



Senator Charles Townsend
Wyoming Senate
October 10, 2010

Mr. Tim Flitner, Chairman
Wyoming Environmental Quality Council
122 W. 25th Street
Herschler Bldg, Room 1714
Cheyenne, WY 82701

Re: Docket No. 09-1103

Dear Mr. Flitner and Members of the Wyoming EQC.

It has again come to my attention that the hearing for the petition to designate approximately 17,000 acres of the Sand Creek area of the Black Hills National Forest as Very Rare and Uncommon will be held October 26-28 in Sundance.

I have written you previously objecting to this designation and consider it an abuse of the Very Rare and Uncommon statute. Perhaps this state statute is outdated and needs to be clarified in its use by the Wyoming Legislature. The Wyoming Legislature passed a bill this year for the concern they had about the Rare and Uncommon legislation (HB 262). The Governor vetoed this bill but still expressed his concern about the effect, direction and process of the original statute.

This area is presently managed under the precepts of the Forest Management Plan for the Black Hills National Forest and this proposed designation will do little to nothing to assure the proponents that this stream will be protected from perceived degradation by any potential non-coal surface mining in this area. The best protection this stream could have is professional watershed management by the Forest Service to decrease the possibility of catastrophic fire and/or mountain pine beetle epidemic.

The majority of the citizens I represent in Northeast Wyoming are opposed to this designation as simply unnecessary stacking of state restrictions over those of the Forest Service. This area is beautiful in most aspects but is no more so than most of the entire wonderful State of Wyoming and I sincerely urge you to disapprove this petition on the Sand Creek area.

Sincerely,

Charles Townsend, Senate District #1
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