



February 17, 2021

Acting Secretary Scott de la Vega
Department of Interior
1849 C Street, NW
Washington, DC 20240

Dear Acting Secretary de la Vega,

I am reaching out to convey a number of concerns that seem to fall on deaf ears regarding your recent Secretarial Order (S.O.) 3395 issued on January 20, 2021. The order's 60-day "pause" applies to oil and gas leases -- with severe implications that devastate the State of Wyoming's revenue in the near-term with the potential to spell a long-term blow for our State's economic wellbeing.

The impacts of S.O. 3395 to Wyoming are real: approximately half of federal earnings from oil and gas development on federal lands return to the State of Wyoming. S.O. 3395 explicitly provides that the temporary pause of delegated authority for the Bureau of Land Management (BLM) to issue fossil fuel authorizations "does not limit existing operations under valid leases." In my letter to the Wyoming BLM State Office dated January 29, 2021, I conveyed to the BLM Wyoming State Office that it is crucial for the BLM to continue to process actions tied to existing operations under valid leases and to do so consistently across BLM field offices in Wyoming. The Wyoming BLM State Office is working with my office to keep the line of communication open.

Statements released by the Department of Interior last week indicate it is Interior's view that S.O. 3395 has not resulted in a slowdown of permitting allowed by the Secretarial Order for existing operations under valid leases. To the contrary in Wyoming: what we see here is a backlog of actions tied to existing operations under valid leases at the BLM State Office level (i.e. surface and often down hole sundries and APD extensions).

This backlog exists because nearly every action requires Interior sign-off, therefore piling the burden onto the BLM State Office to process and package each action -- which should be allowed to proceed as normal -- for Interior's approval. This takes considerable time and resources and adds layers of bureaucratic red tape to what was a well-functioning process. If the 60-day order is not intended to bar existing oil and gas operations, it sure is doing a good job of having such an effect. There appears to be a lot of "processing," but as of yet, only a few APD approvals or extensions.

Adding salt to the wound, on February 12th the Department of Interior announced it is "postponing" the upcoming First Quarter 2021 oil and gas lease sale in Wyoming and other states in order to take a second look at environmental reviews tied to these lease sales. In my view, this is a back-door way of implementing a moratorium on leasing without issuing a secretarial order. This "postponement" and President Biden's Executive Order 14008 threaten to put the State of Wyoming and our industry out of business on Federal lands and minerals. I am very concerned about companies making choices in

the coming weeks and months to move assets out of Wyoming into other states with less federal land. This does nothing to address climate change, but it disproportionately impacts Wyoming families and our communities.

I also understand that New Mexico, via a letter from State Senator George K. Munoz, has requested a waiver of the federal drilling restrictions. I heartily join him and request the same for the people of Wyoming.

I have continuously supported an "all of the above" energy policy and made responsibly addressing climate change a hallmark of my administration. Wyoming aims to be a leader on both. It is foolish and counterproductive to pit concern for the environment against quality, good-paying jobs when we know we must have both. Climate change is an urgency that facile measures such as a 60-day suspension of authority, the politically motivated postponement of quarterly lease sales, and an open-ended "review" do little to address. There must be better ways to meet the Biden Administration goals of good quality jobs, a strong economy, and a cleaner environment.

Supporting an "all the above" energy strategy means supporting the continued development of wind and solar power. Still, it is important to remember that regardless of source, all energy production has impact. There is room for all, but the approach must be balanced. I intend to work with the Biden Administration and Department of Interior to come up with responsible solutions that power our nation, protect our environment and wildlife, and promote quality jobs. However, I am also prepared to take all actions necessary to protect Wyoming from unilateral federal actions targeted towards crippling our energy industries.

I request that you uphold the federal government's responsibility to honor the existing oil and gas rights that are already in place. Thank you for your attention to this matter and I look forward to your prompt response. In addition, I am available at your convenience to come to Washington D.C. to visit with you about this and other Department of Interior issues.

Sincerely,



Mark Gordon
Governor

cc: The Honorable Representative Liz Cheney
The Honorable Senator John Barrasso
The Honorable Senator Cynthia Lummis
President Dan Dockstader, Wyoming Legislature
Speaker Eric Barlow, Wyoming Legislature
Kimber Leibhauser, Acting State Director, BLM Wyoming State Office
Duane Spencer, Acting State Assistant Director, BLM Wyoming State Office