

Office of the Governor

February 7, 2008

Greg Clark
District Ranger
Big Piney Ranger District
Bridger-Teton National Forest
PO Box 218
Big Piney, WY 83113

Dear Mr. Clark:

Thank you for the opportunity to supply scoping comments related to the proposed environmental impact statement for the Eagle Prospect and Noble Basin Master Development Plan. While I appreciate the efforts of the Forest Service and Plains Exploration and Production Company to address the concerns raised in my April 30, 2007 comment letter on the Plains Exploratory Draft Environmental Impact Statement, many concerns remain.

For better or worse, the Noble Basin Master Development Plan delineates the outer contours of the development contemplated should the Eagle Prospect wells find sufficient natural gas resources. In terms of the development set forth in the scoping notice for the Master Development Plan, we know that 136 wells will potentially be drilled from 17 pads using 15 miles of new non-system roads and 14 miles of reconstructed or realigned existing roads on National Forest System lands. In an historical context, such a proposal is quite modest. In the Wyoming Range, this proposal is monumental, far reaching and fraught with controversy.

As an initial matter, I would caution that the project development timeline outlined in the document is extremely aggressive. Given the literally groundbreaking effort being considered and the importance of this area to hunters, anglers and the many others that hike, camp and make a living in the Wyoming Range, I would hope that the Forest Service would take not only the "hard look" required by the National Environmental Policy Act, but an even more cautious approach.

In terms of the specific issues that I believe must be addressed to fully understand the impacts and define the full range of alternatives that must be considered for the proposed exploratory wells and Master Development Plan, I would offer the following:

Wildlife

The Wyoming Game and Fish Department (Department) has supplied detailed comments related to the aquatic and terrestrial wildlife species issues that must be fully considered as the Forest Service proceeds to the development of the final environmental impact statement for this

project. I would specifically highlight the Department's concerns about the project's potential impacts on elk and moose crucial habitats, mule deer and pronghorn seasonal habitats, big game migration corridors and the McNeel feedground. At the end of the day, the Wyoming Range is noted for its importance to elk, mule deer, pronghorn and moose – and as a consequence, it is an extremely important area to the blue collared, white collared and every other hue of collar given up by hunters across the state each fall in favor of blaze orange. The Forest Service must carefully analyze each facet of the proposed project to ensure that it does not adversely affect this world class big game resource – not only for the sake of hunters, but also for those that enjoy looking through a spotting scope at trophy bull elk.

Specific Issues to Address – Big Game

- Migration corridors
- Erosion
- Invasive weeds
- Water quality
- Reclamation
- Mitigation
- Monitoring
- Drought
- Air quality
- Feedground operations
- Pipelines and other liquids gathering facilities
- Transmission lines
- Drilling operations (timing, duration, facilities, surface disturbance)
- Production operations (timing, duration, facilities, surface disturbance)
- Road development
- Road maintenance
- Transportation planning
- Winter access to project area
- Cumulative effects from other oil and gas development
- Cumulative effects from other development

The Forest Service must also fully analyze the impacts of the proposed development on some of the most revered river and stream segments in Wyoming. As is documented in the Department's comment letter, the Hoback River and its tributaries are important to many fish species – including the Snake River cutthroat trout. From potential concerns related to erosion and invasive weeds to air quality, surface water quality, ground water quality and the potential to affect the amount of water that is available to these fisheries, the Forest Service must be searching in its analysis of the proposed development scenarios.

Specific Issues to Address – Fisheries

- Invasive weeds
- Water quality (surface and ground water)

- Water quantity (including interconnectedness of surface and ground water and other existing uses in the area)
- Erosion and sedimentation (from roads and drilling and production facilities)
- Air quality
- Reclamation
- Mitigation
- Monitoring
- Drought
- Pipelines and other liquids gathering facilities
- Drilling operations (timing, duration, facilities, surface disturbance)
- Production operations (timing, duration, facilities, surface disturbance)
- Road development
- Road maintenance
- Transportation planning
- Cumulative effects from other oil and gas development
- Cumulative effects from other development

In addition to the impact of the project on big game herds and fisheries, the Forest Service must ensure that the potential impacts to those species listed on its own sensitive species list and the Department's list of Species of Greatest Conservation Need are fully addressed. For my part, in the state's 2009-2010 budget, I have proposed literally millions of dollars to study and protect sensitive species, including sage grouse. This investment will be for naught if individual projects, like the one under consideration, fail to account for and mitigate the full range of impacts to sensitive species. As the Forest Service proceeds in its evaluation of the project, we will all be well served by an extremely cautious tack relative to the sensitive species that are found in the project area – especially considering the weighty implications of the Endangered Species Act hanging over our heads.

Specific Issues to Address – Sensitive Species

- Invasive weeds
- Water quality (surface and ground water)
- Water quantity (including interconnectedness of surface and ground water and other existing uses in the area)
- Erosion and sedimentation (from roads and drilling and production facilities)
- Air quality
- Reclamation
- Mitigation
- Monitoring
- Pipelines and other liquids gathering facilities
- Drilling operations (timing, duration, facilities, surface disturbance)
- Production operations (timing, duration, facilities, surface disturbance)
- Road development
- Road maintenance
- Transportation planning

- Winter access to project area
- Transmission lines
- Cumulative effects from other oil and gas development
- Cumulative effects from other development
- Migration corridors
- Drought

Air Quality

Like the Department's comments related to wildlife, the Wyoming Department of Environmental Quality, Air Quality Division has supplied detailed comments related to air quality. I would specifically highlight the importance of a complete emissions inventory to the process as it moves forward. I would strongly suggest close coordination with the Air Quality Division not only in the development of the emissions inventory, but also to address the Division's other cited concerns.

Specific Issues to Address – Air Quality

- Emissions inventory (fracing, flaring, transportation sources, pneumatic pumps, drilling emissions, etc.)
- Ozone
- Transportation
- Cumulative effects from other oil and gas development
- Cumulative effects from other development
- Visibility
- Monitoring
- Mitigation
- Reclamation

Water

The importance of adequate, clean supplies of water for domestic, agricultural, wildlife, municipal and industrial use cannot be overstated in Wyoming. To complete the project in a safe and efficient manner, the availability of water for drilling, production and rehabilitation operations is a fundamental consideration. This is especially true during drilling if circulation is lost and human health and safety can be compromised. Unfortunately, the experience of domestic users in the area indicates that water is a scarce commodity in the area. The additional pressures on this finite resource brought on by the proposed project must be fully understood, including the impacts to other ground and surface water users in the area.

Beyond the question of quantity, the state's experience in the Clark area and in the vicinity of the Pinedale Anticline indicate that water quality and the potential for ground and surface water contamination are of great concern and only exacerbate concerns related to water availability. From leaking disposal pits to spills and other contamination, the Forest Service

must be diligent to ensure that water quality is not compromised as a result of the proposed project.

Specific Issues to Address – Water

- Erosion
- Water quality (surface and ground water)
- Water quantity (including interconnectedness of surface and ground water and other existing uses in the area)
- Potential for interference with existing uses in the area
- Immediate availability of adequate water supplies in case of emergency (fire, lost circulation)
- Reclamation
- Mitigation
- Monitoring
- Drought
- Pipelines and other liquids gathering facilities
- Drilling operations (timing, duration, facilities, surface disturbance)
- Production operations (timing, duration, facilities, surface disturbance)
- Road development
- Road maintenance
- Transportation planning
- Cumulative effects from other oil and gas development
- Cumulative effects from other development

Socio-economics

The positive effects of oil and gas development in Wyoming cannot be overstated. From new jobs to significant revenues, this state benefits greatly from such development. But this development also comes with burdens for local and state governments, including impacts to county and state roads, local and state services and other facets of Wyoming's economy (i.e. tourism and agriculture). The Forest Service should fully understand and disclose these impacts in its analysis in conjunction with affected cities, towns, counties, the state and the operator.

Specific Issues to Address – Socio-economics

- Impacts to state and county roads
- Impacts to tourism economy
- Impacts to agricultural economy
- Impacts to other economic drivers in the region
- Impacts to local services (health and other human services)
- Impacts to emergency service providers (fire, ambulance, etc. to serve remote project location)
- Transportation planning
- Cumulative effects from other oil and gas development

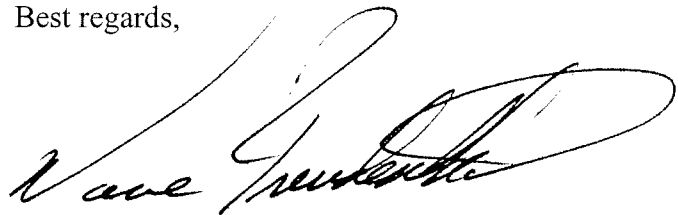
- Cumulative effects from other development
- Reclamation
- Mitigation
- Monitoring
- Transmission lines

Apart from the specific issues raised in this correspondence, I would like to address my overriding concerns related to the more than 150,000 acres of other, existing leases in the Wyoming Range. In my April 30, 2007 letter to your agency concerning the Plains Exploratory Draft Environmental Impact Statement, I signaled my great concern about the project foretelling the industrialization of the entire leased acreage in the Wyoming Range. That concern remains and is only exacerbated by the knowledge that Stanley Energy has outlined a proposal to drill 200 wells from eight 50-acre well pads just south of the Plains unit. In the likely event that natural gas is found by Plains, the set of dominoes I spoke of in my earlier letter will most assuredly topple – intensifying the impacts identified in this letter by many orders of magnitude.

Given Senator Barrasso's introduction of the Wyoming Range Legacy Act of 2007 and the pending Forest Plan revision, it would seem prudent to withhold action on the Plains proposal, and quite frankly the leasing environmental impact statement being conducted related to 44,700 acres of contested leases in the Wyoming Range, until the tools are in place to fully and effectively address the potential for development along the spine of the Wyoming Range.

Thank you for the opportunity to provide comments on the Eagle Prospect and Noble Basin Master Development Plan. The state looks forward to participating in the process as it moves forward.

Best regards,



Dave Freudenthal
Governor

DF:pjb

c: Senator Mike Enzi
Senator John Barrasso
Representative Barbara Cubin
Harv Forsgren, Regional Forester
Bob Bennett, Director, Wyoming BLM
John Corra, Director, Dept. of Environmental Quality
Terry Cleveland, Director, Wyoming Game and Fish Department