

Year-long Drilling in the Upper Green: A Misguided Experiment Threatens Wyoming's Wildlife

*BLM's Program of Winter-Long Drilling Violates Its Own Regulations;
Wyoming Citizens Locked Out of Mesa, But Drilling Allowed to Continue*

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Setting aside a long-standing wildlife protections

The Pinedale Anticline is such sensitive winter range for mule deer that federal land managers bar the public from visiting parts of this beautiful mesa in the Upper Green River Valley west of Pinedale during winter. In recent years, however, the Bureau of Land Management has abandoned a two-decade tradition of strict adherence to seasonal drilling closures designed to protect wildlife. At the request of industry and under pressure from political appointees in Washington, D.C., BLM has begun letting industry operate among wintering big game when their energy reserves are most depleted. Last fall, Questar Exploration and Production Co. won permission to drill on the Anticline's Stewart Point for a second winter in a row.

BLM's exemptions undermine reasonable wildlife-protection measures and have been made without benefit of public involvement. Furthermore, the BLM's decisions have serious implications for the future of the rich wildlife resource in the scenic Upper Green River Valley, bound by the Wind River and Gros Ventre ranges. The valley, which is targeted for major natural-gas development in the coming years, harbors vast seasonal concentrations of elk, deer and pronghorn antelope and other cherished wildlife species. It is also laced with vital migration corridors, including the southern leg of one of the continent's longest overland routes, used by thousands of pronghorn that summer as far away as Grand Teton National Park.

Background: Seasonal restrictions protect cherished wildlife

The Pinedale BLM office imposes seasonal drilling closures and other restrictions to minimize the energy industry's disturbance impact on weather-stressed elk, pronghorn, mule deer, moose, predatory birds and sage grouse. The valley's toughest restrictions apply to the crucial winter mule deer range on the Pinedale Anticline. Known locally as the Mesa, this 197,000-acre gas field will be tapped with 900 wells under BLM's Record of Decision (ROD) governing extraction practices there. This document restricts gas drilling between Nov. 15 and April 30 as a compromise approach to balance the needs of wildlife with those of industry. The agency is afforded leeway to grant exemptions, particularly on the shoulders of the seasonal closure--that is, before Dec. 1 and after April 1--but winter-long exemptions are not permissible in winter range for deer.

BLM's winter stipulations, however, are becoming meaningless as the agency increasingly waives seasonal restrictions on drilling and related activity. Last winter, for example, the BLM's Pinedale office granted 92 percent of industry's exemption requests. Of the 50 exemptions sought on the Anticline this winter, all but five were granted, including Questar's. So while a BLM sign shoos Pinedale residents and other citizens away from Stewart Point, even those on foot, Questar has access to operate its drill rig non-stop.

Striking a balance that protects both wildlife and industry

This practice of waiving winter drilling sets a dangerous precedent. The Questar exemption has prompted an administrative review that is now pending before Wyoming state BLM leaders and a lawsuit in U.S. District Court in Cheyenne. Points raised in these actions include:

- The Pinedale Anticline ROD allows year-round drilling in certain circumstances, but prohibits it in mule deer winter range, such as Stewart Point.
- The BLM has failed to even satisfy its own criteria necessary for granting short-term exemptions. The ROD requires the agency to consider the presence of wildlife; the animals condition; condition of the range; severity of the weather; and site location and timing. Instead, the BLM has failed to take the required “hard look” at these criteria.
- The BLM is required to complete a thorough analysis in accordance with the National Environmental Policy Act before allowing such exemptions. It has yet to do so.

New drilling technology should not be developed at expense of wildlife heritage

Wyoming state wildlife officials endorsed Questar’s through-winter drilling plan, but only as a way to accommodate directional drilling, which leaves fewer environmental impacts by clustering multiple wells from a single pad. Wrote deputy Game and Fish director, Bill Wichers, in an Oct. 10, 2002 letter to the BLM: “This should be considered a one-time exception, and essentially an investment of one winter's disturbance on a specific area in the hope of determining whether a technology exists that can be beneficial overall to wildlife as well as industry, compared to current technology. ... *This single test case should certainly not be considered a precedent for similar or general development during the winter restriction period.*” [Emphasis added.]

Instead of a one-time experiment, the BLM has allowed a second winter of drilling on the Mesa and Questar is now talking about season-long exemptions through 2007. The company should be lauded for using directional drilling, but technological improvements should not come at the sacrifice of important safeguards for Wyoming’s wildlife heritage. The BLM should deny winter-long exemptions until full environmental analysis shows this activity does not jeopardize wintering wildlife. Meanwhile, Questar should develop a plan to directionally drill during a May-through-November period as a reasonable trade-off for tapping the lucrative gas deposits in this nationally significant wildlife habitat.

In the meantime, Wyoming citizens have been denied an opportunity to weigh in on Questar’s proposals to drill all winter, even though such a departure from standard BLM rules would trigger the public-comment requirements of the National Environmental Policy Act. The agency has not given notice of winter-stipulation exemptions until after they are granted. Pinedale residents are reminded of the BLM’s bureaucratic arrogance when they look across their valley. Looming against the western skyline is Questar’s towering rig, drilling two-mile holes into a publicly owned mesa that the BLM’s own rules say should be left undisturbed in winter for deer and sage grouse.

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