

**Crook County Land Use Planning & Zoning Commission**  
**P.O. Box 37**  
**Sundance, WY 82729**

**Jeanne Whalen**  
**Chairman**

**Nels J. Smith**  
**Vice-Chairman**

October 18, 2010

Wyoming Environmental Quality Council  
Herschler Building  
122 W. 125<sup>th</sup> St., Rm. 1714  
Cheyenne, WY 82002

**FILED**  
OCT 19 2010  
Jim Ruby, Executive Secretary  
Environmental Quality Council

RE: Proposed Designation of State and Federal Lands as Very Rare or Uncommon,  
County, Wyoming.

Dear Council:

The Crook County Land Use Planning and Zoning Commission would like to remind the Council of our previous letter of opposition to the proposed designation, dated June 9, 2008.

In that letter we cited: The purpose of the 1998 Land Use Plan for Crook County Amended on 2/5/03 is to establish a process for Crook County to coordinate with federal and state agencies on their proposed actions that may potentially affect the management of federal and state lands and natural resource use. Crook County commits itself to the protection of private property rights and private property interests including investment backed expectations, protections of local historical custom and culture, protection of the traditional economic structures in the County which form the base for economic stability for the County, opening of new economic opportunities through reliance on open markets, and protection of the right of the enjoyment of the natural resources of the County by all citizens of the County and those communities utilizing those natural resources within the County. *(1998 Land Use Plan for Crook County Amended on 2/5/03, pg. 1)*

According to the VRUD petition, the Sand Creek water body itself has been designated a Class 1 Water by the Environmental Quality Council (unrelated to the Class 1 fishery designation by WGFD). Class 1, also known as "outstanding waters," is the highest and most protective designation that can be applied to a water body within the state of Wyoming. Sand Creek is one of only 15 rivers/lakes in the entire state singled out by name when designated as Class 1. Class 1 Waters are river/stream segments and lakes designated specifically by the EQC "based on value determinations" after considering the aesthetic, scenic, recreational, ecological, agricultural, botanical, zoological, municipal, industrial, historical, geological, cultural, archaeological, fish and wildlife, the presence of significant quantities of developable water and other values of present and future benefit to the people". *(Amended Petition to the Environmental Quality Council for Designation of an Area Known as Sand Creek as Very Rare or Uncommon,*

*Under the Authority of the Wyoming Environmental Quality Act, W.S. §35-11-112 and Chapter VII of the Wyoming Department of Environmental Quality Rules of Practice and Procedure, pg. 25). CCLUP&Z feels that EQC has already acted on the highest protection for Sand Creek.*

According to the public notice printed in the Sundance (WY) Times newspaper September 23, 2010, there are 50 patented mining claims located on privately owned lands in Crook County that are excluded from the VRUD. Crook County recognizes that these mining claims represent the important historic multiple use of resources and agrees these claims should be excluded. Crook County recognizes the importance of other multiple use activities including agriculture and livestock grazing, sustainable timber harvest, and the importance of recreational opportunities on public lands in the Sand Creek area and the rest of our county. All these activities generate income for our local economy, and are important and historic components of the County's economic and cultural base on both private and public lands. Crook County again requests that state and federal agencies coordinate with and notify the County of any actions or regulations which may impact these activities.

The Crook County Land Use Planning & Zoning Commission's position remains that if the Wyoming Environmental Council's decision is to declare the lands as Very Rare or Uncommon it will have a direct negative impact on the customs, culture and economy of Crook County. The EQC has a plan already in place to protect this area. A Very Rare and Uncommon designation will adversely impact the multiple use activities historically enjoyed in the Sand Creek watershed and the surrounding area. **Crook County Land Use Planning & Zoning Commission opposes the Very Rare or Uncommon Designation for the Sand Creek area as does the Crook County Board of Commissioners pursuant to action taken at a special meeting October 14, 2010.**

Thank you for the opportunity to comment on this important issue.

Sincerely,



Jeanne Whalen  
Chairman

pc: Senator C.L. "Chuck" Townsend  
P. O. Box 760  
Newcastle, WY 82701

Representative Mark Semlek  
1307 D Road  
Moorcroft, WY 82721