LETTER 153

K. Morrison
419 E. 21st Ave.
Torrington, WY,
82240

Please include full name and address

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

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.** Directional drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlife, recreation, and landscapes.

1

Signature: Kelly Morrison

LETTER 154

Jeff Ricker
904 S. 8th St.
Laramie WY
82070

Please include full name and address

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

RECEIVED JUL 2 2003

82301+2407 22

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.** Directional drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlife, recreation, and landscapes.

1

Signature:

LETTER 155

JAUNDALDERIS, S.
709 E. 21st
Cheyenne, Wy. 82001
Please include full name and address

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

RECEIVED
JUL 2 2003
BUREAU OF LAND MANAGEMENT
RAWLINS FIELD OFFICE

82301+2407 22

Please read and consider!

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. 1
- **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.** Directional drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlife, recreation, and landscapes.

Signature:

LETTER 156

Ed Sheirline
610 COSTER ST
Laramie, WY 82070
Please include full name and address

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

RECEIVED
JUL 2 2003
BUREAU OF LAND MANAGEMENT
RAWLINS FIELD OFFICE

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. 1
- **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.** Directional drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlife, recreation, and landscapes.

Signature:

LETTER 157

JR & MA Snider
1452 Indian Hills
Laramie, WY 82072
Please include full name and address

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

RECEIVED
JUL 2 2003
BUREAU OF LAND MANAGEMENT
RAWLINS FIELD OFFICE

82301+2407 22

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. 1
- **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.** Directional drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlife, recreation, and landscapes.

Signature: Margarice Snider Jeff Snider

LETTER 158

Whitney Nichols
PO Box 2137
Laramie, WY 82073
Please include full name and address

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

RECEIVED
JUL 2 2003
BUREAU OF LAND MANAGEMENT
RAWLINS FIELD OFFICE

Dear Mr. Spehar, the following are my individual, substantive comments.

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. 1
- **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.** Directional drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlife, recreation, and landscapes.

Signature:

LETTER 159

Shannon Noice
PO. Box 2137
Laramie, WY 82073
Please include full name and address

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

RECEIVED
JUL 2 2003
BUREAU OF LAND MANAGEMENT
RAWLINS FIELD OFFICE

82301+2407 22

Dear Mr. Spehar, My Comments on Adobe town are as follows:

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. 1
- **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.** Directional drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlife, recreation, and landscapes.

Signature: Sh hi

LETTER 160

Laurie Milford
904 S. 8th St.
Laramie WY 82070
Please include full name and address

RECEIVED
JUL 2 2003
BUREAU OF LAND MANAGEMENT

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

22

Dear Mr. Spehar,

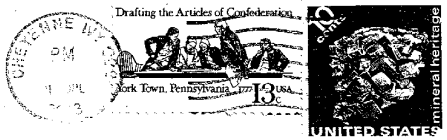
The Desolation Flats project area contains spectacular public lands. In order to ensure adequate protection for the magnificent scenic and recreational value of the area as well as its outstanding wildlife habitat, I ask the Bureau of Land Management to:

- **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. 1
- **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.** Directional drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlife, recreation, and landscapes.

Signature: Laurie Milford

LETTER 161

CECILY GOLDIE
P.O. BOX 114
CENTENNIAL WY 82055
Please include full name and address



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

RECEIVED
JUL 2 7 2003
BUREAU OF LAND MANAGEMENT
RAWLINS FIELD OFFICE

82301+2907 22

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. 1
- **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.** Directional drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlife, recreation, and landscapes

Signature: Cecily A. Goldie

LETTER 162

Duplicate of Letter 145

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
4000 Airport Parkway
Cheyenne, Wyoming 82001

RECEIVED
JUL 3 2003
BUREAU OF LAND MANAGEMENT
RAWLINS FIELD OFFICE

In Reply Refer To:
ES-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 1

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.

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.

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. 2

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). 3

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. 4

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. 5

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 6

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. 6

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. 7

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. 8

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). 9

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. **10**

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. **11**

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.

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? **12**

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 **13**

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. **13**

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. **14**

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). **15**

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. **16**

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 **17**

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. 17

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. 18

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. 19

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. 20

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. 21

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, 22

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. 23

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. 24

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 163

Chet & Goldie Pitcher
P.O. Box 301
Medicine Bow, WY 82329

Please include full name and address

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

USA21
82329
RECEIVED
JUL 3 2003
BUREAU OF LAND MANAGEMENT
RAWLINS FIELD OFFICE

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.** Directional drilling should be required in the Desolation Flats Final EIS to minimize impacts to wildlife, recreation, and landscapes.

1

Don't allow the desolation of Desolation Flats!

Signature: Chet & Goldie Pitcher
Medicine Bow, 82329

LETTER 164

Duplicate of Letter 123

eog resources

EOG Resources, Inc.
600 Seventeenth Street
Suite 1100N
Denver, CO 80202
(303) 572-9000
Fax: (303) 824-5400

June 30, 2003

RECEIVED
JUL 2 2003
BUREAU OF LAND MANAGEMENT
RAWLINS FIELD OFFICE

Mr. John Spehar, Project Coordinator
Bureau of Land Management
Rawlins Field Office
1300 North Third Street
Rawlins, WY 82301

RE: Desolation Flats Natural Gas Field Development Project Draft Environmental Impact Statement

Dear Mr. Spehar:

EOG Resources (EOG) submits the following comments with respect to the Desolation Flats Natural Gas Field Development Project Draft Environmental Impact Statement (DSFNGF DEIS) to the Bureau of Land Management (BLM). EOG is committed to the responsible production of oil and gas resources within the Desolation Flats natural gas producing area of south-central Wyoming. EOG and its employees are committed to abiding by the Operator-proposed mitigation measures, as detailed in Section 2.5.2.11, developed to ensure protection of the environmental resources in the Project Area.

Alternatives Development:

EOG supports the selection of alternatives analyzed in the DFNGF DEIS. The exclusion of an alternative that could be considered a sort of "natural resource conservation" alternative, called the "directional drilling" alternative in the DEIS, quite properly reflects the resource protection measures already included within the Proposed Action. The reasons given to justify the exclusion of mandated directional drilling are accurate. The Proposed Action includes feasible and economic measures that would be taken by operators to reasonably minimize surface disturbance and includes the use of multi-well pads.

1

Operator-Proposed Mitigation Measures:

The employment of the Operator-proposed mitigation measures in addition to the BLM's Standard Mitigation Measures would provide an adequate measure of environmental resource protection such that additional mitigation measures would not be needed.

Air Quality:

The following comments are directed to the analysis of impacts to air quality.

- Impacts to air quality were measured against Colorado ambient air quality standards. Colorado lies south of the Project Area and is the nearest adjacent state. The DFNGF EIS states, however, the winds are predominantly from the south to the southwest (DFNGF DEIS, page 3-13). Prevailing winds would carry emissions associated with well development away from the state of Colorado, making impacts to Colorado's air quality unlikely. Its inclusion is the analysis is unnecessary. **2**
- A number of the additional mitigation measures detailed in Section 4.2.5 are included in the DFNGF DEIS under Project-wide Mitigation Measures in Section 2.5.2.11. These include the commitments to use water or other approved dust suppressants on unpaved roads to reduce fugitive dust and the voluntary reduction of vehicle traffic speeds. Inclusion in Section 4.2.5 is redundant. **3**
- Other additional mitigation measures detailed in Section 4.2.5 are irrelevant because of their impracticality. They include the replacement of diesel-fueled engines on drill rigs (described in the DFNGF DEIS as having no commercial substitute) and the construction of central tank batteries. Central tank batteries may not be feasible in some areas because of the distance between wells, which is governed by spacing rules and projected to be between two to four wells per section. Using electric engines on compressors would require a source of electricity at those locations where compressors are needed. The installation of aboveground electric power lines would be visually obtrusive and not economically feasible. **4**
- Some additional mitigation measures detailed in Section 4.2.5 would require operators to install control devices that would decrease emissions below the levels set by Wyoming Department of Environmental Quality (WDEQ) regulations. For example, adding non-selective catalytic reduction devices would decrease NO_x levels to 70% of the allowable emissions by regulation. EOG strongly protests the requirement for emissions controls for engines that are operating within the regulatory limits of the State of Wyoming. The State of Wyoming has primacy over administration of the Clean Air Act within its boundaries. **5**
- The analysis in the DFNGF DEIS was purported to not represent a formal PSD increment consumption analysis, stating that it is the responsibility of the Wyoming DEQ to conduct such an analysis if and when such an analysis becomes necessary. Therefore, without evidence developed by the state as a result of such an analysis, it is not reasonable for the BLM to require a NO_x emissions offset program for development of this Project at this time. Further, such a requirement exceeds the authority of the BLM. **6**
- EOG supports the development of an air monitoring program within the state of Wyoming by the BLM in cooperation with the state, EPA, Southwest Wyoming Technical Air Forum, and other appropriate agencies/organizations. The accumulation of accurate data would decrease the BLM's reliance upon limited air quality data with which it must construct sophisticated models that may determine whether future projects, such as this project, are feasible. **7**

Soils:

The following comments are directed to the analysis of impacts to soils.

- The final surface disturbance numbers should be utilized throughout the EIS analysis in place of the initial surface disturbance numbers for analysis throughout the document. Reclamation efforts currently practiced by industry as part of interim reclamation would fully restore disturbed areas to their original state within a short period of time. **8**
- EOG supports the conclusion that there would be little to no impacts to soils after the implementation of Project Area mitigation measures. As stated in the DFNGF DEIS on Page 4-35, most of the predicted eroded soil would be contained on-site and would not be transported off-site. **9**

Raptors:

The following comments are directed to the analysis of impacts to raptors.

- The DFNGF DEIS suggests closing roads located near active raptor nests. EOG supports this measure as long as operators are able to access their wells. Denying access to producing wells would prevent an operator's ability to perform routine maintenance and ensure that well site equipment is functioning properly. Road closure could result in unsafe conditions. EOG suggests that if a raptor establishes a nest that may possibly be impacted by vehicular traffic, use of the road should be prohibited to general public use but not to operators. Operator vehicle trips to producing wells would be minimized. **10**
- The commitment to provide driver education to operator personnel is included in the DFNGF DEIS under Project-wide Mitigation Measures in Section 2.5.2.11. **11**
- The proposed mitigation to disallow the construction of permanent aboveground structures within 300 meters or less....of any raptor nest (page 4-72)" unnecessarily prevents development near inactive or abandoned nests. **12**

- Mitigation measures proposed in addition to the ones listed in Section 2.5.2.11 must be based on documented scientific evidence that is current and appropriate to the area being analyzed. The DFNGF DEIS should include citations to these studies within the document to support the need for additional restrictions. More detail is needed to support the validity of these proposed additional mitigations. **13**

Wildlife:

The following comments are directed to the analysis of impacts to wildlife.

- DFNGF DEIS suggests that "when 4-5 wildlife resource concerns are present within a section (22 sections), the BLM may consider a reduction in the number of well locations (<4) allowed within that section if well placement does not adequately avoid the resources (page 4-72)." Other mitigation measures suggest that wells be limited in areas of crucial winter range and that some roads be closed if they are located in big game critical range. As the BLM is well aware, EOG and other operators are currently subject to extensive wildlife restrictions that regulate timing and placement of well locations. Developing a well requires a great deal of planning and expense, but in most cases, EOG has been able to successfully drill wells that avoid adversely impacting wildlife. Limiting the number of well locations in areas of high wildlife density is effectively a mandate to directionally drill from a fewer number of available locations. For reasons adequately described in the DFNGF DEIS in Section 2.6.2, the use of alternative drilling technologies should not be presumed to be feasible on anything but a well-specific basis. The use of directional drilling or any other non-conventional type of drilling or production technique cannot be presumed to be able to access minerals in those areas where operations are excluded or restricted. In addition, the use of these techniques would incur extra costs to the operator. Economic considerations may preclude their use. An operator's inability to extract minerals from its leases is a denial of the rights associated with lease acquisition and could be construed as a taking. BLM Instruction Memorandum 92-67 clarifies 43 CFR 3101.1-2, which provides for a 200 meter general standard within which surface-use restrictions must fall. For any surface-use restriction that exceeds the 200-meter/60-day rule, the BLM bears the burden of establishing that the restriction is justified. **14** **14a**
- "Avoiding" (Page 4-72) areas where four wildlife resources of concern overlap to reduce impacts is an unclear statement. Total avoidance may preclude mineral extraction, as described in the preceding bullet. **15**
- Mitigation measures proposed in addition to the ones listed in Section 2.5.2.11 must be based on documented scientific evidence that is current and appropriate to the Project Area. The DFNGF DEIS should include citations to these studies within the document to support the need for additional restrictions. More detail is needed to support the validity of these proposed additional mitigations. **16**

The ability to extract natural gas from the leased public lands in the Project Area helps to maintain a stable economic platform for the counties directly affected by the finalized EIS, makes an important contribution to the economic health of the State of Wyoming, and helps to satisfy the energy needs of our nation. The hydrocarbon resources that exist beneath public lands are, in fact, owned by the public. Oil and gas operators in the management area provide the means to access and develop these oil and gas reserves, providing much needed energy to meet public demand.

Sincerely,

Sheila Bremer
Regulatory Coordinator

xc: Curt Parsons
Bob Davis

LETTER 165

(Duplicate of Letter 2)

ted kerasote
<tkerasot@wyoming.c
om>
06/19/03 09:12 PM

To: DesFlats_WYMail@blm.gov
cc:
Subject: to John Spehar, project coordinator

Dear John:

Many people who will write you letters about the Desolation Flats Project Area will have never been there. I have--many times--camping, hiking, driving through, scouting for deer and antelope. Wyoming is currently being hammered by oil and gas development, under enormous pressure from the federal government to achieve "national energy security." However, I don't like seeing my state trashed for this ephemeral goal, an unachievable one since only three percent of the world's oil and gas underlies U.S. soils. 1

I'd like to see Desolation Flats protected, but knowing that will nver happen, I'm imploring you to see that energy development is minimzed and what is done is done with an eye to protecting wildlife habitat. I don't have to go into the details about what that means. You know what it means. How about seeing for once that wildlife gets a fair shake instead of being analyzed to death under an adaptive management strategy while oil and gas wells sprout willy nilly.

Sincerely,
Ted Kerasote
Box 100
Kelly, Wyoming 83011

LETTER 166

Donna M Rosser
<dmrosser@juno.com
>
06/28/03 08:08 PM

To: DesFlats_WYMail@blm.gov
cc:
Subject: Re: Adobe Town and the Southern Red Desert

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

Dear Person:

I am writing about the proposed 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, and 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 wilderness. In the project area there are almost 50,000 acres of wilderness-quality lands adjacent to the existing Adobe Town Wilderness Study Area. These lands should be protected by incorporating them into the larger, existing WSA. 1
>
Provide a sufficient analysis of the impacts of the proposed project. The BLM has not given the public the detail needed to provide for a sufficient analysis of the impacts of the project. For instance, the agency states that there will be 385 wells drilled and about 500 miles of new roads constructed in the project, 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 be accurately analyzed.
>
Mandate the least environmentally damaging types of drilling. Directional drilling should be required in the proposed Desolation Flats project to reduce impacts to wildlife, recreation, and landscapes.
>
I would appreciate it if the BLM would take into consideration my comments. Thank you.

Donna Rosser
DMRosser@juno.com

LETTER 167

Public Lands Advocacy

Claire M. Moseley
Executive Director

www.publiclandsadvocacy.org

1410 Grant Street, Suite C-307, Denver CO 80203 • Phone (303) 860-0212 • Fax (303) 860-0310 • email pla@1410grant.com

July 1, 2003

Mr. John Spehar, Project Coordinator
Bureau of Land Management
Rawlins Field Office
1300 North Third Street
Rawlins, WY 82301

RE: Desolation Flats Natural Gas Field Development Project Draft Environmental Impact Statement

Dear Mr. Spehar:

On behalf of Public Lands Advocacy (PLA), following are comments on the Desolation Flats Draft Environm Impact Statement (DEIS). PLA is a nonprofit trade association whose members include independent and mc and gas producers as well as nonprofit trade and professional organizations that have joined together to environmentally sound exploration and production on public lands. As such, PLA supports the proposed contained in the DEIS and encourages BLM to move forward with approval of the project without delay. In a we fully support and incorporate by reference all comments submitted by project proponents.

In order to meet the challenge of a projected 30 percent increase in the demand for natural gas in the near is crucial for BLM to facilitate responsible development of this resource, such as that found in southern Wyor A key factor that BLM must take into account is that over the past 10 years, the annual depletion rate of natu has grown from 16 percent to 28 percent. In other words, approximately 25 percent of existing natura production must be replaced each year **just to stay even.** While conservation and possible imports of liqu natural gas will certainly play a role in meeting projected demands, the best short-term solution is for the fe government to take measures to foster responsible development of the domestic natural gas resource. Expo develop must occur on federal lands if the nation is to meet its short-term and long-term energy needs.

PLA's comments will focus on aspects of the NEPA process rather than resource-specific issues that are being addressed by project proponents.

RANGE OF ALTERNATIVES

The range of alternatives analyzed in the project level DEIS is appropriate and meets the requirements of the National Environmental Policy Act (NEPA). In order to achieve the mandatory "hard Look" NEPA requires, it is necessary only to analyze the proposed action, a no action alternative, which would limit new drilling to case-by-case consideration, and an alternative that analyzes a maximum development scenario. Additional alternatives would simply serve to delay the analysis process and, hence, further delay the proposed project. 1

➪Expanded Wilderness Alternative

BLM's decision not to analyze an expanded wilderness alternative proposed by environmental groups for the Town Wilderness Study Area (WSA) is completely warranted. Not only were these areas found unsuitable for wilderness designation in the BLM Wilderness Inventory Process conducted in the 1980s, consideration of additional wilderness is inappropriate at this project level analysis stage because it is not a federal land use planning document where land allocation decisions are made. 2

However, PLA strongly objects to the language found on pages 2-42 and 2-43 where it is stated that "*Prior to completion of the Great Divide RMP revision process, any application for development received by the Rawli Field Office within that portion of the Citizens' Proposal found by BLM to contain wilderness values, would be*

considered through a site-specific NEPA analysis. If proposed development activities were found to impair wilderness values, the application would be denied until completion of the Great Divide RMP revision. Any application received by the RSFO would be considered through the planning review process and possible pla amendment." While we agree that all drilling activity is subject to a site-specific NEPA analysis, valid existing le rights take clear precedence over any current or potential wilderness value, particularly if leases were issued p to a land use decision that may exclude exploration or development activities. BLM may recall the acceptan valid existing rights within the Grand Staircase-Escalante National Monument in which Conoco had valid existi lease rights. The Department of Interior (DOI) found it had absolutely no authority to ban drilling on a valid exis lease that did not contain a "no surface occupancy" (NSO) stipulation. This same rule applies to any and all le and associated activities that may occur within citizens' proposed wilderness areas.
Furthermore, as a result of the DOI's settlement with the State of Utah, it is against policy to give "citize wilderness proposals" special management consideration outside the land use planning process. Specific was stated in the Summary of the Settlement Agreement (posted on the Department's web site), "*Interior pl consider wilderness inventories and recommendations from wilderness advocates in its* ***planning process*** *and anticipates that many areas will be managed in their natural state to preserve wilderness characteristics. areas may be managed in a natural state except Interior plans to consider wilderness inventories recommendations from wilderness for fire prevention efforts, wildlife habitat improvements, or enha recreational access-none of which would be possible under a formal wilderness designation."* (Emphasis adde 2
To that end, the Wilderness Handbook adopted under the previous administration was rescinded. In a let Senator Pete Domenici (R-NM) and Chairman of the Senate Energy Committee (posted on the Departn website), DOI states, "*The Department believes "The Wilderness Handbook" and related BLM guidance is consistent with the law and we intend to withdraw the Handbook and modify the related guidance. F Handbook requires that upon inventorying new areas as having wilderness characteristics, the BLM must ma them as if they were "Wilderness Areas," notwithstanding the explicit reservation of this authority to Congress. administrative direction to the BLM disregards the fact that the BLM has already conducted an exha fifteen-year review and is currently managing more than 22 million acres of BLM land as "Wilderness," accordance with the 1964 Wilderness Act and with FLPMA. It also ignores the fact that "Wilderness Areas" managed, by law, for a single and statutory exclusionary use, and that any administrative decision to manag lands as "Wilderness Areas" outside of the 1964 Wilderness Act, violates clear congressional direction."*
Clearly, BLM's decision to defer any wilderness expansion proposals to the land management planning proce appropriate and consistent with Department policy. However, the language cited above must be changed new policy and to recognize valid existing lease rights. Therefore, we strongly recommend that the applicabl changes be made to the final project EIS.

➪Directional Drilling Alternative

PLA also fully supports the dismissal of "directional drilling" alternative from the analysis. Directional drilling is nc surface resource decision, but, rather a subsurface resource decision. Furthermore, the proposed action prov for directional drilling in circumstances where it is technologically and economically feasible. Therefore, no additional alternative that addresses directional drilling is necessary.

It must be recognized that it is literally impossible to make assumptions that industry can directionally drill in an situation. That was plainly demonstrated by previous directional drilling projects undertaken by Union Pacific Resources and by others in the Wamsutter Field. Determinations of the feasibility of directional drilling or any o unconventional drilling technology can be made only by the operator. Additionally, the feasibility of directior drilling technology can only be reasonably determined on a well-specific basis. Moreover, directional drilling typically used for certain field development wells rather than exploration activities. It must also be considered while 63 wells are currently producing in the project area, the majority of new wells will be exploratory due to lack of subsurface information currently available. Exploratory drilling is already a difficult and expensive undertaking because it is an attempt to determine where a structure may occur without the added knowled data from previously drilled wells in the area. The technical limitations of directional drilling do not make it a re tool for most exploration wells. Additionally, directional drilling is unpredictable and costly in areas with excessi gas production because well control becomes difficult and the odds of encountering serious well control prot are radically increased. Formations that require sharp, high angle deviations are also not good candidates fc directional drilling. Deviated wells may also be problematic, even in the production stage, due to the high ar in the pipe. The exponential increase in cost coupled with increased mechanical challenges could prevent n 3

LETTER 167 cont'd

PLA Comments on Desolation Flats Natural Gas Field Development Project
July 1, 2003

Page 2

directional projects from ever being drilled and, if forced upon the operator, in direct violation of valid existing rights which could constitute a "taking" of property rights.

CHAPTER 4 - ENVIRONMENTAL CONSEQUENCES

PLA concurs with the approach taken in Chapter 4 in that while it identifies an array of potential impacts that c to occur to specific resources and values without mitigation, descriptions of mitigation measures are included i clearly demonstrate that the gas industry has many tools at its disposal to minimize potential adverse effects associated with natural gas exploration and development.

PLA, and previously the Rocky Mountain Oil and Gas Association (RMOGA), have espoused this method of disclosure and analysis for years. Therefore, we are pleased that BLM has listened and correctly incorporated t requirements of the NEPA regulations at 40 CFR 1502-2 in the analysis. We can only hope that this same approach will be utilized in the revision of the Great Divide Resource Management Plan. **4**

REASONABLE FORESEEABLE DEVELOPMENT SCENARIO

PLA has noted that BLM has included a Reasonably Foreseeable Development Scenario (RFDS) in the DEIS to aid the agency in determining potential cumulative effects of the project. While we support the concept and use of the RFDS, PLA disagrees with the notion that the DEIS or RFDS should be used to establish a fixed number of wells that can be drilled in the project area over a certain period of time. In our view, the RFDS is simply a tool for use in the analysis that allows BLM to assess the types of impacts that could occur as a result of development in the area. It is important for BLM to retain flexibility in its decision-making process by acknowledging that many tools are available to minimize surface disturbance which could be utilized to allow additional development beyond that analyzed in the DEIS. **5**

PLA appreciates this opportunity to provide you with our views and comments. Please do not hesitate contac should you have any questions.

Sincerely,

/s/ **Claire Moseley**

Claire M. Moseley

Cc: Robert Bennett - WY BLM State Director
Del Fortner - WO Fluids Manager

LETTER 168

ashulsta
<ashulsta@uwyo.edu>
Sent by:
ashulsta@uwyo.edu

To: DesFlats_WYMail@blm.gov
cc:
Subject: Please reconsider

07/02/03 12:07 PM

Hi,
My name is Andy Shulstad, I am a student at the University of Wyoming in Laramie. I believe the BLM's decision to allow drilling in the Desert Flats area of the Red Desert is not a sound decision. For one thing, there is already an enormous impact on our sensitive dry environments in the state. The recent CBM developements in the Powder River Basin is drastically altering the native plant and animal communities both in the PRB and everywhere downstream of the Powder River. It would be even further devestating to the state to destroy more of its precious wildlands and beautiful undeveloped lands. Secondly, the drilling project will provide the state with some income, but it will be short-lived, and will likely only be through taxes on the minerals extracted, not through new jobs, which the state needs much more. As with the CBM drilling in the PRB, I am guessing most of the jobs running the project will be filled by employees brought from out of state with the oil and gas industries. **1**
I have visited this area several times to explore its wonderful scenery and wildlife. The elk herd in the area is definitely worth protecting. As well, as developements are made on the land, the area will be much less likely to be visited by myself and others who wish to visit pristine lands that are in the same state as they were pre-settlement times. This is destroying an economic benefit that longer lasting, and much more likely to grow as other areas undergo developements like this drilling project.

Thanks for your consideration,
Andy Shulstad

LETTER 169

Bryan Wyberg
12854 Raven Street NW
Coon Rapids, MN 55448
bryan.wyberg@honeywell.com

June 30, 2003

Bureau of Land Management
Rawlins Field Office
John Spehar, Project Coordinator
PO Box 2407
Rawlins, WY 82301
DesFlats_WYMail@blm.gov

RECEIVED
JUL 7 2003
BUREAU OF LAND MANAGEMENT
RAWLINS FIELD OFFICE

Cc: Secretary Gale Norton
U. S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Senator Craig Thomas
United States Senate
307 Dirksen Senate Office Building
Washington, DC 20510

Dear Mr. Spehar:

I am writing to provide official comments on the Draft Environmental Impact Statement for the Desolation Flats Project Area. I have visited this region of Wyoming, and so I am familiar with the type of landscape and lands contained in the Desolation Flats Project Area. I love the remoteness of the lands and the beauty of the landscape. I believe that this Project Area has a now-rare character which evokes the legendary Old West. It is my belief that future generations should also be able to experience this same sensation, and to feel the same awe at the open expanse of this section of the Great Divide.

However, the only way to ensure that those future citizens will be given this opportunity is if the BLM today chooses to manage these lands in a more protective manner. I am a supporter of the full 92,000+ acre Adobe Town Wilderness Study Area expansion proposal as put forward by citizen groups such as the Wyoming Outdoor Council. I know that the BLM is familiar with this proposal. I am very concerned that a portion of this expanded Wilderness Study Area proposal is included in the boundary of the Desolation Flats Project Area. ***My first and foremost request is that all lands within the full citizen's Adobe Town Wilderness Proposal be excluded from any and all forms of development and resource extraction.*** 1

Second, the name given to the Project Area is a misnomer. These lands are not "desolate," but are in fact prime habitat for big game wildlife as well as the small, though very important species, prairie dogs. Wild animal range lands and migration corridors occur within the Project Area. I ask that the BLM be sensitive to the existence of the patterns of use by wildlife of these lands. Management of this area, and any development permitted, must fully account for the wildlife. Prairie dog colonies must not be disturbed, and should be used for introduction of endangered black-footed ferrets. Note that the long-term economic value of the big game herds and associated

(Continued)

recreation far exceeds that of the short-term energy extraction profits. For the economic benefit of Wyoming citizens, the wildlife should come first. ***The BLM must place the continued viability of any wildlife habitat as its top priority, above resource extraction.***

It would be a travesty to learn that the extractive industries are given free rein in the Desolation Flats Project Area, as they have been in other regions of Wyoming. The Great Divide region as a whole is being eyed greedily by the energy industry supporters of the Bush Administration. They wish for an unbalanced policy of lands-use management. Yet this is a region of wild beauty and wildlife habitat that many citizens want to see preserved for future generations. ***Thus the BLM is obligated to take a truly balanced management policy for this Project Area.***

To be balanced, substantial portions of these lands must be preserved as wilderness, just as substantial areas will be given over to resource extraction. This region must be acknowledged by the BLM as special, and large portions be left free from devastation. I believe that the BLM should withdraw from leasing or require "No Surface Occupancy" for oil and gas drilling on floodplains. Also to be withdrawn from development are remaining roadless lands, wilderness quality lands, crucial elk and deer winter ranges, prairie dog colonies, mountain plover habitat, and land within three miles of sage grouse leks or within one mile of active raptor nests. ***In sum, the BLM plan must prohibit drilling in environmentally sensitive areas, including all wilderness quality lands, roadless lands, and important wildlife habitats.***

The BLM plans should also outline how energy development will proceed on the lands in which it is allowed. There must be strict permitting and oversight controls. Environmental protection must be strong and enforced adequately in those areas under development. Drill pads must be concentrated so as to impact the least amount of acreage. Directional drilling techniques must be required, rather than a multiplication and concentration of the number of drill pads. I expect that the BLM will be a good steward of my lands when they are in the use of private interests for their economic gain. ***I expect the BLM will allow only the least damaging drilling techniques and development patterns.*** 1

A major concern of mine is that the BLM preferred plan does not go into the detail needed to provide for a sufficient analysis of the impacts of extraction projects. 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 be accurately described. ***The BLM must ensure limited impacts to wildlife and wilderness recreation resources by providing a sufficient analysis of the impacts of all proposed developments in the Project Area.***

In summary, I believe that conservation principles must be better integrated into the final management alternative selected by the BLM. ***I support the development of a Conservation Alternative to be selected as the preferred alternative of the Final Environmental Impact Statement for the Desolation Flats Project Area.*** We need a new alternative designed to mandate a land management plan that has a balance of managed uses, and is not a sacrifice of this area to the extractive industries. It should focus on the conservation of the natural resources of the area, its wildlife, its beauty, and its wilderness characteristics. Only this will fulfill the goal that this area is passed to future generations untrammeled. This is what future generations deserve of us.

Sincerely, Bryan Wyberg