

PUBLIC SUBMISSION

As of: 1/9/18 11:00 AM Received: December 29, 2017 Status: Posted Posted: January 09, 2018 Tracking No. 1k1-90mi-vjmm Comments Due: January 09, 2018 Submission Type: Web
--

Docket: MSHA-2014-0031
 Exposure of Underground Miners to Diesel Exhaust

Comment On: MSHA-2014-0031-0076
 Exposure of Underground Miners to Diesel Exhaust: Request for Information; Reopening of Rulemaking Record; Extension of Comment Period

Document: MSHA-2014-0031-0158
 Comment from z z, NA

Submitter Information

Name: z z
Organization: NA

General Comment

The Endangered Species Act or ESA is under considerable scrutiny for several reasons. Proponents of reform, such as the Western Governors Association have long called for a dialogue on the subject and proper implementation. Committees were reviewing the act and considering reform. With respect to ESA and natural gas exploration and production the challenges relate to citizen nominations for additions to the list of endangered or threatened species.

The problem is that there are no qualification requirements to nominate a species for listing. Any group or individual can file a petition to list without scientific data. The result is that opponents of natural gas exploration and production take advantage of the liberal public participation provisions to stop activity. Obstructionists simply petition that a particular species should be listed as a protected species. Once a species is listed the species habitat becomes effectively off-limits to exploration and production or any other activity that could result in a "take" of the species. For example, several obstructionist groups petitioned the U.S. Fish & Wildlife Service that the Preble's meadow jumping mouse should be listed as an endangered species. Without proper and full scientific review, the USFWS designated the Prebles mouse and restricted 31,220 acres in Colorado and Wyoming and 359 miles of streams and rivers as designated habitat. The Service initially proposed double the critical habitat but concluded that the additional land was already under protections. The result of the "more reasonable proposal" drew ire from some. a spokesman for an environmental activist group stated, "I fear that the Fish and Wildlife Service has erred on the side of extinction. After spending millions of research

AB86-COMM-101

dollars to fund mitochondrial DNA studies, independent scientists concluded that the Prebles' is genetically indistinguishable from another common field mouse. As a result of using well-grounded science, the USFWS was likely to de-list the Prebles mouse. One would think that the groups concerned with species survival would be pleased. Yet, the reaction demonstrated their true intent all along- control over the land.

Similarly, many groups have petitioned the Fish & Wildlife Service to list the sage grouse, a bird that inhabits natural gas-rich states. The USFWS considered listing the species but ultimately declined and opted for a cooperative approach instead. At that time, Secretary of Interior called the collaborative approach a success story. Rather than asserting the blunt instrument of the federal government, the USFWS will work with grassroots and local conservation organizations to help the species thrive. Like the Prebles mouse, one would think that those concerned about helping the species would feel empowered with the decision as they now have an official mandate to help. One only needs to consider the habitat that would effectively be made off-limits if the sage grouse were listed under ESA. As the bird's name implies, sage grouse live in and around sage. Look at a map that superimposes sage over the natural gas rich basins. The map would illustrate why some groups may be advocating for federal protection rather than innovative local conservation efforts. The effect of the Prebles mouse's designation would have stopped development; the likely effect of sage grouse designation would stop or at least restricted exploration and production of natural gas. Therein lies the problem - the ESA was being used by those opposed to some or all to meet their own objectives rather than to help endangered or threatened species. One natural gas producer put the ESA issue in very simple terms: "You want to find a threatened or endangered species, go find a well.

Power generators expanded their demand for natural gas by 36% over the period 1997-2000. The Energy Information Administration found that between 2000 and 2003, 93 percent (187 gigawatts) of new generation capacity was gas-fired. In a June 2005 report the State of California consumed approximately 6 to 10 billion feet of natural gas per day. If California were a country, it would have ranked as the tenth largest user of natural gas worldwide. Natural gas is regarded as the cleanest burning fossil fuel and therefore should be preferred over other sources, so why is it not championed by environmental groups? Instead, have had significant and detrimental impacts on the U.S. gas and oil economy as a whole, and consumers and workers specifically.