

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

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In the Matter of the Petition of)
Biodiversity Conservation Alliance)
For Designation of "Adobe Town")
As Very Rare and Uncommon)

EQC Docket No. 07-1101

FILED

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COMMENTS OF ANADARKO PETROLEUM CORPORATION
October 24, 2007

Terri A. Lorenzon, Director
Environmental Quality Council

On November 6, 2006, the Biodiversity Conservation Alliance (BCA), along with other non-governmental groups, filed a petition with the Wyoming Environmental Quality Council (EQC) seeking designation of approximately 180,910 acres as very rare and uncommon pursuant to the Environmental Quality Act, WS 35-11-112 (VRU Petition). The lands are located in Sweetwater County, Wyoming, and include a mix of federal, state and private ownership. A coalition of oil and gas companies, including Anadarko Petroleum Corporation (Anadarko), filed detailed comments in opposition to the BCA's VRU Petition with the EQC on October 17, 2007 (Operators' Comments). Anadarko hereby incorporates those comments in their entirety and supplements them with the following information.

Anadarko is unique amongst those appearing before the EQC in opposition to the VRU Petition in that Anadarko owns both private property rights and mineral interests, as well as interests in state and federal oil and gas leases, within the confines of the lands proposed for designation as very rare and uncommon. Anadarko owns approximately 1,280 acres of fee lands, the surface of which is leased by Rock Springs Grazing and 25,830 acres of reserved minerals and mineral rights in the immediate area. Attached to these comments is a map depicting these private property rights in relation to the lands encompassed by the proposed VRU Petition. Anadarko's private property and mineral interests are in the northern portion of the area and are interspersed with lands owned by the federal government. Although BCA's VRU Petition states that it applies only to "state and federal holdings," Petition at 2, because of the checkerboard land pattern in this area, any designation on state and federal lands will most likely encumber Anadarko's private property, including its ability to realize the full potential of its mineral

interests. BCA asserts in its comments that any VRU designation will not affect private property rights, but this ignores the fact that development of these rights, especially in the checkerboard land pattern, requires access and availability of the adjacent sections. Because of the foreseeable negative impact and ultimate burdens that will hinder utilization of private property rights held since before statehood and valid existing leasehold rights, we respectfully request that the EQC deny BCA's VRU Petition.

BCA further asserts that in various conversations with Rock Springs Grazing and Anadarko, Anadarko has indicated an interest in either a sale or exchange of its interests in these lands. To the best of my knowledge, BCA has not submitted a formal proposal to those at Anadarko authorized to entertain such transactions. Nor has Anadarko ever been directly contacted by BCA to discuss access to Anadarko's lands. Had BCA done so, they would have been informed of Anadarko's long-standing position that members of the public or the Bureau of Land Management must obtain written authorization to access Anadarko's lands.

Under the Environmental Quality Act, lands may be designated as very rare and uncommon "to the extent possible" based on whether the lands are "very rare or uncommon and have particular historical, archaeological, wildlife, surface geological, botanical or scenic value." WS § 35-11-112. As detailed in the Operators' Comments, the lands at issue either do not qualify as very rare or uncommon or to the extent the lands possess such qualities, they are more than adequately protected because they have already been designated as a wilderness study area by the Bureau of Land Management (BLM). APC does not believe the VRU Petition meets the requirements of the Environmental Quality Act and the Department of Environmental Quality's Rules of Practice and Procedure. Therefore, for the qualification and other reasons specifically detailed in Operators' Comments, Anadarko urges the EQC to deny BCA's VRU Petition.

Respectfully,
Richard T. Robitaille
Manager, Government Relations