



262 Lincoln Street
Lander, WY 82520

t: 307.332.7031
f: 307.332.6899

February 14, 2008

Harv Forsgren
Intermountain Regional Forester
324 25th St.
Ogden, UT 84401

Kniffy Hamilton
Bridger-Teton National Forest Supervisor
P.O. Box 1888
Jackson, WY 83001-1888

Re: Leasing EIS for the 44,720 acres on the Big Piney Ranger District

Dear Harv and Kniffy,

On behalf of the Wyoming Outdoor Council, The Wilderness Society, Greater Yellowstone Coalition and Jackson Hole Conservation Alliance, I am writing in regard to the Notice of Intent (“NOI”) to prepare a leasing EIS for the 44,720 acres on the Big Piney Ranger District. 73 Fed. Reg. 6453 (Feb. 4, 2008). We respectfully request that the Forest Service suspend the preparation of the leasing EIS until it finalizes a forest-wide oil and gas availability study—something that it will surely undertake in the near future along with or subsequent to the release of the Bridger-Teton National Forest’s revised Land and Resource Management Plan (“forest plan”).

As noted in the NOI, “[D]ue to the length of time since scoping associated with the current leasing decision was conducted, the agencies are soliciting comments specific to new issues or information.” 73 Fed. Reg. 6453, 6454 (Feb. 4, 2008). Indeed, it has been almost twenty years since the Bridger-Teton forest plan was adopted. The leasing Environmental Assessments (“EAs”) specific to the management areas that will be implicated in this decision and that tier to the 1990 forest plan are the same age or nearly as old as the forest plan itself.

The Forest Service has already begun work to revise the Bridger-Teton forest plan and although the process is currently on hold, it is within this process that a suitability framework will be determined and a subsequent oil and gas availability decision will be reached. It is within these more comprehensive analyses that the fate of the 44,720 acres should be determined, not in an accelerated, piecemeal fashion as envisioned here.

Ostensibly, the Forest Service in the leasing EIS will analyze circumstances that have changed over the last 20 years both on and off National Forest lands. As a result of its findings, it will determine whether the 44,720 acres should be made available for oil and gas leasing and development. Because the Forest Service cannot limit its analysis to these acres alone, particularly when air pollution and migrating wildlife do not recognize mapped boundaries, a forest-wide and with respect to some resources, a region-wide analysis is already required. For example, the widespread impacts of extensive oil and gas development occurring throughout western Wyoming and the related Wyoming Landscape Conservation Initiative, which the Forest Service is party to, are examples of the regional implications of this decision. One could argue that waiting to prepare a forest-wide oil and gas availability decision is in fact a more efficient use of time and resources, as such a decision could also encompass the fate of the 44,720 acres.

This forest-wide approach also makes sense given the political reality affecting the very lands at issue in the proposed leasing EIS. As a result of shared opposition to new leasing in the Wyoming Range, specifically the offering in 2005-2006 of the 44,720 acres in question here, Governor Dave Freudenthal, the late Senator Craig Thomas, state and local elected officials, and Wyoming citizens from all walks of life came together with a vision to protect the Wyoming Range from future oil and gas leasing. The product of this vision was the introduction on October 25, 2007 of federal legislation (The Wyoming Range Legacy Act of 2007, S.2229) sponsored by Wyoming's Senators John Barrasso and Mike Enzi.

To move ahead with an EIS that seeks to authorize the very leases that inspired historic legislation to prevent such an occurrence strikes a sad irony. Initiating a process whereby the Forest Service will make a decision about these contested acres is particularly puzzling in a year in which forest planning will likely reconvene and provide an avenue through which a forest-wide oil and gas availability analysis could be initiated. A forest-wide availability EIS could respond not only to public feedback in the forest planning process, but also to Congressional input based on the outcome of the pending legislation.

Governor Freudenthal advocated for this forest-wide approach in his February 7, 2008 letter to the Forest Service addressing the Plains/Noble Basin Master Development Plan EIS:

Given Senator Barrasso's introduction of the Wyoming Range Legacy Act of 2007 and the pending Forest Plan revision, it would seem prudent to withhold action on the Plains proposal, and quite frankly the leasing environmental impact statement being conducted related to 44,700 acres of contested leases in the Wyoming Range, until the tools are in place to fully and effectively address the potential for development along the spine of the Wyoming Range.

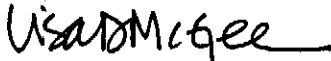
If the Forest Service opts not to suspend the leasing EIS in favor of waiting until it prepares a forest-wide oil and gas availability study, we request that it provide the public

with at least 30 additional days in which to submit scoping comments. The recent scoping period for the Plains/Noble Basin EIS was nearly 60 days. The leasing EIS encompasses far more acreage than in the Plains/Noble Basin EIS and this acreage is dispersed over the length of the Wyoming Range, implicating several management areas. It seems reasonable that the Forest Service would grant the public more time to comment given the larger scale of the leasing EIS. Thirty additional days would extend the comment deadline to April 19, 2008.

We request that the Forest Service schedule a series of open houses/public meetings prior to the scoping comment deadline in the communities of Jackson, Pinedale and Rock Springs and commit to hosting a number of summer field trips to the Horse Creek/Beaver Creek area and other parts of the Wyoming Range that would be affected by the decision to lease. In addition, we ask for a meeting with both of you prior to the conclusion of the scoping period to further discuss this EIS process.

Thank you for your consideration and I look forward to hearing from you.

Sincerely,



Lisa D. McGee, Esq.
Wyoming Outdoor Council
262 Lincoln St.
Lander, WY 82520

And on Behalf of:

The Wilderness Society
503 W. Mendenhall
Bozeman, MT 59715

Greater Yellowstone Coalition
P.O. Box 4857
Jackson, WY 83001

Jackson Hole Conservation Alliance
P.O. Box 2728
Jackson, WY 83001

cc: Steve Haydon, BTNF Project Leader
Jane Darnell, BLM Acting Wyoming State Director
Governor Dave Freudenthal
Senator John Barrasso
Senator Mike Enzi