

Written testimony submitted by Stephen B. Smith, Mayor of Pinedale, Wyoming
to the House Committee on Natural Resources

HR 3534

Thursday September 17, 2009

Pinedale, Wyoming is a small town of about 1,600 people in the upper Green River Valley in western Wyoming. It is located at 7,200 feet and surrounded on three sides by magnificent mountain ranges. Pinedale is the county seat of Sublette County, population around 7,500, and nearly half of the county's residents live within 5 miles of town. In a county larger in size than the state Connecticut, 80% of our lands are federally managed. We are also home to one of the largest natural gas fields in the continental United States.

Natural gas exploration and production in Sublette County has changed the dynamic of our community over the past few years. We are traditionally a community rooted in agriculture and tourism. The natural gas fields around Pinedale were explored in the early 1980s and were known to hold great reserves, but only a few years ago technology became available to successfully develop this resource. Pinedale changed overnight.

The development of the gas fields has been of significant economic benefit to the community. It has also brought challenges.

One of our greatest concerns in light of energy development has been the socio-economic impacts of a rapidly increasing population. These include the need for new and updated infrastructure, providing childcare, increased crime, increased traffic, demands on emergency services and health care as well as growing class room sizes.

Even more important than socio-economic issues are citizens' concerns over potential health hazards. Over the past three years we have had numerous ozone alerts in our county with ozone levels exceeding maximums established by the U.S. Environmental Protection Agency. These were the first ozone alerts in the history of Sublette County. In the spring of 2007, due to gasfield NOx and VOC emissions, 8hr-ozone ground level levels in the Pinedale area spiked as high as 122ppb (the national ambient air quality standard to protect public health is set at 75ppb). This is of special concern in an urban area, let alone a rural community and county of 7,500 people. Air quality in the valley and especially in the class one

air shed of the Bridger Wilderness is declining and needs to be addressed. Local citizens have rallied around these issues and have taken their concerns to state and federal agencies. The Wyoming Department of Environmental Quality has been active in monitoring air quality and ozone and their efforts are ongoing. Similar concerns have been raised over water quality.

Because of the large amount of federal ownership in Sublette County, House Resolution 3534 would certainly affect the future of development in our area. There are certain portions of this proposed legislation on which I would like to comment, the first being Title 3 Section 306 Best Management Practices. The use of best available technologies should be required for all energy development on federal lands. Industry in our area is currently moving in that direction, using some natural gas burning engines for drilling, and introducing a liquid gathering system on the Pinedale anticline. These are two examples of voluntary and proactive steps taken by some operators. Requiring these practices ensures the most current technology continues to be implemented and used in both exploration and development. The requirements should be specific, measurable and enforceable.

Secondly, HR3534 addresses the elimination of categorical exclusions. From October 2006 through May of 2009 over 1500 applications to drill were approved with the use of these categorical exclusions out of the Pinedale BLM field office alone. This constitutes over 80% of the permitting by our local field office in the past three fiscal years. Use of this magnitude circumvents proper analysis of large field development and goes against the intentions of NEPA.

This legislation does not however address the issue of social and economic concerns, their identification and mitigation. The town and the county have had extensive conversations with the BLM, the Governor's office and our Congressional delegation on this subject. Socio-economic matters should be considered and mitigated at all stages of planning and development in the same manner as physical and environmental impacts.

In February 2008 the Town of Pinedale submitted official comment to the BLM on its draft of the Supplemental Environmental Impact Statement. In these comments specific concerns were raised over socio-economic matters and the need for mitigation of these issues. Below are a few examples of these comments:

“If the BLM approves a planning document which, in reality, allows for the fastest possible energy development on lands surrounding Pinedale, the Town of Pinedale asks BLM managers to create provisions in the final EIS which would provide on-the-ground resources for the Town of Pinedale to address the social and economic impacts that we will continue to bear with rapid energy development.”

“We applaud the mitigation fund proposed by the operators for off-setting on site impacts increased development. However, it appears that there is no direct mitigation commitment for the substantial socioeconomic impacts that our town will sustain from the proposed dramatic increase of the current amount of energy development today.”

These comments were not addressed in the Record of Decision and have yet to be resolved.

Energy development and its economic benefits are not only important to the town of Pinedale, but to the country as a whole. But regulating this development in order to address socio-economic impacts is vital to protecting my community and other potential areas of development.

Attached please find two documents, the first of which is a document outlining the categorical exclusions and their use in the BLM’s Pinedale Field Office; and the second being a letter to Governor Freudenthal from the elected officials in Sublette County, outlining our highest priority socio-economic needs.