

IN SUBLETTE COUNTY
STATE OF WYOMING
SUBLETTE COUNTY LIBRARY
PINEDALE, WYOMING
LISTENING SESSION
FOR THE DEPARTMENT OF THE INTERIOR
September 19, 2006
1:00 P.M.

COURT REPORTER: Michelle L. Cunningham
Deputy and Freelance Reporter
Notary Public

APPEARANCES :

MODERATOR :

Dave Case

PANEL :

Johnnie Burton

Robbie Roberts

INDEX OF SPEAKERS

- 1 - Mr. Hellier
- 2 - Martel, Wes
- 3 - Holladay, Andrew Jackson
- 4 - Vanderhof, Tyler
- 5 - Welch, Jack
- 6 - Burget, Wanda
- 7 - Seiler, Jane
- 8 - Old Horn, Dale
- 9 - Petersen, Mark
- 10 - Johnson, Dr. Tom
- 11 - Bud, Dan
- 12 - Frank, Bobby
- 13 - Roman, Fernando
- 14 - Wadker, Darryl
- 15 - Thompson, Craig
- 16 - Lasley, Louise
- 17 - Lynn, John
- 18 - DeWell, Pam
- 19 - Walker, R. Perry
- 20 - herbst, Lois
- 21 - Baker, Linda
- 22 - Moore, Jocelyn

- 23 - Purves, Kathy
- 24 - Hamilton, Ken
- 25 - Bousman, Cotton
- 26 - Mackey, Sally
- 27 - Tallaferro, Ed
- 28 - Magagna, Jim
- 29 - Bousman, Jim
- 30 - McGee, Lisa
- 31 - Bannon, Aaron
- 32 - Owen, Joy
- 33 - Washburn, Phil
- 34 - Teeuwen, Randy
- 35 - Anderson, Grace
- 36 - Smith, David
- 37 - Bousman, Joel
- 38 - Bousman, Susan
- 39 - Mar, Jay
- 40 - Old Coyote, Darren
- 41 - Wharff, Bob
- 42 - Washburn, Patricia
- 43 - Nelson, Merrill
- 44 - Richardson, Cecelia
- 45 - Stout, Alan

THE MODERATOR: Welcome to the 18th of 24 listening sessions on cooperative conservation that are being held across the country.

My name is Dave Case. I'm the moderator for the session today. I'm joined on the podium by Ms. Johnnie Burton. She is the assistant -- Acting Assistant Secretary For Lands and Mineral Management within the U.S. Department of the Interior, and she also serves, as if that's not enough, as Mineral Management Service.

Also on the podium is Mr. Robbie Roberts. He's the Regional Administrator with the Environmental Protection Agency in Region Eight, which is based out of -- out of Denver.

On my right-hand side is Michelle Cunningham. Michelle is a court reporter and she will be reporting all -- all of the transactions that take place here today.

Before we get started, I'd like to ask everybody if they could please stand for the pledge of allegiance.

(Whereupon, the pledge of allegiance was said.)

THE MODERATOR: Thank you.

I'd like to start by just giving a little bit of an overview of the process that we're going to follow. We have a few presentations from the podium and then we have a couple of -- of brief presentations on cooperative conservation projects that are -- that are local. We'll -- I'll introduce a few people and then most importantly, we'll spend the rest of the time we have hearing from you.

The purpose of this -- this meeting, it's a listening session, to hear from you about cooperative conservation.

The process that we're gonna go through is designed to hear from everybody, everybody that would like to get up and speak, and to try and get everyone to have a chance to speak in a fair way, and also, to be able to get through -- through the day.

When you came in, you should have gotten a yellow card. And on there, there's a -- there's a number of what we'll do. And we'll just call people up in the order that you came in. We'll ask you to come up to this podium here. Now, the good news is there's a podium there; the bad news is you have to be careful of touching it. If -- if you stand there and hold on to it, you can almost hear your heart

beating through the microphone, so if you'll just stand at the microphone, we'll ask you if you could introduce yourself, spell your last name for us, so that the court reporter can get that correct, so it's in the record correctly, where you're from, if you represent an organization, what that organization is.

We're going to have to limit comments, unfortunately, to two and-a-half minutes, so I'll keep track of time when you come up. And when you get to two minutes, I'll kind of wave this card at you or wave the card this way just to let you know that there's two minutes, and you have another 30 seconds.

And I will -- I was taught that it's rude to interrupt people that are -- that are speaking. Little did I know I would have to do this for a living, interrupt people, so my apologies in advance for interrupting you. If you don't realize how long you're going, I'll have to -- you know, and I'll do that for everyone, I'll have to interrupt and ask you just to wrap it up pretty quickly.

We have the -- the library closes at 5:30. In most of the meetings, we're able to get through everybody that wanted to speak in that about four

hours or so, so we should be in pretty good shape I think. I'll let you know in just a minute how many of you are here as soon as we get a final count on the cards.

Also, on this card you'll notice that there's an e-mail address. If you are not comfortable speaking today, or more likely, if you get up and speak and then think I've got more to say, you can go to the website address here and enter comments. There's also a mailing address here and fax number. So you can send -- oh, that reminds me. I was -- I skipped over my notes. If any of you have cell phones, if you could turn those off, we'd sure -- sure appreciate it, so that we don't disturb the neighbors.

We are going to capture all of the proceedings. My job here today is to -- is to make sure that everybody gets a fair chance to be heard and keep things on schedule, and I'll do my best to do that.

There's quite a number of us here today and we all want to get a chance to -- to speak. We won't have the opportunity to have a question and answer, give and take kind of session. What we're here today is -- is to listen, so we're going to listen

to your comments after some brief presentations, and it won't be a question and answer.

But if there's additional information or additional things that you'd like to know -- and there's a number of people, and I'll take a moment to introduce them, from the federal -- various federal agencies that if you have questions, you can sure ask questions here on the podium or the folks I'll introduce after the meeting.

If you could raise your hand or stand up when I introduce you just so people know who you are. Bob Bennett is here. He's the State Director of the Bureau of Land Management for the State of Wyoming, and he's in the back of the room waving frantically. Monte Olsen is the State House District 22. Linda Seanahie (phonetic) is with U.S. Senator Mike Enzie's office. Jinx Clark -- I just want to make sure I read that correctly -- from U.S. Senator Craig Thomas's office. Jay Slack is the Deputy Regional Director of US Fish and Wildlife Service in the Denver region. And Bonnie Cannon is here from U.S. Representative Barbara Cubin's office.

Okay. With that, I would like to -- let's see, make sure I covered everything. And I'll go back over those rules, just make sure everyone's

clear with them before we actually start into the -- the number of cards. But it's my pleasure to introduce Ms. Johnnie Burton again. Again the Acting Assistant Secretary of the Interior to -- to welcome you and open with a few comments.

MS. BURTON: Thank you, very much, Dave.

And good afternoon everybody, and I'm delighted to be here.

For those of you who don't know, my permanent residence is up in Teton County, and so, it's nice once in a while to have a reason to come home. I don't come home very often for the last nearly five years that I've been in Washington, so it's good to be here.

The Department of the Interior, for which I work, is a department that has a lot to do with public lands. The department manages one-fifth of all the land in this country. The land and water that produce -- and I'm talking about the outer continental shelf, as well as the territory of the United States -- the public land produced one-third of all the domestic energy production in this country, very important, but we also provide water to about 31 million Americans. We manage relations with 561 Indian tribes, and we serve public lands

between the national parks, the wildlife refuge and other public lands, about 470 million people that visit those places. So we obviously have a visible role in managing public lands. We can't do that by ourselves. We have partners. And this is where cooperative conservation comes to play a big role.

We have partners that care about the environment, that care about the public land and how we will leave them for our children. And that's why we're here today listening to you, because Washington, regardless of what some Washington people think, Washington does not have all the answers. The answers come from the state, from the communities, from the local folks, and then we can integrate them in what we do and hopefully reach a balance that can serve the public well.

Our congressional delegation has worked very closely with the administration to make sure that we pay attention to the State of Wyoming. And the State of Wyoming has a very, very primary role in what Interior does, because of the riches of the state, both mineral riches and some natural resources, such as wildlife.

So we play -- we pay a great deal of attention to what the State wants. And we think that

cooperative conservation, which is all of us working together for the best solution, is really the way to manage the public lands.

In June, the President said, We will believe cooperative conservation is the best way to protect the environment. This means we must focus on the needs of the states, respect the unique knowledge of local authorities, and welcome the help of private groups and volunteers. And the national park, in particular, but by far not the only agency of Interior, works a lot with volunteers.

Last I heard, there were 200,000 volunteers working for the parks. Probably the number is lower now. So, the President thinks that working with local communities, and with the states and with individuals is the best way to manage this environment that we are supposed to manage.

Last year in August, the White House held the very first White House conference on cooperative conservation. And fortunately, that conference, which was, by the way, very, very interesting, 1300 people attended from all over the country representing various groups. And we heard some very, very interesting examples of how cooperative conservation can work on the ground. Unfortunately,

this is also the week that hurricane Katrina hit the Gulf. And I know that, personally, I was at that conference and had to leave in the middle of it to go back to my office to decide what to do with 600 of my employees in New Orleans that were without home and without office.

So it was then the -- as you know, it was followed by another hurricane and so, for several months, the administration was very busy trying to figure out how to help the Gulf Coast. And so, this conference -- this cooperative conservation conference that had taken place in St. Louis was somewhat put on the back burner, because we had other emergencies to take care of.

We are now back on track, and we'd like to follow through what we heard and what happened in St. Louis. And we're doing it, as Dave mentioned, by having listening sessions in different regions of the country, about 24 different listening sessions. And a court reporter takes notes of everything that you will tell us.

We're hear to listen, we won't debate, we'll just listen to you, we'll take notes, and then all of that goes back and gets compiled, and we'll have several white papers on the very issues that we

heard about and see how we can address those issues, based on what the people have told us. So, it is gonna be educational for us.

We thought that it was very good to go to the people instead of having you contact us in Washington. As you know, a lot of you make trips out there and comes to talk to us, and that's great, but not everybody can do that. So I think that by going around the different regions of the country, we give folks a chance to come and tell us what they think we should be doing. So I'll be listening.

Thank you for being here. We truly appreciate your making the effort to be here in Pinedale this afternoon, and we'll listen to you.

THE MODERATOR: Thank you, Ms. Burton.

There is one other person I would like to recognize in the audience, Paige Smith with the governor's office -- Wyoming governor's office. Oh, there she is in -- in the back.

At each of these meetings, or many of the meetings, not all of them, we've tried to feature a couple of -- of presentations on local projects, projects that kind of capture the spirit of cooperative conservation.

So I'm going to ask two people to come up to

the microphone here up front and give you brief presentations on local projects.

The first person is Rob Hellier. The Hellier family ranch is -- is located in the South Pass area of Fremont County. So Rob, if you could come up, please. And you'll have to hold this microphone pretty close.

MR. HELLIER: Thank you.

The last time I had interaction with Washington and carrier officials in Wyoming we were trailing cows off South Pass. I waved to the Interior Secretary as his party slowed to drive through us. Unfortunately for me, he didn't return my wave and my existence was not even acknowledged. What a change. Thank you for coming and thank you for listening.

We have partnered with many agencies, but today I would like to address particularly the Fish and Wildlife Service's partnership program for private lands. We began working together in 2000 and have done over six projects, five of which had a direct federal land impact. The emphasis of the projects was to enhance water development on base property and use fencing to develop sustainable riparian pastures.

We took advantage of the very latest in high tech materials, solar pumps and high tech electric fences. The results have been the following, aside from obvious environmental benefits: Increased public and agency awareness of the strategic importance of private base property, and secondly, increased awareness by other agencies of the technology available for cattle management.

You can talk about wildlife and if you shed friendly fences forever, but you have to specifically show agency personnel and the general public that it can be done. Everyone wants a winning program -- well, nearly everyone.

I consider the federal grazing permit the single most important component for sustainable habitat and landscape. Only the permit properly nurtured can provide the glue to hold private, state and federal land together in a common vision.

The Fish and Wildlife Service's partnership program is a leader in this vision. I salute the Lander field office staff for outstanding leadership, financing and most importantly, personal energy and commitment in this effort. Thank you.

THE MODERATOR: Thank you, Rob.

I thought what we'd do today different than

normal is to alternate between a presentation about a local project and someone at the -- at the front table. Actually, I skipped over Robbie Roberts. That's the real reason I'm going to alternate. And the reason -- I'm so anxious and listen and get to you all. I hurried and almost skipped over my boss up here, so I'd be in big trouble if I had made it any further.

Robbie is the -- Mr. Roberts is the Regional Administrator for the EPA Region Eight, which is the Denver office. Robbie.

MR. ROBERTS: Thank you, very much. That was an excellent cover up. You did a great job.

My name is Robbie Roberts. I'm the Regional Administrator for EPA Region Eight in Denver. Region Eight consists of Colorado, Wyoming, Utah, Montana, North and South Dakota, and 27 Indian nations, and our headquarters are in Denver. Thank you for coming today.

Let me introduce two people that we've missed out on. And if you have any questions, these guys know the answer to most everything. My Deputy Regional Administrator, Keri Clough, and my energy adviser, David Hogel. So get a spot on them, and if you have questions about what the EPA is doing,

they'll be glad to talk to you and try to answer those questions.

Cooperative conservation is, in one sense, a new issue. It arises out of an executive order that the President signed at a conference that was held in St. Louis. In another sense, it's a very old kind of issue. I think of it as communities applying common sense to common problems and the federal government, state governments and local governments trying to work together to assist those volunteers and those local organizations in resolving their problems. In that sense, it is a very old idea in our country.

We support this program very strongly in my agency, and we have opportunities to coordinate and cooperate with almost more federal agencies than anybody else, because as you all know, the EPA is in everybody's business. And so, as a result of that, we have a lot of cooperative opportunities.

Let me just real quick make a pitch for one cooperative conservation program that we are very interested in doing, and I think you will be when you learn of it. There are, according to the University of Colorado, in the western United States 500,000 abandoned mines, many of which, many of

which are leaking into adjacent water areas.

At many of those locations, there are people or organizations that would like to go in and stop the problem, move the dirt, move the rocks, take some action to solve the mine drainage. It's not going to be the company that caused it, because that company probably went out of business in 1880, or is bankrupt, or can no longer be found.

But there is an unintended consequence of the current law that needs to be changed, and this is: If you go in to try to fix that problem, you take on liability for all the drainage that that mine has ever done or ever will do. You are then treated as if you had been a person who made that problem, when in fact, you are a person who is trying to solve the problem.

We are supporting a program called Good Samaritan, which is that a third party that wanted to go in and resolve these kinds of problems would have some shield against enforcement as a party who had caused the problem. There's a bill in Congress. It's been reported out of the Senate committee. An identical bill is in the House. We hope that the Congress will be able to find its way through to approve this legislation so that the people and

organizations that want to, in a cooperative conservation way, work on those sites will have the legal protection they require.

We have been able to do one of these through an administrative procedure that is very complicated, and what we need is the statutory legislation. I mention that to you today only because it's a classic example of how, if we can get the authority for the federal agencies to work together, we can solve so many problems here in our part of the country.

Thank you for coming today. I look forward to hearing what issues that are the ones that are bothering you and you want to talk about. Thank you, very much.

THE MODERATOR: Thank you, Mr. Roberts.

Our final presenter from the podium is -- is Wes Martel. Wes is a Wind River Reservation tribal member and a formal Shoshone council -- business council member.

Is Wes -- oh, there you are.

MR. MARTEL: I'd like to thank the Fish and Wildlife Service for inviting me to speak here this afternoon. Good to see some of the people I work with in the state and the Department of the

Interior, Johnnie and Mr. Roberts. Good to meet you. I have a prepared statement here I'd like to read.

Mr. Secretary, Madam Assistant Secretary and other Interior officials, I welcome this opportunity to introduce you to the Wind River Indian Reservation and the long and positive relationship we have had with the US Fish and Wildlife Service over the decades. Where we are situated right here today is the part of the original Shoshone Reservation established by the treaty of 1863.

This treaty created the original Shoshone Reservation with 44 million acres, which went from here down into Colorado, west into Utah, up into Idaho, back into Wyoming, where our present day reservation is up north of Lander, Wyoming.

The reservation was dramatically reduced to the present day two and-a-half million acres by the treaty of 1868, when gold and silver was discovered in the area south of present day town of Lander. So we are no strangers to the deceit and treachery that occurs when the dominant society sees a dollar value in resources that are on or near tribal home lands.

The Wind River Reservation is still one of the most pristine areas in the western United States.

Oil and gas has been developed on our reservation since 1891. One of our original leases was signed on an 1891 statute, but we have also recognized that responsible development means that some places are too special and sacred to have drilling rigs and other activity.

That is why in the early '80s, the Joint Business Counsel designated all lands above Township 7 north off limits to development. This designation supports the wishes of tribal elders and community members, and supports the fact that in 1938, when the roadless area was created, tribal leaders wanted to protect the only reservation in the country with a roadless area.

This area was established, because as tribal people raised in the ways of our ancestors, we still see the importance of the plants, trees, animals, birds and fisheries to our existence. Where developers and politicians see Godforsaken land and terrain, Indian people see food, medicines and other sacred gifts essential in protecting us and keeping in harmony with mother earth.

The relationship between the reservation and the Fish and Wildlife Service dates back to 1941 when the Springville, Utah management office began

working with tribal leadership to further enhance our roadless area of 183,000 acres, wildlife habitat and the various species of fisheries in our 265 lakes, and 1,104 miles of rivers and streams.

This initial effort evolved into the establishment of a field office in Lander, Wyoming in 1961. Service biologists and technicians worked with tribal leaders and tribal communities to establish management policies and plans dedicated to fisheries and wildlife, and related habitats that would protect these resources for the next seven generations.

Your predecessor just recently came out with the four Cs; conservation, coordination, cooperation and communication.

At Wind River, we must have been way ahead of our time because we have been practicing the four Cs since 1938, and the Fish and Wildlife solidified this with their efforts beginning in 1941.

If its four Cs were truly being utilized, it would bring about, as Mr. Roberts mentioned, a common-sense approach that would recognize the multiple uses that are required of public lands. Unfortunately, at the present time, there seems to be only one use of priority, and that is energy

development, and the four Cs are just empty buzz words.

At Wind River, we fought long and hard to not only maintain the government-to-government relationship with the federal government through the presence of the Lander field office, but to also further the partnership between the tribe and the Fish and Wildlife Service. This is critical and has helped maintain our reservation's pristine setting.

Compared to other public lands, the reservation is a jewel and the advice and science of the service has been an important part of this effort. We have utilized this science and technical recommendations to develop some of the finest trout fisheries in the world, as well as developing a tribal game code that has brought about protection and management of big game herds and their habitat. The scientific and technical data, again, provided by the service is critical and supports tribal culture and tradition.

In just the past few years, Fish and Wildlife service biologists and technicians have made several recommendations that would provide protection for habitats and migratory paths of Wyoming's abundant wildlife and fisheries resources. Even though

public comment overwhelmingly supports most of these recommendations, the four Cs are being completely ignored. Mr. Secretary, the Red Desert, Jack Morrow Hills, Adobe Town, the Wyoming range, as well as several other areas that are sacred and special, not only because they are rich in fisheries, wildlife, birds and plant species, they also possess an abundance of culture and archeological resources that are being disrespected and desecrated.

When 80,000 comments are received in favor of protection establishing national conservation areas and setting aside certain areas from development, it would seem that this is an indication that people want to protect our special part of the world.

From the viewpoint of Wind River tribe, we can only hope that other agencies such as the BLM, the Bureau of Reclamation, the Bureau of Indian Affairs, and the Minerals Management Service follow the lead of the Fish and Wildlife Services in recognizing public comment and true multiple use.

The eastern Shoshone and northern Arapaho have paved the way for cooperative conservation by utilizing America's conservation laws like the NEPA, the Endangered Species Act, and the Clean Water Act.

I am thankful that as a federally recognized

tribe, we have some autonomy to preserve and protect the land and resources we have left. Nowhere else in the world can you go and find the scenic splendor and spiritual serenity that we are fortunate enough to experience.

And it seems that the way the direction is being taken now, and I was thinking about this on the way over, things keep going the way they are now, the four Cs, in my mind, will stand for cronyism, collusion, conspiracy and contamination.

Thank you.

THE MODERATOR: Thank you, Mr. Martel.

Okay, we're ready to start with your comments.

I'll just go over the -- kind of the process we're going to use. As you came in, you got one of these cards. There's a number on that. I'll just start with number one, ask you to come forward to the microphone and stand close to the microphone but don't lean on the podium or you'll have all kinds of weird noises coming from it.

If you -- when you come to the microphone, if you could state your name, spell your last name, so Michelle can make sure that's correct for the record, where you're from, if you represent an organization, what that organization is.

If you've -- if you've got a written statement that you're going to read, typed up about three-quarters of a page is about two and-a-half minutes. So if you start to read more than about three-quarters of a page, I'll start to wave to you. I do apologize. It's no fun doing it, but I will interrupt you after the two minutes and 30 seconds.

If you're not comfortable speaking, as I mentioned before, there's information on this card that you can send in additional information, either via fax, via mail, or via the website.

If you have written comments that you do read and you have a copy of that and want to lay that on the table after you're done, then that will help Michelle after she's done if she has to go back and correct any word.

If you have additional materials that aren't part of a presentation that you would like to have as part of the record, then you can leave those at the counter or at the desk out that's out there with the Fish and Wildlife Service folks. And I'll make sure that I gather those up and submit that as part of -- as part of this record. But we would ask you not to try and pass things out. If you want to leave stuff out at the table afterwards, that's

okay, but not pass things out so it becomes disruptive -- disruptive to the meeting.

Again, it's my responsibility to keep things moving and to keep things on topic. So with that, number one.

MR. HOLLADAY: Hello, my name is Andrew Jackson Holladay. I'm a third generation Wyoming native. I'm on the federal regulatory counsel for the National Organization of Home Builders. Wanted to talk about three special areas rather than one broad area, those dealing with the Endangered Species Act, with the NPEDS program under the Clean Water Act, and with the wetlands program under the Clean Water Act.

Endangered Species Act is a problem for us because home building is a land-intensive industry, and the Endangered Species Act necessarily necessitates the use of a great deal of land. The ESA has not developed a very good record in its 30 years of existence. If you read the language of the statute itself, read the record of the -- of Congress at the time it was enacted and then look at the results, the only conclusion that you can come to is that it's a well meaning failure, that a couple of species have been taken off the list.

Most of them that have come off have come off because they're extinct. And a couple of species are attempting now to get off the list, if I can personify them. The agencies are trying to get a couple of species off the list and people are trying to say, no, they haven't recovered.

What we would like done about this, that involves cooperation. First and foremost, the endangered species critical habitat process is by its nature consultative. It's called a consultation. Agencies are required to refrain from engaging in any activity that would jeopardize the contingent of existence of a species or adversely modify its habitat.

What do those mean? The courts have decided that the agency doesn't have it right as to what they mean, and they have to write a new decision, a new definition. We need to know what it is.

Second, if there is a critical habitat designated, how did that habitat get designated? What were the criteria? Are the primary constituent elements actually there?

Third, what attempts have been made to look to the private markets to see what kinds of incentives can be put in to use carrots instead of sticks?

I guess an overarching comment might come through all regulations comes out of the storm water permits. We asked once what best management practices can we put in place on a building site, and if we put those in, we will have complied. What would we do to have complied. And the EPA said, "We don't know. We'll tell you after we see your site."

Thank you.

THE MODERATOR: Thank you.

Number two. Do we have a count on the number of cards? Ninety-one? Okay.

Can you hear the person speaking in the microphone from the back? If you could lean forward and speak right into the mic, please, so everybody in the back can hear you.

MR. VANDERHOF: Is that better?

My name is Tyler Vanderhof, and I work for Jean George and Associates national resource consulting firm based in Casper, Wyoming. And we represent Gates Petroleum Corporation, as well as other operators in both the Powder River Basin and Sublette County.

Today I want to address the fifth issue on the card that I was handed when I walked in, and that is how can the federal government better can respect

the interests of people with ownership in land, water and other natural resources.

That being said, I offer three suggestions to improve NEPA and/or the NEPA process. Number one, NEPA should be amended to [ad|add] mandatory time lines for the completion of NEPA documents. Currently, there are no mandatory time lines with respect to the NEPA process.

And in my opinion, our law or policy makers should incorporate some time lines. And I think -- I believe that can be done without losing any thoroughness of the process.

The second suggestion I make with respect to NEPA is NEPA should be amended to create unambiguous criteria for the use of environmental assessments, environmental impact statements, and categorical exclusions.

My sense is that agencies -- federal agencies automatically require an EIS when an EA would be perfectly adequate and/or a categorical exclusion could be used. If the federal agencies would use the environmental assessment process more regularly, as opposed to going to a full-blown EIS or even using a categorical exclusion, again, that would speed up the process and make things easier to get

through the NEPA process.

The last suggestion I -- I make with respect to NEPA, is NEPA should be amended to require that reasonable alternatives analyzed in NEPA documents be limited to those alternatives that are technically and economically feasible.

Too often agencies spend time analyzing alternatives that really are not economically or technically feasible. Again, this would speed up the process and help operators get through the system.

That concludes my comments relative to NEPA reform, and I thank you for your time.

THE MODERATOR: Thank you.

Number three.

MR. WELCH: I'm Jack Welch, W-E-L-C-H. I'm president of the Blue Ribbon Coalition, and I hail from Jackson Hole, Wyoming. I want to briefly talk about several issues.

First of all, in the balancing environmental laws and issues related to access, I think NEPA needs an overhaul. It's a very expensive, a very long, costly process. In fact, recently, I was told by a BLM personnel that if we wanted to have something looked at, it might take an EA and we

might have to pay for it. The ESA is out of date. Less than one percent of the 1300 species have been recovered.

But on the positive side, motorized recreation that I represent has worked cooperative with the BLM, the National Park Service, Bureau of Reclamation. We've done things like clean-ups, snowmobiles planting trees, motorcycles volunteering to help with -- with other mitigation. On Lake Powell we're providing personal water craft and helping with law enforcement.

One thing that we bring to the table that a lot of groups that demand something of the federal government don't is money. We tax ourselves. In Wyoming in our two registration programs for OHV and snowmobiles, we raised one and-a-half million dollars that compares to the \$280 million that flows back nationally to all the states through the RTP, National Recreation Trail Program, which is our gas taxes. So we do bring money, we help the land agencies, we have volunteers, and all we ask is to be provided the ability to have access to our land instead of removed from it.

Thank you.

THE MODERATOR: Thank you.

Number four.

MS. BURGET: I'm Wanda B-U-R-G-E-T. I'm the manager of regulatory services for Peabody Energy's western operations in New Mexico, Arizona, Colorado, Wyoming. And I come from Gillette, Wyoming.

Peabody Energy is the worlds's largest private sector coal company with 2005 sales of 240 million tons of coal.

More than half of Peabody's production comes from Wyoming. We have three mines in the Powder River basin that produced 125 million tons last year.

Peabody has a solid history of participation in cooperative conservation in community effort. Planning for a sustainable future through community and environmental excellence is central to our mission.

In 2005, Peabody's operations were honored with five major awards pertaining to environmental stewardship through the US Department of Interior excellence in surface mining. In this instance, Peabody swept all three categories of the good neighbor awards for sustaining good neighbor practices.

Our gold level award, which is the first place

award, was given to Peabody for its participation with an association of private landowners who are taking the lead to develop a collaborative ecosystem management plan for a million acres of mixed ownership landscape in the -- of Thunder Basin in northeastern Wyoming.

I had the opportunity to attend the 2005 White House Conference on Cooperative Conservation as a board member of this association, which is called the Thunder Basin Grass Land Prairie Ecosystem Association. My comments are based in part on the experiences of this group of ranching and energy production interests as they seek to integrate social, economic and conservation objectives on the designated landscape.

Peabody appreciates the opportunity to provide thoughts and comments on the concept of cooperative conservation. The first two -- the first points of my comments are focused on the Cooperative Conservation Enhancement Act as it's currently conceived.

Peabody supports the proposed with the following additional considerations. The first would be to codify the no-surprises policy and extend its application to federal mineral lessees,

permittees and grazing lessees. Peabody supports the legislature that seeks to codify and strengthen the administrative reforms to the Endangered Species Act known cumulatively as the no-surprises policy.

However, the current no-surprises policy only applies to non-federal property owners, this leaves many of us in the west out of the picture.

Federal mineral lessees, surface use lessees as well, are unfairly disadvantaged by this -- of the no-surprises policy. It is further proposed that cooperative conservation efforts and species protection may suffer due to this narrow focus and lack of flexibility.

Our second is to recognize and appropriately credit ecosystem or landscaped conservation projects that address the needs of all native species. Currently, the no-surprises policy only recognizes a single species or a limited number of species.

Peabody supports legislative provisions that provide a broader degree of regulatory certainty and assurances appropriate for ecosystem or landscaped management projects.

THE MODERATOR: Thank you.

MS. BURGET: Thank you.

THE MODERATOR: Number five.

MS. SEILER: Jane Seiler with Questar,
Corporation, S-E-I-L-E-R --

THE MODERATOR: Speak into the microphone.
There you go. There you go.

I'm Jane Seiler with Questar Exploration and
Production Company is a wholly owned --

THE MODERATOR: Okay, you need to --

MS. SEILER: -- publicly traded --

THE MODERATOR: There you go. There you go.
Good. And speak up.

MS. SEILER: -- a natural gas focused energy
company based in exploration, transportation and
retail distribution. here on the Pinedale Anticline
and in other areas of the Rockies and mid-continent
regions --

MS. BURTON: They can't hear you back there.

THE MODERATOR: Okay.

MS. SEILER: How about that?

THE MODERATOR: There you go.

MS. SEILER: -- in producing natural gas, much
of which is found on public lands. Questar actively
supports cooperative conservation and environmental
partnership. Your discussion topic questions are
right on target as they invite discourse on the
concepts that are most likely to produce the best

balance between our society's need for affordable domestic energy and conservation of our wildlife resources and protection of our environment.

Questar is proud of our industry's efforts, and in particular, those of our company in cooperatively achieving that balance here in Pinedale.

Questar, in cooperation with BLM, Wyoming Game and Fish, conservation organizations and other state and local government agencies, has undertaken this development in a fashion that is definitely not old school or adhering to traditional oil and gas development practices. And we've offered our comments with a list of 14 examples of that.

In specific response to your request for input from us on how the federal government can improve its processes, Questar would like to offer three of the lessons we have learned from our operations here in Pinedale.

First, the standard laundry list of best management practices and other restrictive measures find their way into policy, regulation and conditions of approval are often counterproductive with unintended negative consequences.

The original restrictions on wintertime

development in the Pinedale Anticline is a good example. Seasonal development did not allow for the type of planning for wildlife concerns that we are now engaged in. Importantly, it provided none of the economics necessary to support the investment into more expensive technologies, such as directional drilling, player regulators can do more to emphasize mitigation of some form.

There is an incredible amount of research taking place within the -- with the Pinedale development that is currently and will increasingly translate into long-term outcomes, outcomes that are good for the wildlife, the environment and our economy.

And last, I would like to end with one more concept. The best outcomes are usually those that are more voluntary than compulsory. Questar has been eager to work with responsible organizations who present good, constructive ideas. You are, by providing this forum, encouraging this type of voluntary cooperation.

A simple suggestion is to conduct a detailed review of all policies, regulations and guidelines, and actively seek to replace broad mandates with incentives for voluntary collaboration.

Thank you for the opportunity.

THE MODERATOR: Thank you.

Number six.

Number seven.

Number eight. If you could -- if you think of your favorite rock star or Elvis or something and get as close to that microphone as you can and it will sound pretty good if -- well, you're going to have more of a challenge, aren't you?

MR. OLD HORN: You know, it's always been a challenge for Indians in this country, and it's supposed to be our home.

I do want to thank you for the opportunity to be heard today. My name is Dale Old Horn, capital O-L-D, capital H-O-R-N. And in most places where I go, everybody who is non-Indian will always say, oh, just like it sounds. Yes, just like it sounds, Old Horn.

I'm the tribal historic preservation officer of the Crow tribe of Montana.

I was interested in what Wes Martel said about the original territory as outlined in the 1863 treaty of 44 million acres for the Shoshoni. Our story is very similar in that our original territory, as outlined in a treaty conference of

1851 and '68, covered 100 million acres. And this territory was not reflected at all in the ratified treaty of 1868, where we find that there are five versions of the 1868 treaty, one of which the Crow tribe saw, the others, the Crow tribe never saw, and the ratified one being unseen by the Crow tribe at all.

THE MODERATOR: Mr. Old Horn, if you take your hands off the podium, that's what's making that hum. I know it's weird but --

MR. OLD HORN: I thought it was my electric personality.

THE MODERATOR: That's what it is. It's coming through your hands.

MR. OLD HORN: And so, this is to say that we have continuing interest in those areas because they were, in fact, part of our original territory.

The other is that we do have a progressive attitude toward energy development on the territories that we are interested in and the Crow Reservation but also, this has to be, using the same words that we did, in balance and in harmony with the environment and environmental protection and conservation.

In addition to that, there's a view of

American Indians in this country where they think that all Indians are casino-rich tribes. And as the Assistant Secretary of the Interior can attest to, only five percent of the 561 federally recognized tribes do have some success. The rest, we need a lot of help for support in our conservation efforts.

In addition to that, we will have a written comment submitted through our administration from the Crow tribe, and each of the issues here outlined will be addressed, and probably more.

And I thank you for your attention.

THE MODERATOR: Thank you.

Number eight -- number nine.

Number ten.

MR. PETERSEN: I'm Mark Petersen, and I'm the environmental issue specialist for the Utah Farm Bureau Federation.

We applaud this effort of cooperative conservation, and we offer three recommendations that address all of the questions that -- the five questions.

Number one, we support voluntary incentive-based programs as compared to regulatory-based programs. We believe, and our experience has been these voluntary incentive-based

approach is much more effective in actually getting things on the land and getting problems solved.

Number two, we recommend including non-government organizations that represent private landowners in all partnership arrangements, whether national, state or local. And we think this is very important and this would include organizations such as the Farm Bureau, Farmers Union, associations of conservation districts and commodity groups as -- as appropriate.

Number three, we believe that local partnerships are more effective in solving problems than partnerships formed at the state or national level. That's been our experience. Landowners have a different posture. They come to a meeting that they're part of on a local level, than if it's agency people on the state or national level, we'll come to those but it's to protect us from what you're gonna do to us, rather than participate in what we want to have happen.

A couple of examples that we have in Utah, these kinds of partnerships where Farm Bureau has been a major player, Utah put together a partnership to develop a strategy to address animal feeding operations and pollution from those, and with EPA

providing funding for Farm Bureau to coordinate that effort. And a lot has been said about that, so I won't say any more, except that we think it's been very successful.

We recently entered into a partnership to address sensitive species. And we -- this is -- we've been in this for two years, specifically partnering with the Utah Environmental Defense and Fish and Wildlife Service, and Utah division of -- for Wildlife Resources.

We've been able to address, through these efforts with like-working groups, the sage grouse, spotted frog. We just put together a group to address the needs of the southwest willow fly catcher, and our local Farm Bureau is a sponsor of that. And that's going very well. And we're also working with the Utah prairie dog, and we've got three safe harbor agreements, five more in process, and we've got two permanent easements for the Utah prairie dog that Farm Bureau has been able to talk local landowners in to.

Thank you.

THE MODERATOR: Thank you.

Number 11. 12.

Number 11. I'm sorry.

MR. JOHNSTON: You have to move quick.

I'm Dr. Tom Johnston, a Sublette County public health officer charged with public health issues in Sublette County. As such, I would have you focus your attention on the arrogant, independent actions of federal agencies, specifically to BLM and the Forest Service.

In spite of advice and recommendations to the contrary, they both persist in permitting projects that are environmentally unsound and present public health risks of significance. Specifically, but not necessarily unique are the examples of the potential and unknown dangers to the underground aquifers for the use of secret drilling fluids, not to mention the surface botanical contamination they produce from the dehydration pits.

The proven environmental deterioration of air quality from both emissions and particulate contamination of produced dust and the human healthy effects of these from inadequate monitoring and regulatory supervision.

The current controversial sale of drilling leases and issuing permits in the Wyoming range is another example of federal stubborn refusal to recognize local public opinion and environmental

disruptions.

The next current stubborn refusal is the Forest Service choice not to recognize potential risk to Pinedale's domestic water source in permitting the Lakeside Lodge project, in spite of the federal EPA's advice to the contrary. This implies the public health issues are less important than commercial development.

This was even advised against by the US Forest Service in the 1970s. It suggests to me that Washington supervisors are less concerned about either a near term or far term public health issues than the benefits accrued to public interests.

When you return to Washington, I would ask you to investigate these federal failures of ethics and supervision and be concerned with the behind-the-scene influences that seem to be occurring.

Thank you for your time and attention.

THE MODERATOR: Thank you.

Number 12.

MR. BUD: Thank you for your time. Madam Burton and other officials, if I --

THE MODERATOR: Could you come a little closer?

MR. BUD: -- if I seem to be facetious, you're probably right. When I look at the heading "cooperative conservation, what a farce. We cooperate; you dictate. There's no cooperative with the federal government.

And to give you a little background, the reason I know, I served seven years active duty in the United States Navy in the Pacific, World War II, and Korea.

I'm alternate commissioner on the Colorado River. I was -- helped negotiate the Lindey standards for the numeric standards for the Colorado River, seven basin states, and I serve there yet today. And I'm also a member of the Wyoming Water Development Commission. We deal with the federal government all the time, and there's no cooperative at all. The federal government dictates and we participate.

I noticed a little pitch for the Republicans, and I certainly agree that that's something that good Republicans should do, but let me tell you that most people believe that Congress has not lived up to their responsibility, both sides, Democrats and Republicans.

You say that you are dictated by law and you

are, so Congress's responsibility and Congress has not fulfilled that responsibility. All they could think about is re-election and retirement. Sorry.

Maybe we ought to look back and go back to the old advisory boards and recreate the advisory boards so that you get some grassroots participation of people that are on the ground, made up of all the disciplines that we had at one time when the BLM was operated by one man in this area and we did more for conservation, preservation than anything else.

And it reminds me, the only reason there are permittees in the cattle business is so that you got somebody to penalize. That's the only reason you got permittees. So, with that, I think I've probably said enough to go back to Washington and let's put the responsibility where it is, in the Congress, and tells you what to do. And I'll tell you one other thing that a bureaucrat told me one time. He said, "I don't give a damn what Congress says, we outlive them."

THE MODERATOR: Thank you.

I'm sorry, but we didn't get your name.

MR. BUD: Excuse me. Dan S. Bud. And no reflection on my daughter.

THE MODERATOR: Number 13.

MR. FRANK: Can I move this?

THE MODERATOR: Yes.

MR. FRANK: Thank you. Can you hear me?

I'm Bobby Frank. It's F-R-A-N-K.

I'm here representing as the Executive Director for the Wyoming Association of Conservation Districts. They are political subdivisions of state government that have the statutory responsibility and authority for natural resource conservation, led at the local level by 170 elected officials across the state.

Madam Secretary, Assistant Secretary Director Roberts, thank you for coming to Pinedale, Wyoming. When you added this session, you added four hours to our trip to one of these sessions, but we're glad you're in Wyoming and we could stay in Wyoming.

To address question number one on enhancing wildlife species and protection and other conservation outcomes, it goes without saying that ESA reform, both statutory and regulatory, must be a priority. And I will provide written comments with additional details with our association's recommendations on that reform.

Obviously, more emphasis needs to be placed on incentives for landowners to provide habitat and be

a partner in species protection.

The regulatory approaches that negatively impact those local communities and landowners' livelihoods will continue to polarize federal, state and local governments, and the landowners and the industries and communities that have the species in their areas.

There are obviously many examples, just two in Wyoming, the reintroduction of the toad in Albany County. Our Laramie's conservation district played a key role in facilitating the landowners and the other organizations and entities in the reintroduction after through a safe harbor agreement for those landowners.

Sage grouse projects over in Johnson County by the lake conservation district is another example, which I will provide, as well as additional information on those two examples.

The second question in regard to cooperation among the agencies and local communities and local governments, districts have been in existence in the country for over -- already? -- for over 60 years.

THE MODERATOR: Time flies when you're having fun.

MS. FRANK: You have them nationwide.

When I sought the input for this session, one of our district supervisors commented we've been doing this for over 60 years. Let's build on what already exists through the local districts.

We'd like to just highlight the importance of the stewardship contracting with the US Forest Service, highlight the importance of districts being cooperating agencies with the federal land management agencies, which they are, as conservation districts throughout Wyoming. We need to continue those efforts and extend those opportunities on all federal projects and plans.

On the science, obviously the federal agencies should be an example for using good science and support others who are doing so.

I noted when you explained, Madam Assistant Secretary, the role that the federal agency and Department of Interior lands play in the country. One of the other issues is that you're a neighbor.

And to answer the last question on how can you better respect the interest of the people within -- with ownership and land, water and resources, is a recognition by the agencies and their personnel that you are a neighbor of the private landowners and others, and working together and using.

I would like to highlight our partnership with
USDA and RCS --

THE MODERATOR: Thank you.

MR. FRANK: And I will -- can I hand this to
you?

THE MODERATOR: Oh, sure. Sure. Yep.

MR. FRANK: Okay. Thank you.

THE MODERATOR: Number 14.

Number 15.

Number 16. Okay.

MR. ROMAN: Excuse me, I was number 15.

THE MODERATOR: Okay.

MR. ROMAN: My name is Fernando Roman, and I
work with the Wind River Environmental Aquatic
Commission. And it's a program of the Shoshoni and
Arapaho tribes of the Wind River Reservation.

There's just five quick comments I'd like to
make. As far as your questions here, the first one,
enhancing wildlife, how can we cooperatively do
that? I feel that we need to have increased funding
for wild -- wildlife research, especially up in the
high mountain lakes up here, because we know they're
being impacted by the Jonah and Pinedale Anticline.

Research also for bighorn sheep in the Wind
River Mountains. The bighorn are native to the Wind

Rivers. As you find, the largest herd in the North America in the Whiskey Basin area around Dubois and near Denwoody on the reservation. Increased research into native fish, especially the Snake River cutthroat, which are being affected by the acid rains.

Other areas that I think that you guys have done a good job working with the oil companies would be the flareless lines at the well heads, seasonal drilling, mitigation out there with mag chloride on the dirt roads, and also the -- the sand oscillating venturies with the flareless lines.

The second question there was on environmental protection and conservation laws. Again, increased research dollars from the government and increased cooperation, including tribes with state and federal organizations, because we are impacted by the development up here. One example would be interagency monitoring of protective visual environments or improved programs through the Forest Service.

In addition, we need to be careful of cloud seeding, especially the dropping of silver iodide which impacts the high lakes which have little buffeting capacity on the -- the phytoplankton and

the allergy in the waters, and its effects also on the cutthroat trout.

As far as the third question involving the science, I believe that we need to research the ozone formation here in the wintertime. If you take a -- take a look at it, it's a combination of -- of nox oxides and nitrogen, carbon monoxides and volatile organic compounds and hazardous air pollutants in combination with the sunlight being reflected off the snow in the wintertime, which brings increased heat in that area. And you'll -- you'll find spikes of ozone in the wintertime as a result of this being held down by weather inversions.

In addition, visibility in the Wind River basin is being affected. If you take a look at the geography, the -- the high altitude up here, the low altitude down in the Wind River basin and where's the pollutants going to go, they're going to all go down stream.

THE MODERATOR: Thank you.

MR. ROMAN: The last -- one more comment.

The cooperative membership. We'd like membership in the Pinedale Anticline working group, and to better respect the interest of tribes

downwind of the Pinedale and Jonah fields.

Thank you, very much.

THE MODERATOR: Thank you.

Number 16.

Seventeen.

Oh, I'm sorry. Your name, sir?

MR. ROMAN: Again, my name was Fernando Roman from the Wind River -- Wind River Environmental Commission Program of the Shoshoni Arapaho tribes.

THE MODERATOR: Sixteen.

Seventeen.

Eighteen.

MR. WADKER: My name is Darryl Wadker, W-A-D-K-E-R. I'm with the Sublette County Water Conservation District. And the remarks I'd like to direct to is your question number two.

And as far as NEPA goes, it does need changed, as some other people have indicated. And on the other hand, all the BLM personnel and the state in the different offices, they all need to follow the current law. And I don't feel that's being done, because we have been involved in four or more RNPs in western Wyoming, and they're all like apples and oranges. There's no continuity.

In Pinedale RNP, we are now in the third -- I

think it's the fourth, but I'm told it's only the third, go on that, that we've had to review and had to try and put together, although we haven't been involved in all of that. And that's where not following NEPA comes in. So a time limit, I think, is necessary.

More emphasis needs to be placed on local input from the local cooperating agencies. And when we talk local, we mean local. We -- you know, we don't even consider Cheyenne as local. But RNPs should be done by local people and cooperating agencies, and they should not be contracted out to like Booze Allen and those groups.

I think the local personnel and the cooperating agencies would give a better RNP in much quicker time and all the money that's spent on them, I think it's probably three, four million dollars on Pinedale RNP, we could have done a lot of natural resource here in Sublette and Sweetwater County.

Thank you.

THE MODERATOR: Thank you.

Number 19.

Twenty.

Twenty-one.

MR. THOMPSON: Twenty.

THE MODERATOR: 20.

MR. THOMPSON: When I get to half time, would you give me a half signing?

THE MODERATOR: Okay. So 45 seconds? No, I -- I'm trying to divide. I can't divide that fast, so -- okay. So at 45, I've got a little stop watch. That's what I follow here.

MR. THOMPSON: My name is Craig Thompson and I am the Western Regional Vice Chair of the Board of Directors of the National Wildlife Federation. I'm a volunteer leader, and I drove up from Rock Springs today on my motorcycle, so if my voice starts to shake a little bit, I'm still recovering from the hypothermia.

First, a comment -- I'm going to make five quick comments on behalf of the National Wildlife Federation, and then I've got three ideas that I want to submit to you.

But first, a comment on the title. We're all for cooperation in the service of conservation, not just in the service of conversation.

So, with that in mind, what I'd like to do is focus on this conservation thing. Conservation means we are conserving something, we are saving something; we are saving endangered species, or

we're preserving pure water or clean air. And that's what we're all about.

We feel that America's conservation laws, like the Endangered Species Act and the Clean Water Act, have paved the way for cooperative conservation. And they do that by setting goals for recovering endangered species and by cleaning up the state's rivers and waterways.

The -- the Endangered Species Act has remained the -- remains the critical safety net for species that are on the brink of extinction. An example of this is the black-footed ferret here in Wyoming, where private landowners involved government agencies and they worked together to recover this species. Cooperative -- and I guess I would differ with other members that say this is not working. It does work. It is working. Almost all species -- without exception, almost all species without exception that have been listed on the Endangered Species Act are still with us today. And that's the point. Some may be off the list and some may be still be on the list, but they're still with us today.

How am I doing with time?

THE MODERATOR: Twenty seconds.

MR. THOMPSON: Okay. Three quick points, then. Cooperative conservation is essential in preventing wildlife from declining, but only in addition to fully funding the state wildlife grants program. And the state wildlife grants program supports the newly completed state wildlife action plan. And so, we also support the inclusion of references to the state wildlife action plans in the draft cooperative conservation legislation.

And the last point I wish to bring up on behalf of the National Wildlife Federation is that the state wildlife's grants program greatly benefits wildlife and people. Projects supported by this program restore degraded habitat, they reintroduce native wildlife, and they work with private landowners to restore declining fish and wildlife.

THE MODERATOR: Thank you.

MR. THOMPSON: Thank you.

THE MODERATOR: Number 21.

MR. THOMPSON: I didn't get my three points in, but I'll mail them to you, how's that?

THE MODERATOR: Okay.

Twenty-one.

MR. LASLEY: My name's Louise Lasley,
L-A-S-L-E-Y. I'm with the Wildlife Conservation

Society. We are internationally renowned for our strenuous peer-reviewed scientific research studies all over the world. And all these studies are typically done in cooperation with federal, state, local governments, wildlife and land management agencies.

If we do find the need for application of some of our findings and research, we then go from a grassroots effort to involve everyone to make sure of the eventual success of finding a plan that will work for that habitat species or whatever.

And it is to that direction that I'm making my comment is that I think it is critical for any process involving habitat, environment, whatever, to involve the public. And I think it would be detrimental to continue to use alternative venues or methods to put through regulations or rules that eliminate the public input.

And I also believe that, unlike Mr. Walker, unfortunately, that geographic range should not be stringently applied, because some of our resources are used by everybody in the nation, and neither should our input be restricted by method.

And so, whether it's e-mail or block mailings by organizations that have applied to or appealed to

their membership, I think all of those should generate the same concern by their agency.

Thank you.

THE MODERATOR: Thank you.

Twenty -two.

Twenty-three.

Oh, I'm sorry.

MR. LYNN: Hi, my name's John Lynn. I'm a Sublette County commissioner. I live in Big Piney.

I have to agree with Darryl that the NEPA process is long and drawn out. The Pinedale RNP's a real good example. It's on its third, possibly fourth revision, and it's still quite a ways out, so if we could speed that process up and not have all -- all the overwhelming issues that we have to deal with so many times over and over. And one of the issues that we are specific in is the development of blanket MOUs. It seems like we do the MOU dance more than we do anything else. I would like to see that, especially with the BLM a blanket MOU, so that the County would be notified for any NEPA-type process that's coming up, and we can automatically be considered and we don't have to go through the MOU signing process.

We've addressed this with Kathleen Clark.

We'd like to reiterate that here. Hopefully we can get that issue taken care of. I realize the Forest Service doesn't do the -- the NEPA process quite the same as the BLM but if you have any influence over them, we'd like to see that taken care of, too.

In that same tone, the NEPA process, I'm sure the federal government has no problem dealing with that but when you consider the -- the government that we have at the County level, that is just overwhelming. There's no way that we have the expertise, the staff, the money, the -- the resources to tackle the -- the things that you guys consider ordinary.

We've had help from the governor's office, we've had help from different places, but it's still an overwhelming thing and I think that should be considered while the plans are being built. And any help that you guys can forward our way, we'd appreciate it.

Your third question, how can the federal government work with us to improve science for environmental protection and conservation. We're all real tickled, I think, to use the science that's out there that's right. Just accepting the science that walks in the door, that's funded shouldn't be

the only basis for stopping. If there's other science out there, it needs to be looked for, it needs to be discovered. Whether it takes money from the BLM or the government, I think that they need to be a participant in this, rather than just whoever brings the science to them and accepting that for good science.

I -- I'd like to say, again, you know, the federal government, how can it better respect the interest of people and ownership of land, water and natural resources? This local thing, Dan Bud alluded to it, Darryl Walker alluded to it, everybody understands that if you can bring things to a local level, I think we can -- we can work through things. When we go to Washington, D.C. it's more of a protective mode. Just to give you a good example. We've been fighting the socioeconomic impacts here in Sublette County, and it seems that the BLM doesn't consider that a relevant issue. They'll consider it to a certain extent in their RNPs, but on an issue -- or an EIS or an EA example, they don't give it any other than lip service. So I think we need to go back more to the local level and use the local interest as sources of information and --

THE MODERATOR: Thank you.

MR. LYNN: -- and use that --

THE MODERATOR: Thank you.

Number 23.

Twenty-four.

MS. DeWELL: My name's Pam DeWell. I'm the executive -- I'm sorry, the -- I'm the Director of External Affairs for the Wyoming chapter of the Nature Conservancy.

THE MODERATOR: Pam, how do you spell your last name?

MS. DeWELL: D-E-W-E-L-L and I live on a cattle ranch just outside of Crow Heart.

I'd like to just reiterate some of the points others have made and make some new ones. But first, I think it's important to just stress how important it is and how much opportunity we have here in -- in Wyoming for conservation.

Unlike a lot of the United States, this is not a restoration project, at least not -- not for whole parts. All we have to do in Wyoming is hang onto a lot of what we already have, and I think this is a very key point.

I think our wide open spaces are abundant, wildlife, the wildlife habitat that supports it and

our unique ranching culture are a symbiotic relationship that are critically dependent upon each other.

How can we work together? You know, I think there's a number of ways, but I'll just bring up two.

Relative to your question about science. I think science is particularly needed in -- in how we mitigate the effects of the energy boom that's currently -- that's currently happening in Wyoming. We need to have a far better measures program so that we'll know what we have now, so that we can determine what we're about to lose and how we can mitigate for both on the ground at the site and as well as offsite compensation.

I think that another really key thing is -- is the upcoming farm bill reauthorization. And I think there's an -- there's an answer to all your other questions that -- that that can be summed up in reward good stewardship, reward good stewardship. It's all about that. Please provide incentives to provide habitat to get in front of ESA issues before they happen and to -- and -- and to reward people that supply the habitat on -- on private lands and that use public lands that actually give us all of

the things that we're so proud of here.

I have written comments, I have extra copies, and I will make sure they get forwarded to you.

Thank you.

THE MODERATOR: Thank you.

Twenty-five.

MR. WALKER: My name is R. Perry Walker,
W-A-L-K-E-R.

I'm a retired physicist, local independent air quality researcher, and co-chair of the Air Quality Task Group, which has been consistently ignored by the BLM, which leads me to a topic equal among equals, but I'll take this on for you.

The environment raises energy development conflict in this state is becoming intolerable. The sorry state of uncooperation currently exists between USF and Park Service, BLM --

THE MODERATOR: Sir, could you just -- we just can't -- they just can't hear you in the back.

MR. WAKER: A fundamental -- to effective Stewardship continues to be [extreme|scream] fragmentation of responsibility between agencies. They fight between themselves over the boundaries of their individual turf at the expense of timely and pressure from industry.

This sorry situation can best be characterized by a mixed metaphor. The agencies are circling each other like Sumo wrestlers, but doing so as if walking on eggs to avoid offending each other through any kind of criticism or public disagreement. The result is regulatory gridlock.

The solution, in my mind, first, these agencies must be required to conduct an internal audit of their management methods and performance philosophies with an eye toward crafting a stewardship strategy that abandons traditional thinking. Such a strategy must hold national, state and regional directors directly accountable for accomplishing reasonable and proven effective measures that address and reverse the currently ongoing destruction of surface, air, water and wildlife habitats by the onslaught from industry. And essential element of the strategy is the requirement that industry be closely incentivized [sic] to develop new levels of technical prowess that protect the environment in return for access to energy reserves on federal and state lands.

Second, the agencies must be forced by draconian management measures, if necessary, to put aside petty boundaries of responsibility and engage

in meaningful cooperative and environmental damage control.

Third, annual audits at a minimum from Washington must be executed which evaluate these agencies progress toward the activation of the above described strategy and its accomplishments of timely results. An essential component of the audit must include measurements through public polling of their perceptions of such progress and accomplishments.

The public input can be required in the form of reasonable evidence, but care must be taken not to insist quality standards that the common citizen isn't able to meet. This latter situation is what currently exists within the state and local regional offices of the BLM.

I have burned a number of documents for backup I'd like you to take with you.

THE MODERATOR: Okay. Thank you.

Number 26.

MS. HERBST: I'm Lois Herbst. I am president of the Wyoming Stock Growers Association, first woman they elected in 134 years, and I'm quite proud of that. H-E-R-B-S-T.

I operate a 500-head ranch in central Wyoming, utilizing three Bureau of Land Management districts,

and I would like to commend the BLM.

I have 14,000 acres that have federal minerals on them, and I rely on the BLM to help protect my private lands. I work quite well with oil companies, but I still like the work required by the BLM for reclamation and so forth, their oversight.

Our ranch was started in 1906 by a man from Austria who had great respect for private land, and he was not able to acquire any land in Austria. In 1948, his land was condemned for Boysen Reservoir. I understand the use of eminent domain when it is for the best interests of the public. But it also entailed dealing with nine agencies just in managing 4,000 acres of land.

I think bureaucracy is rampant in our government today, and it would be nice if we could curtail some of the management by so many people. They also took land that was not necessary -- it would be nice to have some of that relinquished instead of having to do paperwork for doing four acres of land at some points.

But what I would like to bring to your attention is we had a voice here in Wyoming that you could have cooperated with. The governor said, no, we do not want wolves in Yellowstone Park or the

State of Wyoming. The legislature voted, like, 99 to one or six that they did not want wolves, yet wolves were reintroduced. And as we predicted, they are now traveling everywhere. They are increasing much more than the Fish and Wildlife Service expected them to, and they are removing permittees from their Forest Service permits, especially.

I would like to know exactly how many permits and AUMs have been given up because of the grizzly bears and the wolves. People can't use their permits. And I'd like to know the economic consequence of the Endangered Species Act. It's never reported as one unit of money anywhere, it's always with the military, with the Fish and Wildlife, with different government agencies, their requirements under the Endangered Species Act, but the total public is never given the total cost and impact to communities and to private landowners.

I'd like to see programs pointing out the respect that is needed for private property. In Wyoming we have about 26 million acres of private land, ninety-six or so percent is in agriculture, and we provide open space forage for wildlife and water for wildlife. I'd like for the value of irrigation to be made known to the public.

I just finished a short water season for irrigating, but there will still be water flowing from what I spread this summer, it will be flowing for the wildlife this winter and for my cattle.

THE MODERATOR: Thank you.

MS. HERBST: Is my time up? Thank you. Thank you for being here.

THE MODERATOR: Thank you.

I know there are more people that would like to comment, so the people up here are very talented, but aren't superhuman. So we're going to take a very short break, ten minutes, and we'll start right back at 20 till 3:00.

Thank you.

(Whereupon, a break was taken.)

THE MODERATOR: I would like to make one introduction, if he's back in the room. State Senator Stan Cooper from District 14. Mr. Cooper -- oh, there he is. Okay. Sorry, I didn't -- I missed you before.

I believe the number is 27. Ms. Burton is on a conference call, but will be right back in. But I didn't want to take a chance of us not getting through everything by 5:30 so I'm going to go ahead and get started.

I think we left off at number 27.

AUDIENCE MEMBER: Not everyone is back in.

THE MODERATOR: Okay. I'll -- I'll give people a chance. We'll just go ahead with the numbers and if --

AUDIENCE MEMBER: Do we need a whip?

THE MODERATOR: Sure, if you're willing to do it.

Number 28.

Twenty-nine.

MS. BAKER: I'd like to thank Ms. Burton and Mr. Roberts for coming to Pinedale. And please let her know that I appreciate that.

My name is Linda Baker, and I'm from Pinedale, Wyoming. I'm with the Upper Green River Valley COALITION. I was one of the many local citizens who served as a volunteer for three years on one of the BLM's flagship vehicles for cooperative conservation, the Pinedale Anticline working group.

This diverse coalition representing all interest groups was created by BLM to provide recommendations on monitoring and mitigation of oil and gas development in the Pinedale Anticline gas field.

As a considerable struggle on that, I feel

strongly that our wildlife, air and water quality and socioeconomic recommendations have been ignored.

BLM never learned how to respond in a timely and effective way to our recommendations. I do not think that BLM is currently capable of mitigating the adverse effects of gas and oil development on our natural resources despite the clear direction of our national environmental laws. BLM has a problem with commitment.

I strongly endorse the enforcement of our nation's Clean Water Act, Clean Air Act, National Environmental Policy Act and Federal Land Policy Management Act.

I would ask that BLM joins millions of Americans who believe in those laws and believe that BLM is subject to their authority.

NEPA documents are prepared with important opportunities for public input. Many citizens believe in that process and respond to the opportunity to comment, believing that their concerns will be given due consideration.

NEPA documents are contracts with the American people, but BLM has violated that contract and with it violated the trust that Americans place in their government. To remedy this I would suggest that

BLM, DOI and CEQ develop a protocol time line and methodology for responding to public concerns expressed in cooperative conservation meetings when planning and implementing energy development.

And number two, when monitoring commitments are made in NEPA documents, develop a transparent publicly accessible database where the public can follow monitoring efforts, analysis and subsequent decisions. Three, develop a level of concern for all affected wildlife species, air quality and water quality. The level of wildlife population habitat, air quality or water chemistry decline that is considered to be unacceptable. Develop a comprehensive science based mitigation strategy that clearly indicates how unacceptable wildlife population, habitat, water or air quality declines will be mitigated. Use peer reviewed science based information to inform all Fish and Wildlife air and water and affected human community management decisions.

And because there are some places in the American west that are simply too special and unique within which to develop traditional energy resources, map and designate them as off limits to oil and gas development.

The DOI should set aside these special areas to preserve our air, water and wildlife resource and their vital habitats for generations of future Americans.

Thank you, very much.

THE MODERATOR: Thank you.

Number 30.

MS. MOORE: I'm 29.

THE MODERATOR: I'm sorry. Go ahead.

MS. MOORE: Good afternoon. I'm Jocelyn Moore, and I live near Cora, Wyoming. I'm a member of the -- I'm sorry, is that better?

My name's Jocelyn Moore. I live near Cora, Wyoming. I'm a member of the PAWG, Pinedale Anticline Working Group, water resources task group, if that still exists. I'm a concerned property owner and a voter, and I just have a few quick comments.

While I applaud the conservation -- the cooperative conservation concept in establishing partners and bringing other people into the tent of stewardship, I don't support the cooperative conservation as a substitute for the Endangered Species Act or for this to occur at the expense of the Endangered Species Act, because I believe that

the Endangered Species Act actually has been effective. Ninety-nine percent of the species are still in existence.

But I think if the federal government really wants effective conservation, it should be locally based conservation and that -- and that there should be a -- a full funding of the state wildlife grant process. And this is in addition to maintaining the Endangered Species Act. But I think that we should give funding and control to the on-the-ground partnerships and local groups. You know, we live here, we know this area, we can do what's best.

And I think another thing is that public agencies need to respect sensitive environmental areas and adhere to local laws. I'm really upset with the fact that the new BLM headquarters is being built in not only a flood plain, but a migratory wildlife -- game migratory corridor that is thumbing your nose at local communities.

And how can you be a leader if you're going to violate the laws of common sense? So Mr. Roberts, I appreciate very much that you're here today, and I'm hoping that you'll take all of our comments back to Washington, D.C., sir.

THE MODERATOR: Thank you.

Number 31.

Thirty-two.

Thirty-three.

MS. PURVES: Thirty-two.

THE MODERATOR: Thirty-two. Okay.

MS. PURVES: Good afternoon. My name is Kathy Purves. I'm with Trout Unlimited, that's P-U-R-V-E-S, and I live in Lander.

For Trout Unlimited I work for the public lands program. And Trout Unlimited recognizes that public lands provide the original multiple resources for many opportunities, including wildlife and humans. TU is increasingly concerned about the rapid single-minded pace of rapid gas development on public lands without the proper assessment of environmental and socioeconomic impacts that are occurring to Wyoming's customs and culture.

Communities are being impacted, communities that have depended on public resources that for historic and traditional uses of the land, including hunting and fishing opportunities, people who make business out of it such as outfitters, ranchers, the tourism industry and local businesses.

Our air and water are not being respected, and this threatens the health and the future of our

state. TU recognizes that some places need protection. We also recognize the enormous economic contribution that energy brings to this state. We are not against oil and gas. We are engaged with many energy companies in this state and out of state to work toward responsible energy development and resource management.

But it appears that the challenge of cooperation within federal agencies is very real. Employee morale, lack of funding and distortion of long-term visioning on public lands seriously jeopardizes Wyoming's renewable resources. I ask that adequate federal funding be enhanced, that consideration of alternative protection strategies be looked at, and the development of true partnerships that mean something on the ground. I ask that the federal agencies basically walk the talk.

Thank you, very much.

THE MODERATOR: Thank you.

Number 33. I want to make sure that we get through everybody. We're only about a third of the way through, so I'm going to ask for two things. As your number gets close, if you could come on up and sit here right next to the podium, we'll be able to

jump up. And second, if you could hold the applause, that way I can get to the next number and we can just make sure we get everyone through.

I'm sorry.

MR. HAMILTON: Thank you. My name's Ken Hamilton. I work for the Wyoming Farm Bureau Federation. My last name is spelled H-A-M-I-L-T-O-N.

In an effort to try to be brief, I would like to consolidate my comments on all of the questions into a couple of things. One of the things I think that needs to happen in order for more cooperation to occur is NEPA needs to be reformed.

I've been involved with public policy and agriculture for a number of years, and one thing NEPA has done well is create paper documents for people like me to read, but the one thing it has not done well is allowed for land managers to manage the land properly.

NEPA needs to be reformed. We need to be able to bring back to the level of -- the local level the ability to manage the land and resources without spending inordinate amount of time doing the paperwork, creating the files necessary to withstand the lawsuits.

The other act that I think needs to be changed in order to incentivise cooperation is the Endangered Species Act. As it currently stands, the Endangered Species Act creates a tremendous disincentive for landowners to cooperate.

I've had numerous landowners mention to me that they would like to help preserve a species one way or the other, but were afraid to work with any federal officials for fear that their land and their livelihood could be taken by the draconian aspects of the Endangered Species Act.

This act could very much be improved to provide for more conservation for species, those species that we as a society have said we want preserved.

The Endangered Species Act does provide for some cooperation under section six and section ten. Those two sections need to have their scope expanded, and the federal government needs to work to try and expand those sections.

A good example, I guess, of section ten not working well is the wolf, which was reintroduced in Wyoming as a 10-J species, experimental population. However, we found when the State of Wyoming attempted to take over management of the wolf in a

concise manner, the federal government was not willing for us to experiment any longer. They dictated the way Wyoming was supposed to manage the wolf. They've not provided very good incentives for the landowners brunt of the wolf, of the grizzly bear, of the bald eagle, and any number of things.

I think that would probably go a long way towards enhancing cooperation; reforming NEPA and reforming the Endangered Species Act.

Thank you.

THE MODERATOR: Thank you.

Thirty-four.

Thirty-five.

Again, if you could come -- if you see your number getting close and could come up front.

Go ahead.

MR. BOUSMAN: My name's Cotton Bousman from Boulder.

THE MODERATOR: Spell that for me.

MR. BOUSMAN: B-O-U-S-M-A-N. And the first name's Cotton, like the fabric.

I'm a range land management consultant and I'm a local rancher. And my first comment, I guess, is -- is when looking at the Endangered Species Act, I feel we've -- we have allowed biologists and

agenda-driven lawmakers to drive the decisions of our natural resources without using sound science, peer reviewed science to -- to help make some of these decisions.

We have lost the scientific approach when we're allowing the litigation and not the sound science to direct the listing of these threatened and endangered. And this has resulted in loss and potentially more loss of private property and our private property rights, which as Rob Hellier stated earlier, is the key to holding this landscape together.

As a range land consultant, I work in the Jonah field coordinating resource management with the BLM, the oil and gas companies and the grazing permittees. Now, one success story we have done is we have implemented a four Cs volunteer permittee monitoring program in the Jonah field. And it is based upon sound science that has been peer reviewed, unbiased with help from the University of Wyoming range scientists.

The best thing that I can see the cooperative conservation can do is to emphasize this use of this peer reviewed scientific sound science when looking at our resources.

We need to go back to working with some of our universities and other credible institutions that are unbiased and not agenda-driven, and not contracting our science and our studies out.

When -- before a species should be listed, another -- my last point was using this sound science we can come up with a reasoning for that listing to justify the listing and a plan for de-listing done prior to the listing. And if not, we lose our private property and our ability to manage these -- everything, the whole landscape. And the worse thing we can do is to not cooperate and make the ranchers and the people that hold these key private land areas where these wildlife provide all these -- this winter habitat for these wildlife to construct a six-foot fence all around everything because of the disincentives that Mr. Hamilton was just talking about.

Thank you.

THE MODERATOR: Thank you.

Thirty-six.

MS. MACKEY: My name is Sally Mackey, and I live in Pinedale. And Mackey's spelled M-A-C-K-E-Y.

And as far as cooperative conservation goes, I think that if we consider conservation, that means

perhaps to slow down the pace of development to mitigate the environmental effects on our area.

And another point that I'd like to make is I fear that cooperative conservation will result in the federal government further abdicating its responsibility to properly fund professional personnel and the necessary maintenance of our national parks. And that's what I have to say.

THE MODERATOR: Thank you.

Thirty-seven.

MR. TALIAFERRO: Yes. My name's Ed Taliaferro, T-A-L-I-A-F-E-R-R-O, and that probably took 45 seconds.

I'm with Green River Livestock Company. First off, I would like to invite Merrill Nelson with the regional manager of Avis, if he sees fit, to please have the opportunity to speak concerning wolves.

And our ranch is one of the ranches that was, you know, in a way pretty heavily affected by wolves, since we had forest allotments up in the Wind River. We're up in the Wyoming range, and not two, three years ago, we ended up selling those forest allotments to Finase (phonetic) to -- for bighorn sheep management up there, because we could no longer sustain the losses of grizzly bears and

wolves that we have no ability to deal with ourselves. I mean, it -- it seemed to me like a situation where you're getting robbed and have to call the police. Well, by that time the police get out there two days later, the robbery's been compromised. So I would just like to say that I think we need to get a handle on these wolves before it becomes a serious crisis in our wildlife herds.

And if it does become that crisis, I think the blame needs to be put on the wolves and not the ranching and oil gas producing that is occurring within the area.

Thank you.

THE MODERATOR: Thank you.

Thirty-eight.

MR. MAGAGNA: My name is Jim M-A-G-A-G-N-A. And I'm the executive vice-president of the Wyoming Stock Growers Association. To reemphasize a point that's been made already with regard to the Endangered Species Act. Your last two questions, obviously, you recognize the importance of private land owners as partners yet for 30 years the Act has been administered increasingly in a way that makes it not a device for partnership but a threat to private landowners and those who graze our public

lands.

So I would urge that the Department of Interior move swiftly to implement to the extent that the Act allows regulatory changes that will enhance the ability to use the Act in a cooperative way, providing an incentive based reason for ranchers to participate.

Second is the National Environmental Policy Act or NEPA. And I think it takes no more than to look at the end result of most NEPA analyses to know that there's something wrong with that act. The end result increasingly in every case is litigation, and an act that fosters litigation to the extent that that act has clearly needs to be administered in a different manner than it's being administered today.

Finally, two issues that have not been raised, one that Ms. Burton is very familiar with me talking about, and that is while we're very supportive of mineral development in Wyoming in particular, and to a degree throughout the west, mineral development has drawn resources within our federal land agencies away from their other programs.

As grazing permittees, we no longer get the attention that we need to be even more cooperative in working with the milling industry, because

resources personnel have been diverted to meeting the needs of mineral development.

And finally, we're taking advantage of the fact that Mr. Roberts is here, I want to emphasize a rather immediate issue that's critically important to us and that is rule making that EPA is undertaking dealing with PM ten fugitive dust. And it is our understanding they are at this point proposing not to include an exception for agricultural dust. That would have a major impact on the movement of cattle and -- and our ranching in this area. So we'd appreciate attention to that as well.

And thank you.

THE MODERATOR: Thank you.

Thirty-nine.

MR. BOUSMAN: Jim Bousman, B-O-U-S-M-A-N. I'm a fifth generation rancher.

With regards to your idea of cooperative conservation, the best thing you can do, if you want cooperation for us as private landowners, is throw out the Endangered Species Act and give us something that works.

It's done nothing to help any species, but it's been very effective in driving wedges between

multiple users and being used as a hammer against various multiple uses.

One of my largest concerns with regard to Sublette County in its gas development and me as a grazing permittee is the sage grouse.

I'm on a local working group to deal with this issue, and I've been very frustrated with our ability as a group to move forward and compromise. The problem arises from two fronts, and the first is when we are asked to cooperate oftentimes with groups and our government, that the people we cooperate with do not negotiate in good faith. We can't trust them. And when we have tried to cooperate, oftentimes the livestock industry is soon asked to compromise. So we are asked to bring something to the table and give up, when only the other people bring to the table is personal agendas and ideas. And as we move forward, the targets often change and the rules of the game changes as they don't get their way.

The second problem is the lack of knowledge with regards to grazing. We need more range land ecologists in the Interior and less BLM biologists that join hands with game and fish biologists. We badly need sound science, truthful science. And the

key is the soundness and the truthfulness of it, remembering that figures don't lie, but liars make figures.

If we are going to balance our multiple use, the Department of Interior must understand that the grazing permittees are the key, because we are the ones that hold the private property, we hold the habitat for animals such as the sage grouse and other wildlife species. If we are overlooked, the larger environmental picture will fail, because you'll have houses and blacktop on our lands if that bird gets listed rather than livestock and wildlife.

We are here and still are willing to do our part, but we need to know that we can negotiate and come to the table in good faith with our government from the local level all the way to the top.

And finally, remember that cooperation isn't preservation.

Thank you.

THE MODERATOR: Thank you.

Number 40.

Forty-one.

Forty-two. Oh, I'm sorry.

MS. COOPER: My name is Linda Cooper,
C-O-O-P-E-R. I represent SDSBT, it stands for stop

drilling and save the Bridger Teton. We are a 500-strong citizen group. And this citizen learned about this meeting at 11:00 o'clock this morning.

It is a -- the BLM and our citizen group are at odds. We do not approve of the way in which the BLM carries out its mission. We do not approve of the lack of cooperation we have seen. I believe that all this cooperative nonsense that we're talking about here today is bankrupt.

Thank you.

THE MODERATOR: Thank you.

Forty-one.

Forty-two.

MR. OLSEN: Monty Olsen, O-L-S-E-N, Wyoming State House Representative, District 22. Welcome to Sublette County and Wyoming.

Interesting thing about coming number 42, a lot of the comments that I want to make have already been made, probably a little more eloquently than I can make them, so I'm going to keep it very brief.

It's time to demonstrate cooperation. As I'm sitting here right now, Wyoming district gained it's free status, supposedly, and in doing so AVIS has dictated to the State of Wyoming that we have to do certain things in terms of wildlife. However, that

same dictation has not been made to the federal government in relationship to the Wyoming -- or the elk refuge and the bison and the GYA.

It is imperative that we all cooperate together. Cooperation means cooperations interdepartment interaction on the federal level. And that, quite frankly, is not going on.

A couple of things that I just want to finish with is that I hope this isn't just window dressing. If it is just window dressing, we're wasting everybody's time, and I'm going to be very, very disappointed, as I believe everybody will be.

When we look at sound science and public comments, we hope that's just not window dressing, too.

Here's how I feel about it, though. Sound science and public comments are very selective. They're selective in relationship to the outcome that the department or agency wants to have happen, not necessarily what should happen. That is unacceptable. That is unacceptable.

One other -- and to finish with, it's time that we got this RNP done. This has taken way too long. And I do agree with a lot of what's been said today. A lot of things I have questions about.

Once again, thank you for being here and take us very seriously, if you would.

THE MODERATOR: Thank you.

Forty-three.

Forty-four.

MS. MCGEE: Good afternoon. My name's Lisa McGee. I live in Lander, and I represent the Wyoming Outdoor Council. It's a conservation group.

As of a few days ago, I was unfamiliar with the term "cooperative conservation." I did a little research, which revealed that to the extent voluntary territory partnerships that form needed on the ground -- the needed on the ground work of conservation, it has the potential to produce some promising results. I'd like to focus my comments, however, today on some points that I found troubling.

The definitions and explanations are quick to say what cooperative conservation is not. Namely, it is not regulation or heavy-handed environmental regulation. And I believe contrasting cooperative conservation on the one hand with environmental laws and regulations, on the other is disingenuous, and it's wrong.

You read further and the definitions describe

cooperative conservation and are clear that this concept is not designed to supplant modern environmental regulations.

Several speakers today have identified this country's keystone environmental statutes like NEPA, the Clean Water Act and the Endangered Species Act as obstacles in the way of development and have called for a reform of these statutes.

The environment statutes that protect this country's air, water, public lands, and wildlife I believe do not need major reform. For example, complaints lodged against NEPA occur because agencies often fail to follow the basic mandates of the implementing regulations, which require, among other things, consultation with state and local agencies, Native American tribes and the public at the earliest possible time.

NEPA envisions cooperative conservation. It is the agency's responsibility to ensure that the statute is followed so that the public can actively participate in the process. If NEPA is followed, true collaboration can occur.

What is needed is agency personnel who have not already committed to an action step or alternative such that any deviation from that

alternative is viewed as an obstruction.

A few other folks have mentioned the Endangered Species Act, and I'd like to applaud the Endangered Species Act as protecting, as someone said, 99 percent of the species on that list, which are still in existence today.

I guess I'd like to end with two suggestions. One is that cooperative conservation not be a supplement for adequate funding for the agencies to implement these important regulations. We've seen in this administration a slashing of a lot of funding --

THE MODERATOR: Thank you.

MS. MCGEE: -- that the agencies need.

THE MODERATOR: Thank you.

MS. MCGEE: Thank you.

THE MODERATOR: Forty-five.

MR. BANNON: My name is Aaron Bannon, spelled B-A-N-N-O-N.

I came to Wyoming when I was 18 months old, was raised in Casper, and am now proud to call Lander my home. So honestly, it feels like my words may have more effect if I shout them off Steamboat Mountain in the Red Desert than voicing them here today.

It seems that the decision to develop oil and gas interests aggressively and recklessly in Wyoming's open spaces is the paradigm we are forced to accept, and cooperative conservation concerns are an afterthought.

If you're concerned with enhancing wildlife habitat, with cooperating with tribes, local communities and with protecting the environment and other natural resources, the answers you're looking for are out there.

Eighty-thousand people have already submitted comments asking for protection of the Jack Marrow Hills and they were ignored.

For what it's worth, here's how I would answer your questions. Don't drill along antelope and elk migration routes; don't drill in sage grouse habitat; don't drill in traditional Native American lands; don't trash wide open spaces with oil and gas wells.

Instead, pursue renewable energy alternatives conservation and take steps to remedy's America's addiction to oil and gas. Please protect Wyoming's wild heritage and stop making a mockery of the public process.

Thank you.

THE MODERATOR: Thank you.

Forty-six.

MS. OWEN: Hello, my name is Joy Owen, O-W-E-N. I represent Friends of the Red Desert, which is based in Lander.

With respect to how the federal government can enhance cooperation and the application of environmental protection, bring the stakeholders to the table. Citizens, nonprofit organizations, and general stakeholders are not part of the Bureau of Land Management cooperating agencies. For the opportunity for effective cooperation and collaboration to occur, all stakeholders need a seat at the table.

With regard to respecting the interests of the people with ownership to land, water and other natural resources, I have found that the public, who are owners of the public lands, are rarely listened to. For example, the BLM released the record of decision for the Jack Marrow Hills, an area that is just ten percent of Wyoming's greater Red Desert on July 26th, 2006, over 80,000 citizens commented to the BLM during the NEPA process in favor of protecting the Jack Marrow Hills from new oil and gas development. Let me repeat that because it is

significant. Over 80,000 citizens commented to protect the Jack Marrow Hills, an area that consists of just ten percent of the Red Desert, and the BLM ignored those comments.

Our public lands belong to each of us, sportsmen, churchgoers, Native Americans, ranchers, labor union members and conservationists. Yet, we have to struggle like a Rocky Balboa paper and voice fight to keep our most precious lands from industrial development.

From -- the Friends of the Red Desert remains motivated and encouraged to keep Wyoming's legacy alive. Because the BLM ignored the citizens, we are aiming for a congressional designation to make the Jack Marrow Hills a national conservation area.

To better respect the interests of the people would be to include us, to acknowledge our desires, and to respect our wildlife, wildlife habitat, cultural and historical values and open space.

Thank you.

THE MODERATOR: Thank you.

Number 47.

Forty-eight.

Forty-nine.

Fifty.

Fifty-one.

Fifty-two.

Fifty-four --

MR. WASHBURN: Fifty-three.

My name is Phil Washburn, and as Mr. Old Horn said, spelled just like it sounds.

In the spirit of openness I should note that I happen to be a director of a regional conservation, however, I am speaking here today strictly as a concerned Sublette County citizen and voter.

Sublette County, along with other places in Wyoming, is endowed with energy resources that have become both increasingly valuable and accessible. Most of us here understand and accept the need to develop these resources, at least some of them, but certainly not all.

At the same time, I believe that most Sublette County residents now understand the full power of the profit motive that is playing out in our county on the part of the natural gas operators. This is neither surprising nor nefarious. However, if it is left unchecked, the short-term profit motivation will almost certainly lead to permanent impairment of the publicly owned lands and the resources -- non-energy resources they represent.

We need and expect the federal government agencies that have managed these lands to be consistent and to be a consistent and effective counterweight to this motive. Specifically, the locally based official of these federal agencies should not just be allowed but expected to calibrate the rate or pace of drilling activity so that one relevant objectively obtained science can be used to underpin both leasing and permitting activities. And secondly, the most environmentally sensitive technologies and practices are used.

The routine or standard use of this technology should be ensured, instead of a few showcase sites for visitors from Washington. When I was in the army in Vietnam 36 years ago, this was called passing out the happy gas. It was dangerous then and it's dangerous now.

Since there is no precision or certainty in these judgments, we further expect the federal authorities to err in favor of protecting the resources that are most -- that are in the most acute jeopardy, specifically air quality and wildlife habitat. This is certainly not happening.

We are being told that scientific data will be factored into decisions at some vague later date

when they are -- when they are available, and that the mandated balanced use will be restored through remediation. These are unacceptable responses from the public agencies that we are relying on to ensure that energy development is being accomplished responsibly.

A full suite of federal laws is available to these authorities and we need these to be fully asserted in Washington, in Denver, in Cheyenne and in Pinedale.

THE MODERATOR: Thank you.

MR. WASHBURN: Thank you.

THE MODERATOR: Fifty-four.

Fifty-five.

Fifty-six.

MR. TEEUWEN: Fifty-five.

THE MODERATOR: Okay.

MR. TEEUWEN: My name's Randy Teeuwen. I'm with Encana Oil and Gas USA.

THE MODERATOR: Randy, could you spell your last name?

MR. TEEUWEN: Oh, I'm sorry. It's
T-E-E-U-W-E-N.

Encana's been a leader in innovation of energy development technologies, including flareless

completions, mat drilling and natural gas drilling rigs with plans to have two-thirds of our rig fleet in the Jonah field converted to natural gas in 2007.

What I really want to comment on here today and a group I want to represent is the Cooperative Sagebrush Initiative. We're currently engaged in the Cooperative Sagebrush Initiative, along with key stakeholders, primarily landowners, sportsmen, conservation groups, state and wildlife agencies, and the federal government and industry partners.

Our mission is to restore sagebrush habitat in a cost-effective way that prevents listing of sage brush step dependent species while accommodating land uses of local and national importance.

I want to emphasize this is a key cooperative conservation initiative. It's rather new.

We intend to accomplish our goals through intensives in conservation credits believing that stakeholders will chase a carrot and run from a stick.

We have some potential products identified. They are outcomes based on solid science in monitoring, conservation credits for mitigation, collaboratively administered conservation funds, predictability and operational ability for agency,

industry and conservationists, incentives for effective land stewardship, conservation through experimentation and conflict resolution without litigation.

I guess our request from the Cooperative Sagebrush Initiative is to please try to support this effort, and it's a landscape regional effort that we fully intend to be successful with.

Thank you.

THE MODERATOR: Thank you.

Fifty-six.

Fifty-seven.

Fifty-eight.

Fifty-nine.

Sixty.

Sixty-one.

Sixty-two.

Sixty-three.

Sixty-four.

Sixty-five.

THE MODERATOR: Okay. Are you 65?

MS. ANDERSON: Well, to start with -- to start with, I'll voice one concern just to prove that I'm on different sides of the fence. When they mentioned the wolves, I thought that was

interesting, because my daughter and her husband are ranching. In the last week or so, have gotten two times I've talked to her and she's talked to her about wolf kills. I think these are on her private land, so the wolves seem to be multiplying.

But what I'm really here for is to talk about the roadless areas. I agreed with the gentleman from the Shoshoni tribe or -- or group when he mentioned that, because I wish that we could protect our roadless areas. And I was very, very disappointed to read in the Pinedale Roundup that all the governors of every western state had sent a petition against roadless areas, except our governor, and he seemed to feel that it would be a waste of energy.

Now, I would like something like that, a governor's petition, to have some significance. And I don't know whether it does or doesn't, and I think that's about it.

Thank you.

THE MODERATOR: And your name?

MS. ANDERSON: Grace Anderson. Anderson's spelled like it always is, A-N-D-E-R-S-O-N.

THE MODERATOR: Thank you.

MS. ANDERSON: You're welcome.

THE MODERATOR: Sixty-six.

MR. SMITH: David Smith. I'm a member of the Pinedale Town Council. Smith is common spelling.

The first thing I'd like to address is the no significant impact finding, which is our municipal water supply. Quite frankly, that's BS, and I'd like to scream the full length of that word at the top of my lungs but I won't do it here. There's no way that will have no significant impact.

Second of all, I'd like the Forest Service and the BLM to be held to their own rules and that's been iterated several times by the folks in here. They make a policy, they make a group, they give us guidelines, they don't follow them.

Cooperative conservation. Almost everyone in this room and all the ranchers in this room have conserved since day one. Their forefathers and their ancestors have always conserved.

We've been cooperating. We've come to every meeting and done every group and done countless hours of volunteer effort, and honesty, and forthrightness put forth by the members of this community, and nothing happens. The BLM changes the rules, the Forest Service changes the rules. It's ridiculous. It's a slap in the face, and

governments that operate continually like that eventually lose power by one way or another.

Okay, a couple of other things. We've all talked about things we'd like to see, things that we'd like to change. The one thing that the BLM could do in this gas field to make everything better here, a little bit, one thing that would work is to mandate that all those rigs are powered by natural gas. They're hauling thousand of truckloads of diesel fuel a year over the road through winter ranges and various things right next to pipelines that are flowing usable natural gas. It could power those rigs. It could cost a little bit of money, but it can be done.

And then last but not least, on the Town issue, these small communities don't have the tax revenue capabilities to support the infrastructure that we need when we see a boom like this. The population of Pinedale has roughly doubled in the past 15 years. The County population has increased more than that. We can't keep up. The counties make a little bit of money off the minerals. The towns, by in large, don't. Taking care of our sewer and water, and street infrastructure is almost impossible for us. We just beg and scrape at the

state level. We'll be down there next week trying to get something for Pinedale. But if there's any way that the federal agencies could help the municipalities fund and plan for the infrastructure and the growth, that would just be an immense help.

Thank you, very much.

THE MODERATOR: Thank you.

Fifty-six.

Fifty-eight.

Fifty-nine.

MR. BOUSMAN: My name is Joel Bousman, spelled B-O-U-S-M-A-N.

This is Sublette County. Don't know how many of you folks from Washington realize that, so welcome to Sublette County.

Sublette County is 80 percent owned by the state or federal government, mostly consists of BLM and Forest Service. The remaining 20 percent of Sublette County, which is private land, provides a significant portion of the habitat for all wildlife species, including those that are endangered or proposed to be endangered.

Of the 20 percent of the private land, a large percentage of that consists of land owned by ranchers. I am a rancher, fourth generation in

Sublette County. But if this 20 percent of the private that's largely owned by ranchers, we also in conjunction to stay viable require the use of federal grazing permits, both on BLM and Forest Service land.

About four years ago, Secretary Norton approved a pilot project which would implement joint cooperative monitoring of several BLM grazing allotments right here in Sublette County. This concept involved a cooperation, coordination and communication that would be necessary for us to sit down with our range conservationists in a cooperative manner, using the latest range science techniques to collect the data that would be necessary to determine whether or not our grazing allotments are being well managed, and to address possible resource concerns that would have to do with our grazing on public lands.

As policy is developed to implement the new grazing regulations recently released by the Interior Department, I encourage the BLM to require, as part of their determination and their grazing permit renewal process, to require long-term plant community trend data as a basis to justify renewal of grazing permits. This would serve several -- it

would help in several ways.

It would serve to document the impact that ranchers are having on grazing on public lands as well as document the stewardship of public lands grazing permittees. And it would also -- having sufficient data as a basis for renewing these permits would significantly cut down on the litigation that we are continually faced with, because of BLM has not gathered data they need to justify doing what they're doing.

Thank you.

THE MODERATOR: Thank you.

Fifty-six.

MS. BOUSMAN: I'm Susan Bousman. You've heard from my two sons and my husband. They spoke before me. They practiced their speeches.

I don't usually do this because I get so nervous and -- but I thought I should try to tell you a little bit on your last point of the interest of the people. And I just want to stand here and let you people know who I am and I -- my grandfather homesteaded in Wyoming, as my father and my uncle in 1937 as some of the last homesteaders, so I'm a granddaughter, I'm a daughter of federal land ranchers and I married a federal land rancher, who

also has to involve the Forest Service and graze on the wilderness.

I have four children, and early on I knew as a child that you educate yourself and your children and -- to be active in Interior Department news, or you know, whatever's happening, you must educate what is presently happening.

My oldest daughter worked for the Wyoming Farm Bureau and is presently on the Ag In The Classroom board. And my other daughter works for George Bush in the Ag Department in Washington, D.C. She's not present. My two sons work at home, as they told you.

And I want to explain to you, then, that I have my grandfather, my father, my husband's great grandfather, grandfather, step-grandfather, all of those, plus those women, the struggles of federal land ranching. There's good times, too, but those struggles, and when you make regulations -- I want you to look at me. I don't look like the tall lean cowboy, but I represent -- help represent all those who came before us for us here now, and for my nine grandchildren, some of that hope to be in ranching, and probably federal land ranching if it's in Sublette County, because we don't really have a lot

of choice when so many -- so much of our land is regulated by the federal government. And one of the things, when I get up at night every two hours and check those heifers, ride all day, I have trouble getting on a horse now, I ride all day, and I work at that. And then you put the wolves on us now.

I stand by George Bush in trying to get rid of the terrorists, but those wolves are some of the worst terrorists we have here in the cattle industry. We are losing 20 to 30 calves every year on our grazing allotment. We can't document it that it's wolves. We've never been paid for the wolves. Those wolves wake me up in the night. I hear them howling. So, I want you to see who I am and I represent those that come before me, the homesteaders, what we are here presently, when you make those regulations, when you make those policies.

Thank you.

THE MODERATOR: Thank you.

Seventy-one.

Seventy-two.

Seventy-three.

Seventy-four.

Seventy-five.

MR. MAR: Yeah, my name is Jay Mar and I'm Acting Assistant State Conservationist for programs for the Wyoming USDA NRCS. And my comments are mostly just for information.

As you know, the USDA NRCS has had a rich history of partnerships with the producers of the land, with the general public. And this dates back to the post-dust bowl days and when we were the SCS. And basically, our mission then was partnerships -- conservation assistance to partnerships, okay?

We now have a new strategic plan. It was just recently turned out at the national level, which will guide our activities for the next ten years. And our -- our vision that we would like to see is productive lands, healthy environment. And we choose -- we are going to do this through helping people help the land, okay?

Now, we do this through our goals. And some of you are going to find that these are very familiar, and that is through healthy productive soils, high quality abundant water, healthy plant and animal communities, clean air. And we have two of them that we added and that was renewable energy and connective lands.

We hope to address the -- we're going to do it

through cooperative partnerships. These are our strategies. Our watershed based approach and a market based conservation; in other words, to try to get people that can do so to help us get conservation on the land and save taxpayers' money, get the businesses involved as well.

We have a longstanding partnership with some -- with grassroots groups, the conservation districts, for instance, of Wyoming. We have field offices across Wyoming, across the nation. We also have the RCNE councils, which are grassroots. And they're there to help research conservation and community development.

What I do is extend this to our federal partners and our nonprofit groups, our local and state partners, that let's partner up. We extend that invitation to help people help the land.

Thank you.

THE MODERATOR: Thank you.

Seventy-six.

Seventy-seven.

Seventy-eight.

Seventy-nine.

Eighty.

Eighty-one. Oops. Okay. 80.

MR. OLD COYOTE: Seventy-nine. And my name is Darren O-L-D, capital C-O-Y-O-T-E. I'm with the Crow tribe, one of the elected leaders of the Crow tribe.

In introduction, I would like to say that the original native peoples knew of conservation and practiced cooperative conservation before the coming of you Americans. And I am glad to see after 500 some odd years we are starting to talk about conservation once again.

In one of your questions you asked how could we enhance cooperation with state's tribes and local communities. The federal government needs to communicate and work with these different agencies, not to just consult.

The Crow tribe has a good working relationship with federal agencies, such as Forest Service, Park Service, US Fish and Wildlife, DEMR and other federal agencies, and we will continue to work with these federal agencies.

Our current Crow tribal administration, our theme is we want to build bridges, not burn bridges. We want to work in cooperation with the different federal agencies, and we want to -- and we want the federal agencies to understand what their trust

responsibility is to Indian tribes, and to work with us cooperatively, and also to recognize our individual treaty rights as Indian people.

Before the states were established, we had treaty rights with the US Government, and we want you to understand what those treaty rights are. And we want to be informed of conservation funds that are available. After all, we, too, are an integral part of these United States.

Currently, the Crow tribe has 52 young men and women fighting in Afghanistan and Iraq. And the bullets in this war does not distinguish if you are an Indian, white, red, black or any other color, because we are all Americans, and we must work together cooperatively for a better tomorrow in these United States. We were born here. We are from here. We are U.S. citizens, and we want to be treated as equals.

Thank you.

THE MODERATOR: Thank you.

Number 80.

Eighty-one.

Eighty-two.

Eighty-three.

Eighty-four.

Eighty-five.

MR. WHARFF: Thank you for the opportunity to be here today.

My name's Bob Wharff. I'm the Executive Director of Sportsmen for Fish and Wildlife. My last name is spelled W-H-A-R-F-F.

The two and-a-half minutes that we've been allotted, that doesn't give me enough time to cover these five questions. I am going to send in comments via the e-mail, but I did want to have the opportunity of taking advantage of the opportunity of having you here.

I think it's very important, as we sit back here and listen, we talk about cooperative conservation.

One of the problems that I see in particular in dealing with the Endangered Species Act has been the fact that for it to be truly cooperative, the club needs to be shared. And it sure seems like the federal government's the one that holds the club. And we cooperated at every level in dealing with the wolf, and I can tell you as sportsmen, we're very frustrated with the fact that we have no provision that allows us to protect the wildlife that we've help create, that we've helped conserve.

We were forced to take this introduced species, which caused the elimination of the native wolf, and I hope you're proud of that, that's the action that your agency took by bringing in the Canadian wolf. And it -- it's a heritage that I hope you're ashamed of, quite frankly.

But as sportsmen, we sit back and see these introduced species devastating such to the point that we've imposed taxes on ourselves to help sustain these wildlife resources in the state. It -- it is -- I guess I find it very -- I have to agree with Mr. Bud, it seems like the federal government comes in and it's basically your way or the highway.

And I can tell you, my mother taught me a very valuable lesson as a child. And I learned that it's very important to be honest and to tell the truth, and I can tell you that your agency has lied numerous times to me directly in regards to the wolf.

And one of the problems that I see is the agency is so big, and talking specifically about Fish and Wildlife Service, it's so big, you've had so many individuals that I think with good intentions step to the plate, try to resolve the

issue, but somebody else stepped in that had no advantage of how Wyoming's plan was developed, the processes that were in place and one of the problems was they made liars out of a lot of people, and it's unfortunate.

Wyoming has a very good plan. Ten out of your 11 wolf experts that were chosen by your agency said that the plan worked. It is -- it is very frustrating to sit here and see the process in place.

I applaud your efforts to be here. I notice that it says, "listening," and I hope that you're doing more than just listening. I hope that you're gonna take actions and that we are gonna address these problems.

Clearly to me, the ESA is -- is basically noneffective. People can say that it saved 99 percent of the species. Sportsmen saved most of the species that were lost prior, and it was because there was a reason to conserve them. And I really think we need to look more at developing carrots and -- and use that club as little as possible.

But really, if you want to have true cooperative conservation, that carrot needs to be shared as well as the stick. And right now

currently, you guys hold the only stick. So I would encourage you to look at ways to share that stick.

Thank you.

THE MODERATOR: Thank you.

Eighty-six.

MS. WASHBURN: My name is Patricia Washburn, W-A-S-H-B-U-R-N. I'm a proud resident of Pinedale, Sublette County, Wyoming. I'm also a retired teacher of 35 years. And as a retired teacher, I can't resist giving you a little homework and everyone in this room a little assignment.

I'd like to ask you to go home and in the next several days read to your children, or read to your grandchildren, or reread for yourself the book, *The Thorax* by Dr. Seuss.

Dr. Seuss approached many political, environmental, cultural, and ethical issues through children's writing, sometimes through satire. Dr. Seuss surely had Pinedale and Wyoming in mind with this book with rhyme and graphic illustrations Dr. Seuss describes what happens when commercial industrial development takes precedent over the environment with fast-pace and short-term plans, rather than a long-term view of the future.

In the end, the wildlife, the air and the

water were affected and destroyed, paradise was paved and for the motor vehicles in the area. Ask your children, young or grown, if they remember the message from Dr. Seuss.

Thank you.

THE MODERATOR: Thank you.

Eighty-seven.

Eighty-eight.

MR. NELSON: My name is Merrill Nelson, N-E-L-S-O-N. I work for the USDA Wildlife Services. And one of the things I want to take and say -- I don't even know whether I should be here or not -- is we need to take and get these wolves delisted. And I know the federal government and the state government here needs to get their heads together and get this thing solved.

Wolves are increasing. We've probably got -- US Fish and Wildlife numbers, there was 1,025 wolves in the three states on January 1. We've got over a hundred packs, and they average somewhere between four and five pups a litter, so we've probably got -- this is a minimum amount, so this is what is known to exist, the 1,025. So if there's over a hundred packs and they drop four to five pups a year, that means there's about 1500 wolves. They

said that the delisting process would begin when there is ten packs in each state, coming to 300 wolves. We have five times that many.

Our agency is responsible for solving the wolf problems. It's overwhelming our agency. We need to take and get things delisted so there can be management -- managing of numbers.

We here in Sublette County, we now verified over 60 head of cattle and calves that's been killed by wolves right here in this county alone.

So I plead, our agency needs to take and have help and get these things delisted so we can take and manage this as a whole, the state and the feds. So we need to cooperate with the state and get these things delisted.

Thank you.

THE MODERATOR: Thank you.

Eighty-nine.

Ninety.

Ninety-one.

Ninety-two.

Ninety-three.

I'm just laughing, because I'm not having much luck with the applause.

Ninety.

Ninety-one.

Ninety-two.

Ninety-three.

Ninety-four.

Ninety-five.

MS. RICHARDSON: My name is Cecelia Richardson. I'm a private landowner south of Pinedale. And when I read these questions here, it seems like the federal government have failed, because if they have to come to ask us how they can improve their business, because they have already failed big time.

But the only one I'm going to address is the forest one, which affects me. The government have a -- through the BLM have granted all for the drilling on the mesa for gas exploration. And they didn't make very good plans, because now the County's putting pressure on private landowners to grant access to that mesa for the rigs and all the development there.

And it's not -- I don't believe it's saying that the private owners are supposed to provide access to all the drilling and the -- and exploration on private -- on the BLM land. It's the federal government through the BLM's responsibility,

not mine.

Thank you.

THE MODERATOR: Thank you.

I believe the last number I knew of was 96.

Ninety-seven.

Is -- is there anybody else that has not had a chance to comment yet today that would like to?

MR. STOUT: I didn't register, but may I make a comment? My name is Alan Stout, S-T-O-U-T. I reside at Farson, Wyoming.

I have quite a lot of connections with Sublette and Sweetwater County. I -- my comment is on the question number five.

And what I have observed, I've logged over 10,000 hours in the last few years since the re-introduction of wolves. And since -- and what I have observed is our game herds have dropped very substantially since the wolf introduction. I don't know who's fibbing to who. They say -- the Game and Fish says that it's due to drought. Teton County is the worst. I don't think they've ever put in for drought relief. Sublette and Sweetwater County have both put in for drought, and sage grouse have increased three- four-fold over my observations. I really believe that somebody's fibbing again.

A little bit of history. My -- my wife's kinfolk were the first settlers in Sublette, and my granddad come to Sweetwater in 1908, so I got a little bit of forethought about what actually is going on all through the gas boom and different booms.

And really, I think the wolf has a bigger impact on your game than any other oil field. If -- if oil field was impacting, they should impact the sage grouse. I think there's a lot of misunderstanding and I appreciate you people coming. I know I'm a terrible speaker, but I do have a lot of knowledge, and I'd like to turn in a lot of -- of thoughts that I have flew over and seen in my many hours of flying over this part of Wyoming.

Thank you.

THE MODERATOR: Thank you.

Anybody -- anyone else that has not had a chance to comment that would like to?

If not, then I would like Mr. Roberts to come up first for some closing comments.

MR. ROBERTS: First of all, thanks to all of you who spoke. And -- and also thanks to those of you who helped us listen to what the speakers were saying. This is a listening session. It's not one

in which I need to respond or can respond to all of the issues which stretch across a broad area. But let me talk very quickly about three quick issues.

First of all, the continued reference that was made to the fact that the NEPA Act needs revision. I think it's probably true that NEPA does need to be looked at and revised, but I would caution you that not everybody who thinks the Act needs to be changed agrees on how it needs to be changed.

And so, there are people who think it is too restrictive and there are people who think it is not restrictive enough. And so, that process, which may well be doing -- may well be worth doing is going to be very difficult to do, if we reach that point.

Somebody said that NEPA leads to lawsuits. You bet. Absolutely. And when you get sued for your environmental impact statement, the best thing that you have going for you is the environmental impact statement itself, because that's the only thing you have that says, we thought of this environmental impact and here's what we plan to do about it. Otherwise, you lack any kind of shield or explanation of how you plan to deal with environmental impacts.

And so, I would just caution you to say that

any revision would be very difficult. And I don't think it's the NEPA that causes the lawsuits, I think it's NEPA that helps defend in lawsuits, when it's done right.

Secondly, everybody is in favor of good science. You know what good science is? Good science is science that results in what I wanted it to be when I started. Good science supports my position and bad science supports your position. But what I really would say about that is we sometimes assume there's a good science answer to every question, and that if the science is done right, we will know exactly what we should do, and that simply is not the case.

At the end of the day, there will be some scientists on all, both, three, four, five sides of the issue, and somebody will have to pick which of those interpretations to apply. But I agree with you that we all need to work on that better, and I'm very proud of the work that my agency has done in that respect to try to improve the scientific basis for what we are doing.

Finally, let me address the statement by one of the speakers who said he hoped this was not all window dressing. Well, I can't speak for the whole

federal government, but I can speak for Region Eight of the Environmental Protection Agency, and we take all of this very seriously.

You may have noticed that I took a lot of notes, and I take the notes home and I share the notes with the people in my organization, so that we, hopefully, will have a better understanding of what people are saying about different issues, so that we can take them into consideration when we are going about our work.

We are trying to cooperate in every way that we can with a broad range of interested groups and agencies. Sometimes we succeed and sometimes we fail, but we intend at the beginning to cooperate. We're trying to do that very hard, and these sessions have been very instrumental in that thanks to all of you who spoke today for helping us work better in that area.

THE MODERATOR: Thank you, Mr. Roberts.

Ms. Burton.

MS. BURTON: Thank you.

I would like to echo what my colleague just told you. So I'm not going to repeat it, because I agree with what he said. But I want to add a couple of things.

First of all, thank you for coming and thank you for telling us, even if you think that we as bureaucrats can't hear. We're not totally deaf, but we hear different things in different places, and the problem is that we have to reconcile all these different opinions that we receive. We do want to reconcile them. We do want to strike a balance.

Let me give you a quick little anecdote. Secretary of the Interior is Dirk Kempthorne, and some of you may know him. He used to be governor of Idaho until three months ago. He says that one day he had a meeting similar to this but there were decisions to be made, it was more of a -- of a debate in Boise. And it was obviously an issue that was a hot button in the town. And instead of 500 people for which they had prepared, they ended up with 700 people. And he said a lot of them had a big sign that said, "We love our mayor." He was mayor of Boise at the time.

And so, he said, "I felt pretty good. I was chairing a meeting for the town, and people came to tell me they really liked me." He said, "At the end of the meeting, which was very contentious, lasted a long time, a lot of people didn't like the decision I made." And so, he said the signs went down, they

got torn up and they were on the floor. But he said the next day the paper reported all that, but he said what people could not complain about was the process, because everyone had a chance to speak their mind.

But when the minds are opposite opinion, somebody has to make a decision, and one side's gonna like it when the other side is not. And this is the problem that we bureaucrats have is that we get an awful lot of input. We're thankful for the input. We look at it, we study it, and then we try to strike a balance. That's what these sessions are for.

Now, I heard you and I heard many, many issues brought up, but basically, I think if I can summarize, I heard wolves are a big, big issues for ranchers. We do know that.

Development of oil and gas might be going a little too fast. I don't know that we necessarily know that, but we also appreciate the fact that the Town of Pinedale is going through a very difficult time accommodating for the speed and the breadth of the -- of the development.

However, this country does need natural gas very badly, and I think that the companies that are

drilling here certainly are motivated by profit, but they're also motivated by being -- by trying to get along with this community, so they are doing their best to try and, again, hit that mitigation balance that we like to see.

What you said today is very important to us. It isn't window dressing, but am I going to go back and say I want you -- I took notes, also, the names and what your many issues were. I can't tell every one of you I heard you and we're gonna do it your way, because your way is not necessarily everybody's way. So, we're gonna have to balance the input that we receive with balancing what we heard in Colorado, balancing what we heard in the northwest.

But we will -- I promise you we will give great weight to what we heard here today, and I do thank you for coming. I appreciate it.

I know my friend, Dan Bud, we used to serve in the legislature together, and I know he's not an easy guy to get along with, but -- but he also had some good ideas and I heard him.

He doesn't like the feds, and now I turned out to be a fed, but somehow I know that Dan hit on a lot of things and we are going to try to earn your trust.

Thank you.

THE MODERATOR: Thank you. And we'll close
this session, then.

Thank you.

(Whereupon, the Listening Session was closed
at 4:01 p.m.)

