



Matthew H. Mead, *Governor*  
Doug Miyamoto, *Director*  
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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.*

December 23, 2015

Mr. Thomas Bills, NEPA Coordinator  
Bureau of Land Management  
Buffalo Field Office  
1425 Fort Street  
Buffalo, WY 82834

Dear Mr. Bills:

Following are the Wyoming Department of Agriculture (WDA) scoping comments pertaining to the Buffalo Bureau of Land Management Field Office's (BLM) and United States Forest Service, Douglas Ranger District (FS) proposed Environmental Impact Statement (EIS) for the Greater Crossbow Oil and Gas Exploration and Development Project (project).

Our comments are specific to our mission: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life. As the proposed project could affect our industry, citizens, and natural resources it is important that you continue to inform us of proposed actions and decisions and continue to provide the opportunity to communicate pertinent issues and concerns.

As the majority of this project will occur on private lands (roughly 87%) we highly recommend the BLM/FS and EOG Resources Inc. (EOG) work closely with private landowners. Reclamation will be a key component of this project and private landowners retain the right to request the use of non-native species on reclamation sites. We support the private landowners' right to develop reclamation plans specific to their operation and needs. The BLM/FS should not apply any design features limiting this ability.

We further would like to highlight that Wyoming law requires EOG, at minimum, to "reasonably accommodate existing surface uses,"<sup>1</sup> such as agriculture; provide notice of entry<sup>2</sup>; a written notice of proposed operations<sup>3</sup>; and "attempt good faith negotiations" with surface owners.<sup>4</sup> EOG must also secure either written consent for entry onto the land, a surface use agreement, or a sufficient surety bond.<sup>5</sup>

If any BLM or FS livestock grazing allotments are affected by the project, the agencies should explore ways in which to limit or mitigate impacts. Additionally, no mandatory rest/deferment schedules should be placed on reclamation on federal surface (i.e., mandatory "two years rest"); the timeframe in which grazing on federal surface can recommence should be based upon ecological objectives, not arbitrary timelines.

<sup>1</sup> Wyoming Statute § 30-5-402 (a)

<sup>2</sup> Wyoming Statute § 30-5-402 (b)

<sup>3</sup> Wyoming Statute § 30-5-402 (d)

<sup>4</sup> Wyoming Statute § 30-5-402 (c)

<sup>5</sup> Id.

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In conclusion, we thank you for the opportunity to comment and look forward to working with you throughout the development of the EIS.

Sincerely,

*Stacia Berry*  
*for Doug Miyamoto*

Doug Miyamoto  
Director

DM/jb

CC: Governor's Policy Office  
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