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432 East Mill Street
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VIA EMAIL: WYMail_PAPA_YRA@blm.gov

Re: Draft Supplemental Environmental Impact Statement for the Pinedale Anticline Oil and Gas Exploration and Development Project

Dear Mr. Anderson:

Public Lands Advocacy (PLA) is taking this opportunity to write to BLM in support of the Proposed Action, Alternative B, contained in the above referenced Draft Supplemental Environmental Impact Statement (SEIS). PLA is a nonprofit trade association whose members include independent and major oil and gas producers as well as nonprofit trade and professional organizations that have joined together to foster environmentally sound exploration and production on public lands.

General

The operators for the Pinedale Anticline energy project worked diligently to formulate a project proposal that would address all environmental concerns associated with the proposed undertaking as well as economic feasibility. In so doing, the proponents have committed to keeping the foot print of the project to a minimum by ensuring 92 percent of the Anticline is kept in tact during the life of the project. It is important to note that by voluntarily concentrating this development to certain areas and utilizing state-of-the-art and other innovative technologies, such as directional drilling, consolidated facilities, and liquids gathering systems, the operators have gone far beyond what would be required of a prudent operator. The project proponents have risen to the challenge to demonstrate that limited year-round drilling can be beneficial to wildlife and other resource values. That the operators have also committed to reduced air emissions and have agreed to fund air quality monitoring in and around the Anticline in cooperation with the Wyoming Department of Environmental Quality is proof that this project is extremely valuable, not only to the operators but also to the nation.

PA-1

BI-43-1 The Pinedale Anticline Field is the 3rd largest natural gas field in the country. Its importance to the nation cannot be ignored by BLM or by special interest groups who are intent upon hindering development of cost-effective energy sources. Given the ever-increasing demand for natural gas by consumers and the prediction that natural gas supplies will be unable to meet demand in the next

PA-1 BI-43-1 20 years unless the federal government opens up public lands to additional recovery efforts, it is incumbent upon BLM to do everything in its power to facilitate industry's innovative, environmentally friendly development proposal captured in Alternative B.

Off-Site Mitigation

While the operators have indicated they will agree to off-site mitigation if on-site mitigation is not adequate, it must be recognized that off-site mitigation must remain voluntary as stipulated in Instruction Memorandum 2005-69. While BLM may identify offsite mitigation opportunities, the IM states they will not be carried forward unless volunteered by the applicant. Even then, we only guardedly support the concept of voluntary mitigation.

BLM may believe that off-site mitigation is necessary to ensure that oil and gas activities do not result in unnecessary or undue degradation to the public lands. However, unnecessary and undue degradation would result only if surface disturbance greater than that which would normally result on other resources and land, uses when a similar activity is undertaken by a "prudent" operator in the usual manner. 43 CFR 3802.0-5(l) directs, "*Undue and unnecessary degradation means impacts greater than those that would normally be expected from an activity being accomplished in compliance with current standards and regulations and based on sound practices, including use of the best reasonably available technology.*" Clearly, the natural gas operations conducted in the manner proposed by the Pinedale Anticline operators would be in compliance with existing laws and regulations and are highly unlikely to meet the standard for unnecessary and undue degradation. The burden of proof would rest solely with BLM to demonstrate that new activities similar to those that have taken place in the FO for decades would result in unnecessary and undue degradation.

G-1 BI-43-2 Moreover, as was discussed in Instruction memorandum 92-67 if we are to consider unnecessary and undue degradation of public lands, we must consider that there will also be necessary and due degradation of a site, albeit temporarily during the course of the project. In accordance with 43 CFR 3101.1-2, there are certain rights granted when a lease is issued. Clearly, valid existing lease rights would be compromised if BLM determines a development program cannot proceed without off-site mitigation.

Core Area

PA-1 -3 BLM indicates admits that the Proposed Action Alternative Core Area was "*defined by the operators and was based upon the success of development to date and projections for success in future development.*" However, BLM's Alternative C Core Area is based upon "*BLM's Reservoir Management Group projections for potential development in the Pinedale Anticline Project Area (PAPA).*" While we have the greatest of respect for BLM's Reservoir Management Group and its expertise, we would remind BLM that industry's expertise is based upon direct results rather than geologic potential. Given that industry has spent millions of dollars to evaluate this area, it doesn't make sense for BLM to second guess where the most important development area is believed to exist. We recommend that BLM select Alternative B as its preferred alternative.

Alternative C – Development Areas

G-2 BI-43-4 BLM indicates that in all development areas except for DA-5, operators would be required to fully develop each existing and/or new well pad in one continuous time span for as long as necessary to drill and complete all wells on the pad. Once an operator has determined that a well pad has been fully developed, they would not be allowed to reinitiate development on the well pad. We urge BLM to consider that situations could arise whereby an operator may have to reinitiate development on a

BI-43

G-2 BI-43-4 well pad. As such, flexibility must be incorporated into operating procedures to allow for such instances.

Seasonal Wildlife Restrictions

G-3 BI-43-5 This section under Alternative C is of concern in that it states that seasonal wildlife restrictions would apply to new surface disturbing activities in all areas outside the Alternative C Core Area. However, development activities would be allowed in all DAs and outside the Core area at any time under the restriction of seasonal timing stipulations. It is PLA's understanding that most of the PAPA is currently under lease. While one could expect that many of these leases contain seasonal restrictions, it is likely that some do not. As such BLM does not have the authority to change the stipulations on existing leases. We recognize that the operators have offered to voluntarily comply with these measures in order to ameliorate potential impacts; however, such actions do not give BLM the authority to arbitrarily impose restrictions beyond those spelled out in the leases.

Surface Disturbance

PA-3 BI-43-6 According to Table 2.4-13, Summary of Surface Disturbance for Alternatives Analyzed in Detail, there is little significant difference in overall disturbance between Alternatives B and C. Even though we recognize that BLM is the land manager, it comes to mind that Alternative C was developed simply because a reasonable range of project alternatives was needed. Given the fact that it does not accomplish anything beyond the operators' proposed action, except to impose unnecessary restrictions and greater complexity, we recommend that BLM select Alternative B as the preferred alternative.

Conclusion

PA-4 BI-43-7 PLA appreciates this opportunity to provide you with our views and concerns. The development proposal for the Pinedale Anticline outlined in Alternative B is innovative by providing for exceptional mitigation associated with wildlife concerns from year-round drilling, expressly addresses potential air quality concerns, and voluntarily concentrates development so that the majority of the project area is left undisturbed. Clearly the project proponents have devised an outstanding development plan through Alternative B, Proposed Action that should be adopted by BLM as its preferred alternative.

Please feel free to contact me should you have any questions regarding our views. I would be happy to discuss these comments with BLM.

Sincerely,

Claire Moseley

Claire M. Moseley