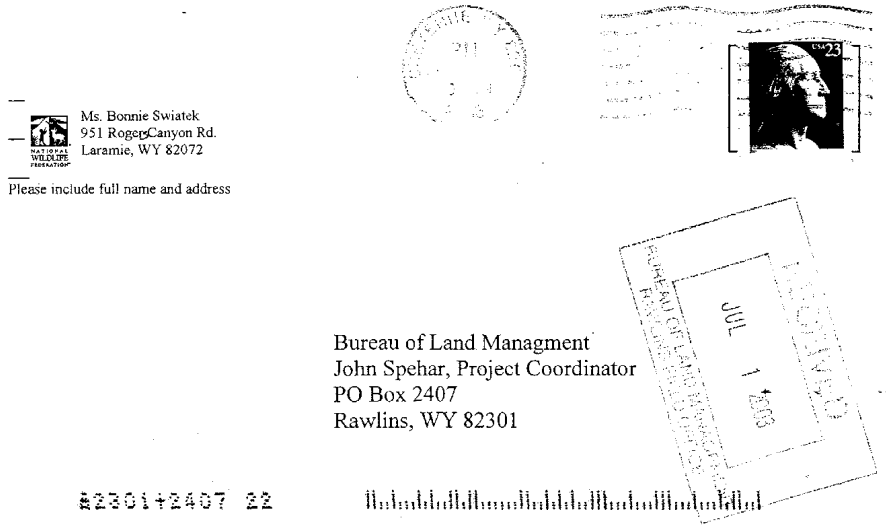
LETTER 140



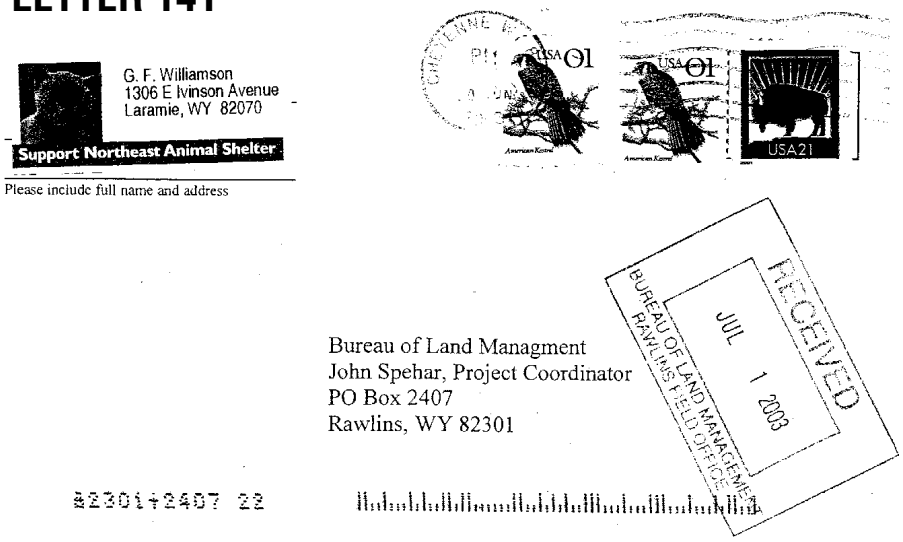
Dear Mr. Spehar,

The Desolation Flats project area contains spectacular public lands. In order to ensure adequate protection for the magnificent scenic and recreational value of the area as well as its outstanding wildlife habitat, I ask the Bureau of Land Management to:

- **Avoid drilling in environmentally sensitive areas such as wilderness quality lands, roadless lands, and important wildlife habitats.** The BLM should withdraw from leasing or require "No Surface Occupancy" for oil and gas drilling on floodplains, roadless lands, wilderness quality lands, crucial elk and deer winter ranges, prairie dog colonies, mountain plover habitat, and within three miles of sage grouse leks and one mile of raptor nests.
- **Protect all lands within the Adobe Town citizens' proposed WSA.** In the project area there are almost 50,000 acres of wildnerness-quality lands adjacent to the existing Adobe Town WSA. These lands should be protected by incorporating them into the larger, existing Wilderness Study Area.
- **Adopt a Conservation Alternative in the FEIS.** The FEIS must not only have a conservation (or true no action) alternative, but also adequate mitigation and monitoring measures to ensure proper protection for the area's special values.
- **Mandate the least environmentally damaging types of drilling.** Di[illegible]l drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlif[illegible]ation, and landscapes. 1

Signature: Bonnie S. Swiatek

LETTER 141



P.S. - Roadless should mean NO roads.

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- **Mandate the least environmentally damaging types of drilling.** Directional drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlife, recreation, and landscapes. 1

Signature: Gary Williamson 1306 Ivinson, Laramie 82070

LETTER 142

Steven Sutter
700 South 2nd St
Laramie, WY 82070
Please include full name and address

Bureau of Land Managment
John Spehar, Project Coordinator
PO Box 2407
Rawlins, WY 82301

82301+2407 22

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Signature:

LETTER 143

Scott L. Mullins
266 N. Cedar St
Laramie, WY 82070
Please include full name and address

Bureau of Land Managment
John Spehar, Project Coordinator
PO Box 2407
Rawlins, WY 82301

82301+2407 22

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Signature:

LETTER 144

Angus M. Morrison Jr.
845 East 3rd St.
Casper, WY. 82601
Please include full name and address

Bureau of Land Managment
John Spehar, Project Coordinator
PO Box 2407
Rawlins, WY 82301

82301K2407 B022

RECEIVED JUL 1 2003 BUREAU OF LAND MANAGEMENT RAWLINS FIELD OFFICE

Dear Mr. Spehar,

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Signature: Angus M. Morrison Jr.

LETTER 145

Duplicate of Letter 162

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
4000 Airport Parkway
Cheyenne, Wyoming 82001

In Reply Refer To:
FS-61411/W.02/WY7152

July 1, 2003

Memorandum

To: John Spehar, Project Coordinator, Bureau of Land Management, Rawlins Field Office, Rawlins, Wyoming

From: Jodi L. Bush, Acting Field Supervisor, U.S. Fish and Wildlife Service, Wyoming Field Office, Cheyenne, Wyoming

Subject: Comments on the Desolation Flats Natural Gas Field Development Project, Draft Environmental Impact Statement

This responds to your requests for comments on the Desolation Flats Natural Gas Field Development Draft Environmental Impact Statement (DEIS) dated April, 2003, received in the Wyoming Fish and Wildlife Service Field Office on April 25. The DEIS analyzes the effects of developing the Desolation Flats area in Sweetwater and Carbon counties, Wyoming. The preferred alternative is to drill 385 natural gas wells, in addition to the existing 63 producing and shut-in wells, with a density of 2 to 4 wells per section. Drilling construction would occur over the next 20 years, and life of the project is estimated at 50 years. In addition to the well pads, approximately 542 miles of new or upgraded roads, and 361 miles of new pipelines would be constructed.

GENERAL COMMENTS

In the discussions of project-related disturbances, the DEIS consistently refers to the percent of the entire project area affected. This is particularly true of discussions regarding wildlife habitat. But, for most wildlife species, the effects of development extend beyond the actual percent of area affected due to indirect effects. Although large areas of suitable habitat may be undisturbed by project development, these areas may be unusable due to indirect effects such as road avoidance, habitat fragmentation, and avoidance of human activity. The U.S. Fish and Wildlife Service (Service) recommends that the Bureau of Land Management (Bureau) include a discussion on indirect as well as direct impacts, as a discussion of only direct impacts can be misleading to the readers of the DEIS about the actual impacts of project development on wildlife and wildlife habitat. 1

Threatened and Endangered Species

Section 7(a)(1) of the Endangered Species Act of 1973 (Act), as amended, (50 CFR 402) authorizes the Bureau to use their programs to further the conservation and recovery of threatened and endangered species. Although the DEIS addresses measures to minimize impacts of project development on listed species, we believe the Bureau should also seize the opportunity to incorporate measures for species conservation and recovery into the planning document for this project. 2

Appendix I of the DEIS is the Biological Assessment for this project. However, the U.S. Fish and Wildlife Service (Service) has not receive a request from the Bureau to initiate consultation, either formal or informal, under section 7 of the Act. Since there will be depletions to the Colorado River system, formal consultation for species affected will be necessary. We encourage the Bureau to initiate consultation on all listed and proposed species potentially affected by the project immediately so that delays in project implementation can be avoided. 3

SPECIFIC COMMENTS

Page 2-39, Chapter 2, Resource Specific Requirements: Wildlife: The Bureau requires a 200 meter buffer from all active mountain plover nests for all project-associated developments. However, since release of the DEIS for the Continental Divide/Greater Wamsutter II project, the Service, through consultation with Dr. Fritz Knopf, has determined that a 200 meter buffer may not be sufficient to protect these nests. Therefore, we recommend this buffer be increased to 0.25 mile (~ 400 meters). 4

Page 2-46, Table 2-4: Comparative Impact Summary: Impacts to an endangered species cannot be "mitigated" as stated in Table 2-4. Rather, impacts may be minimized through the implementation of protective or conservation measures. 5

Page 3-60, Section 3.7.6, Upland Game Birds, Greater Sage-grouse: Please be advised that the greater sage-grouse habitat management guidelines referred to in this section (Braun *et al.*, 1977) are outdated, and have been replaced by Connelly, *et al.*, 2000. Since the publication of the 1977 guidelines, extensive research has been conducted on greater sage-grouse habitat requirements and use, resulting in more information on the ecology and recommended management for this species. We strongly encourage incorporating these new guidelines into the development of greater sage-grouse mitigation and minimization measures for this project. For example, Connelly, *et al.* (2000) report that the average distances between nests and leks range from 1 to 6 km (3/4 - 4 miles), and that nest placement is independent of the lek. Therefore, the standard 2-mile radius buffer around lek sites (referred to in this and all subsequent wildlife sections) may be insufficient to protect nesting hens. 6 6a

Page 3-65, Section 3.8, Special Status Plant, Wildlife and Fish Species, Black-footed Ferret and Associated White-tailed Prairie Dog Colonies: Prairie dog mapping of the project area was completed in 2000. The completion of mapping prior to drafting of the DEIS is very useful in evaluating potential project impacts and we appreciate these pro-active efforts. However, the boundaries of prairie dog colonies frequently shift, and therefore mapping completed 3 to 4 years 7

prior to project implementation may no longer be accurate. We request that the mapping completed in 2000 be used as a guideline only for project planning. Determination as to whether or not black-footed ferret surveys will be necessary should be based on site-specific data, collected within one year prior to the development of individual project components. 7

Page 3-71, Section 3.8.2, Sensitive Plant, Wildlife, and Fish Species, Birds: The DEIS identifies the yellow-billed cuckoo as a sensitive species, but does not acknowledge that the western populations of this species is a candidate species under the Act. While the candidate status does not confer any protection to the cuckoo under the Act, it does identify the cuckoo as a species for which listing is warranted, but precluded by higher priority actions at this time. We believe the Bureau should acknowledge the status of this species, and use your authority under Section 7(a)(1) Act to further the conservation and recovery of the cuckoo. 8

Page 3-71, Section 3.8.2, Sensitive Plant, Wildlife and Fish Species, Reptiles: No supporting information is provided regarding the conclusion that the midget -faded rattlesnake is unlikely to occur on the project area. The Bureau should provide the supporting information for this conclusion. If the midget-faded rattlesnake may occur on the project area, protective measures for this species should be implemented. 9

Page 4-59, Section 4.7.3.1.1, General Wildlife: The discussion regarding potential impacts to non-game songbirds is contradictory and confusing. The second sentence in the first paragraph of this section states that temporary disturbances during construction would favor horned larks, yet in the following discussion, the DEIS states that horned larks would be one of the primary non-game songbirds most affected by habitat loss. The discussion continues by stating that the impact to non-game songbirds as a result of project implementation is likely to be low, yet within the same sentence, the DEIS states there is no data to accurately quantify the impacts. The Bureau should clarify the actual impacts to horned larks, and other non-game songbirds as a result of project implementation. Also, if there is no data by which to determine project effects on non-game songbirds, that should simply be stated rather than attempting to provide an effects analysis that cannot be supported. This should also be considered for the discussion on non-game mammals, which suffers the same deficiencies (second paragraph of this section). 10

Sage sparrows and sage thrashers are also specifically identified as species that will be affected by habitat losses resulting from project implementation. The DEIS states that the project impact on these species will be low. However, in the previous section (4.7.3.1, page 4-59) the DEIS states that shrub reclamation would require 8-15 years, which constitutes a long-term project impact according to the definitions on page 4-1. Again, the Bureau should identify the supporting information for the conclusion drawn for these two species, especially since time necessary for habitat reclamation may be a limiting factor in species recovery.

The General Wildlife section addresses only the impacts to non-game songbirds and mammals as a result of direct habitat loss. There is no discussion regarding impacts resulting from indirect effects, such as bird and mammal avoidance of roads, noise disturbance during breeding seasons, and displacement from suitable habitats as a result of human presence. These indirect impacts

should also be considered for an accurate evaluation of project-related disturbances on non-game wildlife.

Page 4-65, Section 4.7.3.1.4, Upland Game Birds: The DEIS concludes that there will not be "significant" impacts to the greater sage-grouse as a result of project implementation, provided all mitigation, seasonal restrictions, and reclamation measures are successful. The Service appreciates the Bureau's commitments to implement these items. However, the DEIS does not analyze indirect effects of project development on the greater sage-grouse, or the impacts previously observed on other energy development projects, such as habitat fragmentation, population declines, lek abandonment, failure of hens to initiate nests, and loss of productivity (Braun, 1998; Connelly *et al.*, 2000, Lyon, 2000). These impacts have been demonstrated to occur, even when mitigative measures, such as those described in the DEIS, are implemented. The Bureau should include these potential impacts in the analysis, and if still applicable, provide the supporting information for the current no "significant" impact conclusion. 11

Page 4-67, Section 4.7.3.1.5, Raptors: The second paragraph of this section discusses measures to minimize potential impacts to nesting raptors by protecting both active and inactive nests. A no surface occupancy for permanent structures is identified to protect inactive nests that may serve as alternate nesting locations. However, no such stipulation is identified for active nests. In addition, a buffer of 0.5 to 1-mile is identified as being necessary to protect the active nests of all raptor species. If activities within this radius of an active nest might cause abandonment, or reduced productivity, than the 300 m (< 0.25 mile) no surface occupancy around inactive nests will not be sufficient to protect these nests should they be used in the future. While we appreciate the efforts to protect inactive, alternate nests, the above problems with consistency should be resolved, and an appropriate no surface occupancy stipulation should also be applied to active nests. 12a 12

On the same page the DEIS states that all new project-related roads would be closed to public use near active raptor nests to "offset" the potential impact of increased traffic on nest success and productivity. Given the levels of project-related traffic identified in the DEIS, (Table 2.3, page 2-31), restricting only public use of new roads may be insufficient to protect these birds. We request the Bureau consider avoiding road construction near active raptor nests thereby avoiding the potential conflict altogether. 12b

Page 4-68, Section 4.7.3.1.6, Combination of Wildlife Concerns: The DEIS discusses the numbers of potential wildlife concerns by map locations (sections). However, the purpose of this discussion is not identified, nor is it clear how these results will be used by the Bureau for project planning and minimization of potential impacts to wildlife. The Bureau should clarify how this information will be used. For example, will all exception requests be denied in sections of the project area that have more than three wildlife concerns? 13

Page 4-74, Section 4.8.1.2.1, Proposed Action: In the discussion regarding black-footed ferrets, the DEIS states that white-tailed prairie dog colonies were overlapped by raptor nest buffer areas and mountain plover habitat. Therefore, the DEIS concludes that "significant impacts" in these areas of overlap are not expected as long as the mitigation measures for each individual resource 14

is implemented. However, the mitigation measures for both the active raptor nests and mountain plover are limited to seasonal restrictions. No mitigation measures are identified solely for white-tailed prairie dogs. Therefore, mitigation measures for raptors and mountain plovers may do little to protect white-tailed prairie dogs, which may be impacted through surface disturbance, or increased human recreational activities within occupied the colonies outside of these overlapping seasonal restrictions. These impacts can occur at any time of the year. If the Bureau intends to protect white-tailed prairie dogs, minimization measures should be developed specifically for this species. 14

Page 4-79, Section 4.8.1.3, Impacts Summary: In this section, the discussion on threatened and endangered fishes in the Colorado River system concludes that no impacts to these species are expected as a result of project implementation even though water depletions will occur. However, as per the Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin (January 22, 1988) the Service has determined that any depletion in the Colorado River System may adversely affect these species, and formal consultation under section 7 of the Act is required. This section should be revised to more accurately reflect the impacts of depletions resulting from project development on these species, and we encourage the Bureau to initiate formal consultation. 15

Page 4-80, Section 4.8.1.4, Additional Mitigation Measures: To protect foraging mountain plovers, the Bureau proposes to limit night-time traffic speed and volume from April 10 until July 10. These dates reflect the nesting season of mountain plovers on their breeding ranges. However, adults and broods are typically present in Wyoming for several months after nesting is completed. Therefore, restricting traffic speed and volume only until July 10 may not provide adequate protection for birds foraging along roads. We strongly encourage the Bureau to implement this measure throughout the entire period mountain plovers are present on their breeding range (April 10 until late September). 16

Page 5-16, Section 5.3.7, Wildlife: The DEIS states that additional mitigation measures may be implemented if monitoring indicates there will be "significant" cumulative effects as a result of project implementation. However, the DEIS contains no provisions for adaptive management. Also, on page 5-22, Section 5.3.8.1, the DEIS states that implementation of the wildlife monitoring plan will provide adequate protection from "significant" cumulative effects. However, the wildlife monitoring plan (Appendix H) does not assess cumulative effects for threatened and endangered species. Rather, the plan identifies techniques for determining if a threatened or endangered species is present, and measures to minimize impacts if the species is found. If the monitoring plan is to be used for assessing cumulative impacts, it should be modified accordingly. Also, the Bureau should identify an adaptive management strategy to allow for changes in project implementation should significant cumulative effects be identified, and the supporting information for the current determination that there will be no cumulative impacts to threatened, endangered, and proposed wildlife and plants. 17 17a 17b

Page 5-19, Section 5.3.7.3, Greater Sage-grouse: The discussion regarding cumulative impacts to the Greater sage-grouse only considers direct habitat loss. However, as previously noted, impacts from energy development to this species may also occur indirectly (see comments 18

above). Therefore, we do not believe the analysis is this section is an accurate reflection of the cumulative impacts to this species. The Bureau should repeat this analysis, incorporating indirect effects and published research to make a final determination. 18

Page B-2, Appendix B: Standard Mitigation Guidelines, Section 2.1, Guidance: The seasonal restriction section of the Wildlife Mitigation Guideline limits the definition of buteos to ferruginous and Swainson's hawks. However, there are several other species of buteos that could be present on the project area, such as red-tailed hawks, Swainson's hawks, etc. Additionally, several species of owls are also omitted from this list of raptors. All species of raptors that could potentially occur on the project area should be incorporated into the Wildlife Mitigation Guidelines. 19

Page H-2, Wildlife Monitoring Plan, Section 2.1, Annual Reports and Meetings: The DEIS states that "...where possible, data presented in reports will be used to identify potential correlations between development and wildlife productivity and/or abundance." However, the plan is not designed to collect the type of data necessary, with the appropriate statistical rigor, to make any meaningful correlations. For example, the only productivity information identified for collection for nesting raptors, which is to occur once every 5 years (page H-4), and no baseline data is going to be collected. There are also no provisions for determining if raptor productivity is being influenced by project development, or other factors, such as cycling in prey bases, weather, etc. Therefore, it will be extremely difficult to accurately use these data for any assessment of project impacts on nesting raptors. We encourage the Bureau to re-draft the monitoring plan to meet the stated objective of determining the effects of development on wildlife productivity and abundance. If this is not possible, the existing plan should be more accurately described as merely describing presence and absence, and a project planning document. 20

Page H-4, Wildlife Monitoring Plan, Section 2.2.1, Raptors: Raptor inventories are only to be conducted every 5 years. Therefore, it is unclear how raptor nest buffer stipulations will be applied if surveys are not conducted annually to determine if nesting raptors are present. The monitoring plan should be modified to allow for annual surveys so that nesting raptors can be adequately protected during project implementation and operation. 21

Page H-8, Wildlife Monitoring Plan, Section 2.2.3.1, Black-footed Ferrets: The Bureau has committed to conducting black-footed ferret surveys, prior to development, in all white-tailed prairie colonies that meet the Service's definition of black-footed ferret habitat. The techniques that will be used to make the suitable habitat determination should be included in this monitoring plan to assist the Bureau and project proponents with project planning. 22

Page H-16, Wildlife Monitoring Plan, Section 2.3., Protection Measures: The Bureau has committed to implementing wildlife protection measures used on other oil and gas development projects, for this current project. While these measures should minimize potential impacts, there has been no evaluation of their effectiveness on previous projects. Additionally, the Bureau should acknowledge that these measures can be waived through the exception process. We request a thorough evaluation of these past measure be made, and if previously ineffective, 23

modified appropriately. Also, the Bureau should clearly outline under what conditions these protection measures will be waived for an exception request by the project proponents.

Page H-17, Wildlife Monitoring Plan, Section 2.3.1, Raptor Protection Measures: The monitoring plan states that well locations, roads, ancillary facilities and other surface structures requiring a repeated human presence will be constructed within 825 feet of active raptor nests (1,200 feet of ferruginous hawk nests). But, the plan does not provide any information that demonstrates these distances will be effective in reducing the potential effects of project-related disturbance on nesting raptors. Also, on page 4-67, the DEIS states that no surface structures will be built within 300 m (~ 990 ft.) of inactive raptor nests. The Bureau needs to resolve this discrepancy, and provide the supporting information that the selected buffer distances are adequate to protect nesting raptors. 24

Page H-21, Wildlife Monitoring Plan, Section 2.3.3.5, Yellow-billed cuckoos: The Bureau prohibits construction of well sites, access roads, and pipelines within 500 feet of surface water, for the protection of riparian resources, including the yellow-billed cuckoo. However, the monitoring plan does not identify any provisions to minimize indirect effects to this bird, if it occurs. This should be corrected. 25

The Service appreciates the opportunity to comment on this DEIS. If you have any questions regarding this letter or your responsibilities under the Act, please contact Pat Deibert of my staff at the letterhead address or phone (307) 772-2374, extension 26.

REFERENCES

Braun, C.E. 1998. Sage grouse declines in western North America: What are the problems? Proceedings of the Western Association of Fish and Wildlife Agencies 78:139-156.

Braun, C.E., T. Britt, and R.O. Wallestad. 1977. Guidelines for maintenance of sage grouse habitats. Wildlife Society Bulletin 5:99-106.

Connelly, J.W., M.A. Schroeder, A.R. Sands, and C.E. Braun. 2000. Guidelines to manage sage grouse populations and their habitats. Wildlife Society Bulletin 28(4): 967-985.

Lyon, A.G. 2000. The potential effects of natural gas development on sage grouse (*Centrocercus urophasianus*) near Pinedale, Wyoming. Thesis, University of Wyoming, Laramie, USA.

cc: BLM, Wyoming State Office, Cheyenne, WY (J. Carroll)
FWS, NEPA Coordinator, FWS, Denver, CO (C. Young-Dobrowski)
WGFD, Statewide Habitat Protection Coordinator, Cheyenne, WY (T. Collins)
WGFD, Non-Game Coordinator, Lander, WY (B. Oakleaf)

LETTER 146

Duplicate of Letter 125

United States Department of Agriculture | Forest Service | Bridger-Teton National Forest | 340 N. Cache, PO Box 1888, Jackson, WY 83001-1888

File Code: 2580
Date: June 30, 2003

JUL 2 2003
BUREAU OF LAND MANAGEMENT

John Spehar
Project Coordinator
BLM-Rawlins Field Office
PO Box 2407
Rawlins, WY 82310-2407

Dear Mr. Spehar:

This is in response to the Bureau of Land Management's (BLM) Draft Environmental Impact Statement (DEIS) on the proposed "Desolation Flats Natural Gas Field Development Project." The comments addressed in this letter are related primarily to Air Quality. The Forest Service (FS) is very concerned about the effects this project may have on air quality in Southwest Wyoming, particularly in Wilderness areas and National Parks that have been designated as Class I by the Clean Air Act, but also including all wilderness areas managed by the FS.

Recently, there has been a flurry of proposed, large-scale natural gas projects in Southwest Wyoming, including the Jonah II, Continental Divide/Wamsutter II, South Baggs, the Pinedale Anticline Projects and others. Air quality analysis conducted as part of the NEPA process for these projects indicate there is a small cumulative impact from these projects on visibility in nearby Federally Mandated Class I Wilderness areas. Section 169A of the Clean Air Act states, "Congress hereby declares as a national goal the prevention of any future, and the remedying of any existing, impairment of visibility in mandatory Federal Class I areas which impairment results from manmade air pollution." Adverse impact on visibility means visibility impairment that interferes with the management, protection, preservation or enjoyment of the visitor's visual experience of the Federal Class I area. In accordance with this national goal, the Regional Haze Rule was promulgated in 1999. This rule compels state and federal agencies to improve visibility in the 156 mandatory Federal Cass I national parks and wilderness areas. The rule requires the states, in coordination with the Environmental Protection Agency, the National Park Service, U.S. Fish and Wildlife Service, and the U.S. Forest Service, to develop and implement air quality State Implementation Plans to reduce the air emissions that cause visibility impairment.

In the review of the DEIS for the Desolation Flats Project, the FS has noted some items which need to be addressed in the Final EIS, before an informed decision on the project can be made which will insure the protection of air quality values in Class I and other sensitive wilderness areas. In this letter we will highlight the major deficiencies and describe the problems observed in the review of the DEIS document. Detailed line by line comments are provided in the attached document (Comments on DEIS.doc).

1. Adequacy of the data analyzed

It appears as though the data for this analysis was collected in 2000 or early 2001, and the analysis was done based on that information. Much of the data used was actually older, (i.e., 1987-1995 for visibility) and was not updated with more recent information. It also appears that no effort was made to update either the data or the Reasonable Foreseeable Development (RFD) scenario used in the initial analysis before the final release of the DEIS in April of 2003. Because of this, data used in the 1

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analysis is not the most current, and does not reflect current conditions on the ground. In the time from 2001 to now, there have been multiple Natural Gas and Coalbed Methane projects proposed and/or analyzed which would have a direct effect on the cumulative impact analysis of this project. A partial listing of these projects includes: Powder River Basin CBM, Atlantic Rim, Modified Jonah II, Seminoe Road, Wind River, South Piney, Jonah Infill, Vermillion Basin, Copper Ridge and Jack Morrow Hills. All of these projects have a potential to contribute to cumulative air quality impacts in the Class I and sensitive Class II areas you described in your analysis.

For example: Modeling conducted for the Powder River Basin Coalbed Methane Project in Northeastern Wyoming has indicated possible impacts on Class I areas in Western Wyoming. The most recent modeling completed for the Powder River Basin project showed that PM_{10} increments in the Washakie wilderness may be exceeded, and visibility may be impaired 5 days at the Washakie wilderness, 4 days each at the Bridger, Fitzpatrick and North Absaroka wilderness areas and 3 days in the Teton wilderness. This analysis also showed that the acid deposition from the Powder River Basin Project alone would impact Upper Frozen Lake in the Bridger wilderness by increasing acidity by 0.5 ueq/l over baseline conditions, and that cumulative predicted impacts would be 180% of the acceptable change for Upper Frozen Lake. None of this information was presented in your Draft Document for the benefit of the public or the decision makers. However, it is logical to assume that development of 385 additional gas wells (250 producing wells) in the Desolation Flats area compounded with additional compression needed to move the natural gas through supply lines will potentially add to these negative effects on nearby Class I areas. 1

The FS feels the data used in the analysis was not current or adequate. We request that more analysis be done using current air quality data, current emission inventories, an updated RFD scenario including recently proposed projects and the incorporation of large scale impacts modeled by the Powder River Basin CBM project.

2. Significance of Air Visibility Impacts

In the discussion of visibility impacts, the BLM discloses that there are 25 days that exceed the 0.5 dv threshold as a result of the cumulative analysis and that there were seven days that would exceed the 1.0 dv threshold in the sensitive Class I and Class II areas studied. It is also stated the "On only two of the 25 days would the absence of the Desolation Flats change the visibility to levels below the thresholds, and these are for days slightly over 0.5 [delta] dv." This analysis did not include the projected emissions of RFD projects (as mentioned above in 1), or any of those recent projects which have modeled emissions impacts.

The FS has reviewed the days of modeled cumulative impacts that are greater than 0.5 dv change and has determined that the cumulative impacts from the Desolation Flats Project, combined with other recently proposed projects in SW Wyoming that were not addressed in this analysis, are significant in increasing visibility impairment in the Bridger, Fitzpatrick and Popo Agie wilderness areas. It is also expected that if the portions of the Washakie and Teton wilderness areas which are included in the modeling domain were considered sensitive receptors in modeling with the added emissions from the recently proposed projects listed above, that they too would show additional impacts. 2

For the Final EIS, the FS requests additional modeling to be done to include the Washakie and Teton wilderness areas to evaluate if the updated cumulative effects analysis, including recently proposed projects, would have an impact on these sensitive areas.

LETTER 146 cont'd

3. Mitigation

In the DEIS, the BLM does discuss in general some air quality mitigation. However, in light of the modeled cumulative impacts from this project (even without consideration of impacts from the recently proposed projects discussed in items 1 and 2), the BLM needs to provide a better discussion of a wide scale of mitigation options and the related costs. The FS believes that updated cumulative air quality analysis as requested in items 1 and 2 above, will highlight the need for some type of large scale mitigation to occur before this project can be authorized to move into the development stage. 3

Types of mitigation which could be considered include (but are not limited by):
- Large scale off-site mitigation (emission tradeoff such as completed by Naughton and Ultra Petroleum). This could be in SW Wyoming or possibly in Salt Lake City if the decrease in emissions would benefit the Class I areas.
- Requirement of 50% dust abatement and low NOx compressors.
- Longer phased development (maybe over 100 years).
- Better coordination of activities with other emitters in the area.
- Use of wind generated power to offset emissions from compressors.
- Embracing new technology as soon it becomes available, with a goal of X% reduction in projected emissions in 10 years based on technology. (Note: we are talking about a 30 to 50 year LOP, so a lot can happen.)

The FS requests the BLM to conduct an extensive analysis of potential mitigations (to determine costs, practicality and effectiveness) for the Final EIS which may reduce overall emissions affecting sensitive areas, including Class I areas while allowing future gas development to occur. The need for this analysis goes beyond this project, and will become necessary as new projects are proposed, analyzed and developed. 3a

The FS appreciates the opportunity to provide comments to the BLM on the DEIS document for the Desolation Flats Natural Gas Field Development Project. We would like to remain involved in this project to insure that air quality issues related to Class I and Class II wilderness areas are adequately assessed and addressed in the final environmental analysis of this project. Please contact Terry Svalberg, Air Quality Specialist, on the Pinedale Ranger District if you have any questions or have any questions relating to the comments. Terry can be reached at (phone) 307-367-4326 or (fax) 307-739-5750.

Sincerely,

Kniffy Hamilton

CAROLE 'KNIFFY' HAMILTON
Forest Supervisor

Enclosure

cc: Jeff A Sorkin, Levi Broyles, Rebecca Aus

Comments and questions on the:
DRAFT ENVIRONMENTAL IMPACT STATEMENT
Desolation Flats Natural Gas Field Development Project
Terry Svalberg, USDA Forest Service
6/27/03

Item #	Page/section/ paragraph/sentence	Comment	
1	Page 1-12/paragraph 1/4 th sentence	This sentence states: *"BLM feels the1145 well number is not completely accurate since it is highly likely many of the abandoned wells have been reclaimed since 1985."* This implies the BLM does not track reclamation of well sites. Is this true??? Isn't this a responsibility of the land management agency?? Why in the last sentence of this paragraph are you making an assumption of reclamation rather than knowing the status of reclamation of abandoned wells??	4 4a 4b
2	Page 1-12/table 1-4	This data is as of 12/31/01. Is this recent enough or has there been so little change in these numbers to April 2003 that these numbers are still valid???	5
3	Page 1-13/table 1-5	Again, the data presented in this table is from 1999. What are the current numbers??	6
4	Page 1-13/5th paragraph.	This states that: *"Reclamation was assumed to take from 3-5 years in the RMP. Therefore, it can be assumed that most wells drilled before 1996 should be adequately reclaimed."* This is an assumption based on an assumption. What are the current on the ground conditions of reclamation of these abandoned wells??	7
5	Page 1-18/figure 1-6	Thank you for showing the adjacent development areas in this figure. I believe it gives a good representation of the ongoing activities occurring in the proposed project area.	8
6	Page 3-7/table 3-4	Production rates on several of the gas fields shown here is from 9/2000. Isn't there more recent data available?? This is over two and a half years old, does it represent current conditions???	9
7	Page 3-18/section 3.2.2/paragraph 2	This paragraph states: *"However, five PSD Class I areas identified as sensitive receptors exist within the study area:…"* You should also mention there are three additional PSD Class I areas included (in part) within the study area (Grand Teton National Park, Teton Wilderness and Washakie Wilderness) and list the rational for not including these areas as sensitive receptors. Also, determine if the rationale being used for not including these areas as sensitive receptors are consistent with your modeling results???	10
8	Page 3-20/section 3.2.2/5th paragraph	The standard visual range for the Bridger wilderness should be represented as 175 KM not 175 miles (see table 3-9.	11
9	Page 3-21/Table 3-9	Why were these dates selected for your visibility data baseline???	12
10	Page 3-21/table 3-10	This table should includes a sample number, so the readers have an idea of how much data each point is using to arrive at the background ANC.	13
11	Page 3-22/figure 3-6	This map should show all Class I areas in the analysis area, not just the sensitive receptors. (Grand Teton NP, Teton Wilderness and Washakie Wilderness should be added)	14
12	Page 3-23/figure 3-7 See comment # 34	Is it proper to show visibility in terms of DV??? What is the baseline used??	15

LETTER 146 cont'd

13	Page 3-94/section 3.12.4/2nd paragraph/last sentence	General comment. This sentence states "...at the time of this assessment (spring 2001)." This is consistent throughout many sections of the document (including the air quality portion). The data is presented is pre-2001, and should have been updated to better reflect current conditions, especially in light of the natural gas boom in southern Wyoming in the last couple of years.	16
14	Page 4-9/table 4-2	It is somewhat confusing when your table refers to distances in miles and the text refers to distances in km. Perhaps you should consistently choose one metric or the other, or show both.	17
15	Page 4-12/section 4.2.3.1.1/paragraph 1	What volumes, duration and emissions were used for the flairing of natural gas well evaluation??	18
16	Page 4-12/Well Production Emissions	Are flaring of wells related to increasing production and clearing the lines included in this section??? If so, what volume, durations and emissions were considered. Also, are there no visits to the well by vehicles during the production phase?? Where are these emissions considered??? And, are there any emissions related to reclaiming pads and roads?? Where are these emissions discussed??	19
17	Page 4-21/1st paragraph	Because the 8 hour ozone standard is equaled by this project alone, and given the close proximity (less that 30 miles) of other ongoing developments is the assumption that NAAQS will not be exceeded properly evaluated?? For example...should a cumulative near field analysis be conducted to show the possible cumulative impacts of other nearby developments that occur within 30 miles of the project area along with impacts from the project to properly display the near field effects???	20
18	Page 4-24/section 4.2.3.1.5/2nd paragraph	Why is it assumed that actual background concentrations at Dinosaur National Monument are less than the Regional background data used??? Is there a basis in fact to support this assumption???	21
19	Page 4-24/section 4.2.3.1.5/Visibility Impacts/paragraph 2	This States that: "The Bridger data period was for 1987 through June 30, 1995." Why wasn't more recent data used?? IMPROVE data is currently available through October, 2002.	22
20	Page 4-25/table 4-14	The State of Wyoming does have a PM2.5 Standard on the books (same as the federal standard), and it should be reflected in the table.	23
21	Page 4-29/section 4.2.5/NOx Mitigation/4th bullet	Was wind generation of electricity to power compressors considered??	24
22	Page 4-29/section 4.2.5/NOx Mitigation/5th bullet	Do you have examples of non project related (off-site) NOx mitigation measures that might be considered????	25
23	Page 5-6/section 5.3.2.1/paragraph 1	Thank you for mentioning the NOx reduction at the Naughton Power Plant. It would also be nice if Ultra Petroleum was identified as the proponent that financed the installation of the low NOx burners, which reduced the permitted NOx emissions from the plant by 1,000 tons per year. Companies like Ultra Petroleum that take proactive measures to reduce or mitigate emissions should be acknowledged for their positive efforts and contributions.	26
24	Page 5-6/section 5.3.2.1/paragraph 2	Baseline was cut off at January 2001, so data used in the cumulative analysis is more than 2 years old. Does the data used reflect what has actually happened as far as emissions and projects approved in that 2 year period?? Why was nothing done to include or update the RFD based on projects submitted since January 2001??? (Including but not limited to Atlantic Rim, Modified Jonah II, Seminoe Road, Wind River, South Piney, Jonah Infill and Powder River Basin developments)	27
25	Page 5-8/figure 5-2	Thank you for showing the relative locations of the developments considered in the RFD. I believe this gives readers and decision makers a better picture of what is really happening on the ground.	28
26	Page 5-11/section 5.3.2.3/paragraph 1	This paragraph refers to Section 4.2.8 in 2 places. This section does not exist in the DEIS.	29
27	Page 5-11/section 5.3.2.3/paragraph 1	I assume this refers to section 4.2.3.1.5. The data referred to here is from 1987 to June 1995. Why wasn't more recent data used for the visibility analysis??? Data is currently available through October, 2002.	30
28	Page 5-11/section 5.3.2.3/general comment	The cumulative visibility analysis did not take into account impacts from any projects proposed after January 2001. It also did not take into account the modeled impacts related to the Powder River Basin CBM project.	31
29	Page 5-12/table 5-6 See comment # 34.	I believe this table infers that DV are mathematically additive. However, due to the calculation used to derive DV (DV = 10 * ln[Bext/10 Mn-1]), shouldn't these values be back calculated to the Bext, for comparison and calculation of percent contribution to visibility impairment???	32
30	Page 5-12/section 5.3.2.4/general comment	The cumulative acid deposition analysis did not take into account impacts from any projects proposed after January 2001. It also did not take into account the modeled impacts related to the Powder River Basin CBM project. Can this be reevaluated and displayed in the Final EIS??	33
31	Page 5-13/section 5.3.2.5/general comment	The cumulative visibility analysis and acid deposition analysis did not take into account into account or acknowledge any impacts from any projects proposed after January 2001 as part of the RFD. It also did not take into account the modeled impacts related to the Powder River Basin CBM project which were released in a draft form in January, 2002, and in final form in January, 2003. This Draft report was not released until April, 2003 and should have at least acknowledged potential impacts from these other sources since they were documented in NEPA Documents.	34
32	5.3.2.5/general comment	It appears that this project analysis was started in 2001, and was never updated even though new projects were proposed and/or brought online in the time it took to complete the analysis. At a minimum, projects proposed after 2001, should have been mentioned as potential contributors to impacts. Impacts from these other sources must be considered in any decision being made on this project. The Final EIS should be updated to include this information and an analysis of the current cumulative impacts.	35

LETTER 146 cont'd

33	5.3.2.5/general comment	The discussion of significance of the cumulative impacts does not take into account any developments or proposed developments (RFDs) after 2001. These projects, some of which have completed NEPA documents and decisions prior to the release of this document (i.e., Powder River Basin), are totally ignored in the Air Quality cumulative impact analysis. Because of the level of project modeled cumulative impacts to visibility (without consideration of the post 2001 projects which also show significant impacts), the Forest Service considers the impacts to Federal Class I areas (25 days at the 0.5 dv level and 5 days at the 1.0 dv level) to be significant. The Forest Service would like to see additional modeling in the Final EIS to incorporate updated emissions inventories and impacts from other RFD projects. Additionally, the Forest Service would like to see a complete evaluation of mitigations being considered (including emission offsets) before a decision is made.	36
34	NOTE: Comments on my comments # 12 and 29.	Comments # 12 and 29 (highlighted in yellow) are questions which I had dealing with the use of dv, but due to the tight timeframe for review of this document; I was not able to track down the answers to my questions. I will continue to follow up with specialists in the field of visibility to answer the questions on my own. However, if you have any comments or answers for these questions, I would appreciate a response.	37

LETTER 147

418 E 25th St
Cheyenne, Wy 82001
June 29, 2003

John Spehar, Project Coordinator
Bureau of Land Management
P.O. Box 2407
Rawlins, Wy 82301

RECEIVED
JUL 2 2003
BUREAU OF LAND MANAGEMENT
RAWLINS FIELD OFFICE

Dear Mr. Spehar,

I am writing concerning the BLM's Draft Plan for the Desolation Flats Project Area, which would permit drilling 385 conventional gas wells with their associated roads, powerlines, and pipelines.

This area has wonderful scenery, the rugged canyons of Sand Creek and Willow Creek, as well as the eroded badlands of Prehistoric Rim, which are as wild and pristine today as they were in the 1800's. Wild horses make this area home. Outstanding habitat for seriously declining sage grouse and mountain plover is here. Deer, pronghorn, and elk find crucial winter range here.

The BLM should ensure protection for the scenic, wildlife and recreational values of these areas.

First of all, drilling in environmentally sensitive areas, such as wilderness quality lands, roadless lands, and wildlife habitat should not be permitted. Leases should be withdrawn and surface development prohibited on floodplains, roadless areas, wilderness quality land, elk and deer winter range, prairie dog colonies, and mountain plover habitat. There should be no disturbance within three miles of sage grouse leks or one mile of raptor nests. 1

Second, all lands included in the Citizen's Adobe Town Wilderness Study area should be protected. Almost 50,000 acres of wilderness quality lands adjacent to the existing Adobe Town Wilderness Study Area should be protected by including them in a larger Adobe Town Wilderness Study Area.

Third the BLM should adopt a conservation alternative in the FEIS. It should include adequate mitigation and

monitoring measures to ensure proper protection for this special area.

Fourth - The least environmentally damaging type of drilling should be required in the final EIS for any development in the Desolation Flats to minimize impacts to the wildlife, landscapes and recreation values of these lands. 1

These lands do not belong to the Bush administration or the oil and gas industry - They belong to all the American people today and to Americans in the future.

Thank you for the opportunity to comment.

Sincerely
Barbara E. Rugotzke

LETTER 148

STAND By Your Land

★

THE WILDERNESS SOCIETY

Conservation is a great moral issue, for it involves the patriotic duty of ensuring the safety and continuance of the nation.

Theodore Roosevelt
1910

★

1615 M Street, NW
Washington, D.C. 20036
www.wilderness.org
(202) 833-2300
FAX (202) 429-8443
1-800-THE-WILD

RECEIVED
JUL 2 2003
BUREAU OF LAND MGMT
RAWLINS FIELD OFFICE

Bureau of Land Management
Rawlins Field Office
John Spehar, Project Director
P O Box 2407
Rawlins, WY 82301

June, 26 2003

Dear John:

These comments are on behalf of The Wilderness Society, it's Wyoming members and members nationwide.

We believe that the proposed Desolation Flats Project, just south of Wamsutter and west of Baggs, a place where Butch Cassidy ran wild, will destroy 50,000 acres of the citizens' proposed expansions to the Adobe Town Wilderness Study Area - one of Wyoming's most spectacular set of badlands and geological formations.

This proposed area not only boasts magnificent scenery - like the eroded badlands of Prehistoric Rim and the rugged canyons of Sand Creek and Willow Creek, it also contains outstanding sage grouse and mountain plover habitat, plus serves as crucial winter ranges for deer, pronghorn antelope, and elk.

The BLM's draft plan for the area allows for not only the development of 385 new conventional gas wells, but also for the construction of new roads, power lines, and pipelines that normally go hand in hand with the such construction. We believe that the area contains spectacular public lands with outstanding scenic and traditional recreational value and, is not, as the BLM's name implies, desolate and flat!

The Wilderness Society urges the Bureau of Land Management to:

- **Prohibit drilling in environmentally sensitive, wilderness quality lands or roadless lands that support important wildlife habitats.** The BLM should withdraw from leasing or require "No Surface Occupancy" for oil and gas drilling on floodplains, roadless lands, and wilderness quality lands, crucial elk and deer winter ranges, mountain plover habitat, and within three miles of sage grouse leks and one mile of raptor nests. 1

- **Prohibit drilling in prairie dog colonies.** The project area contains several large white-tailed prairie dog complexes. Prairie dogs are vital to the existence of many rare or imperiled species in the Red Desert including the burrowing owl and the black-footed ferret. One of these complexes may possibly be suitable for future black-footed ferret reintroduction. Therefore the BLM should withdraw these areas from leasing or require "No Surface Occupancy."

STAND
By Your Land

★

THE WILDERNESS SOCIETY

Conservation is a great moral issue, for it involves the patriotic duty of ensuring the safety and continuance of the nation.

Theodore Roosevelt
1910

★

1615 M Street, NW
Washington, D.C. 20036
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1-800-THE-WILD

- **Protect all lands within the Adobe Town citizens' proposed WSA.** In the project area there are almost 50,000 acres of wilderness-quality lands adjacent to the existing Adobe Town WSA. Indeed, the BLM itself admits that at least 15,000 of these acres have are wilderness-quality. All these lands should be protected by incorporating them into the existing Wilderness Study Area.
- **Provide a sufficient analysis of the impacts of the proposed project.** The BLM preferred plan does not go into the detail needed to provide for a sufficient analysis of the impacts of the project. For instance, the DEIS states that there will be 385 wells drilled and about 500 miles of new roads constructed under the preferred plan, but it does not identify the locations of either the wells nor the roads. Without these crucial details, impacts to wildlife, recreation, and visual quality of the area cannot possibly be correctly analyzed. 1
- **Adopt a Conservation Alternative in the FEIS.** The FEIS must not only have a conservation alternative, but also adequate mitigation and monitoring measures to ensure proper protection for the area's special values.
- **Mandate the least environmentally damaging types of drilling.** Directional drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlife, recreation, and landscapes.
- **Make efforts to ensure the protection of the Haystacks,** an area rich in outlaw history, wildlife and birds of prey, and work to acquire the checkerboard lands in this area via purchase or exchange.

Finally we support the comments submitted to you by the Wyoming Outdoor Council and the Biodiversity Conservation Alliance.

Thank you for the opportunity to submit these comments

Bart Koehler

Bart Koehler / Director
The Wilderness Society's Wilderness Support Center
P O Box 1620
Durango, CO 81302

LETTER 149

Tova Woyciechowicz
420 S 2nd Ave #4
Lander, WY 82520
tovakate@hotmail.com

RECEIVED
JUL 2 2003
BUREAU OF LAND MANAGEMENT
RAWLINS FIELD OFFICE

Bureau of Land Management
Rawlins Field Office
John Spehar, Project Coordinator
PO Box 2407
Rawlins, WY 82301

June 30, 2003

Dear Mr. Spehar,

I am writing as to comment on the Desolation Flats Natural Gas Field Development Project as a concerned citizen and not on behalf of any organization. During my recent camping trip on the rims of Adobe Town I found myself awestruck by the grandeur of a landscape and the contrasting developments that have been built around it. Hawks soaring above the plains called 'Desolation Flats' instead of acting as harbingers of hope seemed to act as harbingers of increased development. I was overcome with concern that an area which seems on par with national parks like Bryce Canyon could be left virtually unmitigated. I urge you to consider increased protection for the all 50,000 acres of citizen proposed wilderness.

I am aware that current leases may present challenges to full protection, but it is important to prohibit drilling in environmentally sensitive areas. The BLM should consider trading or putting conditions on current leases and stop further leasing for oil and gas drilling on flood plains, road less lands, and wilderness quality lands, crucial elk and deer winter ranges, mountain plover habitat, and within three miles of sage grouse leks and one mile of raptor nests. Drilling should be prohibited in prairie dog colonies. The project area contains several large white-tailed prairie dog complexes. Prairie dogs are vital to the existence of many rare or imperiled species in the Red Desert including the burrowing owl and the black-footed ferret. One of these complexes may possibly be suitable for future black-footed ferret reintroduction. 1

In addition I request that a sufficient analysis of the impacts of the proposed project is conducted. The BLM preferred plan does not go into the detail needed to provide for a sufficient analysis of the impacts of the project. For instance, the DEIS states that there will be 385 wells drilled and about 500 miles of new roads constructed under the preferred plan, but does not identify the locations of either the wells or the roads. Without these crucial details, impacts to wildlife, recreation, and visual quality of the area cannot possibly be analyzed. The analysis should include technologies that have less impact on the environment. Directional drilling would be an excellent option to create a more balanced alternative.

Finally the DEIS should create and adopt a Preservation Alternative in the FEIS. Please consider the special values that gleam in the intricate details of the area Surrounding Desolation Flats Area and work to protect them!

Thank you for your efforts as a public servant!

Sincerely,

Tova Woyciechowicz

1