

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.
Equal Opportunity in Employment and Services



Dave Freudenthal, Governor
John Etchepare, Director

July 22, 2008

Bureau of Land Management-WSO
Pamela, J. Lewis
Chief, Branch of Fluid Minerals Adjudication
5353 Yellowstone Road
Cheyenne, WY 82003

Dear Ms. Pamela J. Lewis,

Following are our comments regarding the Little Snake River Valley – Leasing Notification Issue/Discussion for the following parcels of land described as: WY-0808-086; WY-0808-093; and WY-0808-094. This is not a formal Protest Letter but a letter stating the Wyoming Department of Agriculture's concerns and comments.

Our comments are specific to our mission: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. As this project affects our agriculture industry, our natural resources, and the welfare of our citizens, it is important that we be kept informed of future proposed actions and decisions regarding the acquisition of lease agreements in the area of the Upper Valley of the Little Snake River Drainage.

It is our understanding that numerous lease notifications have occurred in the Upper Little Snake River Valley creating concern and interest on what the future plans and developments are proposed for the subject area. We strongly recommend that you and the lease requester (Operator) communicate and coordinate with potentially affected landowners and livestock grazing permittees regarding the acquisition of mineral leases and disclose what the future plans for the subject area will be.

In addition, we believe that the affected landowners and potential cooperators/interested parties did not receive sufficient time to thoroughly analyze the proposed action.

If however, development is to occur in the subject area, the proposed action will undoubtedly impact grazing permittees, agriculture producers, landowners, and other citizens, as well as our natural resources, both in and near the subject area. For these reasons, we are making the following comments:

Following are some specific individual effects upon livestock grazing that will occur if development proceeds: increased off- and on-road traffic, increased number of speeding vehicles, construction of new roads and modifications to existing roads, increased number of vehicles in the area causing death or impairments of livestock, cut fences, opened gates, damaged range improvements, decreased AUMs and pastures for grazing, decreased palatability of vegetation and forage from road dust and development activities, unsuccessful reclamation of disturbed areas, introduction and spread of noxious

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weeds, and other detrimental social and economic impacts on livestock operators and livestock management operations.

We strongly encourage Bureau of Land Management (BLM) staff and potential Operators to work closely and consistently with all affected grazing permittees and agriculture producers to learn of their concerns and recommendations regarding the subject area. Agriculture producers are intimately familiar with the areas potentially affected by this proposal and they possess irreplaceable long-term, on-the-ground knowledge. They are particularly aware of both the individual and cumulative impacts upon wildlife, livestock, and rangeland health for the subject area. We highly recommend that during the planning process the Operator and BLM officials seek and address the concerns and recommendations of these 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.

We support compensatory mitigation discussions between Operators and livestock permittees to lessen the burden, livestock stress, and economic impacts to grazing permittees from any future development. Such mitigation strategies and costs could include, but are not limited to, the following: movement of livestock to an open allotment or pasture, monitoring of impacts including use of the Wyoming Rangeland Monitoring Guide (August 2001), construction of water and range improvements on either public or private land, purchase or lease of additional grazing land to replace lands lost to grazing, and reimbursement to producers for loss of AUMs and pastures.

Many environmental impact studies are deficient in identifying or analyzing social and economic impacts imposed by proposed energy developments. We strongly recommend that any future development in the subject area includes a full and thorough social and economic impact analysis. Since grazing on public lands represents a vital economic value to agriculture producers and local communities, we specifically suggest that the analysis includes the impacts upon livestock grazing in and adjacent to the planning area. 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 planning process.

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 planning process.

Prior to the approval of any lease agreement, an Operator's reclamation history should be thoroughly evaluated. A poor history of successful reclamation should be considered in the approval process for a lease agreement. In addition, timely and successful reclamation

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and mitigation are needed and should be required if future development is to occur. Reclamation and mitigation requirements and the consequences for energy developers failing to accomplish this reclamation and mitigation should be clearly stated. Congressional mandates, federal statutes, and implementing regulations call for multiple use, and should be an integral part of the assessments. Moreover, the planning process 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 NEPA documents. The potential consequences of future development in the Upper Little Snake River Valley upon food and habitat for domestic animals deserve the same degree of study and documentation. Grazing is an essential tool to achieve desired environmental objectives in the planning area, including obtaining positive effects upon food and habitat for both wildlife and livestock. The planning process 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 that are made. The planning process needs to identify the science that supports the decisions and discussions regarding this project.

Decisions regarding future development of the subject area should allow BLM officials, grazing permittees and private landowners the opportunity to work cooperatively. Flexibility to make the best site-specific, case-by-case decisions that are in the best interests of the affected resources and citizens throughout the life of this plan should also be addressed.

In conclusion, we are seriously concerned that the pristine headwaters of the Colorado River and the Upper Little Snake River Valley will be significantly impacted by future oil and gas development. We appreciate the opportunity to provide comment on the proposed lease acquisitions, we encourage continued attention to our concerns, and we look forward to hearing about and being involved in any future proposed actions and decisions.

Sincerely,


for John Etchepare
Director

JE/cw

CC: Governor's Planning Office; Wyoming Game and Fish Department;
Wyoming Board of Agriculture