



January 17, 2012

Submitted via email: co_kremmlingrmp@blm.gov

Dennis Gale
RMP Project Leader
Bureau of Land Management
Kremmling Field Office
2103 East Park Avenue
Kremmling, Colorado 80459

RE: Kremmling Draft Resource Management Plan/Draft Environmental Impact Statement

Dear Mr. Gale:

Western Energy Alliance and Public Lands Advocacy (PLA) submit the following comments to the Bureau of Land Management (BLM) regarding the Kremmling Draft Resource Management Plan and Draft Environmental Impact Statement (DRMP/DEIS). Western Energy Alliance (formerly IPAMS) represents over 400 companies engaged in all aspects of environmentally responsible exploration and production of natural gas and oil in Colorado and across the West. PLA is a nonprofit trade association whose members include independent and major oil and gas producers as well as nonprofit trade and professional organizations that have joined together to foster environmentally sound exploration and production on public lands.

Our members have a vested interest in decisions made by BLM for the planning area that affect access to valid existing oil and gas lease rights, as well as future leasing, exploration, and development activities. BLM's preferred alternative would limit oil and natural gas development throughout the planning area due to unjustified land use closures and restrictions. Under the preferred alternative, BLM will apply major and moderate constraints to over 744,000 acres of federal mineral estate in the planning area. Many of these restrictions are unnecessary because oil and natural gas producers already comply with existing laws that protect water, air, and other resources.

In the DRMP/DEIS, BLM fails to adequately consider reasonable access to federal and private minerals and the negative effects its proposed management strategy will have on future oil and gas exploration and development activities, counties, and local economies. Because of these issues, we request that BLM revise the preferred alternative so that it actually strikes an adequate balance between protecting natural resources and enabling economic growth in the planning area.

Greater Sage-Grouse

The DRMP/DEIS applies no surface occupancy (NSO) and timing stipulations for greater sage-grouse habitat without proper scientific justification and includes management goals that go far beyond what is necessary to protect local populations and their habitat. Under the preferred alternative, BLM will apply timing limitations and other restrictions for oil and gas development within a four mile radius around leks and allow no more than three percent of sage-grouse core areas to be disturbed at any one time. These management restrictions are unprecedented and are much more restrictive than other RMPs, as well as the Wyoming core area strategy, which limits surface disturbance to five percent in core habitat. In addition, imposing these restrictions on an existing lease without an NSO stipulation is an illegal alteration of valid existing rights.

BLM provides no references to scientific information that would justify these stipulations and fails to consider the impact NSO stipulations, timing limitations, and density restrictions in sage-grouse habitat will have on future oil and gas activities in the planning area. Without proper scientific justification, disturbance and timing stipulations for greater sage-grouse habitat violate the National Environmental Policy Act (NEPA), unreasonably constrain future oil and gas activities, and compromise valid existing rights.

Valid Existing Lease Rights

We are concerned that the preferred alternative may impede lessees' ability to exercise their valid existing lease rights in the planning area. The RMP must recognize that BLM cannot impose stipulations or conditions of approval (COA), including surface disturbance restrictions in sage-grouse habitat, on existing leases that are inconsistent with valid existing rights. We recommend that the BLM revise the preferred alternative to ensure that valid existing lease rights are protected.

Socio-Economic Analysis

The socio-economic analysis in the DRMP/DEIS is deficient because it fails to provide a comprehensive analysis of the restrictive management decisions proposed for oil and gas development, and how these management decisions would constrain current and future development in the planning area. The DEIS does not accurately quantify the decrease in economic output that will result from land closures and restrictions on oil and gas activities, including those specified for sage-grouse habitat. We recommend that BLM include in the final RMP a thorough analysis of the socio-economic impact on local communities, the state and nation that will be caused by the restrictions for oil and development in the planning area.

Reasonably Foreseeable Development (RFD) Scenario

We are concerned that BLM may use the RFD to establish a cap on the number of wells that may be drilled during the life of the RMP. Accordingly, we recommend that BLM

clarify in the DRMP/DEIS that the RFD is simply a forecast of development for planning purposes only, and is not a limitation on future development.

Closures and Restrictions on Use

Under the preferred alternative, BLM would close over 28,000 acres to future oil and gas leasing, ostensibly to protect wildlife habitats, areas of critical environmental concern, and other special management areas. BLM will also apply major and moderate constraints (NSO and controlled surface use) to over 744,000 acres in the planning area. BLM fails to provide scientific justification for many of these closures and restrictions in the DRMP/DEIS and must do so in accordance with NEPA before they are finalized in the Record of Decision.

Conclusion

We believe the management strategies and restrictions for oil and gas development outlined in the preferred alternative are unreasonably onerous and restrictive and must be revised before BLM finalizes the RMP and signs a Record of Decision. This revised preferred alternative must actually balance economic development and activities with conservation of natural and cultural resource values in the planning area.

We appreciate the opportunity to comment on the Kremmling DRMP/DEIS and request that you give our comments serious consideration. If you have questions, please contact Spencer Kimball at (303) 623-0987 or skimball@westernenergyalliance.org; or Claire Moseley at 303-506-1153 or claire@publiclandsadvocacy.org.

Sincerely,



Spencer Kimball
Western Energy Alliance



Claire Moseley
Public Lands Advocacy