

ELKO BAND COUNCIL

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April 19, 2018

USDA Forest Service
Attn: Josh Nicholes, Acting Ranger
660 South 12th Street, Suite 108
Elko, NV 89801

Re: Ruby Oil and Gas



Mr. Nicholes,

This is our second comment letter to the USDA Forest Service regarding the Ruby Mountain Oil and Gas Leasing Availability Analysis. The Elko Band Council of the Te-Moak Tribe of Western Shoshone in Nevada is entrusted to prevent the disposing of Traditional Cultural Properties (TCP) of the Western Shoshone in Nevada, and especially the area of the Duka-doya (Ruby Mountains), which is sacred to us, and in that stead, the Elko Band Council reiterates our objection to the Ruby Mountain Oil and Gas Leasing Availability Analysis. Further, we demand that the Forest Service does not offer consent to the Bureau of Land Management to make any of the 54,000 acres available to the BLM for oil and gas leasing.

That the Forest Service has extended the comment period for this project due to “high public interest,” is indicative of future problems the BLM will incur if these lands are made available for oil and gas leasing.

Our first comment letter to you, dated October 25, 2017, expressed our concerns on the impact of oil and gas projects on and near the areas of the 54,000 acres. To this date, we have not received a response letter from Forest Service to our first comment letter. You have recently sent a request for consultation letter to the Elko Band Council but there is no recognition of the concerns we outlined in our first letter. Our first letter is attached to this second comment letter and we hope that you understand that our concern and resolve is serious.

The Elko Band Environmental Coordinator, Curtis Simon Jr., took part in a meeting with the Forest Service on March 22, 2018, at the Elko BLM Office. That was an information gathering meeting for tribal representatives. It is our understanding, based on the information gathered at that meeting, that the vast majority of the 54,000 acres are ineligible for leasing for different reasons ranging from over 40% grade to impact on wildlife habitat. However, there was talk of a few parcels being eligible, and the possibility of private parties leasing non-public lands to do directional drilling into parcels that make up the 54,000 acres.

We restate our comment that the Forest Service and BLM wait for the revision of the Forest Service Land Use Plan, currently scheduled for 2020, so they can address the concerns identified in that

plan. If you go forward with your plan to offer 54,000 acres for oil and gas leasing, you need to make an amendment to the current Forest Service plan, and that amendment should outline a better procedure to address environmental impacts of proposed actions.

It is sensible and vital that the federal and state governments and their agencies keep a positive and productive relationship with federally recognized Indian tribes. Going forward with this project will harm those relationships.

The Elko Band Council expects the Forest Service to make the right decision and not offer consent to the Bureau of Land Management to make any of the 54,000 acres available to the BLM for oil and gas leasing.

Thank you for considering these comments.



David Decker,

Chairman, Elko Band Council of the Te-Moak Tribe of Western Shoshone