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December 20, 2010

To: Adaptive Management Review Team, Shane DeForest, and Mark Thonhoff:
Subject: Wildlife Monitoring and Mitigation Matrix threshold changes

Dear Mr. DeForest, Mr. Thonhoff and Adaptive Management Review Team:

Thank you for the opportunity to provide comments on the Wildlife Monitoring and Mitigation Matrix threshold changes.

The adaptive management team has reviewed the proposed mule deer, pronghorn antelope, and sage-grouse matrices mitigation threshold changes for determination of:

- Whether the proposal has merit;
- Whether the proposed changes are time sensitive thus requiring the convening of a special planning meeting and;
- Whether or not the proposed changes are in conformance with current NEPA.

Mule Deer Matrix Threshold Changes

The proposed change to withdraw avoidance distances from the mule deer matrix has merit

The Pinedale Anticline Record of Decision states that specific goals and objectives of adaptive management include the requirement to, "validate predictive models used in the SEIS and revised the models/projections as necessary based on field observations and monitoring." [sic] (Pinedale Anticline Project Area Supplemental Environmental Impact Statement Record of Decision, Appendix E, Adaptive Management in the PAPA, Sec. E1)

The WEST, Inc. predictive model of avoidance distances for mule deer has been validated, using field observations and monitoring. Therefore we agree that the matrix criteria for avoidance distances should be withdrawn from the matrix.

The proposed Mule Deer Matrix changes are time-sensitive

The ROD requires "a rapid response to unnecessary and undue environmental degradation." (Pinedale Anticline Project Area Supplemental Environmental Impact Statement Record of Decision, Appendix E, Adaptive Management in the PAPA, Sec. E.3)

A mule deer decline of 60% over all years is certainly, by any standard, an unnecessary and undue degradation of our wildlife resources and requires a rapid response.

Adding urgency to the time-sensitive nature of proposed changes, winter snow pack in the Green River Basin is already between 110-125%: a negative influence that will likely add to mule deer mortality.

"Investigators have demonstrated direct relationships between mule deer over-winter mortality and snowfall or snow on the ground. Energy expense by mule deer traveling through snow increases exponentially with increasing snow depth relative to the height of a deer or relative to animals' sinking depth in snow. Such differential energy cost of locomotion through snow contributes to higher mortality rates in fawns." (Finding of No Significant Impact, Decision Record and Environmental Assessment for the Questar Year-Round Drilling Proposal, Sublette County, Wyoming, November 2004, Appendix E, pp. E-35, available at: http://www.blm.gov/pgdata/etc/medialib/blm/wy/information/NEPA/pfodocs/questar.Par.9930.File.dat/25appe.pdf)

A rapid response utilizing the ROD-required mitigation measures must begin and be required this winter, especially in mule deer crucial winter range on the Anticline, to address and mitigate "unnecessary and undue environmental degradation."

"Should a change requiring mitigation occur, mitigation responses, in accordance with BLM policy, will first evaluate on-site measures then off-site measures as outlined in the following sequence." (Pinedale Anticline Project Area Supplemental Environmental Impact Statement Record of Decision, Appendix B, pp. B-5)

Since the first two of three mitigation measures outlined in the ROD mitigation sequence have already been employed, the time-sensitive nature of the mule deer decline requires that the third mitigation response is now necessary: "adjustments of spatial arrangement and/or pace of ongoing development." (ibid)

The proposed Mule Deer Matrix changes require a special planning meeting

Due to the time-sensitive nature of the mule deer decline that has triggered a mitigation response, we request that the BLM hold a special planning meeting as soon as possible, to discuss a rapid response and alternatives to existing mitigation measures.

We request that the BLM consider in this meeting the following suggested mitigation measures that will provide for a rapid response to unnecessary and undue mule deer population declines:

1. Withdraw the relief from seasonal stipulations in mule deer crucial winter range, and require that seasonal stipulations be re-instated this winter. The ROD states that, "the extent, location, and duration of relief from seasonal habitat restrictions will be determined at the annual planning meeting." (Pinedale Anticline Project Area Supplemental Environmental Impact Statement Record of Decision, pp. 4) However, since this winter is already proving to be extremely cold, with unusually deep snow cover, withdrawal of the relief from seasonal stipulations would provide immediate relief for winter-stressed mule deer and prevent further mule deer declines from human disturbance.
2. Suspend or buy out existing, inactive (i.e. not producing) leases in the "flanks" of the Anticline. The west flank of the Anticline adjoining the Sommers/Grindstone conservation easement, and the Mesa Breaks would be especially advantageous sites for lease suspension or buy out. Not only is the west flank adjoining an approved mitigation project, but it has few active mineral leases, harbors a migration corridor for mule deer and pronghorn, is within a Wyoming Game & Fish Dept. Habitat Priority Area (Terrestrial Crucial and Combined Crucial Priority Areas), and contains numerous sage-grouse leks, sage-grouse winter locations, and sage-grouse nest sites.
3. Adjust spatial arrangement of ongoing development.
4. Adjust pace of ongoing development.
5. Officially declare the expiration of the two-year "delineation" drilling period in the Stewart Point area, as required in the ROD, and permit no more exploratory drilling APDs. "Delineation drilling in the Stewart Point area will be conducted during the first 2 years following the signing of this ROD..." (Pinedale Anticline Project Area Supplemental Environmental Impact Statement Record of Decision, pp. 9, signed Sept. 12, 2008)
6. Officially declare the expiration of the two-year "transition" period, as required in the ROD. "A transition period to full "Concentrated Development" of approximately 24 months is needed after signing of this ROD." (Pinedale Anticline Project Area Supplemental Environmental Impact Statement Record of Decision, pp. 6, signed Sept. 12, 2008)
7. Analyze existing and historical habitat treatments to determine which methods are most successful at enhancing mule deer crucial winter and year-long range, provide public reports on treatments, and establish funding priority to successful treatments.
8. Limit fertilization treatments based on cost and whether treatments have proven success at enhancement of mule deer habitats.
9. Determine the effectiveness of the mitigation measures contained in the ROD, by:

a. Requiring that wildlife conservation plans be included in conservation easement agreements before they are approved for funding by the PAPO, and conservation plans are published at the BLM website;
b. Requiring monitoring, oversight and public reporting of on-site and off-site mitigation responses, showing measurements of success;
c. Requiring wildlife inventories of on-site and off-site mitigation projects to establish baseline population sizes, measurement of habitat function, and successful off-set of wildlife population impacts.

The proposed changes in the Mule Deer Matrix are not in conformance with current NEPA

The PAPA ROD Appendix E states that, "The adaptive management process allows for changes in the management without further NEPA analysis, *unless designated thresholds are reached.*" [Emphasis added] (Pinedale Anticline Project Area Supplemental Environmental Impact Statement Record of Decision, Appendix E, Adaptive Management in the PAPA, pp. E-1)

The designated threshold for mule deer on the Anticline is "15% decline in any year, or cumulatively over all years, compared to reference area." The 2008-2009 mule deer population decline was 28%, and so the designated threshold for one year has been reached and exceeded. Cumulatively over all years, the mule deer decline was 60% compared to the reference area, and so the designated threshold for all years has also been reached and exceeded.

Because both designated mitigation thresholds identified in the Wildlife Monitoring and Mitigation Matrix for mule deer on the Anticline have been reached and exceeded, the ROD requires additional NEPA analysis.

The proposed changes in the Mule Deer Matrix are not in conformance with the ROD

The proposed changes in the mule deer matrix include withdrawal of the mitigation responses, with no replacement suggested for mule deer mitigation. This is not in conformance with the Pinedale Anticline Record of Decision.

Mitigation is an integral part of adaptive management, and must be utilized as a direct and rapid response to results of resource monitoring. "The process increases the speed at which managers learn how resources react to their decision and development activities, and thereby increases the speed at which managers can adjust mitigation and management restrictions for unanticipated impacts." (Pinedale Anticline Project Area Supplemental Environmental Impact Statement Record of Decision, Appendix E, Adaptive Management in the PAPA, pp. E-1)

Further, "The adaptive management frame-work has several continuous steps: Decision is implemented; impacts are monitored; monitoring data are evaluated; *modifications to mitigation or management restrictions are recommended, based on monitoring data* [emphasis added]; adaptive management decision is made and implemented; impacts are monitored; etc." (ibid)

Removing mitigation responses contained in the mule deer matrix without replacing them would not be in conformance with the requirements of the ROD, but would be potentially disastrous to mule deer, and counter to agencies' management responsibilities for our wildlife resources. Because of the severe wildlife declines on the Anticline last year and over all years that monitoring has occurred, a mitigation response is required and must be immediate. We can't afford to "wait and see" what mitigation responses may or may not occur on existing conservation easements (especially since there are no conservation plans on easements published to date), water projects, or "habitat enhancements" approved by the PAPO as our wildlife continues to swiftly decline. If the 28% mule deer decline of last winter continues, mule deer on the Anticline will be locally extirpated, affecting the entire Sublette Mule Deer Herd.

On-site mitigation has been employed since November 2004

Contrary to BLM's statement in the "PAPA Mule Deer Situational Report" of Oct. 27, 2010, that "We have only begun to implement mitigation treatments for the PAPA", on-site PAPA mitigation has been required and employed since November 2004.

The Decision Record and Environmental Assessment for the Questar Year-Round Drilling Proposal required that mitigation for through-winter drilling include: "Construction of the 107-mile long, 6-inch diameter condensate pipeline... Approval of drilling operations between November 15, 2005, and April 30, 2006, is contingent upon this pipeline and the produced water pipeline being operational by that date."

The Questar Year-Round Drilling EA also required that, "All mitigation described in Section 2.5 of the EA will be in place and operational by November 15, 2005, including initiation of habitat enhancement projects within Questar's leasehold in 2005." (Decision Record and Environmental Assessment for the Questar Year-Round Drilling Proposal, pp. 1)

In September 2005, the ASU Year-Round Drilling Demonstration Project also required that extensive mitigation strategies be employed, including requirements to:

- Minimize well pad, road, pipeline, and ancillary facilities footprints;
- Reduce visual intrusions through the use of new technology, replacement and removal of outdated equipment;
- Use most appropriate equipment paint colors;
- Show reclamation success, based on establishment of viable site-stabilizing plant growth;
- Site-maintain sediment erosion;
- Reclaim sites to establish indigenous vegetative cover and species composition;
- Expedite reclamation to increase habitat patch sizes and reduce habitat fragmentation for sagebrush-obligate species;
- Maintain noise levels at 75 dBa or less;
- Maintain currently active big game migration routes;
- Minimize human activity impacts during both the development and production phases;

- Continually utilize state-of-the-art technologies to avoid, minimize, or mitigate impacts.

(Finding of No Significant Impact, Decision Record and Environmental Assessment for the ASU Year-Round Drilling Demonstration Project, Sublette County, Wyoming, September 2005, Appendix A)

As outlined above, on-site PAPA mitigation has been employed since November 2004, yet there appears to be little, documented success of existing mitigation strategies. On the contrary, monitoring data indicate that existing mitigation strategies have failed to protect wildlife populations from severe decline.

"The specific goals and objectives adaptive management for the PAPA are: Suggest modification to mitigation measures to achieve the stated goals/objectives." (Pinedale Anticline Project Area Supplemental Environmental Impact Statement Record of Decision, Appendix E, Adaptive Management in the PAPA, Sec. E2)

We therefore request that BLM modify existing mitigation measures, as suggested above and required by adaptive management and the Pinedale Anticline ROD.

Historic monitoring has shown significant mule deer declines despite mitigation attempts

In 2005, wildlife biologists conducting mule deer research on the Pinedale Anticline noted a significant mule deer population decline. "This 4-year, 46% reduction in deer abundance is disconcerting because there is no concurrent evidence of a population decline in the control area." Sawyer, H., R. Nielson, D. Strickland, and L. McDonald. 2005. 2005 Annual Report. Sublette Mule Deer Study (Phase II): Long-term monitoring plan to assess potential impacts of energy development on mule deer in the Pinedale Anticline Project Area. Western Ecosystems Technology, Inc. Cheyenne, WY. pp. 45*)*

As a result of the 46% mule deer decline, in a May 3, 2006 letter, the Pinedale Anticline Working Group (PAWG) and Wildlife Task Group (WTG) forwarded a unanimous recommendation to BLM, asking that BLM "a) Maintain current numbers - specifically, no further decline in wintering deer numbers, and; b) Maintain current remaining, undisturbed habitats useful to deer in winter."

BLM declined to implement those PAWG and WTG recommendations and failed to halt further mule deer population declines.

Five years later, the mule deer population decline has plummeted to an unacceptable, 60% loss despite attempted mitigation. A more aggressive mitigation response is now necessary.

Sage-grouse Matrix Threshold Changes

The proposed changes in the sage-grouse matrix are incomplete and unclear

The BLM has requested public comment on the sage-grouse matrix mitigation threshold changes at its website, stating: "The adaptive management review team concurs with BLM and WYGFD response to the UW COOP review, that the nesting success and habitat selection monitoring component be dropped from the Wildlife Monitoring and Mitigation Matrix as shown below." (http://www.blm.gov/pgdata/etc/medialib/blm/wy/field-offices/pinedale/papadocs/admgmt.Par.46308.File.dat/SGAM.pdf)

However, because the last sentence in "Mitigation Responses" is incomplete, the intention of the BLM is unclear. While it would make sense that removal of the mitigation response would follow the proposed change to withdraw the nesting success criteria, the incomplete sentence appears to indicate a sense of haste and lack of attention to detail. This is confusing to the public, and does not inspire confidence in wildlife management decisions made by the agencies.

The proposed sage-grouse matrix threshold changes should follow the recommendations in the third party review of the sage-grouse monitoring plans

Funded by PAPA mitigation funds, Dr. Matthew Kauffman convened a panel of scientists with extensive experience in greater sage-grouse ecology and management to conduct a third party review of the Pinedale Anticline Project Area (PAPA) sage-grouse monitoring plans.

This professional review recommends that the nesting success and habitat selection criteria be modified, not withdrawn from the monitoring plan. "Contractors should only capture and radio-collar hens from leks within the PAPA treatment and reference areas that are spatially separated by at least twice the average distance of lek-to-nest movements."

Habitat selection is an important part of understanding sage-grouse responses to natural gas development across the landscape, and should be maintained in the sage-grouse monitoring plan.

The proposed sage-grouse matrix threshold changes do not add noise monitoring and so are not in conformance with current NEPA

According to the BLM's Wildlife Monitoring and Mitigation Plan, created in accordance with the 2008 Supplemental Environmental Impact Statement for the Pinedale Anticline Record of Decision (SEIS ROD), "The current sage-grouse monitoring needs to be expanded." (http://www.wy.blm.gov/jio-papo/papo/docs/wildlife/WWMP_mar09.pdf). "The noise levels at leks need to be measured throughout the PAPA." (ibid)

Additionally, the third party review of the sage-grouse monitoring plans notes that, "The approach to measuring noise appears to need some further thought."

In response to the third party review, BLM and WGFD biologists have, "recommended that experts in noise monitoring in sage grouse habitat be consulted before continuing with

additional monitoring efforts." But the proposed sage-grouse matrix threshold changes do not mention the addition of recommended noise monitoring.

We agree and strongly recommend that noise monitoring should be added to the sage-grouse matrix.

Comparative Sound Measurement is Essential

When assessing impacts of noise on animals, especially sage-grouse that depend on sound communication to mate, it is essential to measure both frequency and amplitude. Frequency is the number of cycles per second, or pitch; the shorter the wavelength, the higher the frequency, and the higher the pitch of the sound. Amplitude is the signal strength, or how loud the sound is.

Both the intruding noise and the sound of sage-grouse at a lek should be measured. With this comparison, one can determine if the intruding noise has the potential to mask sounds important to displaying sage-grouse. Measurement of only the intruding noise without comparing that to the sound of sage-grouse would not allow adequate assessment of potential impacts to the bird.

Sound level measurements should be made at the source of sounds associated with drilling (i.e. during production, maintenance, and transportation) and at leks used by sage grouse.

Sound Measurement Standards Should be Used

All noise measurements should include, at a minimum, continuous, 1-second one-third octave band dB data (20 Hz to 20,000 Hz: the hearing range of most animals). The reason that one-third octave band data should be collected is because dBA data are a single number, the sum of many individual frequency amplitudes, as adjusted for human hearing. This single dBA number does not provide specific frequency information relative to intruding noise or sage grouse sounds.

In order to address natural variability of sound level data, the length of measurement periods should be a minimum of 25 days at each lek. This is the minimum measurement period accepted by both the Federal Aviation Administration (FAA) and National Park Service (NPS) for acoustic study in remote areas. Measurements of anthropogenic sounds do not need to be as lengthy, as there is less variability of these sound levels.

To allow for repeatable measurements as recommended by the UW Coop, equipment used must meet specifications established by the American National Standards Institute. Equipment used by FAA and NPS to measure sound levels in national parks meet ANSI Type 1 specifications. Type 1 equipment was specified to insure that data collected could not be challenged in court. The proposed sage-grouse sound level measurements may not necessarily require Type 1 equipment (Type 2 or 3 have lesser standards); however, whatever standard is selected needs to be clearly stated in the Wildlife Monitoring and Mitigation Plan and Matrix.

Sound Measurements at Leks

A primary concern of sound measurements at leks is to ensure that the equipment does not influence numbers or behavior of sage-grouse. Since leks are defined as polygons, measurements should be made at a pre-selected distance away from the center of the lek (a distance that experts agree would not influence behavior or numbers).

Measurements could be made at some distance from the center of the lek, and noise levels at the center of the lek could be computed based on standard attenuation rates. If the location of human-caused sounds is known, such as a road or a drill pad, sound equipment could be placed near the lek and at the same distance from the noise source as the distance to the center of the lek.

Measurement of common sources of human-caused sounds at known distances would allow for modeling and prediction of area-wide sound levels.

Background Measurement of Natural, Ambient Sound Levels in the Upper Green River Basin Should be Conducted

Natural, ambient sound levels levels in the Upper Green River Basin that were estimated in the 2000 PAPA ROD and referenced in the WMMP and Matrix were never actually measured, and are likely much lower than the estimated 39 dBA.

Additionally, the 2000 PAPA ROD used U.S. Federal Energy Regulatory Commission noise impact regulations, which apply to humans, not sage-grouse.

Research has shown that sage-grouse are much more sensitive to noise at lek sites. The Western Association of Fish and Wildlife Agencies, in their report *Greater Sage-grouse Comprehensive Conservation Strategy* (http://gf.state.wy.us/downloads/pdf/WAFWA%20Greater%20Sage-grouse%20Conservation%20Strategy%202006.pdf) notes that the "Number of males also declined when the lek was located downwind from a drilling rig, indicating that noise from energy development was likely a contributing factor." "If noise interferes with mating displays, and thereby female attendance, younger males will not be drawn to the lek and eventually leks will become inactive." (Amstrup and Phillips 1977; Braun 1986)

"Noise can drive away wildlife, cause physiological stress and interfere with auditory cues and intraspecific communication, as discussed previously. Aldridge and Brigham (2003) reported that, in the absence of stipulations to minimize the effects, mechanical activities at well sites may disrupt sage-grouse breeding and nesting activities. Hens bred on leks within 3 km (1.9 miles) of oil and gas development in the upper Green River Basin of Wyoming selected nest sites with higher total shrub canopy cover and average live sagebrush height than hens nesting away from disturbance (Lyon 2000). The author hypothesized that exposure to road noise associated with oil and gas drilling may have been one cause for the difference in habitat selection." [Emphasis added]

Therefore, the PAPA standard noise level of not more than 10 dBA above background levels should reference a measured background, not the 39 dBA used in the ROD.

Existing Winter Concentration Area Data Should be Included in Baseline Assessments

Dr. Kauffman's (et al) "Review of Sage-grouse Monitoring for the Pinedale Anticline Project Area" notes in the "Winter Distribution" section that, "Three to five or more years may be needed just to identify "normal" movements and there appears to be no pre-development data available." The reviewers' recommendation is to, "Clearly specify the approach that will be used to estimate number of sage-grouse wintering in these areas in order to detect a 30% decline as specified in the matrix."

In fact, data is available to estimate winter sage-grouse distribution on the Anticline. A research project to determine winter distribution is on-going and spans a four-year period. See the results of "Greater Sage-grouse Winter Habitat Selection in the Upper Green River Basin, Wyoming," noted on p. 19 here: http://gf.state.wy.us/wildlife/wildlife_management/sagegrouse/pdf/2007sgjcrsbyregion/2007%20Upper%20Green%20River%20JCR.pdf.

We request that this scientific study be cited and included in a revision to the sage-grouse matrix.

Pronghorn Antelope Matrix Threshold Changes

We note that in the "Agency Response to University of Wyoming COOP Unit coordinated third party review of monitoring protocol for pronghorn in the PAPO development area," the BLM responded, "We support continuing habitat use data collection and analysis as it is useful for monitoring distribution and use overtime and for assessing mitigation success. Pronghorn distribution across the PAPA would continue to be monitored from a sample of GPS collared adult females (n=30) and modeled annually using Resource Selection Function (RSF) analyses."

We therefore recommend that the Pronghorn Antelope Matrix include a cell that will require habitat use data collection and analysis.

General Matrix and Monitoring Plan comments

The Wildlife Monitoring and Mitigation Plan and Wildlife Monitoring and Mitigation Matrix should be re-designed to help determine and address the specific causes of wildlife impacts and population declines.

"Simply documenting a behavioral response (e.g., avoidance, acclimation, displacement) to a disturbance adds very little to our knowledge of the impact, if it cannot be linked to the survival or reproductive success of the species involved." Sawyer, H., R. Nielson, D. Strickland, and L.

McDonald. 2005. 2005 Annual Report. Sublette Mule Deer Study (Phase II): Long-term monitoring plan to assess potential impacts of energy development on mule deer in the Pinedale Anticline Project Area. Western Ecosystems Technology, Inc. Cheyenne, WY. pp. 3-4*)*

Wildlife Monitoring

To improve the Wildlife Monitoring and Mitigation Plan, we recommend the following additions: 1) goals and objectives must go beyond simple population estimates, and strive to maintain and enhance wildlife populations, in accord with agency policies; 2) credible science is cited and used to validate wildlife monitoring plans; 3) baseline information is established to the extent possible; 4) identify, qualify and quantify which impacts from development are most limiting to wildlife populations, to link impacts to survival or reproductive success.

While the JIO/PAPO Board noted in their October 20, 2010 letter to the UGRA that, "The primary impact to wildlife are related to human disturbance," this provides no specific identification of which human disturbances are most limiting to wildlife populations, and therefore no specific identification of which mitigation can be most successful.

Wildlife Mitigation

To improve the Wildlife Monitoring and Mitigation Plan, we recommend the following additions. Ensure: 1) mitigation goals and objectives are identified and specific enough that PAPO project proposals can be measured against them, to complete a holistic mitigation plan that spans landscapes and species in the target area; 2) a formal set of protocols is developed and published in the funding application guidelines for evaluating and ranking proposed mitigation projects, rather than the ad hoc approval process now used; 3) mitigation projects that are accepted for funding by the PAPO should specifically target and address wildlife impacts identified during monitoring, including the species, scale and/or habitat affected; 4) habitat assessments are conducted on mitigation project areas, that prove potential, quantified and qualified mitigation value; 5) conservation plans are completed and included in project proposals, and made publically available, prior to approval of proposed mitigation project funding; 6) verification is made of mitigation effectiveness, quantity and quality (i.e. each acre of habitat lost in the PAPA is mitigated at a 1:3 ratio); 7) identification of any improvements that might be made to mitigation efforts; 8) timely, public reporting of mitigation success; 9) effective utilization of mitigation funds; 10) prioritization of project type in future mitigation funding decisions.

Natural Gas Stockpiles and Low Natural Gas Prices Have Reduced the Current Demand for Pinedale Anticline Natural Gas

The ROD states that, "National demand makes it imperative that as much natural gas as possible be recovered from the PAPA." (Pinedale Anticline Project Area Supplemental Environmental Impact Statement Record of Decision, Appendix E, pp. E1)

However, national demand is at an historic low for natural gas, making this a perfect opportunity to consider and implement more effective monitoring and mitigation strategies during the lull.

According to an Oct. 27, 2010 Reuters article, "Natural gas prices have tumbled 40 percent since the beginning of the year and are expected to decline further."

While national demand for gas is low, storage is very high. "Total gas in U.S. storage is at its second highest level ever for this time of year at 3.683 trillion cubic feet." ConocoPhillips is actually shutting in wells and would like to shut in more at current low prices. See article at: http://www.reuters.com/article/idUSN2720610620101027.

On the Pinedale Anticline, there are 2076 expired permits to drill, and 79 wells have been plugged and abandoned. See Table 1 below, from the WOGCC:

Table 1

	Federal	Fee or State	Total
PA'd	63	16	79
Dormant Wells	8	3	11
Completed Wells	1475	197	1672
Injection Wells	13	7	20
Monitoring Wells	1	1	2
NIA's	7	0	7
Spuds	313	30	343
Denied Permits	80	4	84
Expired Permits	1970	106	2076
Permits To Drill	520	41	561
Waiting On Approval	80	0	80
Total Confidential	1	0	1
Total	4531	405	4936

Current, low prices for Wyoming's natural gas, along with high natural gas storage, and expired drilling permits, indicate that this is a good time to try promising, new mitigation strategies as suggested above. We have an opportunity to "get it right" in the Pinedale Anticline gas field, enhancing and preserving our valuable wildlife without significant impacts to development. Right now, it makes sense to modify the Wildlife Monitoring and Mitigation Plan and Matrix for the Pinedale Anticline natural gas field.

Thank you for your consideration of these comments and please do not hesitate to contact us with any questions or concerns. We look forward to a timely response to these comments.

Sincerely,

/s/
Linda F. Baker
Executive Director