



Jim Ruby <jim.ruby@wyo.gov>

Fw: Wyoming State Mineral Lease 42804 and amended Department of Environmental Quality Mining Permit 267C.

1 message

Ronald Ericsson <ericsson@childselect.com>

Tue, Aug 14, 2018 at 3:57 PM

To: "jim.ruby@wyo.gov" <jim.ruby@wyo.gov>, "joe.girardin@wyo.gov" <joe.girardin@wyo.gov>

From: Ronald Ericsson on behalf of Ronald Ericsson <ericsson@childselect.com>**Sent:** Tuesday, August 14, 2018 3:33 PM**To:** mjmicheli@hollandhart.com; sryemington@hollandhart.com**Subject:** Fw: Wyoming State Mineral Lease 42804 and amended Department of Environmental Quality Mining Permit 267C.

From: Ronald Ericsson on behalf of Ronald Ericsson <ericsson@childselect.com>**Sent:** Tuesday, April 3, 2018 5:37 PM**To:** Kyle Wendtland; Bridget Hill; andrew kuhlmann**Cc:** Todd Parfitt; Kari Jo Gray; Ogden.Driskill@wyoleg.gov; scottaericsson@gmail.com; rolandericsson@cox.net**Subject:** Re: Wyoming State Mineral Lease 42804 and amended Department of Environmental Quality Mining Permit 267C.**To: Kyle Wendtland,**

On items C. and D. of the attached document it is very clear (W.S. 35-11-402) that lands have to be reclaimed to "highest previous use of the affected lands and D. "Reclamation shall restore the land to a condition equal to or greater than the highest previous use."

The attached photo of Ericsson south pond shows the area where mining would take place. Immediately to the right of the photo is a spring and down this canyon are aspen trees (one of the few places where aspens are on the ranches) and nearby is the Baxter homestead where a well will be destroyed if mined. the "pond" reservoir in the photo will also be removed which is a major source of water for cattle and wildlife. Plus in this area is where approximately 11,000 trees would be destroyed.

I took a course in rural appraisal when a student at Colorado State University. I would not know how to place a value, acceptable to an owner, on a mixed forest

of deciduous and evergreen trees having lifespans measured in hundreds of years. And, in this case, having a mature mixed forest totally removed. It is not possible for a mining company to restore the forest as stated in items C. and D. above. Not only will the land be leveled but the value of the land will decrease dramatically. The operation and aesthetics of the ranch would be changed to the negative for decades to come. When people learn Marlboro did a shoot on our ranches for ads (took 6,500 photos and ran the ads for nine years) they are always impressed as Marlboro ads were one of the most successful ad campaigns ever (see attached). Marlboro would not have come and taken photos of a reclaimed area that was once a forest, hills, canyon, natural spring and a large reservoir that after being mined would look like a parking lot.

Our position is the *land has to be restored to the original condition as much as possible*. This is not possible to restore trees that are mature and hundreds of years old. This places a condition on BPM that would make mining bentonite not economically acceptable. DEQ has been to this part of our ranch numerous times and we have also invited the office of state lands to visit. We take care of the land and it shows.

**Ronald J. Ericsson, PhD
Manager
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Childselect

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Welcome to Gametrics Limited which offers male and female sex selection (22+X/Y) throughout the world using the ERICSSON ALBUMIN METHOD. *For contact information view below*

From: Kyle Wendtland <kyle.wendtland@wyo.gov>

Sent: Monday, April 2, 2018 1:03 PM

To: ericsson@childselect.com; Bridget Hill; andrew kuhlmann

Cc: Todd Parfitt; Kari Jo Gray; Ogden.Driskill@wyoleg.gov

Subject: Wyoming State Mineral Lease 42804 and amended Department of Environmental Quality Mining Permit 267C.

Dear Mr. Ericsson:

I have been reviewing your inquiry. This has involved contacting Wyoming State Lands, BLM, and both respective companies. I wanted to take the time to review the file relating to the locatable minerals in question prior to making any formal response, as I was not directly familiar with the history of this site and mineral claim prior to receipt of your letter. I am currently drafting a formal written response to your original letter following completion of the this internal review. I plan to provide a formal response that is based on the statutes, rules, and regulations that apply to this matter to you by mid April, 2018. Please let me know if you have further questions I can address between the time you receive this email and my formal written response.

Thank you, Kyle

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Kyle J. Wendtland
Administrator
Department of Environmental Quality
Land Quality Division
[200 W. 17th St., Suite 10](#)
[Cheyenne, Wyoming 82002](#)
[307-777-7046](#)
Kyle.Wendtland@wyo.gov

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

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5 attachments



thumbnail_Ericsson South Pond.jpg
278K



IMG_0021.jpg
898K

FALL SEASON AT RANCH.jpg
4934K



LONESOME COUNTRY RANCH.jpg
1015K



Scan_20180403.png
4358K

- a. Permit Reclamation Plan-2.11 Section 2.11.41-6 Revegetation & Seed states “However, the land owner, Lonesome Country, LC has requested that no trees be replaced in the reclamation”. The landowner is 2U Ranch, LLC not Lonesome Country, LC. We want all the trees to be replaced that are disturbed by mining. BPM will disturb 177 acres which includes 86.23 ac of woodlands (Permit, 2.8 Vegetation). These woodlands have a density of 126.83 trees/ac. The composition of the woodlands is 72.5% ponderosa pines, 22.5% bur oak, and 5% juniper. They will disturb a total of 10,936.55 trees (7,928.99 ponderosa pines, 2,460.72 bur oak, and 546.82 junipers). BPM has received a certified letter with return from the landowners that they want the same size and age of the trees that are removed to be replanted.
- b. The reclamation plan must include tree replanting (DEQ, Non Coal, Standard Operating Procedure,(SOP) No. 7.4, Land Quality Division, SUBJECT: Bond Release Procedures for Bentonite Mines, Category 4: Lands Disturbed Post August 1981. Lands affected on after September 1, 1981. Reclamation goals on these lands are outlined in WDEQ/LQD Chapter 3, Section 2 (d). Bond release on Category 4 lands is evaluated through an application and a field inspection that addresses the following criteria:(h) If the approved Reclamation Plan includes a specific commitment(s) (i.e. trees, stockpond, etc.), the commitment(s) must be fulfilled.)
- c. W.S. 35-11-402, Establishment of Standards states that reclamation should be to the “highest previous use of the affected lands, the surrounding terrain and natural vegetation, surface and subsurface flowing or stationary water bodies, wildlife and aquatic habitat and resources, and acceptable uses after reclamation including the utility and capacity of the reclaimed lands to support such uses.”
- d. DEQ - Non Coal Chapter 3 Non Coal Mine Environmental Protection Performance Standards state “Reclamation shall restore the land to a condition equal to or greater than the highest previous use.” and “Operators are required to restore wildlife habitat, whenever the Administrator determines that this restoration is possible, on affected land in a manner commensurate with or superior to habitat conditions which existed before the land became affected.”
- e. DEQ – Non Coal, Chapter 3 Non Coal Mine Environmental Protection Performance Standards, Revegetation states “reforestation shall be deemed to be complete when a reasonable population density as established in the reclamation plan has been achieved, the trees have shown themselves capable of continued growth for a minimum period of five years following planting, and the understory vegetation is adequate to control erosion and is appropriate for the land-use goal”. “The plan shall include the method and schedule of revegetation, including but not limited to species of plants, seeding rates, seeding techniques, mulching requirements or other