Phoonswadi-Brewer, Sean

From: NPL_AR
Subject: NPL Wyoming Game and Fish Scoping Comments
Attachments: NPL Project_Wyoming Game and Fish Comments.pdf

"Gwen Booth" <Gwen.Booth@wgf.state.wy.us>
05/12/2011 05:22 PM

To <kellie_roadifer@blm.gov>, <NPL_EIS_WY@blm.gov>
cc
Subject Please see attached Game and Fish comments

See attached for Wyoming Game and Fish Department Scoping comments for the NPL Project

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May 12, 2011

WER 8349.07
Bureau of Land Management
Pinedale Field Office
Notice of intent to Prepare an
Environmental Impact Statement for
the Proposed Normally Pressured Lance
Natural Gas Development Project
Sublette County

Kellie Roadifer
Bureau of Land Management
Pinedale Field Office
PO Box 768
Pinedale, WY 82941

Dear Ms. Roadifer:

The staff of the Wyoming Game and Fish Department (WGFD) has reviewed the Notice of Intent to prepare an Environmental Impact Statement (EIS) for the proposed Normally Pressured Lance Natural Gas Development Project (NPL) in Sublette County. We offer the following comments concerning scoping issues and the development of the EIS for your consideration.

Terrestrial Scoping Issues:

The primary wildlife species that may be impacted by the NPL project are pronghorn and sagebrush dependent species such as sage-grouse, sage thrasher, sage sparrow, and Brewer's sparrow.

The proposed project is located within the Sublette Pronghorn Herd Unit, which encompasses 10,546 square miles and is managed for a population objective of 48,000 animals. A significant amount of new pronghorn data has been collected within the NPL project boundary and surrounding areas during the past 5 years, primarily associated with a recently completed research project conducted by the Wildlife Conservation Society (WCS). Pronghorn data derived from this WCS study along with data collected from other sources (agencies, consultants, etc.) indicate significant pronghorn winter use within portions the NPL project area. Pronghorn location data has been obtained by aerial flights, ground surveys, and radio-telemetry collars (both VHF and GIS technology). With the information derived from this data, we will

begin updating existing seasonal range maps by the spring of 2012, which will result in new crucial winter range designations within the NPL project boundary.

The majority of the NPL project area lies within suitable sage-grouse habitat. There are currently 8 known, occupied sage-grouse leks and 1 known, unoccupied sage grouse lek within the NPL project boundary. Approximately one-third of the NPL project area (southeast side) is within the Greater South Pass sage-grouse core area where 5 of the known, occupied leks exist. Additionally, there are identified sage-grouse winter concentration areas in some portions of the NPL project area. In cooperation with the Pinedale BLM Field office we are continuously updating winter concentration maps, as new data have been collected since 2008 when the previous map was originally developed. This updated map of winter concentration areas should be available by the fall of 2011.

The dominant habitat type associated with NPL is sagebrush/grassland habitat. As a result, other sagebrush dependent species, such as the sage thrasher, sage sparrow, and Brewer's sparrow exist throughout the entire NPL project area. Fragmentation of this relatively contiguous sagebrush habitat has the potential to impact all sagebrush dependent species, along with numerous other wildlife species.

The following is a list of impacts we recommend to be analyzed in the EIS:

- Development, production, and maintenance activities on pronghorn on summer, spring, fall, winter, and crucial winter range.
- Development, production, and maintenance activities on big game migration corridors.
- Development, production, and maintenance activities on sage-grouse lekking, nesting, brood-rearing, and winter habitats.
- Development, production, and maintenance activities on sagebrush dependent, non-game species.
- Alteration of sagebrush habitat, including the spread of noxious and/or invasive species.
- Cumulative wildlife and habitat impacts as a result of increasing intensity of oil and gas development in the region.

We recommend the development of an alternative in the EIS that avoids gas development and activities within all big game (pronghorn) crucial winter habitat, sage-grouse winter concentration areas, supports core area sage-grouse, and complies with existing habitat protection stipulation periods associated with sage-grouse leks and nesting habitat as a baseline for determining impacts. In addition, we recommend that all known "best management practices", including the practices outlined in our Commission approved *Recommendations for Development of Oil and Gas Resources within Important Wildlife Habitats (version 6.0)*, are indentified in the EIS alternatives to minimize habitat fragmentation and disturbance for the benefit of all sagebrush dependent species. We offer the following preliminary recommendations as guidelines that will assist with developing the EIS for the proposed project. As the project develops and more details regarding development of the gas field become available, other recommendations may follow.

General

- We recommend No Surface Occupancy (NSO) stipulations be considered, as well as timing stipulations to prevent habitat loss or displacement of wildlife from crucial habitat.

- We recommend consideration be given to developing alternatives that range from minor to severe impacts on big game species in the project area.

- The potential for habitat improvements to mitigate habitat losses in and adjacent to oil and gas developments should be cooperatively developed between agencies. We strongly support efforts to develop off-site habitat mitigation plans to replace non-recoverable wildlife habitat.

- Any wetland impacted by this project should be restored to pre-project condition or mitigated in-kind. Amphibian surveys should be conducted prior to disturbance.

- All compressor engines/exhaust stacks should be adequately muffled to reduce noise impacts to wildlife, and exhaust stacks should be pointed away from any sage-grouse leks. Compressor stations should be located far enough away from leks so that noise does not interfere with breeding activities (a *minimum* of ¼-mile is recommended in non-core areas). Compressor station doors should be kept closed to reduce noise. To minimize the effects of continuous noise on sage-grouse and nongame bird populations, reduce noise levels to 49 dBA or less, particularly during the bird nesting season when aural cues are critical for successful breeding.

- Well sites should be inventoried for nongame wildlife prior to development.

- We support the proponent's suggested use of directional drilling technology to minimize the number of well pads.

- We recommend well sites should be located away from ridgetops and saddles to minimize disturbance to wildlife in adjacent drainages. Where possible, use topography to provide visual barriers and avoid locating wells in key migration corridors, breeding areas, or winter concentration areas for wildlife. Areas where appropriate, water-bearing strata are discovered during exploration that could provide permanent water sources may be developed for wildlife use. Discovered water could also be developed, where appropriate and applicable, to improve livestock distribution. We urge caution in constructing wells and tanks on crucial winter range to avoid concentrating livestock, potentially reducing forage, and increasing the potential for introducing noxious weeds.

- We support the proponent's effort to minimize the production and storage of waste. Reserve pits should be lined with plastic (or another non-porous material) to prevent surface or ground water contamination from seepage, fenced to exclude mammals, and covered with one to two-inch woven mesh material to minimize bird entrapment. Alternatively, plastic or fiberglass tanks should be used to hold drilling fluids.

- To minimize habitat disturbance, construct only the minimum footprint needed to develop oil and gas facilities (e.g., roads, multiple wells from singe pad, use of directional drilling). We support the proponent's efforts to co-locate new infrastructure whenever possible.

Species-Specific

- In order to minimize disturbance to wintering big game, we recommend that construction and drilling activities cease in crucial winter habitat from November 15 – April 30.

- We recommend that the general and oil and gas-specific stipulations and procedures outlined in the State of Wyoming Greater Sage-Grouse Core Area Protection Executive Order 2010-4 be incorporated into the alternatives.

- In sage-grouse non-core areas we recommend the proponent avoid surface disturbance activities and occupancy (NSO) within 0.25 mile of the perimeter of occupied sage-grouse leks and avoid surface disturbing activities in suitable sage-grouse nesting and early brood-rearing habitat within 2 miles of an occupied lek or within identified nesting and early brood-rearing habitat from March 15 – June 30.

- Where is has been designated, avoid human activity in sage-grouse winter habitat from November 15 – March 14.

- We recommend development-impact monitoring plans be developed for affected species including pronghorn, sage-grouse, and appropriate non-game. We recommend WGFD personnel be involved in the development and future oversight of these plans.

Travel Networks and Roads

- We recommend vehicle travel should be minimized between 6-9 a.m. and 3-6 p.m. to prevent harassment and collisions with wintering wildlife.

- We suggest planning new roads away from drainages to reduce erosion potential. Consider placing roads adjacent to fences or other natural breaks in the landscape to reduce disturbance to wildlife. Construct roads to minimum standards and avoid wetlands, prairie dog towns, raptor nests, and sage-grouse leks.

- Excessive densities of roads that are open could pose major impacts to wildlife. We recommend there be no more than 1-1.5-miles of open roads per square mile. In addition, there should be seasonal closures on designated new roads during hunting seasons. In areas managed to maintain effective elk habitat, open road densities should not exceed ½-mile per square mile.

- Closing open roads of equal distance should offset any new roads added to the present road system.

- Closed roads should be obliterated and reseeded where appropriate.

- Off-road travel should be avoided, if possible, especially during wet/muddy conditions.

- Speed limits should be restricted to minimize collisions with wildlife and to keep dust down. When appropriate, use dust suppression techniques to avoid reducing productivity and palatability of adjacent forage.

- In deep snow conditions that require winter road maintenance, we request blading turnouts on both uphill and downhill sides of the road at one-mile intervals and at known game crossings to allow wildlife escape routes.

- The proponent should schedule large truck activities to avoid opening weekend of big game seasons.

- Once into the production phase, limiting visits to well sites on crucial winter range to times when big game are typically bedded (i.e., mid-day) will reduce disturbance and stress on wildlife. We support the proponent's proposed use of remote sensing technology to reduce daily/weekly truck traffic for well servicing.

Pipelines

- In order to reduce reclamation costs, make reclamation easier, and minimize habitat loss, we recommend removal of vegetation only where trenching will occur.

- Topsoil should be saved and spread over disturbed areas as soon as possible after disturbance to accelerate reclamation.

- Wildlife are often highly dependent upon plant communities that are tied to a specific site. We recommend planting a vegetation mix that meets these criteria for any disturbed site. WGFD personnel are available for input into seed mixes.

- Pipeline construction should be synchronized with seasonal wildlife needs to minimize disturbance. When appropriate, seasonal stipulations should be applied.

- In sensitive or crucial habitats, special precautions and techniques should be employed to minimize the width of the disturbance area.

- It is generally preferable for pipelines to follow existing utility corridors to the extent possible.

- Where pipeline construction entails a large work force, construction workers should be bussed to the work location. Also, the project proponent should discourage "squatting" (e.g., tent and trailer camping) on public lands through the construction period.

Reclamation

- All reclamation work should be initiated within one year of completion of exploratory work.

- Given the lack of technology to reclaim deciduous mountain shrub communities, these important wildlife habitats should be avoided during drilling operations.

- Roadside re-vegetation should consist of a mixture of warm and cool season, unpalatable grasses to avoid enticing wildlife into the right-of-way corridor.

- Re-vegetation in native habitats should consist of a mixture of warm and cool season native grasses, forbs, and shrubs. Non-native plant species should be avoided.

- If hay or straw is used as mulch, only weed-free material should be used.

- Avoid planting monocultures. Carefully plan for a complex of vegetation that reflects the diversity of plant species and habitats in the surrounding area.

- To expedite reclamation, use of wood platforms may be used on slopes <3% grade to avoid removing vegetation, speeding reclamation efforts.

Aquatic Scoping Issues:

The proposed project is located within the Upper Green River drainage and may cause impacts to the Green River along with several other intermittent drainages located within the NPL project boundary. The Green River is classified as a Blue Ribbon Wyoming Trout Stream, meaning it is of national importance to anglers and produces greater than 600 pounds of trout per mile. This river is an extremely important recreational fishery.

The Green is managed primarily for its wild brown trout fisheries. Cutthroat trout are stocked in the lower portion of the river to provide additional diversity to the fisheries. Native nongame fish are also present in these watersheds. Of most importance are the flannelmouth sucker and the bluehead sucker. The WGFD has categorized both the flannelmouth sucker and bluehead sucker as a Species of Greatest Conservation Need (SGCN) Native Species Status (NSS) 1 in its State Wildlife Action Plan (SWAP). NSS 1 species are physically isolated and/or exist at extremely low densities throughout their range, and habitat conditions are declining or vulnerable. Therefore, we have been directed by the Wyoming Game and Fish Commission (WGFC) to recommend that no loss of habitat function occur. Some modification of the habitats may occur as a result of this project, however, we recommend that habitat function be maintained (i.e., the location, essential features, and species supported remain unchanged). The drainage also supports native fish species that are more common and abundant across their range, including mountain suckers, mottled sculpin, and speckled dace.

Additionally, disturbance to amphibian breeding areas, especially those of the Great Basin spadefoot, is a concern. Spadefoots breed in playas, ephemeral pools, and flooded wetlands. The northern leopard frog, which has been petitioned for listing by the USFWS, is also a species whose range and distribution may extend into the proposed project area.

Our concerns include impacts to aquatic ecosystems as a result of increased sedimentation, stream channel crossings, the introduction and transportation of aquatic invasive species (AIS), water quality, and the disturbance of riparian habitats and wetlands associated with this project.

The following is a list of impacts we recommend should be analyzed in the EIS:

- Sedimentation to the watershed including ephemeral drainages, and the potential alteration of stream channel morphology and stream bed structure including side channel habitat.

- Destabilization of streambanks as a result of activities and developments including but not limited to discharge, roads, and the removal of vegetation.

- Impacts to wetlands and associated wildlife species, particularly amphibians and reptiles.

- Direct impacts (i.e., direct kill of fish species, direct kill of eggs and fry, indirect kill of eggs and fry) to populations and habitats for bluehead sucker and flannelmouth sucker along with the important sport fish.

- Changes in water quality due to spills or other contaminants in the rivers, increased sedimentation, and other sources of contamination.

- Introduction of aquatic nuisance species.

- Introduction of terrestrial nuisance species.

- Alterations of upland habitats and its impact on amphibians and reptiles.

We offer the following preliminary recommendations as guidelines that will assist with developing the EIS for the proposed project. As the project develops and more details regarding development of the gas field become available, other recommendations may follow.

Pipelines

- We recommend any pipeline crossing of water courses should be adequately protected against surface disturbances and damage to the pipelines that might result in a spill event.

- Any pipeline crossing of intermittent streams can be trenched. Stream banks should be restabilized using vegetation. Willow clumps or native potted plants should be used to stabilize the disturbed banks.

- Any pipeline crossing of perennial streams and rivers (i.e., the Green River) should be accomplished by boring under the active channel to avoid impacts to the channel and associated riparian areas. This would further eliminate any concerns with sedimentation and the need to avoid critical times of year such as when fish species are spawning. Not entering the live channel will also minimize AIS concerns. Boring pits should be located

far enough back from the channel that stream bank stability is not reduced. Boring should be done in a manner that will impact the stream and all associated riparian habitat, including any side channels. Willow clumps or native potted plants should be used to stabilize any disturbed banks.

- Riparian canopy or stabilizing vegetation should not be removed if possible. Crushing or shearing streamside woody vegetation is preferable to complete removal. Any such vegetation that is removed in conjunction with stream crossings (perennial or intermittent) should be reestablished immediately following completion of the crossing.

- Any pipelines that parallel drainages should be located outside of the 100-year floodplain.

- Pipeline crossings of riparian areas and streams should be at right angles, to minimize the area of disturbance. Pipelines should not be routed through riparian areas other than for purposes of crossing streams.

- Right-of-way widths should be minimized where the pipeline crosses riparian areas and streams.

Sedimentation

- We recommend soil erosion should be controlled. Erosion control structures should be in place to prevent the spread of sediment to perennial and intermittent stream channels.

- Any riparian canopy or bank stabilizing vegetation removed as result of construction activities should be reintroduced and protected from grazing until the new growth is established. Willow clumps and/or potted native plants should be used as they will provide protection and healing of the disturbed areas more quickly.

- Buffer zones of 500 feet or the 100-year floodplain of undisturbed vegetation should be left along each side of standing waters and water courses to minimize sedimentation and direct fish habitat impacts.

- Buffer zones of at least 300 feet for ephemeral drainages.

- Disturbed areas should be reseeded with appropriate plant varieties as soon as possible after the disturbance.

- Riparian areas and floodplains should not be used as staging or refueling areas. All chemicals, solvents and fuels should be kept at least 500 feet away from perennial streams, ephemeral streams, and riparian areas.

Discharge – Hydrostatic Test Waters

- The concerns with transporting AIS with hydrostatic test water can be avoided by using a potable water supply. Potable water, if used for hydrostatic testing, can be moved between watersheds without concern for transporting AIS. The discharge of potable water should be accomplished in a manner that does not increase erosion or alter stream channels. Discharge should occur into temporary sedimentation basins and the dewatering of temporary sedimentation basins should then be done in a manner that precludes erosion.

- Hydrostatic test waters released during pipeline construction could cause the alteration of stream channels, increased sediment loads, and the introduction of potentially toxic chemicals into drainages, thereby resulting in adverse impacts to aquatic biota. Furthermore, release of water into drainages other than the source drainage can result in an unacceptable risk of introducing AIS (New Zealand mud snail, European ear snail, whirling disease spores, etc.). Introduction of AIS can be devastating to the ecosystems of vast basins in the receiving waters. To minimize impacts, we recommend the direct discharge of hydrostatic test waters to streams other than the source water be avoided. Failure to do so could be seen as a violation of WGFC regulations. Discharge should occur into the source drainage in a manner that does not increase erosion or alter stream channels. Discharge should occur into temporary sedimentation basins and the dewatering of temporary sedimentation basins should then be done in a manner that precludes erosion.

AIS

- The intentional or unintentional spread of organisms from one body of water to another may be considered a violation of WGFC regulations.

- When work will occur in or near water, all equipment must be decontaminated. Decontamination should first occur before arrival at a project site so AIS are not transferred from the last visited area. Decontamination should again occur before leaving a project site so AIS are not transferred to the next site.

- Decontamination may consist of either: 1) **Draining** all water from equipment and compartments, **Cleaning** equipment of all mud, plants, debris, or animals, and **Drying** equipment for 5 days in summer (June, July & August); 18 days in Spring (March, April & May) and Fall (September, October & November); or 3 days in Winter (December, January & February) when temperatures are at or below freezing; or 2) Using a high pressure (3000 psi) hot water (140°F) pressure washer to thoroughly wash equipment and flush all compartments that may hold water.

Amphibians, Reptiles, and Fish

- To reduce impacts on aquatic amphibians hibernating in aquatic substrates, we recommend limiting construction through the winter months. However, if construction is to take place during the winter months, the proponent should take into consideration the herptile assemblages in the project area to ensure suitable overwintering habitat (soft unconsolidated substrates) is protected.

- To protect breeding amphibians we recommend no disturbance in the riparian, wetlands, or backwater areas during the spring and early summer. The Department recommends a 500 meter NSO buffer for riparian areas and wetlands.

- Minimize disturbance to snake hibernacula. When possible, we recommend avoiding disrupting talus slopes, caves, and cliffs. If work needs to be performed in areas adjacent to these habitat types, we recommend a 100 meter buffer be placed around hibernacula features. Work should be performed during the summer months (June 1 - August 31) to avoid the disruption of hibernating reptiles.

- No instream work in the rivers (including the Green and New Fork rivers) from September 15 – February 15 to protect spawning brown trout, their redds, and fry. This timeframe protects the incubating eggs and the fry.

- No instream work in the rivers (including the Green and New Fork rivers) during the months of April - July to protect spawning flannelmouth suckers and bluehead suckers and their fry.

Thank you for the opportunity to comment. If you have any questions or concerns, please contact Scott Smith, Pinedale Region Wildlife Management Coordinator, at 307-367-4353 or Hilda Sexauer, Pinedale Region Fisheries Supervisor, at 307-367-4347.

Sincerely,

John Emmerich
Deputy Director

JE/mf/al

cc: USFWS
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