



WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4699

wgfd.wyo.gov

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April 23, 2020

WER 13896.00a
Wyoming Department of Environmental Quality
Land Quality Division
Brook Mining Co. LLC
Permit Application for the Brook Mine
Sheridan County

Alan Edwards
Deputy Director
Wyoming Department of Environmental Quality
200 W. 17th Street, Suite 10
Cheyenne, WY 82002

Dear Mr. Edwards,

The staff of the Wyoming Game and Fish Department (Department) has reviewed the proposed Brook Mining Co. LLC Permit Application for the Brook Mine located in Sheridan County. We offer the following comments for your consideration.

Greater sage-grouse

The northwest portion of the proposed mine area is within the 2 mile buffer of a non-core sage-grouse lek. The State of Wyoming's Sage Grouse Executive Order 2019-3 (SGEO) provides protections for sage-grouse during breeding, nesting and periods within 2 miles of non-core leks. We recommend vegetation removal and topsoil stripping occur only between July 1 and March 14, and be limited to the minimum disturbance required by the project.

Plains sharp-tailed grouse

We know of one historical sharp-tailed grouse lek within the proposed mine boundary and several nearby. We recommend surveying for active sharp-tailed grouse leks within a 2 mile buffer of the proposed boundary, and avoiding vegetation removal and topsoil stripping within 2 miles of any active leks between March 15 and July 15.

Bald Eagles

There are four bald eagle nests within two miles of the proposed mine boundary. The proposed mine boundary contains quality bald eagle nesting habitat, and bald eagles forage along the Tongue River, Goose Creek, and at Kleenburn Pond. We recommend contacting the U.S. Fish and Wildlife Service regarding seasonal and spatial buffers associated with eagle nests.

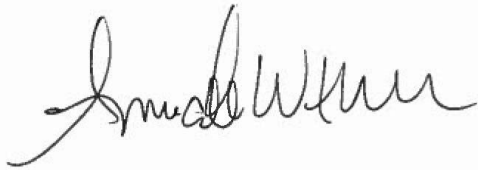
Alan Edwards
April 23, 2020
Page 2 of 2 - WER 13896.00a

Hunting and Fishing Access

The proposed mine area provides considerable hunting and fishing recreation access to the public. Much of the proposed mine area is enrolled in Walk-In Access programs for hunting and fishing, and the Department has a purchased parking easement for hunting, fishing and boating access on the State Trust Land section near Acme. Kleenburn Pond is an important local fishery located on Sheridan County property which has recently received significant upgrades and improvements. The Department would welcome the opportunity to work with the operator, DEQ and federal regulators to ensure hunting and fishing opportunities remain in areas that don't have active mining activity.

Thank you for the opportunity to comment. If you have any questions or concerns, please contact Tim Thomas, Sheridan Wildlife Biologist, at 307-672-7418.

Sincerely,

A handwritten signature in black ink, appearing to read "Amanda Withroder". The signature is fluid and cursive, with a large initial "A" and "W".

Amanda Withroder
Habitat Protection Supervisor

AW/mc

cc: U.S. Fish and Wildlife Service
Tim Thomas, Wyoming Game and Fish Department
Dan Thiele, Wyoming Game and Fish Department
Paul Mavrakis, Wyoming Game and Fish Department
Chris Wichmann, Wyoming Department of Agriculture