIS and Record of Decision need to specifically reflect the Congressional intent expressed in the Federal Land Policy and Management Act of 1976 that the BLM needs to manage federal lands in the planning area in a manner that will provide adequate food and habitat for fish and wildlife and domestic animals (our emphasis). While the DEIS emphasizes the adverse effects upon big game wildlife of loss of life from animal/vehicle collisions, harassment, increased stress and competition for remaining resources, possible

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reductions in reproduction rates, and a decline in physical condition, the DEIS fails to mention that these same consequences affect livestock. The DEIS also fails to recognize these other potential adverse effects: dead and ailing livestock from introduced and proliferating noxious weeds; cut fences; opened gates; destroyed cattle guards; unpalatable forage from traffic and construction dust; reduced water yield from springs, seeps, and wells; hydrology and desertification impacts; damaged range improvements; interference with herding and animal movement; and decreased forage lost to displaced wildlife and wild horses.

We are also concerned about the mounting impacts of the many energy development projects that are, or soon will be, occurring across the southern tier of Wyoming. These cumulative impacts magnify the penalties and costs of development upon grazing permittees mentioned above. These accumulating impacts significantly decrease revenues and increase costs for grazing permittees and can significantly impede their ability to help meet Wyoming BLM Standards and Guidelines for Healthy Rangelands. Although the impacts of a project may not critically harm a particular livestock operation in a specific project area, the cumulative impacts of all of these projects may jeopardize the livelihoods of individual grazing permittees and livestock grazing within this area of our state.

The accumulating impacts of all of these projects further emphasizes the critical significance of prompt and effective reclamation and weed control, and the need to consider other mitigation techniques by energy development companies.

It is critically essential that the Final EIS and Record of Decision require the Black Butte Coal Company continually inform grazing permittees and landowners of projected and current energy development, reclamation, weed control, and other significant activities. These activities will directly affect landowners and the management of livestock by grazing permittees.

In conclusion, we appreciate the opportunity to comment on this DEIS, we encourage continued attention to our concerns, and we look forward to hearing about and being involved in proposed actions and decisions.

Sincerely,

John Etchepare
Director

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