Wyoming
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May 5, 2006

Eldon Allison, Project Lead
BLM, Rawlins Field Office
P. O. Box 2407
Rawlins, Wyoming 82301-2407

Dear Eldon:

Following are our comments for the Scoping Notice for the proposed Environmental Impact Statement (EIS) for the Continental Divide-Creston Natural Gas Development Project (CD-C) by the Rawlins Field Office (Rawlins FO) of the Bureau of Land Management (BLM).

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.

This project will significantly impact grazing permittees, agriculture producers, landowners, and other citizens, as well as our natural resources, both in and near this 1.1 million acre project area. We were alarmed when the listing of preliminary issues in the Scoping Notice failed to identify any rangeland grazing issues for this project. While issues were identified for air and water quality, wildlife, cultural resources, land use, soils and vegetation, hydrology, visual resources noise, recreation, transportation, social and economic resources and reclamation, none were identified for livestock grazing or rangeland management.

We are concerned for three reasons. One, Congress specifically stated their intent in the Federal Land Policy and Management Act of 1976 that federal land management agencies need to manage to provide food and habitat for domestic animals, i.e. livestock, not just wildlife. This project appears to violate that Congressional and statutory goal. Two, this project definitely will create significant adverse impacts on livestock grazing in and adjacent to the project area. The list fails to recognize this reality. Three, BLM and project officials appear to be completely oblivious to the fact that livestock grazing occurs in the project area or that grazing permittees will be affected in any way. This utter disregard for a major resource use recognized in laws and regulations, and the disrespect reflected by the disregard of livestock grazing insults those associated with the livestock grazing industry and those who believe in the importance of that resource use.

Following are some specific individual effects upon livestock grazing needing analyzed in the EIS: increased off- and on-road traffic, increased numbers of speeding vehicles, construction of new-roads and modifications to existing roads, destroyed cattle guards, deaths and impairments of livestock from increased traffic and noxious weeds, decreased AUMs and pastures for grazing, decreased palatability of vegetation and forage from road dust and development activities, cut fences, opened gates, damaged range improvements, unsuccessful reclamation of disturbed areas, introduction and spread of noxious weeds, and other detrimental social and economic impacts on livestock operators and livestock management operations.

The checkerboard of private and BLM lands within the CD-C project area intensifies the potential for conflicts between energy operations and livestock grazing management and increases concerns about access and adverse impacts to private lands. The EIS needs to specifically analyze these consequences, while recognizing and preserving the right and ability of landowners to work with CD-C operators.

Because of the checkerboard ownership and the existence of affected grazing permits in the project area, the BLM Rawlins FO should have sent this Scoping notice to all affected landowners and grazing permittees who graze or own lands within and adjoining the CD-C project area. We strongly encourage the project operators and BLM officials to continue to keep these landowners and grazing permittees informed and to work with them to learn of their concerns and recommendations regarding this project.

The impacts of the CD-C project will definitely increase costs and decrease revenues for grazing permittees. The accumulated impacts of this and nearby projects could jeopardize the continued existence of grazing operations in this area. The individual and cumulative impacts and the proposed remedies need to be thoroughly identified and evaluated in the EIS.

In addition to individual impacts, the Rawlins FO needs to evaluate the cumulative effects of this and many other energy development projects in southern Wyoming and the Rawlins FO planning area. The development in the CD-C project area coupled with energy developments on federal lands in this region of the state could severely reduce Animal Unit Months (AUMs) and available pastures for livestock grazing and could cumulatively limit or terminate the ability of ranchers to graze their livestock and continue their livelihoods.

Within the last few years, reclamation in Wyoming by energy developers has often been non-timely and unsuccessful. Moreover, other energy development EISs specify few, if any, enforcement mechanisms and set few, if any, consequences for poor or failed reclamation and mitigation. Yet, timely and successful reclamation and mitigation is needed and should be required. Both on-site and off-site mitigation should be considered. The DEIS needs to include reclamation and mitigation requirements and the consequences for gas operators failing to accomplish this reclamation and mitigation. Given the poor reclamation and mitigation performance by several energy operators and their tendency to disregard BLM's suggestions

with few or no consequences, the DEIS needs to reflect BLM's reinforced recommendations, requirements, repercussions, and resolve regarding reclamation, monitoring, and mitigation.

We believe the CD-C operators during the life of this project should conduct research and monitor the effects of their project on livestock grazing within the project area. We support compensatory mitigation discussions between gas operators and livestock permittees to lessen the burden, livestock stress, and economic impacts to grazing permittees from this development. Such mitigation strategies and costs could include, but not be limited to, the following: movement of livestock to an open allotment or pasture, purchase of hay in lieu of allotment use, monitoring of development impacts, including use of the Wyoming Rangeland Monitoring Guide of August 2001, construction of water and range improvements on either public or private land, purchase or lease additional grazing land to replace lands lost to grazing, and reimbursement to producers for loss of AUMs and pastures.

Any off-site mitigation resulting from this project will also have a direct impact on livestock grazing in those off-site mitigation areas. These areas have active grazing permits and offsite mitigation will likely cause decreases in AUMs, losses of pastures, increases in costs, and decreases of revenues. It's important compensation be similarly awarded to grazing permittees who will be affected by offsite mitigation projects.

Due to the grave impacts upon livestock grazing noted above, we strongly encourage the CD-C operators and BLM officials to work closely and consistently with all affected grazing permittees and agriculture producers to learn of their concerns and recommendations regarding this project. On-site and off-site mitigation and the requirement for successful reclamation must be addressed in the EIS. Agriculture producers are intimately familiar with the areas affected by this proposal and they possess irreplaceable long-term, on-the-ground knowledge. They are particularly aware of the individual and cumulative impacts upon the wildlife and livestock habitats and forage and rangeland health for the planning area. They will best appreciate the agricultural practices be affected. We strongly recommend that during the planning process energy development operators and BLM officials seek and address the concerns and recommendations of these of stewards of habitat, forage, and rangeland health. Moreover, it is imperative that BLM officials continuously inform all livestock grazing permittees who are directly or indirectly affected of the issues, decisions, and resulting actions regarding this proposal.

Most environmental impact studies are woefully deficient in identifying or analyzing social and economic impacts imposed by proposed energy developments. We appreciate the fact that BLM field office staff include numerous and diverse environmental specialists and virtually no social and economic analysts. As a result, virtually all environmental impact studies ignore the detrimental social and economic costs imposed by proposed energy developments upon the citizens who are most affected by these burdens: those living within and adjacent to the planning area. We and strongly recommend that the DEIS includes a full and thorough social and

economic impact analysis as part of the EIS. We specifically suggest that that analysis includes the impacts upon livestock grazing in and adjacent to the planning area.

Grazing on public lands represents a vital economic value to agriculture producers and to local communities. Impacts on this economic activity, specifically within the affected area and in adjoining areas, need to be included in the study. The cumulative impacts of energy developments upon livestock grazing may jeopardize the livelihoods of grazing permittees. The loss or impaired ability of livestock grazing operations needs to be evaluated in the EIS.

The true economic impact of livestock grazing upon local communities is often underestimated. Input-Output studies by the University of Wyoming reveal that nearly all livestock in Wyoming are sold out of state, yet nearly all expenditures by Wyoming ranchers are made in nearby communities. This infusion and turnover of out-of-state or new dollars into local communities created by livestock grazing needs to be reflected in the study. More importantly, the EIS needs to capture the impact of the loss of that infusion and turnover by ranching operation which are impaired by increased costs and decreased revenues created by this energy development project.

Throughout Wyoming, ranches are being replaced by housing and industrial developments, resulting in a permanent loss of wildlife habitat, scenic vistas, wide-open spaces, visual beauty, historic rural landscapes, stable rural revenues, and the historic cowboy culture of this state. These developments arrive with a significant increase in the cost of supporting infrastructure imposed upon federal, state, and county officials. A recent study in Fremont County conducted by the University of Wyoming shows that ranches bring significantly greater revenues into the county than the cost of the infrastructure needed to support those ranches. Conversely, developments demand costs in county infrastructure support that far outweigh the revenues generated by developments. The study needs to be included in the EIS.

In addition to its economic value, grazing also represents irreplaceable environmental and social values, contributing to the preservation of open spaces, the scenic vistas and visual beauty of the area, and the traditional image of the historic rural landscapes of Wyoming and the West. Any loss of these important environmental, historic, and social values of livestock grazing to users and visitors of the area and residents of impacted communities should be included in the scope of the study and the social impacts analyzed in the EIS.

Congressional mandates, federal statutes, and implementing regulations call for multiple use, and should be an integral part of the assessments. Moreover, the EIS should evaluate the impact of this project upon the intent expressed in the Federal Land Policy and Management Act of 1976 to manage public lands in a manner that will provide food and habitat for fish, wildlife, and domestic animals. The impacts upon food and habitat for fish and wildlife are usually well documented in National Environmental Policy Act documents. The consequences of this project upon food and habitat for domestic animals deserve the same degree of study and documentation.

In fact, grazing is an essential resource management tool to achieve desired environmental objectives in the planning area, including obtaining positive effects upon food and habitat for wildlife and livestock. The EIS needs to include (1) these positive effects of livestock grazing upon the environment and as a tool to achieve environmental objectives and (2) the impacts of this project on limiting the ability of livestock grazing to achieve these positive effects.

Peer-reviewed science should underlie decisions and the EIS needs to identify the science that supports the decisions and discussions regarding this project,

Decisions in the proposed plan should allow BLM officials, grazing permittees, and company officials the opportunity throughout the life of this plan to work cooperatively and the flexibility to make the best site-specific, case-by-case decisions that are in the best interests of the affected resources and citizens.

Regarding the mailing list for the Scoping Notice, we make the following recommendations. The Wyoming Sportsman's Association, Willbanks Exploration, Inc. and Stone energy, LLC should be moved to the Citizens, Media, and Organizations section. Delete the Wyoming Department of Agriculture (WDA) from that C, M, & O section, as you have also correctly placed WDA in the State/Local Agencies and Elected Officials section. We understand that Brad Holliday is no longer the representative for the Medicine Bow Conservation District and Jon F. Jacquot has retired from the Wyoming Public Service Commission. Finally, it is essential those listed in the Citizens, Media, and Organizations, include all grazing permittees within and adjoining the CD-C area and include the organizations representing them. Our confidence in your fulfillment of that requirement is shaken when we notice that Jim Magagna of the Wyoming Stock Growers Association and Ken Hamilton of the Wyoming Farm Bureau Federation were not included in this list.

In conclusion, we appreciate the opportunity to comment on the scope of the proposed actions, 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

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