

Re: Proposed Gravel Quarry Q-16-006 on Big Goose Creek

Dear Planning Commission,

This letter has two purposes. The first is to disassociate myself from the applicants, despite being a close family relative. The second is to identify certain concerns which the County should address relative to the proposed quarry. For my comments, I am assuming that only extraction is proposed, not storage nor crushing, although the notice is unclear on that point. Your notice to me was received on August 17, 2016, not leaving much time for comment.

To the first point, I am long since retired from the family ranch operation. There were too many ranch policies and practices with which I could not agree. As a small minority interest holder in an extensive entanglement of family entities, I had no ability to influence either. Unfortunately, my ownership interests themselves have not been easily separable, despite my efforts. Any indirect benefit I may receive from this latest quarry venture is unintentional.

All of the named parties in your notice, with the exception of Cam, live in distant states and have done so for more than 40 years. They pay no Wyoming property taxes, with their Sheridan County interests managed in absentia by Cam as ranch manager and financed by the ranch. Cam himself lives two miles away, well out of sight and hearing from the proposed quarry.

The basic questions are two. Do adequate and enforceable requirements for reclamation exist (a financial liability for someone)? If so, the County should be very precisely clear on the exact persons and responsibilities under the permit. The Forbes' ranch is comprised of an extensive spider-web of ownerships and entities, complicating regulatory and physical oversight at federal, state and county levels. The notice is not clear about ownership or responsibility.

The second question is one of double standards. Should any mining operation at all be allowed within a certain distance of a residence unless it is also within a similar or smaller distance from the primary residence of one or more of the owners? There is no justice in double standards. Justice would also suggest that 10-20% of any royalties or lease payments go to each and every such burdened party.

Other reasons for caution by the County are multiple. The proposed quarry and haul road cover an extensive area of prime Big Goose Creek wetlands and pristine wildlife habitat. Ironically, this same group of persons created a Conservation Easement on nearby lands a few years ago, receiving cash plus a large personal income tax deduction for themselves. This quarry application flips that coin on its head. This time they want their money for pillaging similar values from land barely a mile away from the Conservation Easement (which I endorsed).

These parties did not obtain a permit from either the Corps of Engineers or from the County for creation of their now-existing haul road. They simply went ahead with extensive re-channeling and wetlands interference along two miles of Big Goose Creek. A subject for reasonable inquiry might be the ranch history of compliance with the permitting requirements of other agencies.

In recent years, the ranch has had at least six different permitted or non-permitted gravel quarry operations on the lands it operates. Only one is active, but none have been reclaimed. Their two 10-acre quarries are a current jungle of spoil piles, defunct fencing, bare land and general ugliness. Is this to be the new reality for Big Goose Creek? For the County and neighbors, performance matters, not smooth talk and soothing promises.

I agree that gravel quarries are a necessary burden with huge public benefits. However, Sheridan County currently has too many permitted too far into the future, with no clear need for new ones. Permits should not create intolerable uncertainties for the future.

If the County chooses to grant this permit despite its questionable public benefit, the list of steps is small that should be taken, for practical, financial, environmental and neighborhood stewardship reasons.

- a. It should establish precisely who in the Forbes family is responsible for what, relative to the quarry permit. If reclamation is required, all owners, especially absentee ones, being the persons profiting and ultimately responsible, should be required to post sizable individual cash bonds guaranteeing proper reclamation. Bonds or agreements with operators are insufficient; operators come and go.
- b. Prior to issuance of any permit, the owners should be required to complete satisfactory reclamation on all other existing quarry sites on Sheridan County lands in which they have any form of ownership interest.
- c. Due to the number of residences in relatively close proximity to the proposed quarry and haul road, the term of the proposed quarry should be reduced to a maximum of 3 or 4 years, with limited renewal possible upon satisfactory performance and a new public hearing. The burden of longer terms falls completely on nearby owners, as does the operation. Nearby residences who are burdened, either by the quarry or by the haul road, should be compensated equitably. If a quarry is deemed to be essential to the public good but lies in a populated area, it should be an "in-and-out" operation, period. The fact that a haul road is "private" should not exempt it from identical scrutiny and public concerns.
- d. The quarry should definitely be limited to extraction only, with sensible hours, days and seasons of use. Stockpiling and any form of crushing or other heavy machinery use should not be allowed.

Respectfully,



Waldo E. ("Spike") Forbes

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