



WYOMING MINING ASSOCIATION

HITCHING POST INN
P.O. Box 866
Cheyenne, Wyoming 82003

Wyoming Mining Association Comments to Environmental Quality Council

Re: Biodiversity Conservation Alliance Adobe Town Rare and Uncommon Petition

The Wyoming Mining Association (WMA) appreciates the opportunity to comment on the petition to designate Adobe Town a Rare and Uncommon area.

The WMA is a statewide trade association representing bentonite, coal, trona and uranium. Wyoming leads the nation in production of all four of those minerals.

The WMA would like to register its opposition to the petition before you by Biodiversity Conservation Alliance (BCA) to designate the Adobe Town Wilderness Study Area (ATWSA) plus the surrounding area as Rare and Uncommon (R&U). It is WMA's position that the requested designation is nothing more than a covert effort to prohibit domestic mining, oil and gas development in the area, especially on federal lands.

BCA's use of the term "Adobe Town" is overly broad and inaccurate. The 180,000 acres included in the petition more than doubles the approximately 86,000 acres contained in the federally designated wilderness study area (WSA). A careful review of the petition reveals that most of the references and publications cited by BCA to support the designation refer to lands within the WSA. Under federal regulations, the 86,000 acre WSA is already off limits to mining as well as oil and gas development. Thus, these lands are already amply protected by federal regulations. Additionally, the overwhelming majority of the proposed R&U area outside the WSA is currently leased and subject to valid existing federal lease rights which must not be infringed upon.

Petitioners request for an R&U designation on areas outside the existing WSA would result in impossible administration nightmare for the state. The petition includes over 50,000 acres within the Land Grant checkerboard. While petitioners request a limit on the designation to federal lands within this checkerboard area, development could occur on the adjacent, every other section of private lands. One could envision future arguments that an R&U designation would be an avenue to oppose access to those adjacent private rights. Such a result would be intolerable and nothing short of a taking.

Finally, WMA believes BCA's broad-brush approach does not meet the requirements of Chapter 7 as it fails to identify sufficient data to support R&U designation, especially on the tens of thousands of acres of diverse ownership outside the existing BLM WSA.

WMA respectfully, requests immediate dismissal of the petition.

Thank you.