



WESTERN GOVERNORS' ASSOCIATION

John Hickenlooper
Governor of Colorado
Chairman

Brian Sandoval
Governor of Nevada
Vice Chairman

James D. Ogsbury
Executive Director

Headquarters:
1600 Broadway
Suite 1700
Denver, CO 80202

303-623-9378
Fax 303-534-7309

Washington, D.C. Office:
400 N. Capitol Street, N.W.
Suite 376
Washington, D.C. 20001

202-624-5402
Fax 202-624-7707

www.westgov.org

August 23, 2013

Honorable Sally Jewell
Secretary
U.S. Department of the Interior
1849 C Street, N.W., Room 6151
Washington, DC 20240

Dear Secretary Jewell:

We write to provide our input regarding the Bureau of Land Management's (BLM) recently re-proposed rule titled "Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands," which was published in the Federal Register on 24 May 2013.

At the annual meeting of the Western Governors' Association held in Park City in June 2013, the Western Governors adopted a policy resolution that stated, in part:

Western Governors recognize that the states, territories, and flag islands have effectively regulated the practice of hydraulic fracturing and redundant federal regulation is not required.

Most of the federal and tribal lands where BLM has jurisdiction and where this new federal rule will apply are located in Western states that have a long history of oil and gas production and robust regulations designed to protect the environmental and public health. Because there are often profound differences in geology, ecology, hydrology and meteorology, the states are best equipped to design, administer and enforce laws and regulations related to oil and gas development.

It's important to underscore that state regulatory programs have been thoughtfully designed by experts to address state-specific issues and factors. In addition, they are applied consistently by highly trained staff, regularly reviewed, and continuously subjected to thoughtful administrative oversight. Importantly, the states have greater flexibility to respond to new

Honorable Sally Jewell
August 23, 2013
Page 2

information and modify or update their rules, as they have demonstrated in recent years, and to respond to continuous improvement of both technologies and best practices. As evidenced by the formalized Memoranda of Understanding (MOU) covering permitting of oil and gas operations on BLM-managed lands that some states have held with BLM for decades, BLM has historically recognized the deep expertise and competence of state regulators. There is every reason to expect this system will continue to effectively oversee oil and gas operations.

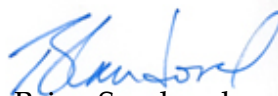
The Western Governors' Association is unified in its position that states and the federal government should continue to promote and enhance partnership—especially where we can more efficiently and cost effectively ensure environmentally responsible development of our public lands. While BLM has repeatedly indicated its intention to work with the states, there has never been a formal consultation with our state regulators, and we would welcome the opportunity to engage in a dialogue whereby we can demonstrate the effectiveness of our regulations. Although such a dialogue would have been preferable before the BLM considered any new rulemaking, it still may be possible as part of any MOU process with the states. We believe that it would be fiscally and regulatorily responsible to leverage the existing state programs, resources and infrastructure as part of any BLM rule or program. This represents a real opportunity for the states and the federal government to work in concert to more effectively oversee a program that will help us achieve energy security.

We look forward to discussing this further with you.

Sincerely,



John Hickenlooper
Governor of Colorado
WGA Chairman



Brian Sandoval
Governor of Nevada
WGA Vice Chairman

cc: Neil Kornze, BLM