



August 28, 2026

Wendy Schuyler
Project Manager
Bearlodge Ranger District
101 S 21st St
P.O. Box 680
Sundance, WY 82729
wendy.schuyler@usda.gov

Dear Ms. Schuyler,

Following are the Wyoming Department of Agriculture (WDA) comments regarding the Black Hills National Forest (BHNF) Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Bear Lodge Rare Earth Project (Project).

Our comments are specific to our mission: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life. As the proposed project could affect our industry, citizens, and natural resources it is important that you continue to inform us of proposed actions and decisions and continue to provide the opportunity to communicate pertinent issues and concerns.

Direct and Indirect Impacts to Livestock Grazing

The WDA urges the BHNF and project proponents to comprehensively analyze both direct and indirect impacts to livestock grazing within the EIS. The project footprint directly overlaps the Warren Peak, Divide, and Ogden Allotments, which together support 3,260 Animal Unit Months (AUMs) for cattle grazing from late June through early November. To ensure a thorough review, the EIS must analyze the following:

- The exact acreage of active grazing lands impacted by the project.
- All direct, indirect, and cumulative impacts on grazing lands and those impacts placed upon livestock grazing operations and operators.
- Reduction or displacement of permitted AUMs.
- Impacts on grazing infrastructure, including fences, cattleguards, and developed water sources.
- Specific mitigation strategies to fully compensate for loss of AUMs, loss of water and infrastructure, and impacts to producers and their operations.

Protection of Water Resources

Water availability represents a primary constraint for livestock producers in the project area. The Warren Peak Allotment lacks reliable water sources (springs, groundwater, and creeks) requiring permittees to haul water daily. Furthermore, recent stock water improvements within Warren Peak directly support itself and adjacent allotments (Redwater, Farrell, Togus, Taylor Divide, and Fawn Creek, representing an additional 4,248 AUMs). The EIS must evaluate the cumulative risk of project water consumption drying up local surface waters and springs, assess potential

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damage to water infrastructure, and detail binding mitigation to guarantee adequate stock water for both primary and secondary allotments.

Transportation Hazards and Haul Road Alternatives

The proposed haul road location directly conflicts with active livestock grazing operations during seasonal turnout and gathering. Specifically, the route intersects two crucial sorting and release sites utilized by four different permittees to manage livestock movement in and out of their allotments. Heavy construction and semi-truck traffic in these bottleneck areas present severe operational and safety hazards. Furthermore, because these allotments operate under open grazing conditions and the haul road will remain unfenced, livestock are at high risk of vehicular collisions. Traffic speed and mitigation measures must be thoroughly analyzed in the EIS to prevent livestock injury and mortality.

Currently, the designated route is a narrow, steep, winding two-track trail heavily used for recreation and livestock trailing. Given these physical constraints and safety risks, the WDA strongly recommends evaluating alternative haul road routes to bypass high-conflict livestock grazing zones. Should the proposed route move forward, the project must implement mandatory speed reductions, dust suppression, and comprehensive warning signage to alert drivers to active livestock movement and trailing operations.

Dust and Forage Degradation

The WDA recommends that the project proponent develop a comprehensive dust mitigation plan covering both the primary project site and the haul road. Dust accumulation on surrounding vegetation significantly reduces forage production and renders remaining forage unpalatable to livestock. Furthermore, heavy dust accumulation negatively impacts livestock health, leading to respiratory issues like dust pneumonia and premature wear on teeth from grazing contaminated vegetation. The EIS must thoroughly analyze potential dust deposition, the resulting loss of available forage, and establish concrete steps to mitigate the loss of functional AUMs within the affected allotments.

Forest Plan Consistency and Radiological Health Concerns

The proposed action requires a project-specific Forest Plan Amendment (updating the 1997 Black Hills National Forest Plan, as amended) to reduce existing Visual Quality Objectives and Scenic Integrity Standards. If a Forest Plan Amendment is initiated, it must also comprehensively address agricultural impacts. Permitted AUMs within the Forest Plan must be updated to account for lost grazing capacity, paired with a clear mitigation framework so grazing permittees do not absorb the burden.

Additionally, unmitigated hazardous particulate emissions directly conflict with current Forest Plan objectives regarding local air quality protection. The Notice of Intent (NOI) identifies "ingesting meat" as an expected hazard under public health and safety concerns due to potential radioactive material exposure. This raises critical concerns that airborne radiological particulates could deposit onto forage and water sources, leading to bioaccumulation in livestock, wildlife and/or fish. The EIS must explicitly analyze whether airborne radioactive material could cause livestock illness or contamination, rendering meat unsafe for human consumption and threatening the commercial viability of these grazing allotments.

Reclamation & Restoration

The NOI indicates that the operational life of the mine, including initial construction, could span up to 22 years. Despite this extended timeframe, the preliminary Mine Plan of Operations (MPO) lacks a defined, detailed reclamation plan. Given the length of project operations and the potential for long-term surface disturbance, the EIS must evaluate a

comprehensive, phased Reclamation Plan for all disturbed areas, including the primary project site, mine facilities, and haul roads. The plan should include a weed and invasive management plan, mandating monitoring, pre-, during, and post- construction treatment, and long-term controls of noxious weeds along disturbed corridors and site boundaries. In addition, the plan should include forage restoration or reseeding of native grasses to create palatable forage for livestock and wildlife within the BHNF.

Reclamation should be conducted as an ongoing, concurrent process throughout the life of the mine rather than deferred until final closure. The WDA recommends that the Forest Service require the project proponent to establish a formal Interim Reclamation Plan. This plan must mandate immediate, temporary revegetation (using certified weed-free, non-persistent seed mixes) on topsoil stockpiles, road embankments, and temporarily inactive disturbance areas. Implementing interim reclamation is critical to hold soils in place, prevent severe wind and water erosion, suppress noxious weeds, and reduce dust drifting onto surrounding forage.

Livestock Loss & General Compensation

The WDA recommends that the project proponent create a comprehensive compensation plan for livestock producers to address direct, indirect, and financial losses resulting from project activities. The following must be incorporated into the compensation plan:

1. Direct Mortality and Injury: Financial reimbursement at fair market value for livestock injured or killed due to vehicular collisions along the haul road, site hazards, or operational traffic.
2. Health & Contamination Losses: Fair market value compensation for animals that contract project-induced health conditions (such as dust pneumonia, tooth wear or radiological exposure).
3. Processing Plant Rejections: Full market value compensation for any livestock rejected at processing or harvest facilities due to health concerns, radiological exposure, or particulate contamination linked to the project.

In conclusion, the WDA recommends that the EIS comprehensively address all direct, indirect, and cumulative effects of the project on the livestock grazing industry. We appreciate the opportunity to comment during this scoping period and look forward to reviewing the detailed analyses and proposed mitigation measures in the draft EIS. If you have any questions, please contact Holly Siebert, Senior Policy Analyst at 307-777-7024.

Sincerely,



 Doug Miyamoto
Director

DM/hs

CC: Governor's Policy Office
Wyoming Board of Agriculture
Wyoming Stock Growers Association
Wyoming Wool Growers Association
Wyoming Farm Bureau Federation

Wyoming State Grazing Board
Wyoming Association of Conservation Districts
Wyoming Game and Fish Department
Wyoming County Commissioners Association
Public Lands Council



Wyoming
DEPARTMENT OF Agriculture

Mark Gordon, *Governor*
Doug Miyamoto, *Director*
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The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

August 17, 2026

Ruth A. Miller
Lander Field Manager
Bureau of Land Management
Lander Field Office
1335 Main Street
Lander, Wyoming 82520
DOI-BLM-WY-R050-2026-0026-CE

Dear Ms. Miller,

Following are the Wyoming Department of Agriculture (WDA) comments regarding the Bureau of Land Management (BLM) proposed decision to renew grazing leases on Myers Fenced Pasture (017058) and Trent & Home Place Allotment (01706) within BLM Wind River/Bighorn Basin District.

Our comments are specific to our mission: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life. As the proposed project could affect our industry, citizens, and natural resources it is important that you continue to inform us of proposed actions and decisions and continue to provide the opportunity to communicate pertinent issues and concerns.

The WDA supports the BLMs proposed decision to renew the grazing lease for Myers Fenced Pasture (017058) and Trent & Home Place Allotment (01706). We appreciate the assessment's finding that the allotments currently meet all applicable Standards for Rangeland Health. The WDA encourages the BLM to continue building collaborative, productive relationships with permittees to sustain healthy rangeland conditions over the long term.

If you have any questions, please contact Holly Siebert, Senior Policy Analyst at 307-777-7024.

Sincerely,

Doug Miyamoto
Director

DM/jw

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Wyoming Wool Growers Association
Wyoming Farm Bureau Federation

Wyoming State Grazing Board
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Ruth A. Miller
Lander Field Manager
Bureau of Land Management
Lander Field Office
1335 Main Street
Lander, Wyoming 82520
DOI-BLM-WY-R050-2025-0038-EA

Dear Ms. Miller,

Following are the Wyoming Department of Agriculture (WDA) comments regarding the Bureau of Land Management (BLM) proposed decision for the range improvement (water wells and tire tanks) projects detailed in Action Alternative of the Environmental Assessment.

Our comments are specific to our mission: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life. As the proposed project could affect our industry, citizens, and natural resources it is important that you continue to inform us of proposed actions and decisions and continue to provide the opportunity to communicate pertinent issues and concerns.

The WDA supports the BLM's proposal to develop four new water wells and tire tanks for livestock water on the Rim Pasture and Muskrat Open grazing allotments. These rangeland improvements will help maintain or enhance the Standards for Healthy Rangelands and Guidelines for Livestock Grazing Management by improving livestock distribution and enhancing management capabilities across the allotments.

If you have any questions, please contact Holly Siebert, Senior Policy Analyst at 307-777-7024.

Sincerely,

Doug Miyamoto
Director

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September 14, 2026

Director
Public Benefits
201 14th Street, SW
Public Benefits Office
Washington, DC 20250

Dear Director:

Following are the Wyoming Department of Agriculture (WDA) comments regarding the United States Department of Agriculture, Forest Service (USFS) Notice of Intent to prepare an environmental impact statement (EIS) and rulemaking to revise the USFS's travel management regulations, 36 CFR 212.

Our comments are specific to our mission: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life. As the proposed project could affect our industry, citizens, and natural resources it is important that you continue to inform us of proposed actions and decisions and continue to provide the opportunity to communicate pertinent issues and concerns.

Travel management plays a critical role in supporting multiple-use management across USFS lands. The WDA represents public lands grazing interests, which are increasingly affected by rising recreational use and its resulting impacts on soil, vegetation, and riparian areas vital to livestock grazing operations. We offer the following comments for the USFS to consider during the development of the Draft EIS and proposed rule.

WDA urges the USFS to retain the core mandate: "protection of natural resources from the proliferation of user-created routes and to reduce conflicts among uses" as established under the 2015 revised Rule, subparts B and C. User-created routes directly conflict with livestock grazing operating and allotment management. Unenforced or unmanaged user-created routes degrade sensitive riparian areas, accelerate soil erosion, and reduce forage availability for livestock and wildlife. Furthermore, the Authorized Officer must retain explicit authority with local input to prohibit user-created routes, close unauthorized roads, and actively rehabilitate impacted natural resources.

While the 2005 Travel Management Rule (TMR) intended to integrate travel management into Land Management Plans (LMPs), implementation across National Forests has been inconsistent, particularly during subsequent LMP revisions. In practice, travel management plans are frequently delayed or left un-updated during forest plan revisions, leading to administrative disconnects and delayed management actions. Therefore, WDA supports the proposed rule's approach to separate travel management decisions from LMP amendments and revisions, ensuring travel management can be updated dynamically without being tied to lengthy forest planning cycles.

The proposed action states the USFS will "add specified categories of exempt vehicles or uses to the designation and prohibition framework in 36 CFR parts 212 and 261..." We urge the USFS to ensure administrative access for livestock grazing permittees is not restricted or diminished in anyway. Permittees require full, unimpeded administrative access

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for range improvement maintenance, general livestock husbandry, forage monitoring, and critical emergency actions, such as rapid livestock evacuations during wildfires. Permittee administrative access must remain explicitly protected as an exempted administrative use under 36 CFR Parts 212 and 261.

The proposed action notes that the USFS intends to "exempt class 1 electric bicycles from the motor vehicle use designation requirement in 36 CFR 212.51(a)," while also evaluating an alternative in the EIS "retaining class 1 e-bikes as motor vehicles subject to motor vehicle use designations and alternatives." WDA opposes a blanket, nationwide reclassification of class 1 e-bikes. Instead, we urge the USFS to analyze all decisions regarding e-bike access at the project level with local public input. Terrain, use density, and public acceptance of e-bikes vary significantly across regions. Introducing e-bikes into grazing allotments risks disturbing livestock, damaging trail infrastructure, and escalating user conflicts between e-bike riders and livestock grazing permittees.

In the Federal Register notice, the USFS indicates that it does not "anticipate designating any Federal, State, Tribal, or local agencies as cooperating or participating agencies." WDA strongly objects to this approach, which aligns with a concerning trend of nationwide decision making driven by the Washington Office that bypasses local Cooperating Agencies. WDA frequently serves as a Cooperating Agency on federal land actions to provide essential agricultural and natural resource expertise. We urge the USFS to guarantee Cooperating Agency status for state and local government entities at the project level as the TMR is implemented. Involving local authorities who understand site-specific conditions, community dependencies, and local grazing operations is vital to developing informed, workable decision documents.

We appreciate the opportunity to provide our comments and look forward to them being incorporated into the Draft EIS. If you have questions, please contact Justin Williams, Senior Policy Analyst at 307-777-7067.

Sincerely,

for 

Doug Miyamoto
Director

DM/jw

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