

**Cowboy Solar Project
Wyoming Industrial Siting Council Docket DEQ/ISD 22-09
State Agency Comment Form**

Response required to Industrial Siting before *February 10 2024*

Instructions:

- a. Your agency is required by W. S. 35-12-110(c) to provide this information.
- b. Please print or type.
- c. A letter providing all required information may substitute for this form.
- d. Use additional pages as necessary.
- e. Consider only the aspects of the project which are in your *agency's* area of expertise.

Name of Agency: **Wyoming Department of Agriculture**

This form was prepared by (name, title, and phone number):

Linda Cope – **Natural Resource and Policy Division Senior Policy Analyst, 307-777-7024.**

From the expertise of the agency, should the Industrial Siting Council *deny* a permit for the construction and operation of the project?

1. The agency has no reason to recommend denial of a permit. Check here ☒
2. The agency recommends denial of the permit. Check here ___ and provide reasons:

It is the stance of the Wyoming Department of Agriculture (WDA) to support Wyoming's private landowners and agricultural industry in sustaining a viable agricultural industry and way of life. The Cowboy Solar Project (Project) is being developed entirely on private land.

From the area of expertise within the agency, the Industrial Siting Council should consider the following as permit conditions on the construction or operation of the project (list):

We encourage emphasizing successful reclamation and continuous vegetation monitoring on disturbed lands. Monitoring vegetation and reclamation trends is key to ensuring successful management of the resources impacted by the proposed Project. We recommend the developer work with the landowners on developing appropriate seed mixes for reclaiming disturbed areas on private and public lands.

The Project application references lists of noxious weeds from both the State of Wyoming Noxious Weed List and the Laramie County, WY Noxious Weed List. Preconstruction vegetation monitoring has identified areas of current disturbance with established weed infestations. The operator should identify and control existing weed infestations before construction begins, to help to ameliorate the spread of noxious and invasive weeds in the Project area.

The ability for cheatgrass to quickly spread is well documented throughout the west, especially in arid areas like South East Wyoming. The WDA recommends the use of effective herbicides such as Rejuvra® and Plateau® to address the spread of cheatgrass and other invasive annual weeds that may occur as a result of surface disturbing activities. These two chemicals and other appropriate herbicides should be included in a weed management plan as a means of control. Additionally, the operator should include aerial

spraying as a means of weed control. The project is area very large and aerial spraying may be needed to control weed infestations, especially cheatgrass.

WDA is concerned a long-term weed management and/or control is not planned after decommissioning and final reclamation of the project. The operator should work with the Laramie County Weed and Pest District and Department of Environmental Quality to determine an adequate period of post decommission monitoring (e.g. 3-5 years) for noxious and invasive weeds after reseeding has occurred. The \$5000.00 post reclamation monitoring budget may not be sufficient if noxious and invasive weeds are not controlled successfully. Climate and soil conditions in Wyoming do not always allow for successful revegetation after reclamation efforts, giving weeds the opportunity to infest the area.

The developer has consulted with the Laramie County Weed and Pest District in advance of project development. Continued consultation regarding best management practices during construction, operation and decommissioning activities is expected throughout the life of the project.

Describe the regulatory jurisdiction which your agency has over aspects of the project.

1. If no regulatory authority, then check here ☒ and do not complete the remaining statements.
2. Regulation is by the following statutes:
3. Attach a statement of your agency's ability to regulate impacts of the project.