

PINEDALE ANTICLINE WORKING GROUP (PAWG)

BLM Field Office, Pinedale, Wyoming

October 25, 2005

9:00AM - 5:30 PM

Action Items

1. Explore the possibility of finding someone to help meet the procedural needs of the Air Quality TG. (Prill)
2. Ask Rob to track down numbers for the funding matrix regarding what has already been spent. (Mary)
3. Call Susan Kaplan regarding the status and location of the BLM's 2004 Annual NOx tracking report. (Mike)
4. Make the calls, get the numbers, and line up a monitoring and mitigation matrix for PAWG'S review. (Mary's staff/resources)
5. Make calls to the county to work the statistics and develop the next stage of this matrix. (Mary's staff/resources)
6. Get some rough numbers from the operators for this matrix. (Robin)
7. E-mail TGs to let them know Dick is available to facilitate TG meetings, if the groups are interested. (Linda)

Decisions

1. The BLM will provide someone to collect and track data for the PAWG's Master Schedule and planning purposes. (Prill)
2. Go forward with using all three adaptive management strawman schedules presented at today's meeting
3. Pass the Wildlife TGs recommendation presented at his meeting forward to the BLM.
4. Continue discussion about Consensus at next meeting.

Recommendations

1. The Adaptive Management Strawman Committee, as well as anyone who would like to join them, should begin adding details to the process.
2. Forward the Wildlife TG's recommendations to the BLM
3. PAWG recommends that monitoring and mitigation needs be reemphasized, as well as the importance of monitoring recommendations. PAWG will define medium and high funding needs for a one year period and submit this to BLM. PAWG requests that BLM make decisions based on this information by the next meeting and seek appropriate funding, primarily from operators

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In Attendance:

Pinedale Anticline Working Group (PAWG) Members:

Bob Barrett, Public-At-Large; Mary Flanderka, State of Wyoming; Susan Kramer, Landowners Bordering/Within PAPA ; Robin Smith, PAPA Oil and Gas Operators (by phone); Linda Baker, Environmental Community and Co-Chair; Nylla Kunard, Town of Pinedale; Paul Hagenstien, Livestock Operators Bordering/Within PAPA.

Task Group (TG) Members:

Air Quality – Terry Svalberg (USDA-FS)

Wildlife – Rollie Sparrowe, Ron Hogan (Questar)

Pinedale BLM: Prill Mecham, Dessa Dale, Mike Stiewig, Matt Anderson

Questar: Diana Hoff, Ron Hogan

Others: Betty Fear (Sublette County Commission), Bill Daniels (State of Wyoming), Tony Gosar (Consultant), Jeffrey Jacquet (SAAB), Perry Walker (General Public)

Meeting Facilitated By: Dick Gross, Deputy Director of the Consensus Council, Inc.

Meeting Recorded By: Susan Webster

Call to Order at 9:15 AM, by Dick Gross

Dick made an announcement that no one attending this meeting should be parked in front of building, as it is reserved for library patrons. In addition, he reviewed the layout of the building for those not familiar with it.

Prill- Thank you for coming, everyone. I will be retiring in 2 months. There will be another field manager at the next meeting. Matt Anderson will be the new PAWG coordinator. Mike will transition into another position with the BLM. We are hoping we can move forward and beyond where we were last time with Dick's help as a facilitator. He is here to facilitate you getting you to where you need to be. If you have concerns please come speak to me.

Dick - I hope you will all contribute to the discussion throughout the day.

Dick - I have been a lawyer for the last 33 years. For the last 8 years, I have been working in Bismarck, North Dakota helping build consensus and policy for local governments. In Wyoming, I worked with Governor Sullivan in 1987 on his first term plan and with Governor Geringer on National Grasslands. I've worked with the Wyoming legislature on Supreme Court cases, the state wide summit and with Nancy Freidenthal for the Western Governors Association.

Dick introduced the proposed ground rules for the meeting:

1. It's your show- we are neutrals
2. Everyone is equal
3. No relevant topic is excluded
4. No discussion is ended
5. Silence on decisions in agreement
6. Rule of decision is consensus
7. No substitutes or proxies
8. Make sure I write down what you mean
9. Have Fun

Bob- Are these our new rules from now on and going forward? They haven't been our rules in the past.

Dick- These rules have been part of all the meetings but never formally adopted. So, yes these would be new rules going forward.

Bob- Have you run these by the BLM?

Dick- No, not yet.

Bob- Maybe you should.

Prill- Bob, which rules are you concerned about?

Bob- Numbers one, two, and three are a problem for me. Are these the new rules that we are all going to live by?

Dick- On number 3, should we add 'mandated'?

Linda- We might want to talk about pre/post-decisional. I think it's a relevant topic. We should set the rules for the group and agree to go forward. We need to come to consensus about the rules.

Bob- I am fine with having ground rules as long as everyone follows them.

Dick – As I understand it, you are an advisory group to the BLM. The potential to modify these ground rules is there.

Linda- That is the essence of it. If there is a dissenting opinion, then the rest of the group would make the decision and there would be a minority report.

Dick- Referred to the census report. In levels of consensus #9, at the bottom of the sheet, and in #11, it states that comments attributed to people from both the media and the public are part of this process. This is consensus decision making. You have to come to

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each discussion with an open mind and avoid just going along with a decision. At the bottom of page 4 there are descriptions of neutrality, consensus minus one, full consensus and consensus with neutrality. My recommendation is that you adopt 100% consensus.

Bob- Should those who don't agree present an alternative?

Dick- There may not be another alternative.

Linda- Your question is whether the PAWG is going to work on consensus at 100%. I thought we were currently working under consensus minus one.

Paul- What about the pre/post-decisional topic in #3? It's always been post-decision.

Bob- Are we free to alter the decision we make today?

Dick- I suggest you adopt this today. If you agree to change it because it doesn't work, you can.

Linda- We have always used consensus minus one. That's the way we have done it and we have not had a problem.

Susan- Will you agree that we work under consensus minus one?

Robin- Why wouldn't we work under full consensus?

Dick- I did not see a decision in any of your minutes that you operated solely on consensus minus one. You operated that way once. I would not use that one instance to set the standard. I think you should strive for full consensus.

Bob- I don't recall having made a decision about this either, but I agree with Linda and Susan's comment on consensus minus one.

Robin- Is it difficult to change down the road?

Dick- The nature of the beast is that changing it back will be difficult.

Paul- I guess I have no problem with going with full consensus.

Nylla- I would like to go ahead with full consensus.

Dick- Full consensus is much more powerful in the long-term.

Robin- Read from the July 20th minutes where Carol Kruse carefully defined consensus for the group.

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Mary- I am conflicted about the issue. If the BLM is going to put more weight on our recommendations as a result, then consensus is important.

Pill- Yes, we do put more weight on the PAWG's decisions and recommendations. You are an advisory group to the BLM.

Mary- I believe it is worth working on 100% consensus.

Dick- So, do you want to go with this or stay with consensus minus one?

Susan- I vote for consensus minus one.

Prill- I can't speak to what my successor might think.

Dick- The decision is either 100% consensus or consensus minus one.

Linda- We have extremely important precedent-setting decisions to make here. I think it is important to recognize both sides of the argument, even those in which we reach consensus. To date, we have not had problems making recommendations in the manner in which we are operating.

Dick- You are under legal obligation to operate under consensus.

Linda- I don't believe the ROD defines consensus.

Dick- I think you should operate under 100% consensus, starting today.

Robin- I agree with Linda. For the same reasons Linda was just stating, I believe everyone's opinion is important. I believe we should go forward with 100% consensus.

Dick- I suggest we move on with the agenda and think about this issue during the day. I would like now to have each member of the PAWG tell us a little about yourself for the purpose of getting to know one another better. We will go around the group and will each person tell us where you live, what you do and something interesting about your name.

Bob Barrett – I have been retired for 6 years and am interested in recreational pursuits. I am of English Irish descent.

Nylla- I've lived in Pinedale for 47 years. I was County Treasurer for 36 years and have served on the town council. I'm now retired and a grandmother. My parents found my name in a romantic novel.

Paul- I've lived here since 1947. I grew up here. I'm Scotch Irish and 78 years old.

Prill- I've live and worked here for 8 years as Field Manager for the BLM. I serve on the Deacon's Board for my church and I write their bulletin. I like to garden and backpack.

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My full name is Priscilla and it was shortened to Prill as a result of a young relative's difficulty with the correct pronunciation of my full name.

Mary- I've lived in Cheyenne for 2 years. I "herd cats" as the State Planning Officer. I'm a forester by education. I was named after my 2 grandmas.

Susan- I work as coordinator for the Pinedale Recycling Center and I rescue dogs.

Mike- I've lived here on and off since 1975. I am retired from the Air Force and now work with the BLM.

Linda- I have lived Pinedale for 25 years and had a variety of positions. I am currently with the Upper Green River Valley Coalition and served as a member of the original PAWG group. My middle name came from my great grandfather.

Robin- I live in Casper and am a petroleum geologist. I've worked for 7 years as an independent consultant. I'm named after a fictional character.

Dick- The charter states that the PAWG may need to function for 5 to 10 years. Here are some things that the group should consider going forward.

- Have you developed a long-term strategic plan?
- Have you developed a set of monitoring and migrating principles for the PAWG and TGs to use?
- Have you ensured the active involvement of all essential stakeholders, especially those who will be essential for implementation?
- Have you developed succession planning for the PAWG, TG and BLM participants?

Adaptive Management Strawman

Mike Steiwig and Rollie Sparrowe

Rollie- We have a committee that met, consisting of Mike, Robin and Carmel. We exchanged a lot of material. We have the annual schedule of each of the monitoring groups that Mike has put together. Robin sent us some roughs on the conceptual aspects of the process. This will go to the TGs for some input. This is for preliminary discussion among the PAWG members.

Mike- The first schedule is a bar graph, but it has no detail. The other is a project schedule that gets into more detail. We can make whatever adjustments we need to so that this information can be helpful. This was a first stab at representing what everyone has been doing.

Rollie- We recognized that the data comes in at different times. The flow of recommendations has not been included here. If a full year of data comes in and the TG

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receives it, will they meet after reading all the material? Recommendations would be flowing throughout the year.

Mike- I threw different charts together for you to see and review.

Dick- This contemplates meeting on certain dates, assuming the TGs monitoring fits into the schedule. Do you feel comfortable with this?

Rollie- The end point will have some relationship with the federal budgeting process and will have an effect on when recommendations can be made.

Rollie- Carmel is putting together a list of funding sources and contact points to address what we do if the federal process won't handle this.

Linda- This is exactly what we need in order to communicate effectively (referring to the flow chart Robin prepared for the group).

Dick- Can you explain this process?

Robin- It is a process road map. I borrowed information from appendix 17 of the EIS by Jack Morrow. It contains a description of how to do adaptive management. It describes how to analyze, look at changes, identify options, and work to take action. The communication is never ending, and goes around.

Susan- This looked like a bigger picture than what the PAWG has been looking at. Is there some way to see a picture of what the Anticline would look like 10 years down the road?

Dick- So, you would like a bigger picture plan that we would insert this into?

Linda- That's a great idea. Who is gathering data? We might want to include the BLM and other agencies like DEQ, Fish and Game, Forest Service, the state, the county and conservation groups when gathering information for the data boxes.

Rollie- The real issue is though, who is going to make this happen? If someone is not designated to do so, we are left holding the bag.

Mike- From the committee perspective, in reality, you are going to have to further define all of those boxes. Each needs additional clarification.

Robin- We need to get something down on paper. What will happen inside those boxes? Will it take much discussion?

Mike- Is the skeleton complete or should we change or add to it?

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Linda- PAWG's biggest concern has been communication between the PAWG and the BLM and how that should occur.

Mike- The BLM's responses need to be written. The committee knows you need written responses to your questions.

Dick- So, the proposal is that this group will go in and add some meat to the skeleton. We need to know if you are comfortable with this and would like to go forward with the processes.

Mike- We can make the schedule as simple or as complicated as you would prefer.

Susan- Would this be flexible?

Mike- Absolutely.

Rollie- We need a process in place and a mechanism for accountability when the process does not work.

Dick- Who will be responsible for the data coming as it arrives?

Linda- I don't see the word PAWG on here. In each box, who is responsible for doing each of these things?

Mike- Data comes from different sources. How do you want the data directed?

Dick- Where is it appropriate for the PAWG to be inserted in the process?

Rollie- Somewhere we need to cut through this. PAWG is not set up to handle this.

Linda- You are right. PAWG doesn't have anyone to do this. It would fall to the BLM liaison.

Paul- Sounds like it falls to the BLM.

Dick- The question being asked right now is how can data be delivered to the appropriate party on time?

Paul- If it's not the responsibility of BLM, then whose responsibility is it? Who does it go to?

Mike- This is going to have to fall to the BLM. Once we have a management schedule, whoever needs it can pick up the phone and ask where it is.

Rollie- What we need is a role.

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Terry- Air Quality does not have a local liaison. That is a disadvantage for us.

Dessa- Do we have the authority to ask other agencies for information? This has been a question all along and we never came up with an answer.

Dick- Are the BLM liaisons practical? If not, then can the PAWG itself make things happen?

Mary- An option would be to have a contractor collect the data.

Dessa- What about an MOU between agencies?

Mike- We can look at all these things for gathering data. I thought we just wanted to see if what we have done to date is OK and then we can proceed with adding to it.

Linda- We have been grappling with this issue for the entire time we have meeting. We cannot go forward unless we get this hashed out.

Dick- We now have 5 options for how to handle this. Do any of those make sense?

Linda- Is BLM able to provide us with one person to gather data for us?

Prill- I don't think it should take much time to do the gathering. We just need to track the data bases and make sure the information is available to PAWG members. Yes, we are able to make that happen.

Matt- As far as collecting data and getting data where it needs to go; I don't think that should be a problem.

Mike- I agree with Prill. I think it's doable.

Rollie-This process will be like a new mandate to perform.

Mary- I recommend this committee, as well as anyone who would like to join them, go out now and add the details to the process.

Rollie- There are other employees inside the BLM that can help us get this information.

Susan- An MOU wouldn't be a bad idea to implement.

Linda- Maybe we could use representatives from the town and the agencies to possibly do this?

Betty- I don't think this would be a problem.

Mary- Several MOUs exist already.

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Mike- What is your preferred schedule or chart that we have presented today?

Nylla- Too many detail bogs us down. It could become more detailed at a later time.

Mary- One and two are fine

Susan- I am OK with one and two. I would like flexibility.

Robin- I am in agreement with using one and two. I see this as a map. We can change direction as we decide.

Linda- I am unclear about what will happen if we were to go by the general schedule. I like the detail of the broader schedule (#3). But I don't see enough detail to indicate what it is we are going to do going forward.

Rollie- The third schedule is meant for the TGs use, not for the PAWG.

Susan- The schedule will also make it easier for the BLM to know what is coming their way.

Dick- Is there any disagreement?

No disagreement was expressed by the group.

Rollie- Things will come up later, I am sure.

Linda- So, what did we agree to do?

Dick- The group wants to use all three schedules.

****Break****

State Generated ROD Compliance / Matrix Update

Mary Flanderka

Mary- Rob understood that his task was to review the ROD, compare it with what the TGs were doing, and locate any holes that might exist in the process. We all thought the other two voids were interim issues. Regarding items like avoidance of sensitive soils, it is up to the BLM to identify them. There are several plans that were to be provided to the BLM, but we are not sure if they have been. Each operator is supposed to have an environmental compliance manager and share their plan for the future. Big monitoring plans are usually very consistent. We found general consistency with some shift and some overlap.

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Mike- Looking at this from a process perspective, the onsite resource specialists are looking at sensitive soils and performing monitoring of all pads, but there is not a specific monitoring plan. Spill prevention is done by DEQ. They both report to the BLM.

Mary- Monitoring and compliance are the issues. Are they taking place? That is my concern.

Linda- Is there a way to find out if the public can get a hold of this data?

Robin- We are supposed to be looking at mitigation. I am confused about this as a role.

Mary- This was pulled from the mitigation and monitoring requirements in the ROD.

Linda- It is part of monitoring as well, to determine if it is adequate.

Dick- Are there reports?

Robin- To what end do we need this information? What do we need in order to pull it all together?

Linda- We need to determine if monitoring is adequate. It doesn't get us to mitigation.

Dick- How would you separate the monitoring reports of the TGs from the others? Linda is suggesting that all this information be available to the TG's.

Robin- The APD is a well established process. They do an onsite evaluation and then make stipulations to avoid resource conflicts. My confusion is how the PAWG inserts themselves in this process.

Dick- Distinguish for me what areas would not be part of PAWG oversight?

Robin- I am looking at the other end of the sausage machine.

Linda- Can I rest assured that operators are doing what they are supposed to be doing? I would like to see the data for the ROD requirements.

Robin- Are you saying that you want to look back and see that the process was followed before we do the monitoring?

Linda- No, I am not questioning appropriateness. I want to see the outcome of the monitoring, the final product.

Mary- When we went through the ROD, we asked, "what do the ROD and the EIS say?"

Dick- So this was a not a determination. You just wanted to know what was done.

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Robin- I think Linda's question is, how extensively do we monitor compliance and how do we see what they have done and how does the PAWG and the TGs enter the process?

Susan- The more information available to us, the better off we all are.

Paul- Is there one resource specialist for each energy group?

Prill- We have divided it up. We have six people. Each person is assigned to a specific company. There is good communication. If a company is not compliant, notices are issued and fines are assessed if necessary.

Paul- There should be better communication.

Susan- If BLM is notified of noncompliance, maybe that's a trigger point for BLM to develop a monitoring plan.

Prill- Direct violations of compliance are handled through a mechanism that is already in place.

Dick- Perhaps a list of compliance failures could be created for the TGs.

Prill- If we are talking about standard conditions of approval and if BLM has a mechanism in place, is that good enough?

Linda- Are you trying to understand whether I'm asking about the tracking of every ADP or if we, as the public, understand that tracking is going on, ROD requirements are being monitored, and that data is being compiled, analyzed and made available in laymen's terms for every resource we are responsible for?

Public Comment

Tony -Who is in charge of the monitoring on federal lands and what about split resource estate? It is difficult to see how this balance is going to be carried out.

Prill- This is under discussion at the moment and we have input from a multitude of agencies. Data collection is happening. There are a lot of complex issues involved in who manages what. It is an ongoing concern. We are trying to figure out where all the gaps are.

Perry - I think this discussion shows a lack of appreciation for the urgency of the needs of the animals. It is my conclusion that the Anticline is effectively lost.

Bob- Thanked Perry for his comments. We need to kick mitigation into gear. You are not alone with your concerns, Perry.

Robin- Seems to me we are talking about monitoring and compliance.

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Mary- We want to make sure mitigation is being done properly. Monitoring is going to detect whether or not it is being done properly.

Susan- Is the ROD written to be effective?

Dick- Linda is not asking for incident reports. She is asking for reports to the TGs regarding tracking, monitoring, and reporting to the public. Is this problematic?

Robin- None of it is problematic.

Mary- The point is, if we come to a trigger point we want to be able to assure that the mitigations were implemented correctly. In my forestry experience, I found it was good to make sure things were being done correctly, so we reduced the thresholds.

Dick- Can we call this a PAWG audit? Mike and Prill know how difficult would this be.

Prill- We do tracking. We have a system that indicates the number of inspections that are done. Unfortunately, it is no available to us because the website down as a result of the Indian lawsuit. It would require a new system that would be user friendly.

Linda- I would suggest that an audit has to been done as part the matrix. The PAWG and the public both need to be informed on where we are with regard to ROD compliance.

Robin- I agree.

Linda- I request for PAWG's consideration, that BLM fill in the holes in this matrix.

Dick- Where is your discomfort with this matrix?

Linda- The original question was, have the TGs already seen this? The next step would be to find out what questions need to asked and get them answered.

Dick- I am anticipating, Mary, that your folks have already done some of this.

Mary- We are unsure about some of it.

Robin- I am not opposed to filling in the gaps of the matrix. I am trying to keep us focused on what we should be focused on. It sounds like we are talking about monitoring compliance instead of monitoring mitigation.

****Lunch****

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Dick- Are you now comfortable enough to go ahead with the proposal? Does part of the matrix have to be filled in more?

Robin- I can live with it. It is up to the BLM to come up with the information to fill in.

Linda- We talked about inserting the information. I contacted Fish and Game about this. They had \$85,000 to hire four biologists for big game and non-game monitoring. Some of you may have more information from your agencies.

Bob- They have positions and they are hiring for them. But that is not what you are talking about.

Rollie- They are interviewing today for a liaison job paid for by BLM. The mitigation job is separate.

Dick- Is the liaison person and the mitigation person the same?

Rollie- No, they are different.

Rollie- We (the TG) met on September 6th regarding the proposal in need on the Mesa. Our TG recommended that the PAWG go to BLM with this and emphasized that they need to be funded.

Linda- I forwarded that information to everyone in an e-mail.

Rollie- In that meeting we also discussed the use of road signs and kiosks on the Mesa to help inform the public. We think people will respond if they know what is going on. The public education process, with the posters and cds, is getting a positive response from Shell, BLM, and other agencies. It reinforces the threshold concept and what to do about the change in the mule deer population. There are other negative impacts on the mule deer besides development.

We assigned a strawman to Fish and Game for this but nothing has happened with it yet. The 2005 report draws conclusions that do not look good for the mule deer herd. The next step is to figure out what we are going to do about it. Industry folks are pretty quiet when it comes to the mitigation issues. The Anticline deer herd is beginning to act differently. The BLM in Cheyenne said that the mule deer don't have problems and that the animals are just going somewhere else. We have not set another meeting date, but it would be before the next PAWG meeting.

Prill- Your meeting is after ours.

Bob- I would like to have our meeting after yours.

Mary- So, you are noticing changes in herd activity?

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Rollie- There are changes in the Mesa herd that are not happening in the Pinedale area.

Susan- Do we know how many non-industry uses are impacting the land?

Rollie- Part of the expanded mule deer research is to monitor those roads and their activity. BLM is moving to try to close activity on the roads.

Prill- There are still a few wells on the north end that need to be addressed.

Bob- Was there discussion about using additional law enforcement?

Rollie- It is my understanding that the BLM and law enforcement are discussing it. BLM is working with local law enforcement to take care of these issues.

Linda- What about educating all workers in the field, old and new.

Rollie- There would be posters placed in prominent positions.

Linda- If it comes from the bosses it would have more of an impact.

Rollie- What sort of expansion of the mule deer study are we talking about?

Robin- Rollie, is it safe to assume that the traffic is affecting the decline?

Rollie- Reducing the traffic seemed to be the most logical approach at the time, given the activity level and disturbance on the Mesa. This is the implementation of the idea.

Robin- Do you feel comfortable that what you are implementing will keep us from reaching a critical state with the herd?

Rollie- That is difficult to determine. The herd is in the cross hairs of the activity, unfortunately.

Linda- Well, we need to know if we are forwarding the three recommendations to the BLM today.

Paul- Where does Game and Fish stand on this?

Rollie- They are supportive. At this point, I have not heard anything otherwise.

Paul- I get mixed signals from the Game and Fish.

Susan- Does the expanded mule deer study include a change in management?

Rollie- No. The study might be a bit bigger, but we will go with what Hal Sawyer set up in his study. It might be 4-5 year study and the research is designed to measure effects.

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Bob- Should the PAWG be looking for funding for this?

Rollie- It is funded. Questar is helping out on this.

Susan- It would be interesting to take a year off to see what happens.

Rollie- A big chunk of the decline we are seeing in the population happened in one year in an unusual die-off.

Susan- What would the state and the BLM do?

Prill- We are looking to the TGs to tell us if this is true or not. This is where the rubber meets the road.

Susan- What if we find additional decline during the course of the study? What will the BLM do?

Linda- I believe it is within the PAWG's jurisdiction to get recommendations on what to do.

Susan- I am looking at the ultimate in what we can do to stop the decline.

Bob- We need to get recommendations before we can do anything. We can't get ahead of ourselves.

Rollie- We need to take our best shot at the biological and social issues here and we need to make a strawman.

Mary- Is there any other study you know of where we are assuming the decline is tied to winter drilling?

Rollie- Yes, they show progressive distancing from the activity and reduced fawn survival. The real question is whether or not the herds can recover with these additional stresses. No one knows if that will make a difference or not.

Mary- Are there differences between herds nearby and those which are not nearby winter drilling?

Rollie- We are seeing changes in the population. We are 60 % down in herd numbers. Are we going to see these numbers come back? I don't know at this point.

Prill- Mary, are you asking whether the studies have looked at general annual activity or just the winter drilling period?

Mary- I'm asking if it is the general activity or specifically the winter drilling that is impacting the herds.

Rollie- The technology is changing and this is changing the activity.

Dick – Is anyone opposed to the PAWG passing on to the BLM the three recommendations presented by the TG?

Rollie-I am not sure we can agree what the next step should be. We can come up with thresholds. The problem is, what are we going to about it? We will try to have some firm ideas about this in the next meeting

Susan- According to appendix C of our Charter, the expanded mule deer study can be recommended. If we see continued decline, can the PAWG do something?

Rollie- We will look at this as we go along.

Linda- Regarding wildlife, commentary closes on November 19th. The results will effect how our decisions are made. We are talking about proposals for the next nine years. Is the BLM going to consider future recommendations that conform to the adaptive management scenario?

Prill- After the decision is made on the SEIS, will the BLM consider recommendations from the PAWG for monitoring and mitigation? Is that your question?

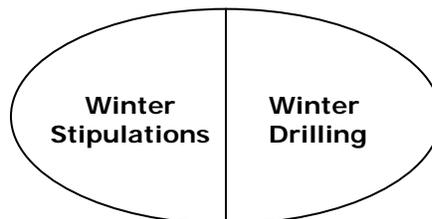
Linda- Yes.

Prill- We are only scoping at this point.

Linda- Does it include the word “adaptive”?

Prill- No. We will keep adaptive management. You guys can talk about this and work with BLM on the scoping meeting for the SEIS on November 8th.

Mary- Offered the following visual regarding the big picture:



Prill- In the first year it was one well per pad. Last year it was 2 drill rigs per pad. Prior to 2000, Mary's scenario existed, but it does not now.

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Mary- I guess the question is, does winter drilling exacerbates things?

Bob- There are exemptions to winter drilling all the time.

Rollie- The winter stipulations don't work because the Anticline was developed too fast.

Mary- Maybe it's not about winter stipulations.

Robin- The expanded study may not give us the answer we need.

Rollie- What do you suggest we do? Take 25% of the Anticline and don't let them use it at all?

Linda- Disturbance during winter is one thing your group addresses well in your discussions.

Mary- But is the study built to get to the root of the problem?

Rollie- Read from the four specific things the TG is looking at.

Prill- Completion should be one of the items we talk about. We need to focus on winter activity.

Rollie- We could tell Hal Sawyer about these concerns. I would think they could be adjusted.

Linda- Could we request consideration be given to winter disturbances?

Prill- We want to see what is directly related to drilling, completion, and all general activity. It may be related or one or the other of those things may be affecting the animals.

Rollie- Were completions described as one of the things added to the study?

Ron- No, we are not allowed to do completion in the winter.

Robin- I would like to ask the TGs to look at other potential causes for disturbance of the herds.

Rollie- The expanded study has other things going on. It's the same study with new aspects incorporated. We can come up with scientific questions that need to be studied. We have three biologists in our group.

Dick- So, is the group comfortable passing the TG's recommendation forward to the BLM?

Draft

All PAWG members were in agreement of this.

Terry- Regarding the funding issues, we met with DEQ and industry folks on September 9th. Industry will contribute funding for 3-5 years to keep the project moving forward.

He reviewed the Air Quality TG's current recommendations and concerns which are described in their most recent update that was distributed to all PAWG members at this meeting. These include the following items:

1. Request the BLM to complete the NOx Tracking Report for 2004.
2. Request timely response by BLM to TG submissions.
3. Request BLM to appoint one individual to be the local BLM representative to the Air Quality TG.

The Air Quality TG would like to formalize the time frame for response to information from the BLM, to the PAWG, then back down to the TG. Susan Kaplan, from Cheyenne, is currently sitting in on phone calls. It would be helpful to have a local BLM liaison sitting on the committee.

Prill- There is no local BLM liaison because there is no one with sufficient expertise in our office to be the liaison. It is a technical/procedural support position. Susan Kaplan is technical but we need someone to work procedurally.

Terry- We need someone to bring our message home. There is a gap there.

Prill- We will look at this and see how we can meet Terry's needs.

Robin- Why have we not seen the 2004 NOx tracking report yet?

Prill- I do not know.

Linda- Can you get back to us on that? Carol Kruse was suppose to, but never did. Can you get back to us in a week?

Prill- Yes I can get back to you, but I can't commit to getting back to you in a week.

Terry- Susan Kaplan said the report is completed and being reviewed by someone in the minerals division.

Dick- Reviewed a draft of the letter (*distributed at this meeting to all PAWG members*) written by Linda Baker on behalf of the PAWG Air Quality Task Group, to both Mr. Bennett and Ms. Mecham requesting the completion and release of the 2004 Annual NOx Tracking Report.

Linda- I suggest we forward this letter to the BLM

Draft

Mike- I will call Susan Kaplan tomorrow.

Dick- Is everyone comfortable with sending this letter and getting a procedural liaison for the Air Quality TG?

Linda- Do we need to send a letter to this effect to formalize this information? From now on do we need to formally present these ideas?

Prill- No additional request is required as it is recorded in both Susan's and Dick's minutes. You might be required to submit another request on something more complex. Maybe it will be on a case by case basis.

Dick-My notes will be distributed to everyone. Everyone will have a week to respond. After that week we will request that it be forwarded to the BLM.

Dick- Do the TGs currently have any of the \$300,073 of funding from the Forest Service, and some from other agencies?

****Break****

Funding for Monitoring

All

Dick- There is \$85,000 from Game and Fish. Only a portion of this is spent on the Anticline- about 25% has gone to Wildlife. There is \$356,000 from operators, \$160,000 from the DEQ, and \$35,000 from BLM. Is the rest of the funding from the Forest Service?

Bob- We are still gathering more information and don't have figures for the monitoring yet.

Prill- Terry, is your salary included in the numbers?

Terry- No, it is not.

Nylla- The town of Pinedale has not been able to designate any money to this project. The county gave about \$35,000-\$40,000, I believe.

Dick- Are these monies being used or just appropriated?

Mary- They are being appropriated.

Prill- Shell has earmarked a \$1,000,000 endowment for the socioeconomic study.

Robin- They can only spend the interest on that money, though.

Draft

Prill – Our group, the Upper Green River Group / Wyoming Community Foundation, has \$27,000 that we can use.

Terry- Instead of the previous number of \$356,000, it's actually \$260,000 and the State DEQ goes up to \$260,000. The Forest Service funded \$63,000, industry funded \$70,000, the state funded \$91,000. Some of that operator and DEQ cost is up front cost in the form of three annual expenses of about \$46,000 each.

Dick- So, you have about \$270,000 from BLM, right?

Robin- Shell also made donation to the sage grouse study.

Prill- It was a one-time \$1,000,000 pot to be spent. It is not interest bearing.

Bob- It is also not restricted to the Anticline.

Dick – It may go beyond the Anticline?

Prill- Yes, but it still counts.

Ron - Questar spent \$125,000 for last five years and \$245,000 this year for the expanded mule deer study.

Linda- The objective here is to make a make matrix of what has been spent and what we are going to need going forward.

Mary- I will have Rob chase down those numbers for the last five years.

Dick- What has been expended for TG related monitoring and mitigation? We can use this to anticipate what will be needed over the next 5 years.

Bob- Keep in mind, that \$1,000,000 can be used for other things outside the Anticline.

Dick- So, is the \$1,000,000 is for mitigation?

Group-Yes.

Prill- I don't know how we can base future needs on this.

Dick- You would have to tease out, from prior payments, how much is part of this.

Linda- We may need a separate mitigation and monitoring matrix.

Dick- Can you distinguish one from the other for me?

Draft

Linda- Mitigation happens when monitoring indicates a great deal of decadence. The mitigation is put in place to improve this. One is a separate action from the other.

Dick- Is there someone who would be comfortable doing this work?

Bob- We need to figure out monitoring shortfalls first in order to determine funding recommendations.

Mary- My people can make the calls, get the numbers, and line up the matrix for everyone to look at.

Dick- Who would make future determinations?

Linda- If we can talk about how to make future determinations, maybe the county can determine who should do it.

Mary- My folks can call the county people to work the statistics to develop the next stage of this matrix.

Robin- I will try to get some rough numbers from the operators.

Linda- Is there other funding going on?

Robin- I have reported only the air and water quality numbers.

Mary- There is some SHPA data.

Paul- The water task group has money that they are sitting on.

Linda- We received a request from the Socioeconomic TG that forecast data be gathered. The TG is requesting a ten year drilling forecast from the operators. (*Linda passed around a copy of the letter from Carmel to the PAWG*). We were talking about three alternatives for operator funding. Robin suggested operators consider funding monitoring. We can set the level we need in the coming year. Operators will figure out among themselves what they will pay.

Dick- To what degree are the operators responsible for funding? Doesn't the money they have already contributed play into this? Until you know that, why go into this?

Linda- We, the PAWG, have never settled this amongst ourselves.

Dick- Lets assume the matrix shows funds available for all the monitoring and mitigation you need. Why go through the exercise?

Linda- Because it is inadequate.

Draft

Bob- I agree with Linda. It is written in the ROD that the operators will pay for the shortfall in funding. This is one of the tasks the TGs, but they have not done so. They have been told not to lean on industry for funding, and to go find other resources. We need some direction on this.

Prill- The majority of the funding is from industry.

Bob- But what about the shortfalls?

Prill- You need to make up the shortfalls.

Bob- Industry has to play a part in helping with the shortfalls.

Linda- We would like to clarify how this will be done.

Bob- The figures posted on the Wyoming Gas Commission's website are intermixed. For instance, Ultra may have Shell and Questar as operators on the same well. This makes it difficult to break down specific number related to specific operators. When we went down that road with the operators, they pushed back because of this.

Mary- I think the approach should be to let the operators fight it out themselves.

Robin- People can communicate to the operators an estimate of total cost and shortfalls, but we should not get into a discussion of how the operators divide up the costs.

Dick- In the event of shortfalls, how will industry be informed of the shortfalls and who determines who will pay what portions of the amount required?

Robin- I am not comfortable with PAWG telling them. I think we pass this on to the BLM and let them have that discussion.

Linda- I have a list of the recommendations we have already prioritized.

Prill- BLM has not made a decision about going forward with all recommendations, just the first level priority recommendations.

Dick- Has PAWG made recommendations of the 2nd and 3rd level priority?

Linda- Yes, we prioritized them that way.

Bob- The rest of the levels could be funded, if we had money.

Robin- If BLM decides to go forward with these additional recommendations; they should go get the funding.

Dick- What further action is needed from PAWG?

Draft

Mary- The decision is with BLM. We've delivered our part.

Bob- I think the BLM should instruct the operators to fund the projects. Robin has said they will come forward, if asked.

Robin- The BLM has not acted on making a decision. Are there other recommendations beyond these? We should not throw them away. We should reconsider them.

Bob- I think we should make a recommendation now and instruct operators to fund it.

Dick – So, the PAWG recommends that monitoring and mitigation needs be reemphasized, as well as the importance of monitoring recommendations. PAWG will define medium and high funding needs for a one year period and submit this to BLM. PAWG requests that BLM make decisions based on this information by the next meeting, December 10th and seek appropriate funding primarily from operators.

Linda- Maybe we should focus on the first unfunded priorities as ones, and second priority needs as twos.

Robin- I don't want to ask the BLM to fund monitoring that we did not previously recommend. I don't think we need to tell BLM where to find the funding.

Bob- He read from the ROD, page G-34, to demonstrate that operators are to fund the monitoring. It is clearly stated.

Dick- Do you have any moderating words regarding this?

Robin- It's the BLM's ROD. I don't think we need to remind them of what it says.

Dick- What about if it said "especially" from operators?

Paul- What about appropriate funding?

Linda- We got 1/3 of the BLM's national funding. That is the extent of the resources.

Bob- Those figures suggest a significant amount has been paid by operators like Questar.

Dick- Robin, you thought that maybe the language sounds punitive?

Robin- I can live with it.

Consensus Discussion Resumed

Prill- Everyone on the PAWG represents a particular interest group. You are to come up with the recommendations as the PAWG, to the BLM. That's why, when Mary asked what weight the PAWG's decisions will have, my answer was the PAWG's will have more weight than any individual interest group. I see a problem with using consensus minus one as your decision making process. The BLM is looking for you to do the hard work of arriving at recommendations. I would take that recommendation far more seriously if it was arrived at through 100% consensus.

Dick- From a process point of view, we asked one group of 50 we were working with to regard consensus at 90 % and it was very difficult. You have seven individuals here representing many groups. I recommend you go with 100% consensus until you find it is not working for you any more. You have been able to convince people today to go to consensus.

Linda- Ultimately it is the PAWG's decision. So far we have evolved naturally and I think you, Dick, and the BLM are trying to change us. Complete consensus is not 100% achievable. It seems to be more of a natural thing we are doing and I recommend we stay with consensus minus one.

Dick- To date, when did you use consensus minus one?

Linda- Throughout the funding discussion.

Dick- Up until now you have gone with 100% consensus. You kept hashing it through until you got consensus, before you forwarded your recommendations to the BLM.

Bob- I don't think you should define consensus. You are putting us in a box.

Dick- To date, you have not established a set of ground rules and that is evident through reading your minutes.

Bob- We don't have a problem with the way we operate. But, the BLM keeps changing the rules.

Dick- I do not understand where you are with this.

Bob- I don't understand why we are talking about this when we have not had a problem.

Dick- I'm suggesting you make a decision about what your ground rules are, whether it its consensus or consensus minus one.

Linda- Why is it bad to have dissent?

Draft

Dick- This is the first time in the 1500 facilitations I have done where I have had to argue for 100% consensus. I don't have a suggestion about where to go. All this does is formalize what Carol Kruse explained in your first meeting. I think it's more powerful for you in the eyes of the BLM.

Linda- I feel comfortable with my fellow PAWG members trying to express their opinions. There is something unnatural about trying to rein us in.

Dick- It really does the opposite. *He shared an example of an education model he has been working on, to demonstrate his point.* The net effect was that it gave each entity the same power and voice.

Mary- It is a matter of modifying the recommendation to include that person's concern.

Robin- In my opinion, you either have consensus or you don't. If we make the ground rules now and use consensus minus one, it will be much less satisfying.

Dick- Is there anyone here who can't live with going with 100% consensus?

Linda- I'm not sure I can.

Dick – OK, we will go on to next topic which is the pre/post decisional discussion. How do we change the ground rule?

Bob- I would scratch that one off our list; it's already been discussed.

Mary- Any project that has a public scoping process should be reviewed by this group. In terms of public comment period, the PAWG should be able to engage, as a result of new information we gain from the TGs and make recommendation to the BLM. Any topic should be open for discussion by the BLM to the PAWG.

Nylla- We have been told we can come into a public meeting and voice an opinion.

Matt- At the last meeting Kirby made a couple of important statements regarding this topic. This group already seems to have a full plate.

Bob- We went through this at this last meeting. We were told that the topic was excluded from our discussion. The BLM has already told us we can't do this.

Prill- That is absolutely right. I do not know why we are having this discussion.

Bob- Don't put it down. This is not our show.

Linda- The ROD has mandated an adaptive management scenario and we should take steps to act on that. New proposals should have our input.

Draft

Robin- I think everyone knows where I stand on this subject.

Dick – So, we agree on the rule of decision as consensus-Is it 100% consensus or consensus minus one. We also also agree to remove pre-decisional as a discussion topic?

All PAWG members agreed.

Meeting Dates

All

Dick- Have you set a date for your December meeting?

Mike- I think you need some input from the TGs before we set this up.

Dick- Mike, you suggest this go to the TGs before setting times?

Nylla- I can't meet on Wednesdays.

Dick- Your next meeting could be January 30-31. The other should be adjusted to Monday and or Tuesday, the days that seem to work best for everyone. Are you comfortable not having a meeting until the end of January? When do you leave Prill?

Prill- January 3rd.

Dick – So, your preference is to have a meeting in December? I was asked and I am available to do that.

Linda- I will send out an e-mail to everyone to let them know Dick is available to facilitate for a TG meeting, if the groups would be interested.

Dick- Let's compress the next meeting from 9:00-4:00pm. It will be held on Tuesday, December 13th.

General Meeting Comments

Dick asked members of the PAWG to share their impressions of how the meeting went and how they feel about the facilitation.

Robin- I am pro-facilitation and liked your restatement of people's comments to help me follow along. I think we all did a good job today.

Bob- I am OK with you. You can come back. I agree with Robin's comments. I thought the facilitator thing was forced on us, but it worked out well. I am not comfortable though, going back and working on a mission statement.

Draft

Nylla- I am in favor of facilitation. The audience thought it was much better. I think that we need to move faster with our process.

Paul- I liked you facilitating, but most everything we do seems like it's after the fact.

Prill- I decline to comment.

Mary- I agree with facilitating the meetings.

Susan- I think it was good to have a facilitator.

Linda- We had more structure. There needs to be more emphasis on topics at hand. I don't think we need a mission statement. We have to make decisions quickly.

Dick- If you have these things down as ground rules in writing, it will help save a lot of problems down the road. You have a charter and other documents that you don't abide by. If you don't get it straight, you will keep having arguments down the road. We will try next time.

Linda- Dick, can you provide copies of our documents to the group?

Dick- Yes.

Ron Hogan- Carmel wanted me to pass along that the socioeconomic group has an economist who will write a letter requesting data, by December 9th, from BLM regarding the PAPA and Jonah fields. The data is high priority and should be reviewed before the next meeting

Linda- I recommend we forward the recommendations to the BLM.

All PAWG members are in agreement

Mary- I would like a date to be added to this letter.

Linda- We have a question about the charter.

Prill- It is being discussed. I anticipate a decision soon.

_____ *I have forwarded your recommendations to the national BLM offices for consideration.*

Public Comment

Perry- I hope that in your agonies over finding funding you don't lose site of the price of gas and the fact that their profitability is enormous lately. Beware of the negative impacts

Draft

of the successes of one TG over those of another. There is a synergy that needs to be sought. Keep it on the radar screen.

Items for Next Meeting's Agenda

1. Return to Consensus Discussion
2. PAWG Values, Mission and Vision
3. TG Modification's to Recommendations
4. Plan for future meetings
5. Number 3 on the ground rule list.

Meeting Adjourned at 5:30 PM

Certified as Accurate

Linda Baker, Co –Chair

Date