



## WYOMING GAME AND FISH DEPARTMENT

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WER 2475  
Bureau of Land Management  
Pinedale Field Office  
Pinedale Draft RMP and EIS  
Sublette and Lincoln Counties  
Document ID: fr16fe07-114

Kellie Roadifer, Team Leader  
Bureau of Land Management  
Pinedale Field Office  
PO Box 768  
Pinedale, WY 82941

Dear Ms. Roadifer:

The staff of the Wyoming Game and Fish Department has reviewed the Pinedale Draft Resource Management Plan (RMP) and Environmental Impact Statement (DEIS). We offer the following comments for your consideration.

The primary focus of this RMP is to plan for the intense energy development that will occur during the next two decades and beyond. The RMP must assure a reasonable and balanced approach to energy development and management of the other land uses and resources in the Field Office area. Our input is to help assure that the fish and wildlife resource, and associated recreational use, is adequately addressed in planning and in the process of implementation of the plan.

In the following letter, we begin by addressing the major umbrella considerations that are of critical importance in the RMP, and follow with the attached Comment Form that provides more detailed input.

### Landscape Function

Overall, the RMP must assure continued landscape-level function for fish and wildlife. This will require a Field Office-wide planning approach that considers both the current energy development scenario and the leases that allow further development, as well as future leasing and development potential. Energy development must be planned in such a way to allow continued persistence of well-distributed native wildlife habitat and wildlife populations throughout the term of the RMP.

This will require phasing of development and the disturbances associated with it, both in space and in time, so that wildlife will have the habitat and area needed to persist in the Field Office area. Then, as energy development declines in the long term and reclamation becomes mature, wildlife can once again re-populate and re-distribute throughout their native habitats. This will allow the associated recreation that supports Wyoming's second-leading industry of recreation/tourism to again provide its optimum benefits to the state.

### Alternatives

We support the general concept outlined in Alternative 3. We recommend Alternative 3 be applied to management goals, objectives, and direction for Minerals Management, as this alternative would provide the best protection for the few areas not currently leased. In addition, this alternative provides more appropriate management direction of wildlife resources for Lands and Realty Management, Recreation and Visitor Services Management, Soils Management, Transportation, Access and Travel Management, Vegetation Management, Watershed and Water Quality Management, Wildland Fire and Fuels Management, and Wildlife and Fish Management.

We recommend Alternative 4 be applied to Livestock Grazing Management. Livestock grazing should be maintained in balance between commodity production and the enhancement of wildlife habitat. Range condition should be managed to meet Wyoming Standards for Rangeland Health and improve forage production and ecological conditions to benefit livestock, wildlife habitat, watershed values, and riparian areas, and to maintain proper functioning condition.

### Land Allocations

The proposed Oil and Gas Management Areas function as land allocation categories in the RMP. They include Intensively Developed Fields, Minimally Developed Areas, Large Block NSOs, and Unavailable Areas. With oil and gas development as a major land use and having potentially severe impacts on other resources, we support a land allocation system that would help assure that impacts are more certainly avoided and managed on the landscape, and one that allows a major part of that landscape to function properly at any point in time.

However, there is no assurance in any alternative that these particular allocations would persist over the life of the RMP, or that a reliable number of functional acres would remain for other land uses. Any of the allocations could become Intensively Developed Fields through offsets for drainage issues and/or downhole spacings exceeding one well per 160 acres. In total, this could be a significant number of acres over the Field Office area. The Minimally Developed Areas, in particular, make up a large percentage of the Field Office Area, resulting in a high probability for a higher density of wells over a large area. Existing leases within Large Block NSOs and offsets for these areas, in total, could significantly negate the benefits of trying to limit surface disturbance in that allocation. Given the number of non-federal lease-holdings near the Wind River Front, the Unavailable Areas near there could contribute large acreages for offsets.

In order for our agency to more accurately plan for long-term impacts, we encourage that the FEIS contain a more realistic (worst-case) scenario concerning the lands that will likely not

be available as functional habitat for wildlife. We suggest an estimate of potential offset areas, and maps that depict the current lease-holdings within each type of allocation area.

We recognize that the BLM's ACEC designation will not be used for all critical and relevant areas in the Field Office area. In order for areas that do have high value for fish and wildlife to be managed with those values appropriately recognized, we recommend that a SRMA (or other appropriate) designation be used instead. The specific areas we recommend for designation are outlined in the attached Comment Form. This would provide additional protection and help offset the uncertainties of being able to assure habitat functions in the Oil and Gas Management Areas.

#### Assurance of Process

This is a performance-based RMP, which will depend heavily on future monitoring data for project-level planning and management actions. While performance-based planning allows flexibility and minimizes re-analysis of development, it must function properly in order to be effective for all resources. This function relies heavily on analysis of monitoring data and management input from the managers of the other resources and land uses in the Field Office area.

The proper implementation process of the performance-based process must be assured. The FEIS and eventual ROD must explicitly outline a required process for land allocation changes, for monitoring and mitigation needs, and specifically for involvement of state agencies in implementation of the plan.

#### Support for Mitigation of Current Development Plans

The conditions of approval for development plans that are completed or in the final planning stages must be supported in the FEIS and eventual ROD. For example, adequate mitigation for the Pinedale SEIS, which is in the final stage of planning, call for BLM to allow currently unleased areas adjacent to the Pinedale Anticline Planning Area to remain unleased until the Anticline crest is developed and again functional for wildlife. To accomplish this, the RMP must designate those unleased areas as Unavailable for Leasing until the wildlife function returns.

Similarly, assurances of unleased areas adjacent to the other Intensively Developed Fields in the Field Office Area remaining unleased will almost certainly be needed for mitigation of these fields. We recommend that key habitats (crucial winter ranges, sage grouse seasonal habitats, specific sensitive species habitats) adjacent to those areas also be designated as Unavailable for Leasing.

#### Energy Policy Act of 2005

This Act allowed NEPA categorical exclusions of projects for which a land use plan (RMP) had been completed within the previous 5 years. Once this RMP is approved, this could result in avoidance of project-level planning and consequent safeguards for other resources if

that development occurred in a previously established gas field, which is defined as a single well. RMP-level planning, and in particular this performance-based RMP that does not rely on defined impact limits, cannot adequately provide project-level planning information that is detailed enough to determine needed permit conditions of approval.

In order to avoid unintentional impacts to other resources, we and other State Cooperators have developed language with the State BLM office to require an annual meeting between BLM and State Cooperators for the purpose of informally reviewing the upcoming year's permits, for the purpose of assessing impacts and recommending conditions of approval. This would be done outside the NEPA process. The specific language for implementing this annual meeting is available from the State BLM office, and as agreed, will be part of every RMP in Wyoming. We recommend obtaining that language from your State Office and inserting it into this RMP as well.

Thank you for the opportunity to comment.

Sincerely,

JOHN EMMERICH  
DEPUTY DIRECTOR

JE:VS:gfb  
Attachment  
cc: USFWS