



March 9, 2018

Submitted via email to blm_wy_casper_wymail@blm.gov

Mike Robinson
BLM Casper Field Office
2987 Prospector Drive
Casper, WY 82604

RE: Converse County Oil and Gas Project Environmental Impact Statement

Dear Mr. Robinson,

Western Energy Alliance appreciates the opportunity to comment on the Draft Environmental Impact Statement (DEIS) for the Bureau of Land Management's (BLM) Converse County Oil and Gas Project (CCOGP). We strongly support the project and urge BLM to expeditiously issue approve the Proposed Action, Alternative B in the DEIS, with some modifications.

Western Energy Alliance represents over 300 companies engaged in all aspects of environmentally responsible exploration and production of oil and natural gas across the West. The Alliance represents independents, the majority of which are small businesses with an average of fifteen employees.

The CCOGP is of critical economic importance to the people of Converse County and the rest of eastern Wyoming. If the Proposed Action is implemented as envisioned, the project will generate up to 5,000 new oil and natural gas wells on 1,500 well pads over a span of 10 years. At the peak of development, the Converse County Oil and Gas Project is expected to bring more than 8,400 jobs to the county. These will be skilled, high-paying jobs that will provide annual wages far above what would otherwise be available. These are jobs that will spur further spending in the community, building local businesses and growing local economies.

In addition, the project is expected to generate between \$19.9 billion and \$30.8 billion in revenue from taxes and royalties. These funds will help local governments pay for police, fire, and emergency medical personnel and equipment, fund roads, bridges and other transportation infrastructure, and provide other services. Several billion dollars of that revenue will go directly to Wyoming schools.

The project will also further advance the Department of the Interior's stated goal of achieving domestic energy dominance. Although there are many variables that will determine the number of wells drilled and production from those wells, it is estimated

production could reach 1.37 billion barrels of oil and 5.79 trillion cubic feet of natural gas under the Proposed Action over a 40-year period. This is a tremendous amount of energy that will be produced domestically. In light of the enormous benefits this project will create, it is imperative that the project be approved as quickly as possible. However, there are a few changes we believe should be made to the DEIS.

The project will only reach its full potential if drilling is allowed to take place year-round. Halting operations and removing all equipment periodically in order to comply with timing stipulations placed on certain habitat buffers has severe economic and environmental consequences. Re-deployment of rigs and associated equipment mid-job creates lengthy delays which cost time, money and other resources. Environmentally, having to move equipment on and off site is a large endeavor, and requires several heavy truckloads. Each additional trip increases emissions, increases wear and tear on local roads, and causes more surface disturbance.

Delays created by the timing stipulations will not only impact production but delay reclamation for weeks or even months as well. This is a very serious issue, as more than half the proposed well pads are located within the effected habitat buffers. Year-round drilling will solve these issues and increase the probability of bringing the project to fruition, while minimizing environmental impacts and maximizing economic benefits.

While the Proposed Action contemplates the potential for year-round drilling, it unfortunately does not go far enough. The Final EIS needs to clearly outline the exemption request procedure, something that is currently lacking. BLM should refer to the Migratory Bird Conservation Plan being developed in conjunction with the U.S. Fish and Wildlife Service and the operator group for guidance on how to permit drilling to occur year-round while still providing ample protection for Greater Sage Grouse (GrSG) leks and raptor nesting sites.

Changes must also be made to the DEIS regarding GrSG management and required mitigation to better reflect the current administration's policies in these regards. The DEIS refers to the BLM GrSG Land Use Plan Amendment for the Rocky Mountain Region, and the Approved Resource Management Plan (RMP) Amendment for the Wyoming GrSG Sub-region, but it fails to recognize that those documents are under review by the Department of the Interior (DOI).

Given the policy direction from the current administration, it is likely that the management systems those documents call for will be changed drastically, and they will align more consistently with the State of Wyoming's plan. BLM should ensure the Final EIS follows the guidance of the Wyoming plan, especially as it relates to mitigation. Furthermore, the DEIS imposes surface use restrictions on Priority Habitat Management Areas in the Douglas GrSG area using outdated versions of the State of Wyoming's GrSG boundary maps. Version 3 was used for the DEIS, even though Version 4 was released in October 2017. BLM should update these restrictions in the Final EIS.

Similarly, The DEIS includes a number of overly burdensome compensatory mitigation requirements which have been rescinded as a matter of policy by the current administration. The DEIS features compensatory mitigation, particularly the concepts of “additionality” and “no net loss or measurable net gain,” despite DOI’s and the President’s review and withdrawal of policies and directives that promote compensatory mitigation. It also includes language from a mitigation manual that DOI rescinded via Secretarial Order.

The DEIS needs to be reviewed carefully to make sure that the provisions contained within, particularly those concerning GrSG management and mitigation requirements, are in line with federal policy. Failure to ensure that the DEIS comports with policies enacted by the White House and at the Secretarial level will create confusion and uncertainty, and even possible legal challenges, and will only delay the project unnecessarily. Before issuing a Record of Decision, BLM must ensure the EIS comports with these and future policy changes that would alter the implementation of the project.

The application of National Historic Preservation Act (NHPA) requirements on private lands is another concern that should be addressed in the Final EIS. BLM has limited authority to require NHPA compliance on private lands, and the Final EIS should specify that BLM must request access to private surface and must comply with any conditions and limits of access set by the surface owner with respect to the permission granted. BLM cannot require access to, or impose substantive requirements on, surface that is privately owned, and the NHPA does not require BLM to access private property or conduct cultural surveys.

Similarly, BLM cannot impose restrictions on private property owners, including delaying permits until access is granted for National Environmental Policy Act (NEPA) analysis or requiring private property owners to comply with mitigation measures. The Final EIS should make clear that the scope of NEPA analysis on private land is limited to approval of the downhole operations, and is not required for the surface disturbance, including the well pad, access roads, or pipelines.

We believe that the changes outlined above can be made quickly, without drawing out the approval process. We ask that BLM then swiftly approve Alternative B, the Proposed Action for the Converse County Oil and Gas Project, with these modifications. Thank you for the opportunity to comment on the DEIS, and please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Tripp Parks" with a stylized flourish at the end.

Tripp Parks
Manager of Government Affairs