

Oil and Gas EIS Project, National Forests and Grasslands in Texas

Supplemental Comments

10.8.2019

I would like to add supplemental comments to the comments I filed on 10.5.19. My earlier comments are found on page two below.

The Forest Service and the BLM hold their assets for the benefit of the public, not for the benefit of private companies. It would be inappropriate to lease public land for the profit of private enterprise, without a compelling public benefit. I believe that any public benefit that might offset public impacts / risk should be matched to the subset of the public that bears the impact / risk.

In my previous comments I noted that there were two different types of impacts / risks to the public in the exploitation of mineral rights. There are foreseeable operational impacts and unforeseeable catastrophic impacts. Each of these affects a different subset of the public.

The foreseeable operational impacts affect that portion of the public that live near the Forest or use the Forest for recreational purposes and the wildlife that resides therein. The unforeseen catastrophic impacts affect that portion of the public that depend on Lake Conroe and the aquifers for water.

It seems to me that the subset of the public that is at risk for the foreseeable operational impacts, should be entitled to their proportionate share of the rewards of the lease. The public rewards in a mineral lease are the revenues from the lease. If the BLM is permitted to enter into a lease of mineral rights, I believe their proportionate share of the revenue of the lease should flow to the benefit of the public affected by the operational impacts – in other words, to the benefit of the National Forest in which the mineral rights are leased. This should be identified and documented, so that it can be verified, and should be balanced against the impact / risk.

It also seems to me that the unforeseen catastrophic impacts are so severe that there is no reasonably possible offsetting benefit to those that depend on the lake and aquifers for water, and there is no feasible way to identify, much less apply, a proportionate share of the rewards to that subset of the public.

For these reasons, I can see no justification for the Forest Service to permit leasing by the BLM of mineral rights in the National Forest adjacent to Lake Conroe. Any new review of the relevant factors should take these considerations into account, and specifically address them.

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Please accept these comments in regard to the above project as it pertains to the National Forest adjacent to Lake Conroe. While the comments may be relevant to other areas, I have no knowledge of other areas so limit my comments accordingly.

It seems to me that the purpose of studying the impact of a lease is to develop information about the potential impact to affected stakeholders to measure against the anticipated value of a lease.

The evaluation done in 1996 and conclusion to refuse consent to lease NFGT lands from the BLM got it right. What has changed?

Impact:

I see two principal impacts. The first is the foreseeable impact resulting from lease operations. The second is the unforeseeable impact resulting from a catastrophic event.

Operational impact: Since the 1996 study, the population of the area that will be affected has grown materially. Any adverse effects on humans caused by operations will accordingly be greater. The growth of human population has also caused a reduction in wildlife sanctuary through development in formerly forested areas, with the result that the sanctuary of the Forest takes on added importance, such that any adverse consequence on wildlife will also be greater.

Unforeseen catastrophic impact: I know absolutely nothing about oil and gas exploration so will not comment on what possible catastrophic accidents might occur. Rather my comments reflect more of a risk reward analysis. On the risk side, there are literally millions of people who depend on the surface water of Lake Conroe and the ground water of the aquifers beneath the Forest for water, both for normal living and household use and industrial use. A catastrophic event would have disastrous consequences for millions of people. If there is even a remote possibility of a catastrophic event it seems to me that it would only be reasonable to run that risk if the reward were correspondingly high. Since 1996, technology in the oil and gas industry has dramatically changed, with the result that the United States is now one of the leading producers in the world. I question whether any minor incremental gain in supply, or any incidental additional revenue from a lease would offset the incredible tragedy of an unlikely catastrophic event.

In summary, it seems to me that the study is unnecessary, but if required by law, would be appropriately limited to an analysis of what has changed since the 1996 study, and an evaluation of the impact of a catastrophic event. It makes no sense to ignore the possibility of a catastrophic event. History is replete with the occurrence of unlikely catastrophic events.

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