

NIORARA COUNTY COMMISSIONERS

Patrick Wade, Chairman

John Midkiff, Vice-Chair

Elaine Griffith, Commissioner

June 29, 2023

Ms. Tracy Stone-Manning, Director (630)
United States Department of Interior
1849 C Street NW, Room 5646
Washington, DC 20240

SENT BY EMAIL AND MAIL 6-29-2023
<http://www.regulations.gov> "1004-ae-92"

Attn: 1004-AE92

RE: Comments on Proposed BLM Conservation Rule

Dear Director Stone-Manning:

The Niobrara County Commissioners would like to express their total opposition to the Bureau of Land Management's consideration of adding "conservation" as a use on the lands it administers.

By implementing "conservation" as a use, the BLM would be defying its "multiple use and sustained yield unless otherwise specified by law" mandate. The proposed rules do not consider the statutes mandating the use of BLM lands, such as the Taylor Grazing Act, the Mineral Leasing act, and the 1872 Mining Law.

Niobrara County is also adamantly opposed to the proposed changes to the process of designating Areas of Critical Environmental Concern. The proposed changes would circumvent the current process, allowing the BLM to manage the land as an ACEC after nomination and before the process is completed, and eliminates public comment. Since ACEC decisions most greatly impact those that are directly affected, BLM should invite participation first by those that are closest to the land, local government, and local people.

Niobrara County, Wyoming is the least populated county in the least populated state in the nation. The county and its residents rely heavily on the responsible usage of natural resources, most importantly oil and gas extraction and livestock grazing. All natural resource dependent industries in the county would be greatly impacted by designating "conservation" as a use on federal lands.

Anything that limits responsible use of any land for mineral production immediately affects the financial sustainability of our county and its residents. This is magnified in our county because federally administered land is scattered in smaller parcels. Limiting multiple use makes it much less attractive for mineral development companies to seek leases from surrounding mineral estate owners as it becomes much more difficult to accumulate areas worthy of exploration and production.

Oil and gas production is Niobrara County's largest source of revenue, and it contributes 29% of the county's tax base. In addition, oil and gas pipelines contribute 25%, coal transportation railroads 23%, and oil and gas related industrial lands, buildings, and equipment 2%. This adds up to a massive 79% of the county's tax base!

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