



April 17, 2017

Submitted via email to: mark.gocke@wyo.gov

Mark Gocke
Public Information Specialist
Wyoming Game and Fish Department
P.O. Box 67
Jackson, WY 83001

RE: Sublette Mule Deer Migration Corridor Assessment

Dear Mr. Gocke:

Western Energy Alliance appreciates the opportunity to comment on the Wyoming Game and Fish Department's (WGFD) draft assessment for the Sublette mule deer migration corridor in Wyoming. We also appreciate you holding a stakeholder meeting to present the draft and explain the process for finalizing this document. The oil and natural gas industry in Wyoming will be affected by land use restrictions and stipulations put in place pursuant to the assessment, so it is important that the industry's voice is heard during its development.

Western Energy Alliance represents over 300 companies engaged in all aspects of environmentally responsible exploration and production of oil and natural gas in Wyoming and across the West. The Alliance represents independents, the majority of which are small businesses with an average of fifteen employees. Oil and natural gas development plays an important role in the economic well-being of Wyoming, and our members are proud to provide jobs and royalty revenue that funds vital services for the state and nation.

We wish to incorporate by reference the comments submitted by the Petroleum Association of Wyoming (PAW) on April 13th, 2017. PAW has been actively involved in development of the assessment, and their comments present substantive concerns with the draft. We support their continued work on this issue, and believe their voice is critical in developing the final assessment. Western Energy Alliance shares the concerns PAW expressed in their comments, and we want to highlight several concepts in particular.

Broadly, the document does not appear to be a risk assessment. Instead, the document appears to incorporate aspects of the next step in the process, recommending conservation actions. Step 3 of the phased approach to corridor designations was supposed to be a risk assessment, while Step 4 was for recommendations. It appears these two steps have been conflated in this document. As a result, we join several other stakeholders in being unclear on what the next steps are following this document.

As was discussed at the stakeholder meeting in March, specific management actions recommended by WGFD may be adopted wholesale by the Bureau of Land Management (BLM) through its planning process. It is therefore imperative that any recommendations be formulated and analyzed in a subsequent document, based on the clear scientific analysis that was intended to be in this risk assessment. Therefore, any recommendations that limit oil and natural gas development should also be written in the least restrictive manner possible, given the likelihood of their adoption in BLM management plans.

Unfortunately, the draft assessment makes several recommendations that are inappropriate, exceedingly broad, and not justified with a scientific explanation. The most startling example of this problem is the statement on page 58 and 59 that “further residential and natural gas development expansion could result in dire consequences for migrating animals using this segment...”

A conclusion that “dire consequences” could result is not supported anywhere in the previous eight-page discussion of the Mesa/Soaphole Segment. In fact, the assessment states that “gas development does not appear to impede migration” despite “year around gas drilling and production activities in a phased manner” in the southern portion of the Segment.

The assessment properly summarizes development activity within the Segment, but it then appears to take a giant logical leap to reach a rather explosive conclusion. It is crucial that any final recommendation that could lead to restrictions on development is fully justified and clearly explained, and this is not the appropriate document for that conclusion. We are especially concerned that most of the recommendations in the document call for zero further development, suggesting a strong bias against oil and natural gas will be included in the final recommendations.

We are also concerned that designations such as Areas of Critical Environmental Concern (ACECs) are contemplated with little additional detail. ACECs are one of the most restrictive management actions possible, and they should not be considered lightly. Additional details regarding the scope and location of these designations should be analyzed in a subsequent document and should be removed from the recommendations.

Finally, we echo PAW’s request for more information regarding how the assessment will be used on a project-by-project or systematic basis, especially as it relates to development on BLM lands. The document itself does not make this explicitly clear, and the discussion at the March stakeholder meeting did not provide a definitive response.

Thank you again for the opportunity to provide comments on the draft assessment. We urge WGFD to continue working with PAW to develop a reliable, scientific-based document that does not propose unduly restrictive management measures. We also request that WGFD explain in writing what the process is going forward and how it plans to finalize this and any other relevant documents.

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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.

Tripp Parks

Manager of Government Affairs