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July 10, 2009

The State of Wyoming  
Environmental Quality Council  
122 W. 25th Street, Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002

**FILED**  
JUL 13 2009  
Jim Ruby, Executive Secretary  
Environmental Quality Council

**Re: Amended Petition to the Environmental Quality Council for Designation of an Area Known as Sand Creek as Very Rare or Uncommon**

Members of the Environmental Quality Council:

In response to a notice recently received from the Environmental Quality Council (EQC), we wish to formally record several additional objections to the further consideration of this petition. We object to the further consideration of this petition on the following grounds:

As required under the Environmental Quality Council's Rules of Practice and Procedures, Chapter VII, Section 6 (a) (viii), the petitioners are required to provide a description of the current and historical land use in the petition area. Amongst the 38 pages of the petition, a mere seven sentences on page 15 are devoted to descriptions of the past and present ranching, recreational, timbering, mining and exploration activities in the area. As described below, this text does not begin to adequately describe past and current land use within the petition area. The Petitioners having failed again to satisfy the statutory requirements stated by Chapter VII, Section 6 (a) (viii), we request that the petition in its current form not receive further consideration. Further:

Because portions of the Mineral Hill Mining District have been specifically included in the petition area, it is remarkable that no descriptions of the current mining and exploration activities are provided. Our company is currently engaged in exploration programs within the petition area, and has an active license for exploration on file with the Department of Environmental Quality. Our plans of operation are also on file with the U.S. Forest Service, which oversees management of the surface and mineral rights in the area, and are in the Public Record. In June 2006, the Petitioners (Biodiversity Conservation Alliance) filed a five-page letter with the U.S. Forest Service making comment on various aspects of our programs. The Petitioners are certainly aware of our programs, yet no mention of these activities is made in the petition as required by the EQC Rules of Practice and Procedure.

Equally remarkable, no descriptions of the past mining activities are provided. Multiple mining operations, including surficial, underground and extensive placering, have taken place in the Mineral Hill district, and the remnants of mill sites, processing facilities, and historic mines are present on the public lands inside the petition area. Further, much of the area around Mineral Hill was placer-mined down to bedrock in the drainages, as can easily be recognized by the hummocky spoils present throughout drainages within the petition area. Several exploration and drilling programs were active in the 1970's and 1980's, descriptions of which are available in the public record, and placer mining in the area has continued through recent years.

Timbering activities have also routinely taken place in the area, and are not mentioned in Section 6 (a) (viii).

We feel these omissions are especially egregious, as Section 6 (a) (viii) ostensibly contains the information most relevant to the socioeconomic impacts of this petition. Because the petition encompasses such a large area that includes many lands outside of the Sand Creek drainage itself, descriptions of past and current land use are critical to understanding and effectively appraising the value of the petition area, as well as to assessing and mitigating the negative economic impacts this petition could have. We feel that these omissions are a deliberate attempt to downplay the economic significance of current land use within the petition area. We strongly urge the EQC to decline acceptance of the petition, as the requirements under Section 6 (a) (viii) are clearly not fulfilled.

We have made similar comments during the past considerations of the petition (see letters dated May 28, 2008, and September 3, 2008, In Docket No. 07-1102). Now, given the difficult economic circumstances that exist at present throughout the country and in northeastern Wyoming, and the direct economic impact that the petition represents to us and others, we request that the Petitioners be held to the standards plainly specified in the EQC's Rules of Practice and Procedure, and that little additional latitude be granted to this group of petitioners.

As an additional note, a description of the surface geological features is required under Section 6 (a) (vii). What has been provided in the petition is specifically a brief description of a few hydrological features; no descriptions of the numerous significant geological features in the area have been provided (including those of the greater Mineral Hill Mining District). This indicates a trend of substantial omissions that further supports our request.

Sincerely,



Dr. David Johnson, President and Senior Geologist  
and Dr. Eric Jensen, Vice President and Senior Geologist  
On Behalf of Bronco Creek Exploration, Inc.  
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