Final Environmental Impact Statement Continental Divide/Wamsutter II Natural Gas Project, Sweetwater and Carbon Counties, Wyoming

United States Department of the Interior, Bureau of Land Management
MISSION STATEMENT

It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

BLM/WY/PL-00/005 + 1610
This Environmental Impact Statement was prepared by TRC Mariah Associates Inc., an environmental consulting firm, with the guidance, participation, and independent evaluation of the Bureau of Land Management (BLM). The BLM, in accordance with 40 C.F.R. 1506.5(e) and (b), is in agreement with the findings of the analyst and approves and takes responsibility for the scope and content of this document.
Dear Reviewer:

This Final Environmental Impact Statement (FEIS) on the proposed Continental Divide/Wamsutter II (CD/WII) Natural Gas Project located in Carbon and Sweetwater County, Wyoming, is submitted for your review and comment. The FEIS has been prepared pursuant to Title 40, Code of Federal Regulations, Parts 1500-1508, to analyze the potential impacts from natural gas exploration and development proposed by Amoco Production Company, Union Pacific Resources Company, Yates Petroleum Corporation, Snyder Oil Corporation, and other natural gas operators within the CD/WII project area. This document informs the public of the anticipated impacts of the proposed development and alternatives to that proposal. The Bureau of Land Management’s (BLM) preferred alternative for this project is the Proposed Action, with additional mitigation measures which would reduce environmental impacts.

The FEIS contains corrected and new material which supplements the Draft Environmental Impact Statement (DEIS) issued April 30, 1999. The FEIS and the DEIS comprise the complete document. Please refer to the DEIS for more detailed analyses and descriptions of the proposed action and alternatives.

A copy of this FEIS has been sent to affected Government agencies and to those persons who either responded to scoping, the DEIS, or otherwise indicated to BLM they wished to receive the document. Copies of the FEIS are available upon request at the following locations:

Bureau of Land Management
Rock Springs Field Office
280 Highway 191 North
Rock Springs, WY 82901
Telephone (307) 352-0256

This FEIS is not a decision document. A Record of Decision will be prepared and made available to the public, but not until at

November 30, 1999
least 30 days after the Environmental Protection Agency (EPA) has published their Notice of Availability of this FEIS in the Federal Register. We anticipate EPA will publish that notice December 10, 1999.

If you wish to comment on the FEIS, we request you make your comments as specific as possible. Comments will be more helpful if they include suggested changes, sources, or methodologies. Opinions or preferences will not receive a formal response. However, BLM will consider them in its decision.

Comments, including names and street addresses of respondents, will be available for public review at the addresses listed above during regular business hours (7:45 a.m. - 4:30 p.m.) Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives of officials of organizations or businesses, will be made available for public inspection in their entirety.

Sincerely,

[Signature]

Alan R. Pierson
State Director

EXECUTIVE SUMMARY

Amoco Production Company, Union Pacific Resources Company, Yates Petroleum Corporation, Snyder Oil Corporation, and other natural gas operators (collectively known as the Operators) propose to explore for and develop natural gas reserves on the Continental Divide/Wamsutter II Project Area (CD/WIIPA) in eastern Sweetwater County and southwestern Carbon County, Wyoming, in portions of Townships 15 through 23 North, Ranges 91 through 99 West. The U.S. Department of the Interior, Bureau of Land Management (BLM) (Rawlins and Rock Springs Field Offices) have determined that the Operators' proposed project would constitute a major federal action and therefore requires the preparation of an environmental impact statement (EIS) in accordance with the National Environmental Policy Act of 1969, as amended (NEPA). This final EIS (FEIS) was prepared in accordance with NEPA to assess the environmental consequences of the Operators' proposed development (i.e., the Proposed Action) and is intended to provide the public and decision-makers with a complete and objective evaluation of impacts, both beneficial and adverse, resulting from the Proposed Action and reasonable alternatives.

The Proposed Action, two alternative development strategies (i.e., Alternative A--140-acre maximum surface disturbance per section in sensitive resource areas [SRAs], and Alternative B--30- acre maximum surface disturbance per section in SRAs), and a No Action Alternative are analyzed. Additional alternatives, including those considering CD/WIIPA-wide well densities/spacing patterns, fewer wells, increased surface disturbance per well, phased development, no development, and development in the Adobe Town Wilderness Study Area, were considered but rejected for environmental, economic, and/or legal reasons.

The No Action Alternative analyzed in this EIS would involve the rejection of the Operators' Proposed Action and Alternatives A and B; however, denial of the development alternatives would not constitute a denial of all natural gas development on the area. Since over half of the CD/WIIPA is not federally owned and since the BLM would not deny access to these private- and state-owned lands, nor would the BLM allow the drainage of federal minerals, some development of the CD/WIIPA would occur under the No Action Alternative. For the purpose of this analysis, it is assumed that, under the No Action Alternative, development of the area would occur at levels similar to those that have occurred in the past.

Additionally, the project-specific planning measures identified for the Proposed Action and Alternatives A and B (e.g., Reclamation Plan [draft EIS (DEIS) Appendix A], Transportation Plan [DEIS Appendix B], Wildlife Protection Plan [DEIS Appendix D]) would not be implemented under the No Action Alternative. This alternative serves as a benchmark enabling decision-makers and the public to compare the magnitude of the environmental impacts of the development alternatives.

Public scoping was conducted, with scoping statements mailed to potentially interested parties and the media in March 1995 and May 1997, and public meetings were held. The DEIS was made available for public review on April 24, 1999, and public meetings were held on May 24 and 25, 1999. All issues identified during scoping, review of the DEIS, and BLM Interdisciplinary Team reviews were considered during the preparation of this document.

The proposed project is to explore for and develop natural gas and condensate reserves present in the Almond Formation and other formations at depths of approximately 7,000-10,000 ft in the CD/WIIPA. The CD/WIIPA (520,000 acres) encompasses approximately 1,061,200 acres (531,400 acres federal surface, 9,300 acres state surface, and 520,000 acres private surface). The BLM has determined that CD/WIIPA lands are available for leasing and development for natural gas resources, and previous development for these resources has occurred on the area. Approximately 845 well locations and associated access roads and pipelines currently exist or have been authorized for the CD/WIIPA. Maintenance of existing wells will continue as authorized by existing permits.

Operators propose to construct, drill, complete, operate, and reclaim a maximum of 3,000 new well locations (7,800 acres-26 acres/location) on variable spacing patterns within the CD/WIIPA beginning in 1999, subsequent to the release of the Record of Decision (ROD) for this project, and continuing for
an estimated life-of-project (LOP) of 30-50 years. Additional construction activities include a total of approximately 1,500 mi of new or upgraded roads (10,000 acres - 0.5 mi/location), 1,500 mi of new pipelines (4,500 acres - 0.5 mi/location), five compressor stations (20 acres - 4 acres/station), one gas processing facility (30 acres), 10 evaporation ponds (34 acres), 5 disposal wells (35 acres), and 50 water wells (25 acres - 0.5 acres/well). Standard procedures as currently used in gas field developments throughout Wyoming would be employed during project development and operations, and all project activities conducted during the LOP would comply with applicable federal, state, and county laws, regulations, and stipulations. Gas from the project would be transported to existing and newly developed pipelines linking natural gas wells with existing regional pipelines in the project area.

Total maximum initial new ground surface disturbance required for the proposed project is estimated to be 22,400 acres for the Proposed Action. LOP disturbance would be approximately 15,900 acres and includes 7,600 acres of existing disturbance since these areas would be required for the project.

It is anticipated that field developments would require 10-20 years to complete, with crews of 150 to 300 wells being drilled per year. The proposed drilling schedule would require an estimated maximum of 1 to 2 rigs during peak drilling operations. Each of these rigs would operate on a 24-hr basis and require three crews of seven people. As many as 30 people may be at any one well location for short periods to conduct specific tasks such as fracturing. It would take approximately 56 days to construct, drill, complete, and tie in each well location. Approximately 13,081 person-years of labor would be required for the project.

Access roads would be constructed, upgraded, and maintained in accordance with the transportation planning process described in the Transportation Plan (see DEIS Appendix B) and the Transportation Planning Technical Support Document for this project, and it is anticipated that the average number of project-required round-trips to and from the field during project development would be 300 per day. The estimated average number of round-trips during project operations (production) is approximately 100 trips per day.

Crucial elements of the human environment that could be affected by the proposed project include air quality, cultural resources, environmental justice, floodplains, Native American cultural concerns, threatened and endangered (T&E) species, invasive non-native species, hazardous or solid wastes, water quality, wetlands/riparian zones, and wilderness. Potentially significant project-specific adverse impacts to these elements and other resources may occur as follows: surface water resources under any alternative; soils and vegetation on stabilized dunes under the Proposed Action and No Action Alternatives; oil and gas development beyond the reasonably foreseeable oil and gas development and exploration beyond the reasonably foreseeable oil and gas development and exploration estimated provided in BLM resource management plans (RMPs); recreational users and rural residents that are displaced from the CD/WIPIA; big game, sage grouse, and raptor productivity as a result of indirect impacts during project development under the Proposed Action; landscape character in undeveloped areas under any alternative; and visual resources in Visual Resource Management (VRM) Class II areas under the Proposed Action and No Action Alternatives.

The proposed project is generally in conformance with the BLM Great Divide Resource Area RMP (Riverton Field Office), and is entirely in conformance with the Green River (Rock Springs Field Office) Resource Area Management Plan, the Sweetwater and Carbon County land use plans, and the State of Wyoming land use plan. The BLM would not authorize actions that are not in compliance with the RMPs.

The CD/WIPIA has a midcontinental climate with severe winters, limited rainfall, and long cold winters and is located in the Great Divide and Washakie Basins. The topography is generally flat, with basins, hills, and elevations ranging from 6,500 to 7,500 ft. Episodically drainages north of the Great Divide flow north to the Great Divide Basin, whereas drainages south of the divide flow to the Green River or Little Snake River. Ground and surface water are available and used for drinking, livestock, and livestock. No significant impacts to ground water resources in the CD/WIPIA are anticipated under any alternative; however, if increased sedimentation and/or salinity results in the loss of proper functioning condition in area drainages or worsened conditions in drainage classified as functionally significant, important impacts may result under any alternative.

Although the final predicted air quality impacts did not change significantly, the DEIS air quality impact assessment was revised in order to address the following items: 1) the CD/WIPIA near-field particulate matter emission assumptions and impact analyses were reviewed using Rock Springs, Wyoming, meteorological data; 2) soil, dust, and potential odor emissions were included and the hazardous air pollutant (HAP) and ozone impact analyses were revised; 3) potential odor emissions of several criteria (HAP) emissions for the CD/WIPIA were corrected; 4) potential NOx and sulfur dioxide (SO2) emissions from the Wyoming Department of Environmental Quality Plant were corrected for seasonal operation; 5) potential particulate matter emissions from the Seneca Coal Company (Colorado permit no. 8200258) were corrected; 6) potential particulate matter, NO2, and SO2 emissions from the SF Phosphate facility (Wyoming permit no. CT-5504A) were added to the emissions inventory; 7) several other Colorado emission sources were correctly analyzed as potential NOx emissions, rather than as SO2 emissions reported in the DEIS; 8) hourly scaling factors were applied to several Wyoming portable emission sources; and 9) a calculation error regarding potential formaldehyde impacts reported in the DEIS was corrected in this FEIS. Based on these revisions, the potential air quality impacts were re-analyzed and reported in both this FEIS and a Revised Air Quality Impact Assessment Technical Support Document (BLM 1999c).

Since BLM-approved activities must comply with all federal, state, and local air quality laws, statutes, regulations, standards, and implementation plans, significant adverse impacts to air quality would be avoided. As discussed above, the mandatory federal PSD Class I Rawah Wilderness Area is a sensitive area that would be avoided by the project, and ambient air quality standards. Similarly, HAP concentrations (to well rig operators) and the related incremental cancer risks at residences (assumed to be located either 1,650 ft (500 meters) from a well or 13,100 ft (4,000 meters) from the gas plant/compressor) would be below significance levels, even at the maximum assumed emission rates. Although not a regulatory Prevention of Significant Deterioration (PSD) increment consumption analysis, potential direct project impacts would also be below applicable PSD Class I and II increment levels. No significant atmospheric deposition (acid rain) impacts are predicted to occur in sensitive area lakes, including the extremely sensitive lakes in the PSD Class I Mount Zirkel Wilderness Area.

Assuming project and other reasonably foreseeable sources were authorized, NO2 emission rates of 2 grams/horsepower-hour (g/hp-hr), which is possible but greater than levels recently permitted by the Wyoming Environmental Quality Division (WDEQ-AQD), there is a potential for a "just noticeable change" cumulative visibility impact (greater than 1.0 decibel) on a single day at the PSD Class I Rawah Wilderness Area (at 1.69 decibels).

Direct project operations (under the Proposed Action or any alternative, including No Action) would not exceed this threshold alone. The visibility impact analysis assumed a 1.0 decibel just noticeable change would be a reasonably foreseeable significant adverse impact, although there are no applicable state or federal regulatory visibility standards. In addition, this portends that the project will be an artifact of the modeling analysis, where distant hourly optical conditions are assumed to occur simultaneously in each sensitive receptor. Finally, given the reasonable but conservative nature of the cumulative air quality impact analysis (e.g., assuming all proposed wells would go into production simultaneously), it is unlikely that a just noticeable change would actually occur in the mandatory federal PSD Class I Rawah Wilderness Area even on a single day due to the cumulative sources combined.

Approximately 125 soil map units occur in the area surrounding the CD/WIPIA, and the soils have been classified as having good to very low productivity. Soil erodibility rates vary, but much of the area has erodibility limitations, most notably at sand dunes, other known windblown
deposits, and bedload locations. Significant impacts to soils could occur under the Proposed Action if stabilized sand dunes are reactivated; however, with the surface disturbance limitations identified for sand dunes under Alternatives A and B, no significant impacts to soils are anticipated under these alternatives. Under the No Action Alternative, impacts to soils would occur at existing allowable levels, and if stabilized dunes are reactivated significant adverse impacts could result. Furthermore, impacts could be increased from those of the Proposed Action and Alternatives A and B due to the absence of coordinated reclamation and transportation planning efforts (see DEIS Appendices A and B).

Plant cover values in the area are variable on the three dominant vegetation types—Wyoming big sagebrush, greasewood, and desert shrub communities. Approximately 110,668 animal unit months are provided in the 26 grazing allotments on the area. Wetlands in the area are limited (<1.0% of the CD/WIIPA), are restricted to drainage bottoms and around impoundments, and would be avoided during project development, where practical. A Reclamation Plan for the project has been prepared (see DEIS Appendix A), and adherence to the reclamation protocol specified in the plan would minimize potential adverse effects to soils, vegetation, and related land uses under the Proposed Action and Alternatives A and B. Since the Reclamation Plan would not be applied under the No Action Alternative, impacts to vegetation could be increased for these alternatives. Potential significant impacts could occur from stabilized dune reactivation under the Proposed Action and No Action Alternatives.

Several fossil localities of importance are known to occur within the CD/WIIPA, and additional important fossils are likely to be discovered in the area. Site-specific paleontologic surveys and monitoring would be conducted necessary to minimize potential adverse impacts to important fossils, and no significant impacts are anticipated under any alternative.

There are currently no mineral development actions proposed within the CD/WIIPA, and existing important resources would be conducted annually under the Proposed Action and Alternatives A and B to determine the activity status of leks and nests proximal to proposed development sites as specified in the Wildlife Protection Plan for this project (see DEIS Appendix D). Significant impacts to sage grouse and raptors may occur under implementation of the Proposed Action from nest abandonment and/or reproductive failure; however, under implementation of Alternatives A and B, no significant impacts are anticipated. Impacts to raptors and sage grouse under the No Action Alternative could be increased from those of the Proposed Action and Alternatives A and B due to the absence of coordinated wildlife protection efforts (see DEIS Appendix D).

Potential impacts to wild horses under the Proposed Action and alternatives are not anticipated to be significant.

Several species that may occur on the area include black-footed ferret, bald eagle, peregrine falcon, and Ute ladies' teases as described in the Biological Assessment for this project (see DEIS Appendix E). The project is unlikely to adversely affect most of these species; however, adverse effects could occur to black-footed ferret (if present in the CD/WIIPA) where appropriate surveys for the species are not conducted and/or where prairie dog complexes found to contain black-footed ferret are not avoided. Issues regarding black-footed ferret will be resolved during ongoing additional consultation with the U.S. Fish and Wildlife Service (USFWS). Consultation results may include a commitment to implement additional protection during project development (adverse effects could occur on some protected species— if presented in the Red Rock project) which could require additional consultation. Furthermore, significant cumulative direct and indirect impacts may occur to pronghorns in the Red Desert Herb due to loss of winter habitat; however, under implementation of Alternatives A and B which provide forage and habitat (and thus indirect habitat) to support pronghorns, the adverse impacts anticipated would be minimized. Impacts to big game under the No Action Alternative may be increased from those of the Proposed Action and Alternatives A and B due to the absence of coordinated wildlife protection efforts (see DEIS Appendix D).

Sage grouse leks and raptor nests occur in or adjacent to the area, and currently, no significant impacts are anticipated. Site-specific surveys may include modification of existing survey and protection protocol. Conferencing results will be presented in the ROD for this project.

Potential adverse impacts to cultural resources would be mitigated through data recovery and/or avoidance of significant properties. Site-specific surveys for cultural resources would be conducted prior to project disturbance, and formal Wyoming State Historic Preservation Office consultation would occur where cultural resource properties may be impacted. If eligible cultural properties are found within the CD/WIIPA and they cannot be avoided, a data recovery program would be implemented. No significant impacts to cultural resources are anticipated under any alternative.

No sites of Native American religious or cultural importance are known to occur in the area, and Native American tribes do not have any cultural properties. Consulting project alternatives would serve to avoid all such sites if identified. If sites or localities of religious and/or cultural importance are identified, coordinated efforts would be made to ensure adequate site protection. No significant impacts are anticipated under any alternative.

Communities most likely to be affected by the proposed project are Wamsutter and Rock Springs in Sweetwater County and Rawlins in Carbon County. The economic benefits of the action alternatives would not be realized, and significant adverse impacts may occur by reversing revenue generation.

Most of the CD/WIIPA occurs within VRM Class III and IV areas, and the Proposed Action is consistent with VRM management objectives for these areas. However, 22,600 acres of the CD/WIIPA occurs within Class II areas adjacent to the action areas. Significant economic benefits of the action areas under the Proposed Action may result in a significant change in landscape character. No significant impacts to visual resources are anticipated.
under Alternatives A or B since surface disturbance limitations would be applied in VRM Class II areas. Under the No Action Alternative, impacts to visual resources would continue at existing authorized levels; however, impacts could be increased from those of the Proposed Action and Alternatives A and B due to the absence of coordinated reclamation and transportation planning efforts (see DEIS Appendices A and B). Visual resource impacts would be mitigated under all development scenarios by locating and painting aboveground facilities to blend with the natural landscape. Nonetheless, the landscape character of the CD/WIIPA would change from relatively undeveloped to an active oil and gas field for the LOP and until reclamation is successful.

Numerous standard project-specific and site-specific mitigation measures would be employed during all phases of the project to assure that potential impacts are minimized. Site-specific measures would be applied as specified in approved Applications for Permit to Drill and rights-of-way applications for each new project feature. Surveys and/or monitoring would be conducted for cultural resources, paleontological resources, raptor nests, sage grouse leks, T&E and candidate and special status species, and reclamation areas to document their status relative to specific disturbance activities.

Reclamation would be conducted as soon as possible on areas disturbed during initial construction that are not required for the LOP. Upon completion of the project, all wells would be plugged and abandoned, surface facilities would be removed, and most disturbed areas would be reclaimed and revegetated.

This EIS presents the BLM's analysis of environmental impacts under the authority of NEPA and associated rules and guidelines. The BLM will use this analysis to make a decision regarding the continued authorization of construction, drilling, completion, operation, and reclamation activities as proposed by the Operators for exploration and development of natural gas in the CD/WIIPA. The decision to allow development of CD/WIIPA lands was made in the Great Divide and Green River RMPs, in which it was determined that CD/WIIPA lands were available for leasing.

The BLM's preferred alternative for this project is the Proposed Action, with mitigation measures (as described in the EIS), that would further reduce environmental impacts. This selection is based on the analyses presented in this EIS and incorporates compliance with the Great Divide Resource Area (GGRA) (Rawlins Field Office) and Green River Resource Area (GRRA) (Rock Springs Field Office) RMPs. Mitigation measures include the following:

1) applicant-committed mitigation/environmental protection measures (EIS Sections 2.8, 2.9, and especially 2.6.13);
2) Reclamation Plan (EIS Appendix A);
3) Transportation Plan (EIS Appendix B);
4) Hazardous Materials Summary (EIS Appendix C) (BLM 1998a);
5) Wildlife Protection Plan (EIS Appendix D);
6) Biological Assessment (EIS Appendix E); and
7) additional mitigation measures identified for various resources which may be selected in the ROD for this project.

The BLM believes that the analyses presented in this EIS demonstrate that the Proposed Action with mitigation measures would meet the requirements of NEPA and other Federal and State laws and regulations and would result in maximum ultimate economic recovery of oil and gas with minimum waste and with minimum adverse effect on the ultimate recovery of other mineral resources.
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This Final Environmental Impact Statement (FEIS) assesses the environmental consequences of a natural gas exploration and development project in the 1,061,200-acre Continental Divide/Wamsutter II Project Area (CD/WII PA) in eastern Sweetwater and southwestern Carbon Counties, Wyoming, on portions of Townships 15 through 23 North, Ranges 91 through 99 West. This document is not a complete reprinting of the Draft Environmental Impact Statement (DEIS) for the Continental Divide/Wamsutter II Project. It incorporates by reference most of the material presented therein and identifies changes in the DEIS required as a result of public and agency comment on the DEIS and further Bureau of Land Management (BLM) Interdisciplinary Team (IDT) environmental studies and analyses. The DEIS is required to accompany this document because only the modifications, corrections, and additions are provided herein. For ease of reference, inserts, deletions, and modifications to the DEIS are presented herein under the section numbers and headings, page number, column, paragraph, and line.
MODIFICATIONS, CORRECTIONS, AND ADDITIONS TO
THE CONTINENTAL DIVIDE/WAMSUTTER II
DRAFT ENVIRONMENTAL IMPACT STATEMENT

ABBREVIATIONS AND ACRONYMS

Page xv, column 2. After the acronym "FFC" insert a new acronym and definition as follows: "pH acidity measurement unit (negative logarithm of the hydrogen ion [H+] concentration)."

Page xiv, column 2. Change "mbm" to "mmbo".

1.0 INTRODUCTION

Page 1-1, column 2, line 16. Change the words "to only" to "only to".

1.2.4 Land Use Planning

Page 1-9, column 1, paragraph 3, line 11. After the acronym "APDs," insert the acronym "RODs,"

1.2.5 Oil and Gas Leasing

Page 1-9, column 2, paragraph 4, line 9. After the word "facilities" insert "on federal mineral estate".

1.2.8 Field Development

Page 1-12, column 1, paragraph 2, line 1. After the word "and" insert the word "adequate".

Page 1-12, column 2, paragraph 2. After the paragraph insert a new paragraph that reads:

"Potential drainage situations are identified by the BLM Reservoir Management Group based on known well locations and assumed area of well influence. Actual drainage is determined by first calculating recoverable reserves (usually 6 months of production history) and by measuring or calculating reserve parameters. With this information, a radial drainage circle is then calculated. If the drainage circle intersects a federal lease line, then actual drainage is occurring."
1.4.1 Initial Involvement/Scoping

Page 1-13, column 2, paragraph 2. After the second paragraph insert a new paragraph that reads: "The DEIS was made available to the EPA and the public on April 30, 1999, and a Notice of Availability (NOA) was published in the Federal Register. Public meetings were held on May 24 and 25, 1999. Comments on the DEIS and BLM responses are presented in Chapter 7.0 of this FEIS."

2.0 PROPOSED ACTION AND ALTERNATIVES

Page 2-1, column 1. After the second paragraph insert the following:

The BLM's preferred alternative for this project is the Proposed Action, with mitigation measures as described in the DEIS and FEIS that would further reduce environmental impacts. This selection is based on the analyses presented in this EIS and incorporates compliance with the GDRA and GRRA RMPs (BLM 1987a, 1988b, 1990a, 1992, 1996a, 1997a). Mitigation measures include the following:

1) applicant-committed mitigation/environmental protection measures (EIS Sections 2.1, 2.6, and especially 2.6.13);
2) Reclamation Plan (EIS Appendix A);
3) Transportation Plan (EIS Appendix B);
4) Hazardous Materials Summary (EIS Appendix C) (BLM 1998a);
5) Wildlife Protection Plan (EIS Appendix D);
6) Biological Assessment (EIS Appendix E); and
7) additional mitigation measures identified for various resources which may be selected in the ROD for this project.

The BLM believes that the analyses presented in this EIS demonstrate that the Proposed Action with mitigation measures would meet the requirements of 43 C.F.R. 3162.11(a), which directs Operators to conduct "all operations in a manner which ensures the proper handling, measurement, disposition, and site security of leasehold production; which protects other natural resources and environmental quality; which protects life and property; and which results in maximum ultimate economic recovery of oil and gas with minimum waste and with minimum adverse effect on the ultimate recovery of other mineral resources."

The preferred alternative is to permit up to 3,000 well locations (1,500 on BLM-managed lands) in the CD/WIPFA. Approximately 1,500 mi of new roads with adjacent pipelines, five compressor stations, one gas processing facility, 10 evaporation ponds, five disposal wells, and 50 water wells are also included under the preferred alternative. Standard procedures as currently used in gas field developments throughout Wyoming and associated applicant-committed procedures would be employed during project development and operations. All project activities would comply with applicable federal, state, and county laws, regulations, and stipulations.

Development would occur on a yearlong basis provided there is adequate advance planning and construction. Roads would be constructed, upgraded, and maintained in accordance with the transportation planning process described in the Transportation Plan for this project (see DEIS Appendix B). Transportation planning would be implemented annually based on Operator plans and needs and public input.

Surveys for raptors and sage grouse would be conducted if activities are proposed between February 1 and July 31. Activities would be restricted within a 0.5-mi radius of active raptor nests, except ferruginous hawk nests, for which the seasonal buffer would be 1.0 mi. Surface structures requiring repeated human presence would not be constructed within 325 ft (2,000 ft for bald eagles) of active raptor nests, where practical.

Surface-disturbing activities would be avoided within 0.25 mi of sage grouse leks, and construction activities would be restricted within 2.0 mi of active leks from March 1 to June 30. High-profile structures would not be constructed within 0.25 mi of a lek.

Site-specific surveys for T&E, candidate, and special status species would be conducted during on-site investigations associated with each APD and/or ROW application. Where species or their habitats are encountered, additional avoidance and/or protection measures may be applied.

The Clean Air Act would be complied with through the State of Wyoming's permitting process. It is expected that mitigating measures would be used to reduce emissions, thereby avoiding adverse impacts in Class I areas.

The BLM is currently reviewing the RDF scenario in the GDRA RMP/EIS. In addition to the RDF for oil and gas exploration and development activities, the BLM is also reviewing the reasonably foreseeable actions or activities involving other land use and resource management programs, such as recreation, livestock grazing, wildlife habitat, etc. There may be direct or indirect cause-and-effect relationships (other than just those related to oil and gas activities) among all of these activities or actions that could require amending RMP decisions.

The BLM is also initiating talks with other known regional oil and gas Operators, to determine their drilling plans (outside the CD/WIPFA) for the next couple of years. Based on the results of these discussions and the review of the RMP-identified RDF scenarios, the BLM will decide when to initiate a new EIS effort for additional project proposals. If the anticipated level of activity(s) covered by the GDRA RMP/EIS is likely to be exceeded by any one or more of these additional project proposals within the next few years, the RDF scenario(s) for the RMP/EIS will be updated. Analysis and evaluation of the updated RDF, in conjunction with the RMP, may lead to the amendment of some RMP decisions.

The ultimate solution for updating the RDF scenarios in the GDRA RMP/EIS is to include all existing and projected oil and gas exploration and development activities in the GDRA. When an updated RDF scenario is established, analysis and evaluation would be conducted to determine whether modifications to the RMP/EIS are necessary. The RDF update could result in a requirement to amend one or more of the RMP decisions. However, this cannot be determined until the RDF update is prepared and evaluated.

Based on monitoring data collected during the past 10+ years, some of the analysis assumptions for RDF presented in the GDRA RMP/EIS reflect erroneously excessive surface disturbance effects related to oil and gas activities which may need to be revised. Cumulative impacts would include the impacts identified in all previous NEPA documents and the reasonably foreseeable projects in the GDRA.
All proposed land and resource use and management actions must conform with RMP decisions. In the absence of conformance, actions must either be denied or modified so they do conform or the RMP decisions must be changed. Therefore, the ROD for this project may authorize no more than 1,655 wells (i.e., 415 fewer wells than proposed) within the GDRA (Rawlins Field Office). Changes to RMP decisions are made through established procedures that involve public notice, public input, and formal decision-making. These procedures are contained in the BLM 1617 Manual. Proposals analyzed in NEPA documents (EAs or EISs) are reviewed for conformance with RMP decisions. Project- or site-specific NEPA documents are tiered to RMP/EISs. The resulting decisions for proposals analyzed in project-specific NEPA documents can result in the need to change or amend RMP decisions. That is, if a project-specific EA or EIS decision does not conform with the specific RMP, part of the decision for the project would include the needed change(s) to the RMP decision(s). If the potential for amending the RMP is identified, planning process requirements are incorporated into the project-specific NEPA process. If this potential is not determined early in the NEPA process, project delays may result due to the additional planning requirements necessary for a Federal Register Notice of Intent to conduct a planning review of (or to amend) the RMP and for the required time frames for public notice and comment.

Page 2-3, Map 2.2. In the map legend change the name 'Bruin' to 'De Bruin'.

2.2 ALTERNATIVE A - 14-ACRE MAXIMUM SURFACE DISTURBANCE PER FEDERALLY MANAGED SECTION IN SRAS

Page 2-5, column 1, paragraph 1, line 9. Change '27%' to '47%'.

Page 2-5, column 1, paragraph 3, line 3. After the word 'scoping' add 'and review of the DEIS'.

Page 2-5, column 1, paragraph 3, line 6. After the word 'areas,' insert 'probable sage grouse nesting areas (i.e., areas within 2.0 mi of sage grouse leks)',.

Page 2-5, column 2, paragraph 1, line 2. After the word 'concentration' insert 'and probable sage grouse nesting'.

Page 2-7, Map 2.3. Delete Map 2.3 and replace with revised Map 2.3.

Page 2-8, column 1, paragraph 1, line 22. After the word 'developed' add 'by BLM'.

2.4 NO ACTION

Page 2-10, column 1, paragraph 2, line 13. Change the word 'than' to 'theirs'.

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2.6.13.9 Wildlife and Fisheries

Page 2-34, columns 2, item 15, line 3. After the word "lakes" add "areas with vegetation <4 inches in height".

Page 2-35, column 1, bullet 3. Delete the entire text of the bulleted item and replace with:

"* Surveys would be required by the BLM to clear an action for mountain plovers prior to beginning a planned activity, and surveys would be conducted during the period of April 15-June 30 for development activities planned during this period."

Page 2-35, column 1, bullet 6. After bullet 6 insert a new bulleted item as follows:

"* Where access roads and/or well locations have been constructed prior to the mountain plover nesting season and use of these areas has not been initiated for development actions, the BLM would require site investigations of these disturbed areas prior to use to determine whether mountain plover are present. In the event mountain plover nesting is occurring, the BLM may require delays in development activities until nesting is complete."

Page 2-35, column 1, item 16, lines 1 and 2. Delete the phrase "Operators would consult with the USFWS and/or BLM" and replace with "Where prairie dog colonies would be disturbed, Operators would consult with the USFWS and/or the BLM and BLM would initiate informal consultation with the USFWS".

Page 2-38, Table 2.6, Air Quality, row 2, column 2, line 5. Replace the phrase "(at 1.68 deciview)" with "(at 1.69 deciview)".

Page 2-38, Table 2.6, Air Quality, row 3, column 2, lines 5 through 9. Replace the phrase "(at 1.68 deciview) and 1 day above Savage Run PSD Class II Wilderness Area background levels (at 0.67 deciview)" with "(at 1.69 deciview) and 1 day above Savage Run federal PSD Class II/Wyoming PSD Class I Wilderness Area background levels (at 0.69 deciview)".

Page 2-39, Table 2.6, Minerals/Gas and Oil, all columns. Insert a new row that includes the following impacts and mitigation "Exceedance of RMP-identified reasonably foreseeable development estimates; Significant exceedance of estimates on the GDRA could lead to impacts that are unidentified in the RMP; Same as Proposed Action; Same as Proposed Action; No impact above existing allowable levels; The BLM would not authorize actions that exceed the RMP-identified reasonably foreseeable development estimates."
Page 2-47, Table 2.6, Wildlife, row 3, columns 2 and 6. In column 2 (Proposed Action) delete the word "insignificant" and insert the word "significant". In column 6 (Mitigations) after the word "breeding" insert "(0.25-mi buffer)", after the word "nesting" insert "(0.5-mi buffer)", and delete parenthetical clause "(0.25-mi buffer)".

Page 3-54, Table 2.6, Visual Resources, row 1, columns 2, 3, and 4. In column 2 (Proposed Action), line 4, delete "; insignificant" and replace with "and in any undeveloped area where the landscape character is changed to an active oil and gas field; generally insignificant"; in column 3 (Alternative A), line 1, delete "insignificant" and replace with "significant in undeveloped areas that are changed to active oil and gas fields; generally insignificant in VRM Class II areas"; and in column 4 (Alternative B), line 1, delete "insignificant" and replace with "significant in undeveloped areas that are changed to active oil and gas fields; generally insignificant in VRM Class II areas".

3.0 AFFECTED ENVIRONMENT

Page 3-2, Table 3.1. Insert the following element, its status, and whether it is addressed in the EIS, "invasive, non-native species; Potentially affected; Yes" and on line 9 after the words "Water quality" insert "(surface and ground)".

3.1.2 Air Quality

Page 3-6, column 1, paragraph 3, lines 5 and 7. On line 5 replace the phrase "both the ozone and" with the word "the" and on line 7 replace the word "these" with the word "the".

Page 3-6, column 2, paragraph 1, lines 7 and 12. On line 7 delete the phrase "and Savage Run" and change the word "Areas" to "Area" and on line 12 after "(Map 3.1)" insert a new sentence that reads: "The Savage Run Wilderness Area is a federal PSD Class II and State of Wyoming PSD Class 1 area."

Page 3-7, Map 3.1, legend, item 5. Replace the phrase "SAVAGE RUN PSD CLASS II WILDERNESS AREA" with "SAVAGE RUN FEDERAL PSD CLASS II/WYOMING PSD CLASS I WILDERNESS AREA".

Page 3-8, column 1, paragraph 1. After the paragraph insert a new paragraph that reads: "There are no applicable Hazardous Air Pollutant, visibility impairment, or atmospheric deposition (acid rain) standards. The visibility impairment regulations for both "reasonably attributable" and "regional haze" impacts apply only within mandatory federal PSD Class 1 areas."

Page 3-8, column 1, paragraph 2, line 16. Replace the acronym "Ph" with "pH".

Page 3-9, Table 3.6, lines 6, 7, and 8. Replace all ozone information with "Ozone", 8-hr, 117, 160, n/a, n/a.

3.1.4.1 Mineral Resources

Page 3-11, column 1, paragraph 3, lines 7 and 10. Change the acronym "mbo" to "mmb".

Page 3-11, column 2, paragraph 2, line 2. Change the acronym "mbo" to "mmb".

Page 3-13, Table 3.7, column 7, header and footnote 3. Change the acronym "mbo" to "mmb".

3.1.4.2 Geologic Hazards

Page 3-17, column 1, paragraph 4, lines 6 and 7. Delete the name "North Granite Mountain/Green Mountain segment" and replace with "South Granite Mountain fault system".

3.2.2 Wildlife and Fisheries

Page 3-37, column 1, paragraph 3, line 9. Before the number "29.3%" insert the word "Approximately" and delete "(words?)".

Page 3-39, Table 3.14, Sage Grouse, row 1, column 2, and row 2, columns 2 and 3. In row 1, column 2, change "7,000" to "7,200"; in row 2, column 2, change "540,200" to "545,500", and in row 2, column 3, change "32.1" to "32.6".

3.2.2.1 Big Game

Page 3-40, column 2, paragraph 4, lines 15 and 16. On line 15 replace the words "unsuitable as" with the word "unoccupied" and on line 16 replace "Map 3.8" with "Map 3.9".
Page 3-42, column 1, paragraph 1, lines 15 and 17. On line 15 before the word ‘male' insert ‘adult', and on line 17 insert a new sentence that reads: ‘However, woven wire fences, which are common in the CD/WHIPA, can limit the movements of and be life-threatening to fawns, especially in pastures without reliable summer water sources and during early fall storms when fawns are too small to jump fences.'

Page 3-42, column 2, paragraph 1, lines 2 and 5. On line 2 before the acronym ‘WGFD' insert the year ‘1999', and on line 5 after ‘(Table 3.13)' insert a new clause that reads ‘; however, the expected population objective for the herd unit is 250-350 animals'.

Page 3-42, column 2, paragraph 2, lines 2, 4, 6, and 10. On line 2 delete ‘unsuitable', on line 4 delete ‘not suitable', on line 6 delete ‘devotd of elk', on line 10 delete ‘unsuitable as', and in all four locations insert the word ‘unoccupied'.

3.2.2.4 Upland Game Birds

Page 3-47, column 1, paragraph 4, lines 1, 3, and 10-13. On line 1 replace the number ‘Sixty-five' with ‘Sixty-six', on line 3 replace ‘Fifty-one (78.5%)' with ‘Fifty-two (78.8%)', and delete the sentence on lines 10-13 and replace it with ‘WGFD data indicate that at least 32 of the 66 known leks on the area (48%) have been active for at least one year during the period of 1995 through 1998.’

Page 3-47, column 2, paragraph 2, lines 1, 5, 7, 10, and 14. On line 1 replace the number ‘Fifty-six' with ‘Fifty-seven', on line 5 replace ‘7,000' with ‘7,900', on line 7 replace ‘54%’ with ‘56%', on line 10 replace ‘52%' with ‘30%', and on line 14 replace ‘3.40,200’ and ‘32.16%’ with ‘345,500' and ‘32.6%', respectively.

Page 3-48, Map 3.13. Delete Map 3.13 and replace with the following revised map.

Page 3-49, column 1, paragraph 2, line 6. After the bird ‘killdeer,' insert ‘white-faced ibis'.

4.0 ENVIRONMENTAL CONSEQUENCES, MITIGATION, AND MONITORING

4.1.1 Air Quality

Page 4-8, column 2, paragraph 2, lines 4 and 6. On line 4 after the word ‘a' insert the word ‘revised' and on line 6 replace the reference ‘(BLM 1999b)' with ‘(BLM 1999d)'.

4.1.1.1 Proposed Action

Page 4-9, column 2, paragraph 4, line 3. After the word "gas" insert the word "typically".

Page 4-10, column 1, paragraph 2, line 4. Replace the phrase "would be nearly 124 µg/m³ (24-hr TSP), 55 µg/m³ with "would be just below 150 µg/m³ (24-hr TSP), 67 µg/m³".

Page 4-11, column 1, paragraph 2, lines 4, 6, 7, 8, and 12. On line 4 replace the phrase "(nearly 34 µg/m³)" with "(nearly 35 µg/m³)"; on lines 6 and 7 replace the phrase "would be 151 µg/m³, which is below the restrictive ozone WAAQS of 160 µg/m³ with would be 152 µg/m³, which is below the 8-hour ozone WAAQS and NAAQS of 160 µg/m³"; on lines 7 and 8 delete the sentence "The ozone NAAQS is less stringent," and on line 12 after the word "Wyoming" insert the following: ", and it is unlikely the maximum 1-hour predicted ozone impact would occur for a consecutive 8-hour period."

Page 4-11, column 2, paragraph 2, line 6. Replace "0.4 x 10^4 and 0.4 x 10^4 individually" with "0.5 x 10^4 and 0.4 x 10^4 individually".

Page 4-12, Table 4.3, column 2, lines 2 through 7. Replace the entire individual well emission, modeled 8-hr concentration items for all pollutants as follows: "279.6, 260.9, 149.9, 356.9, 1,382.4, n/a".

Page 4-12, Table 4.3, columns 2 and 3, last line. Replace the entire gas plant/compression emissions, modeled 8-hr concentration and range of state AAACL for formaldehyde as follows: "70.8 4.5 stat. - 71 mm."

Page 4-13, column 1, paragraph 6, line 4. Replace the word "project-wide" with "air pollutant emission source".

4.1.1.5 Mitigation and Monitoring

Page 4-14, column 2, paragraph 1, line 3. After the phrase "emission rate of 1-5 g/ton/hr." insert a new sentence that reads: "The cost effectiveness of this control technology applied to a 1,500- to 4,000-hp rich-burn engine ranges from $315 to $395 per ton of NO, removed."

Page 4-14, column 2, bullet 1 (Lean Combustion), line 7. After the phrase "emission rate of 1.5-4.0 g/ton/hr." insert a new sentence that reads: "The cost effectiveness of this control technology applied to a 2,500- to 4,000-hp rich-burn engine ranges from $480 to $500 per ton of NO, removed."

12 Final Continental Divide/Wamsutter II EIS

Page 4-14, column 2, bullet 2 (Selective Catalytic Reduction), line 7. After the phrase "of 1.0-2.5 g/ton/hr." insert a new sentence that reads: "The cost effectiveness of this control technology applied to a 2,500- to 4,000-hp rich-burn engine ranges from $700 to $890 per ton of NO, removed."

Page 4-14, column 2, bullet 3 (Electric Compression), line 10. After the phrase "coal-fired power plants." insert a new sentence that reads: "Using current industrial electrical rates and assuming 100% control due to elimination of the 2.0 g/ton/hr NOX emissions at the compressor site, the cost effectiveness of electric compression is roughly $26,000 per ton of compression NOX removed."

Page 4-14, column 2, paragraph 5. After the fourth paragraph insert a new bullet item that reads:

- Fuel Cell Technology: It is currently feasible to connect enough fuel cells together to generate the compression horsepower necessary for the project. Approximately 75 fuel cells (at a capital cost of nearly $30 million) would be required to provide 30,000 hp of compression. In addition, current technology allows only two fuel cells to be connected in a series, and as of January 1998, there were only 160 of these units operating worldwide. The cost effectiveness of this control technology ranges from $20,000 to $40,000 per ton of NOX removed."

Page 4-16, column 1, paragraph 3, lines 1, 2, and 15. On lines 1 and 2 replace the sentence "The BLM, in cooperation with WDEQ-AOD, could continue to track total NOX emissions." with "In addition to sources located within the Rock Springs Field Office Area, the BLM, in cooperation with WDEQ-AOD, could track total NOX emissions from additional CD/WIAP sources located outside the area." and after the paragraph insert a new paragraph that reads:

"Proposed CD/WIAP NOX emitting sources located within the Rock Springs Field Office Area are subject to the existing agreement. However, most of the proposed CD/WIAP sources would be located outside the area. Therefore, either a mutually acceptable revision or a separate agreement would be required to track NOX emission sources not subject to the current agreement."

4.1.1.6 Cumulative Impacts

Page 4-16, column 2, paragraph 1, lines 1 and 3. On line 1 after the word "a" insert the word "revised" and on line 3 replace the date "1999" with "1999d."

Page 4-17, Table 4.4. Replace the entire table with the following revised table (see following page):

Page 4-18, Table 4.5. Replace the entire table with the following revised table (see following page):
4.1.3.1 Proposed Action

Page 4-26, column 1, paragraph 3, line 5. Change the acronym "mbo" to "mbbo".

Page 4-26, column 1, paragraph 3. After the paragraph insert a new paragraph that reads:

"Since the proposed development in the RPO area exceeds the reasonably foreseeable development estimates presented in the GDRA RMP, significant impacts (i.e., impacts not accounted for during GDRA planning) could occur. However, the proposed development is scheduled to occur over the next 20 years, and the BLM will be initiating a RPO area land use plan review and possible amendment prior to reaching the reasonably foreseeable disturbance estimates made in the RMP. Furthermore, the BLM will not authorize development actions (APDs, ROWs) that exceed current reasonably foreseeable disturbance estimates prior to the plan review and possible amendment."

4.1.3.5 Mitigation and Monitoring

Page 4-27, column 1, paragraph 4. Prior to paragraph 4 insert a new paragraph that reads:

"The BLM would not authorize development beyond the reasonably foreseeable development estimates specified in the GDRA RMP (see Section 12.4). The BLM will initiate a plan review and possible amendment for the RPO area prior to reaching the reasonably foreseeable development estimates contained in the GDRA RMP."

4.1.7.5 Mitigation and Monitoring

Page 4-38, column 1, paragraph 2, bullet 1. After the word 'fluids' insert '(i.e., moderately to highly permeable soils)'.

Page 4-38, column 2, paragraph 4. After the paragraph insert a new paragraph that reads:

"The BLM may require the establishment of an adaptive environmental management program for surface water resources. The plan would involve BLM, Operators, landowners, permittees, and other area users and entities with an interest in participation. The plan would call for the establishment and review of monitoring procedures and results to determine their efficacy, and in the event significant impacts are found the plan may call for the modification of existing surface water mitigations."

4.2.3 Wildlife and Fisheries

Page 4-47, column 2, paragraph 2, line 6. After the word 'failure' insert 'and/or loss of sage grouse productivity'.

4.2.3.2 Birds

Page 4-59, column 1, paragraph 4, lines 3, 5, and 14. On line 3 replace the number "340,200" with "345,500", on line 5 replace '(Table 4.12)' with '(see Table 3.14)', and on line 14 replace "7,000" with "7,200".

Page 4-59, column 2, paragraph 1, lines 1-6. Delete the entire sentence.

Page 4-59, column 2, paragraph 2, lines 5-11. Delete the entire sentence and replace with "Furthermore, with the implementation of the Wildlife Protection Plan for this project and associated monitoring and potential implementation of augmented protection measures (see Appendix D), most impacts to sage grouse associated with the Proposed Action are expected to be less than significant. However, regional sage grouse populations have apparently been declining over the last several years, and these declines have been attributed to a number of factors including climate, predation, livestock grazing, and mineral development. Therefore, significant impacts to sage grouse productivity could occur under implementation of the Proposed Action."

Page 4-59, column 2, paragraph 4, lines 1, 4, 8, and 9. On line 1 delete 'to sage grouse and other' and replace with 'most'; on line 4 after the word 'raptors' insert 'and sage grouse'; on line 8 after the word 'areas' insert 'and 2.0 mi sage grouse nesting buffers' and after 'Maps 2.3' insert '3.13'; and on line 9 after the word 'raptors' insert 'sage grouse,'.

Page 4-60, Table 4.12, column 1. Delete '571,000', '31,000', 1,466,500', and '91,200' and replace with '576,300', '31,100', '1,471,800', and '91,300', respectively.

Page 4-61, column 1, paragraph 1, lines 1, 4, 7, and 9. On line 1 delete 'to sage grouse and other' and replace with 'most'; on line 4 after the word 'raptors' insert 'and sage grouse'; on line 7 after the word 'raptors' insert 'sage grouse'; and on line 9 after the word 'raptors' insert 'sage grouse,'.

Page 4-62, column 1, paragraph 2, line 1. Before the word 'Unleas' insert a new sentence that reads: "While no power lines are currently proposed, if they do become necessary, the BLM would prohibit Operators from building power lines within 0.6 mi of sage grouse leks, pursuant to the Wildlife Protection Plan (see Appendix D)."
Page 4-62, column 1, paragraph 2. After paragraph 2 insert a new paragraph that reads: "The BLM may require that permanent caps placed on abandoned wells be less than 1.0 m tall. This measure would limit the suitability of these caps as hunting perches for raptors and corvids (e.g., crows and ravens)."

Page 4-62, column 2, paragraph 3, lines 9, 11, 14, and 16. On line 9 after the word "raptor" insert "and sage grouse"; on line 11 after the word "raptor" insert "or sage grouse"; on line 14 after the word "nest" insert "and sage grouse leks and probable nesting areas"; and on line 16 after the word "raptor" insert "and sage grouse".

Page 4-64, column 2, paragraph 3. After the word "plows" insert "and grouse"; on line 14 after the word "DCS!s" insert "and grouse leks and probable destinations"; and on line 16 after the word "plows" insert "and grouse".

Page 4-71, column 2, bullet 3, line 2. After the word "lakes" insert "areas with vegetation <4 inches in height".

Page 4-72, column 1, bullet 3, line 2. Delete the entire text of the dash and replace with: "Surveys would be required by the BLM to clear an action for mountain plovers prior to beginning a planned activity, and surveys would be conducted during the period of April 15-June 30 for development activities planned during this period."

Page 4-72, column 1, dash 4. After dash 4 insert a new dashed item as follows: "Where access roads and/or well locations have been constructed prior to the mountain plover nesting season and use of these areas has not been initiated for development actions, the BLM would require site investigations of these disturbed areas prior to use to determine whether mountain plover are present. In the event mountain plover nesting is occurring, the BLM may require delays in development activities until nesting is complete."

Page 4-72, column 1, bullet 1, lines 1 and 2. Delete the phrase "Operators would consult with the USFWS and/or BLM" and replace with "Where prairie dog colonies would be disturbed, Operators would consult with the USFWS and/or the BLM and BLM would initiate informal consultation with the USFWS."

Page 4-72, column 2, paragraph 3. After paragraph 3 insert a new paragraph that reads: "To further protect mountain plover, the BLM may require presence/absence surveys consistent with current USFWS protocol. Survey methods may be as follows: * conduct surveys during early courtship and territory establishment (i.e., May 1 through June 15); * conduct surveys from sunrise to 10:00 a.m. and/or from 5:30 p.m. to sunset; * preferably conduct surveys from four-wheel drive vehicles or, where access is a problem and/or no visual observations are made from vehicles, use ATVs."
remain in or close to the vehicle when scanning with binoculars;
visual observations would be made of all areas within 200 m of proposed disturbance sites;
sites would be surveyed three times during the survey window with each survey separated by at least 14 days;
do not conduct surveys in poor weather;
focus surveys on identifying displaying or calling males;
if breeding birds are observed, conduct additional surveys immediately prior to construction to search for active nest sites;
if an active nest is located, establish a 200-m buffer zone around nest to prevent direct and indirect nest disturbance;
project initiation would occur as near to completion of the survey as possible; and
if an active nest is found in the survey area, planned activities would be delayed 37 days, or 1 week post-hatching, or if a brood of flightless chicks is observed, activities would be delayed at least 7 days.

Furthermore, prior to authorizing surface disturbance within 200 m of known mountain plover concentration areas (i.e., areas where broods and/or adults have been observed in the current year or documented in at least 2 of the last 3 years), regardless of the season, the BLM may initiate informal conferencing with the USFWS.

### 4.4.1 Proposed Action

Page 4-78, Table 4.15. Replace Table 4.15 with the following revised table (see following page).

Page 4-79, column 2, lines 7, 8, 9, and 11. On line 7 replace the number "411" with "53"; on line 8 replace the number "$14" with "$6.6" and after "(Table 4.15)," insert a new sentence that reads "Some additional revenues would also be generated from the production of approximately 80 million bbl of natural gas liquids.; on line 9 replace the number "$865" with "$960"; and on line 11 replace the number "$1.8" with "$0.8".

### 4.5.1.2 Recreation

Page 4-82, column 2, paragraph 3, line 8. After the word "area" insert "(a potentially significant impact, see Section 4.6)."

### 4.6 AESTHETICS AND VISUAL RESOURCES

Page 4-90, column 1, paragraph 2, lines 4 and 5. On line 4 after the word "areas" insert "under the Proposed Action" and on line 5 after the word "pattern" insert "and under any alternative where the landscape character (aesthetics) is changed from undeveloped to an active oil and gas field."
4.6.1 Proposed Action

Page 4-90, column 1, paragraph 3, line 12. Add a new sentence that reads "Furthermore, a significant impact could occur in any area where the landscape character is changed from undeveloped to an active oil and gas field."

4.6.2 Alternative A

Page 4-90, column 2, paragraph 3, line 11. After "Alternative A" insert ; however, where currently undeveloped areas are utilized for oil and gas operations, a significant impact to landscape character could occur.

4.6.3 Alternative B

Page 4-90, column 2, paragraph 4, line 11. After "Alternative B" insert ; however, where currently undeveloped areas are utilized for oil and gas operations, a significant impact to landscape character could occur.

4.6.6 Cumulative Impacts

Page 4-92, column 2, paragraph 3, line 7. Add a new sentence that reads "Furthermore, a significant impact could occur in any area where the landscape character is changed from undeveloped to an active oil and gas field."

5.0 CONSULTATION AND PREPARERS

Page 5-8, Table 5.1, column 3, line 9 and column 2, line 10. In the third column, line 9, before the word "State" insert "Past", and in the second column, line 10, replace the name "Larsen" with "Hallberg."

6.0 REFERENCES

Page 6-1, column 1. Above the reference "Allen, J.M. 1980." insert the reference:

APPENDIX D: WILDLIFE PROTECTION PLAN

D-2.0 IMPLEMENTATION PROTOCOL

Page D-4, Table D-2.1, column 2, lines 3 and 4. On line 3 change the date "November 15" to "early November", and on line 4 change the date "early February" to "early January".

Page D-6, Table D-2.3, column 1, lines 19 and 20 and column 2, line 15. In column 1, lines 19 and 20, replace "(within 0.25 mi of proposed well locations or 300 ft of proposed roads)" with "(within 200 m of proposed disturbance)", and in column 2, line 15 change the dates "March 15 and August 15" to "April 15 and June 30".

D-2.2.2 Threatened, Endangered, Candidate, and Other Species of Concern

Page D-11, Table D-2.4, line 6. Insert a new species as follows "White-faced ibis; Plegadis chihi; SC; X; X; --; No; FT(P/R)".

Page D-13, Table D-2.5, line 2. Delete the row starting with "white-faced ibis".

D-2.2.3 Mountain Plover

Page D-17, column 1, paragraph 1, lines 2, 9, 10, 18, 19, 21, 22, 25, 26, and 29. On line 2 replace the number "6" with "4"; on line 9 replace "March 15" with "April 15"; on line 10 replace "August 15" with "June 30"; on line 18 replace "March" with "April"; on line 19 replace "July 15" with "June 30"; on line 21 replace "March" with "April"; on line 22 replace "March 31" with "April 30", "July 1" with "June 15", and "August 15" with "June 30"; on line 25 replace "April" with "May", "30" with "15", and "two" with "three"; on line 26 replace "two" with "three"; and on line 29 add a new sentence that reads: "Where access roads and/or well locations have been constructed prior to the mountain plover nesting season and use of these areas has not been initiated for development actions, site investigations of these disturbed areas would be conducted prior to use to determine whether mountain plover are present."

D-2.3 Sage Grouse

Page D-18, Map D-2.3. Delete Map D-2.3 and replace with the following revised map.
D-2.3.2.3 Mountain Plover

Page D-22, column 1, paragraph 2, line 2. After the word 'lakes' insert ', areas with vegetation <4 inches in height'.

APPENDIX E: BIOLOGICAL ASSESSMENT

E-1.0 INTRODUCTION

Page E-1, column 2, paragraph 2, lines 2 and 14. On line 2 delete the word "the" at its first occurrence and on line 14 insert a new sentence that reads: "There currently is no designated critical habitat for any threatened or endangered species in the CD/WHIPA."

Page E-2, Table E-1.1, line 13. Change the federal status for mountain plover from "C" to "Proposed as T".

E-2.0 PROJECT DESCRIPTION

Page E-5, column 1, paragraph 3, line 6. After the word 'areas,' insert 'probable sage grouse nesting areas (i.e., areas within 2.0 mi of sage grouse leks).'.

E-3.2 ALTERNATIVE A - 14-ACRE MAXIMUM SURFACE DISTURBANCE PER FEDERALLY MANAGED SECTION IN SRAS

Page E-6, paragraph 2, line 10. Replace the percentage '27%' with '47%'.

E-4.1 APPLICANT-COMMITTED MEASURES

Page E-12, column 2, item 17, line 2. After the word 'lakes' insert ', areas with vegetation <4 inches in height'.

Page E-13, column 1, bullet 3. Delete the entire text of the bulleted item and replace with:

"* Surveys would be required by the BLM to clear an action for mountain plovers prior to beginning a planned activity, and surveys would be conducted during the period of April 15-June 30 for development activities planned during this period."

Page E-13, column 2, line 7. Insert a new bulleted item as follows:

---

** Where access roads and/or well locations have been constructed prior to the mountain plover nesting season and use of these areas has not been initiated for development actions, the BLM would require site investigations of these disturbed areas prior to use to determine whether mountain plover are present. In the event mountain plover nesting is occurring, the BLM may require delays in development activities until nesting is complete."

Page E-13, column 2, item 19, lines 1 and 2. Delete the phrase "Operators would consult with the USFWS and/or BLM" and replace with "Where prairie dog colonies would be disturbed, Operators would consult with the USFWS and/or the BLM and BLM would initiate informal consultation with the USFWS".

E-5.1.1.2 Potential Effects

Page E-15, column 2, paragraph 3, lines 2 through 4. On lines 2 and 3 delete the phrase "there would be no effect to" and insert "the proposed project is unlikely to adversely affect", and on lines 3 and 4 delete the phrase "due to the Proposed Action or alternatives".

E-5.2.6.3 Mitigation Measures

Page E-25, column 2, lines 4, 5, and 18. On line 4 replace "March 15" with "April 15", on line 5 replace "August 15" with "June 30", and on line 18 replace "August 15" with "July 1" and "March 15" with "April 15".

---
7.1 PUBLIC MEETINGS

Two public meetings designed to allow area residents and other attendees to verbally comment on the proposed project were held—one in Rock Springs on May 24, 1999, and one in Rawlins on May 25, 1999. The attendance records and proceedings for the public meetings are presented below. Table 7.1 presents a list of commenters at both meetings.

7.1.1 Rock Springs Meeting, May 24, 1999

7.1.1.1 Attendance Record

The attendance record for the Rock Springs meeting is presented in Table 7.2.

<table>
<thead>
<tr>
<th>Commenter</th>
<th>Company/Association</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alvin Schmalz</td>
<td>William J. Johnson</td>
</tr>
<tr>
<td>Ross Heenanman</td>
<td>C.L. Whiler</td>
</tr>
<tr>
<td>Don and Nancy Bigley</td>
<td>David Petrie</td>
</tr>
<tr>
<td>Gene Holt</td>
<td>LaVeta B. Pennock</td>
</tr>
<tr>
<td>Tim Kaumo</td>
<td>Juanita Myers</td>
</tr>
<tr>
<td>Nellie Seale</td>
<td>David J. Bunning</td>
</tr>
<tr>
<td>Pete Guernsey</td>
<td>Edgar T. Fay</td>
</tr>
<tr>
<td>Curtis and Lisa Nelson</td>
<td>J.E. Mueller</td>
</tr>
<tr>
<td>Lisa Lelchon</td>
<td>Garry Fedrizzy</td>
</tr>
<tr>
<td>Rod Prosceno</td>
<td>Betty Wilkinson</td>
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<tr>
<td>Chris Frost</td>
<td>A.C. Egbert</td>
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<tr>
<td>J. Hinda</td>
<td>Doug Howard</td>
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<tr>
<td>Salley Pedersen</td>
<td>Keith Dan</td>
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<tr>
<td>Frank Links</td>
<td>Lyle Woelich</td>
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<tr>
<td>David Petrie</td>
<td>Bob Hamilton</td>
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<tr>
<td>G.W. Braugh</td>
<td>Bob Flansburg</td>
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<tr>
<td>Ellis L. Wheeler, Searle Bros.</td>
<td>Bob Flansburg</td>
</tr>
<tr>
<td>Dallas C. Bennett, Texaco EFP Inc.</td>
<td>Bob Flansburg</td>
</tr>
<tr>
<td>Terrence M. McNulty, Landowner</td>
<td>Bob Flansburg</td>
</tr>
</tbody>
</table>

Table 7.1 List of Public Meeting Commentators, Continental Divide/Wamsutter II Natural Gas Project, Sweetwater and Carbon Counties, Wyoming.

Meeting Attended | Comment Number | Commenter |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rock Springs Meeting (May 24, 1999)</td>
<td>1</td>
<td>Donald Hartley, Southwest Wyoming Industrial Association</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>G.W. Brugh</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>David Bunning, John Bunning Transfer Company, Inc.</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>Tim Kaumo, SW Wyoming Mineral Association</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>William Johnson, Union Pacific Resources</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>Ellis L. Wheeler, Searle Bros.</td>
</tr>
<tr>
<td></td>
<td>7</td>
<td>Dallas C. Bennett, Texaco EFP Inc.</td>
</tr>
<tr>
<td></td>
<td>8</td>
<td>Terence M. McNulty, Landowner</td>
</tr>
</tbody>
</table>

| Rawlins Meeting (May 25, 1999) | 1 | Frank Kragh, Marathon Oil Company |
| | 2 | Doug Dowlin, Highland Enterprises |
| | 3 | Art Zeiger, Carbon County Commissioner |
| | 4 | Trent Morgan, Welding Contractor |
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SPEAKERS

Donald Sherry: Western Wyoming Industrial Association - in favor of the Proposed Action of August 23rd. The mining of this project is important to the image of the industry.

Closed Meeting/Hearing CONTINUOUS OPERATIONS DIVISION/WATER ET. Draft Environmental Impact Statement May 24, 1999 - 7 pm - RMS Rock Springs Field Office May 25, 1999 - 7 pm - RMS Rawlins Field Office

Welcome and opening remarks: RMS Manager and/or meeting administrator

Good evening. I would like to welcome you to this public hearing for the Continental Divide/Wasatch II Draft Environmental Impact Statement. I

just want to say that the meeting is being recorded for the RMS Rock Springs / Rawlins Field Offices. I will be the hearing officer this evening. In addition, I will also like to introduce the following individuals who have helped prepare the document and who have been available during the open hours and who will be available immediately after the formal testimony to help answer any further questions.

Peter J. Grueney - Project Manager, TNC Hariah Associates Inc., an environmental consulting firm contracted to prepare the draft EIS.

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Submissions and oral statements from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

Written comments will be received by the RMS through July 1, 1999, and should be sent to the RMS, attention Claire Miller, RMS Team Leader, P.O. Box 2407, Rawlins, Wyoming, 82301.

Before I begin to recognize those of you who have asked to testify, I would like to set some ground rules. If you have not registered, please do so. If you have indicated you wish to testify, I will recognize you in the order that you have registered. If you registered and do not indicate you wish to testify, but decide during the proceedings you want to testify, I will ask for additional comments after all of the registered speakers have spoken.

When recognized, please come up to the podium so everyone present can hear, state your name, address, and if you represent someone other than yourself, and the name of the organization. Please speak clearly so that the reporter can hear your remarks. We generally limit testimony to ten minutes to allow
Record of Proceedings/Rock Springs, Attachment 1, Page 6

The Lead Actor identifies the Continental Divide/Navajo River Project and findings in the draft environmental impact statement. An appendix after the summary, public testimony will be added.

I will now recognize our first registered speaker. Thank you. That is the last registered speaker. Are there any members of the audience who wish to introduce testimony for the record this evening?

If there are no further speakers, I declare this public hearing closed as of ___ p.m. Thank you very much for attendance. If any of you have further questions, feel free to discuss them with the either the NRM staff. For the representatives of the Mariah Associates Inc., and/or Kirk Dennis - company representative.

Record of Proceedings/Rock Springs, Attachment 2, Page 1

Executive Summary

James Production Company, United Pacific Resources Company, Hays Petroleum Corporation, Apache Oil Production, and other Federal and state operators (collectively known as the Operators) propose to explore for and develop gas reserves on the Continental Divide/Navajo River Project Area (CD/NRA). In southern Wyoming County, Wyoming. This draft EIS was prepared in accordance with the National Environmental Policy Act of 1969, as amended, to assess the environmental consequences of the Operators' proposed development and is intended to provide the public and decision-makers with a complete and objective evaluation of the proposed project. The proposed project area begins in 1993 and extends for 20 years with an estimated life of project of 30-40 years. The proposed project area is approximately 1,000,000 acres (40,000 square miles) in area. Additional construction activities include the installation of 1,000 miles of new underground pipelines, five compression stations, and five new gas storage tanks. The project was anticipated to be completed by 2023.

The proposed project area is approximately 1,000,000 acres (40,000 square miles) in area. Additional construction activities include the installation of 1,000 miles of new underground pipelines, five compression stations, and five new gas storage tanks. The project was anticipated to be completed by 2023.

The proposed project area is approximately 1,000,000 acres (40,000 square miles) in area. Additional construction activities include the installation of 1,000 miles of new underground pipelines, five compression stations, and five new gas storage tanks. The project was anticipated to be completed by 2023.

Record of Proceedings/Rock Springs, Attachment 2, Page 2

The proposed project area is approximately 1,000,000 acres (40,000 square miles) in area. Additional construction activities include the installation of 1,000 miles of new underground pipelines, five compression stations, and five new gas storage tanks. The project was anticipated to be completed by 2023.

Record of Proceedings/Rock Springs, Attachment 2, Page 3

The proposed project area is approximately 1,000,000 acres (40,000 square miles) in area. Additional construction activities include the installation of 1,000 miles of new underground pipelines, five compression stations, and five new gas storage tanks. The project was anticipated to be completed by 2023.

Record of Proceedings/Rock Springs, Attachment 2, Page 4

The proposed project area is approximately 1,000,000 acres (40,000 square miles) in area. Additional construction activities include the installation of 1,000 miles of new underground pipelines, five compression stations, and five new gas storage tanks. The project was anticipated to be completed by 2023.

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The proposed project area is approximately 1,000,000 acres (40,000 square miles) in area. Additional construction activities include the installation of 1,000 miles of new underground pipelines, five compression stations, and five new gas storage tanks. The project was anticipated to be completed by 2023.

Record of Proceedings/Rock Springs, Attachment 2, Page 6

The proposed project area is approximately 1,000,000 acres (40,000 square miles) in area. Additional construction activities include the installation of 1,000 miles of new underground pipelines, five compression stations, and five new gas storage tanks. The project was anticipated to be completed by 2023.

Record of Proceedings/Rock Springs, Attachment 2, Page 7

The proposed project area is approximately 1,000,000 acres (40,000 square miles) in area. Additional construction activities include the installation of 1,000 miles of new underground pipelines, five compression stations, and five new gas storage tanks. The project was anticipated to be completed by 2023.

Record of Proceedings/Rock Springs, Attachment 6

This draft EIS includes the Mental Health Act of 1969, as amended, to assess the environmental consequences of the Operators' proposed development and is intended to provide the public and decision-makers with a complete and objective evaluation of the proposed project.

The proposed project area is approximately 1,000,000 acres (40,000 square miles) in area. Additional construction activities include the installation of 1,000 miles of new underground pipelines, five compression stations, and five new gas storage tanks. The project was anticipated to be completed by 2023.
Record of Proceedings/Rock Springs, Attachment 3, Page 1

Oil industry changes may be boon for independents

By MIKE BECH

The dynamic of industry has been changing over the past couple of years. For example, the oil industry has faced increasing competition from renewable energy sources. In addition, there has been a shift towards more environmentally friendly practices. This has led to a decrease in the demand for oil, which has had a negative impact on oil companies. However, the oil industry has responded by diversifying its operations and exploring new markets. This has led to an increase in the number of independent oil companies, which have been able to capitalize on this market. As a result, the oil industry is expected to continue to change in the coming years.

Thank you,
Lynn Hall, President
Buster Williams, Secretary
The Eastern, Vice-president
LeRoy Fossell, Treasurer

Record of Proceedings/Rock Springs, Attachment 4, Page 1

PUBLIC COMMENT SHEET
Continental Divide/Washakie 2 National Oil Project

Name: Ellis Wheeler
Address: PO Box 1112, WY

I am a resident of the area and have been concerned about the impact of the Continental Divide/Washakie 2 National Oil Project on the local environment. I am writing to express my support for the project and to request that it be approved.

This project is necessary for the development of the oil industry in the area, and it will provide jobs and economic benefits to the local community. The project is also aligned with the goals of the Continental Divide/Washakie 2 National Oil Project, which is to promote sustainable development and protect the environment.

I urge the authorities to approve this project and support the growth of the oil industry in the area.

Thank you,
Ellis Wheeler

Record of Proceedings/Rock Springs, Attachment 3, Page 2

Oil industry changes may be boon for independents

By MIKE BECH

Contrary to popular opinion, the oil industry is not as vulnerable as once thought. For instance, the oil industry has been able to adapt to changes in the market by diversifying its operations and exploring new markets. This has led to an increase in the number of independent oil companies, which have been able to capitalize on this market. As a result, the oil industry is expected to continue to change in the coming years.

Thank you,
Lynn Hall, President
Buster Williams, Secretary
The Eastern, Vice-president
LeRoy Fossell, Treasurer

Record of Proceedings/Rock Springs, Attachment 4, Page 2

PUBLIC COMMENT SHEET
Continental Divide/Washakie 2 National Oil Project

Name: Dallas Bennett
Address: PO Box 1234, WY

I am a resident of the area and have been concerned about the impact of the Continental Divide/Washakie 2 National Oil Project on the local environment. I am writing to express my support for the project and to request that it be approved.

This project is necessary for the development of the oil industry in the area, and it will provide jobs and economic benefits to the local community. The project is also aligned with the goals of the Continental Divide/Washakie 2 National Oil Project, which is to promote sustainable development and protect the environment.

I urge the authorities to approve this project and support the growth of the oil industry in the area.

Thank you,
Dallas Bennett

7.1.1.6 BLM Response to Rock Springs Public Meeting

Comments

Comment Response: All Comments - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 1: Donald Hartley - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 2: G.W. Brash - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 3: David Running - Thank you for taking the time to review the DEIS and for providing your comments. The BLM believes socioeconomic impacts are adequately addressed in the DEIS (see DEIS Sections 3.4 and 4.4). The BLM considers all comments during preparation of an EIS.

Comment Response 4: Tim Kensing - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 5: William Johnson - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

<table>
<thead>
<tr>
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<tr>
<td>Jason Minot</td>
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<td>Trent Morgan</td>
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<td>Kip B. Purinton</td>
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Table 7.3 presents the list of attendees at the Rawlins meeting.
7.12.3 BLM's Response to Public Meeting Comments

Comment Response: All Commenters - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 1: Frank Krogh - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 2: Doug Dowlin - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 3: Art Ziegler - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 4: Treas Morgan - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

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Table 7.4 Letter Comments Received on the DEIS for the Continental Divide/Wamsutter II Natural Gas Project, Sweetwater and Carbon Counties, Wyoming, 1999.

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<td>Jo Saffitz, President of Rock Springs Chamber of Commerce</td>
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<td>Lou White, Flying J Oil &amp; Gas Inc.</td>
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Table 7.5 General Subject Matter of DEIS Comment Letters, Continental Divide/Wamsutter II Project, Sweetwater and Carbon Counties, Wyoming.
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</tbody>
</table>

1. Please refer to Table 7.4 for commenter name and FEIS section number.
2. TBC&SC = Threatened, Endangered, Candidate and Species of Concern.
7.2.3.2 Letter 3 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 1 - The BLM believes that the proposed project provides clean energy to meet the nation's needs while giving adequate protection to environmental values. The BLM is mandated by law to make federal energy resources available, as well as to protect the environment.

Letter 2 - Larry DiBrito, Page 2

Dear Mr. Miller,

I am pleased to provide you with comments on the Draft Environmental Impact Statement (DEIS) for the proposed project. I believe the DEIS adequately evaluates the environmental impacts of the project, but there are a few areas where additional information would be helpful. I am particularly concerned about the potential for cumulative impacts on the local community and the environment.

The DEIS does a reasonable job of evaluating the potential impacts of the project, but more detailed information is needed to fully understand the potential cumulative effects.

Please feel free to contact me with any questions or concerns you may have. I look forward to hearing your feedback on these issues.

Sincerely,

Larry DiBrito
<table>
<thead>
<tr>
<th>COMPANY</th>
<th>TAXES PAID</th>
<th>% OF TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Amoco Production &amp; Pipeline</td>
<td>$7,870,055.52</td>
<td>9.113%</td>
</tr>
<tr>
<td>2. FMC</td>
<td>$7,408,291.40</td>
<td>8.581%</td>
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<tr>
<td>3. UP Resources</td>
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<td>4. Solvay Minerals</td>
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<tr>
<td>5. General Chemical Corporation</td>
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<td>6. OCI</td>
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<td>7. Bridger Coal</td>
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<td>8. PacifiCorp</td>
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<td>10. Waste</td>
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<td>11. Texaco</td>
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<td>12. Cabot Oil &amp; Gas Production</td>
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<td>13. Black Butte Coal</td>
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<td>14. TBI Exploration</td>
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<tr>
<td>15. Idaho Power</td>
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<tr>
<td>16. Calumet Energy Company</td>
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<tr>
<td>17. UP Railroad</td>
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<tr>
<td>18. Marathon Oil</td>
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<td>22. HS Resources</td>
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<td>28. Exxon</td>
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<td>29. Hunt Oil</td>
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<td>30. Williams Gas Processing</td>
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TOTAL TAXES PAID IN SWEETWATER COUNTY $79,405,274.44 100.0000%
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<tr>
<td>10</td>
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<td>B00</td>
<td>Interest paid</td>
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<td>12</td>
<td>C00</td>
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<td>Interest paid</td>
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<tr>
<td>14</td>
<td>E00</td>
<td>Interest earned on school district</td>
<td>6,180.39</td>
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<td>15</td>
<td>F00</td>
<td>Interest paid</td>
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<td>16</td>
<td>G00</td>
<td>Interest earned on school district</td>
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<td>17</td>
<td>H00</td>
<td>Interest paid</td>
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<td>18</td>
<td>I00</td>
<td>Interest earned on school district</td>
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<td>19</td>
<td>J00</td>
<td>Interest paid</td>
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<tr>
<td>20</td>
<td>K00</td>
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</tr>
<tr>
<td>21</td>
<td>L00</td>
<td>Interest paid</td>
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**TOTAL INTEREST EARNED ON SCHOOL DISTRICT FORM**

89,846.37

**AMOUNTS**

- **GENERAL FUND**
  - **Cash**
    - **Carryover**
      - **Carryover from 1997-98** 4,618.07
      - **Carryover from 1998-99** 2,754.10
      - **Carryover from 1999-00** 10,943.94
      - **Carryover from 2000-01** 6,180.39
      - **Carryover from 2001-02** 4,579.47
      - **Carryover from 2002-03** 38,162.47
    - **Net carryover** 16,383,018.19

- **EQUIVALENTS**
  - **Carryover**
    - **Current year**
    - **Prior years**
    - **Total carryover**

- **TOTAL EQUVALENTS**
  - **Carryover**
    - **Current year**
    - **Prior years**
    - **Total carryover**

**SPECIAL FUND**

- **Cash**
  - **Carryover**
    - **Carryover from 1997-98** 0.00
    - **Carryover from 1998-99** 0.00
    - **Carryover from 1999-00** 0.00
    - **Carryover from 2000-01** 0.00
    - **Carryover from 2001-02** 0.00
    - **Carryover from 2002-03** 0.00
  - **Net carryover** 0.00

- **TOTAL SPECIAL FUND**
  - **Carryover**
    - **Current year**
    - **Prior years**
    - **Total carryover**

**TOTAL**

- **General Fund**
  - **Carryover**
    - **Current year**
    - **Prior years**
    - **Total carryover**

- **Special Fund**
  - **Carryover**
    - **Current year**
    - **Prior years**
    - **Total carryover**

**TOTAL EQUVALENTS**

- **Carryover**
  - **Current year**
  - **Prior years**
  - **Total carryover**

**TOTAL EQUVALENTS**

- **Carryover**
  - **Current year**
  - **Prior years**
  - **Total carryover**

- **Net carryover** 0.00

**Date**

- **Received**
  - **Date**
  - **Time**

**Signatures**

- **Superintendent**
  - **Date**
  - **Time**

- **Principal**
  - **Date**
  - **Time**

- **Teacher**
  - **Date**
  - **Time**

**Certification**

- **Certified**
  - **Date**
  - **Time**

**Purpose**

- **Purpose**
  - **Date**
  - **Time**
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<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>1</td>
<td>School Property Tax (55 mills with 30 mills non-collectible property tax assessed after June 30, 1997)</td>
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<td>Current</td>
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<td>Prior</td>
<td>460.10</td>
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<td>5,303.03</td>
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**Artesia County**

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<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>1</td>
<td>County with school property tax (55 mills) (tax property assessed after June 30, 1997)</td>
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<td>Current</td>
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<td>Prior</td>
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<td></td>
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**Artesia State**

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<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>All property tax (55 mills with 30 mills non-collectible property tax assessed after June 30, 1997)</td>
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<td></td>
<td>Current</td>
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<tr>
<td></td>
<td>Prior</td>
<td>8,401.79</td>
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<td>Total</td>
<td>238.79</td>
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**Artesia County**

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<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>County with school property tax (55 mills) (tax property assessed after June 30, 1997)</td>
<td>1,177.49</td>
</tr>
<tr>
<td></td>
<td>Current</td>
<td>20,337.91</td>
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<tr>
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<td>Prior</td>
<td>1,810,596.94</td>
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<tr>
<td></td>
<td>Total</td>
<td>1,810,596.94</td>
</tr>
</tbody>
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**Artesia State**

<table>
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<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>County with school property tax (55 mills) (tax property assessed after June 30, 1997)</td>
<td>1,177.49</td>
</tr>
<tr>
<td></td>
<td>Current</td>
<td>20,337.91</td>
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<td>Prior</td>
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</tr>
<tr>
<td></td>
<td>Total</td>
<td>1,810,596.94</td>
</tr>
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</table>

Only taxes and payments for the current and previous fiscal years should be reported in this form. Lines not representing the collected (déboursé) local taxes should not be reported.
### Letter 4 - Randy Shipman, People for the USA/Flaming Gorge Chapter, Attachment 2, Page 7

#### Table: Summary of Landlord and Tenant Leases

<table>
<thead>
<tr>
<th>Line</th>
<th>Code</th>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td></td>
<td>Landlord</td>
<td>30,588.28</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tenant</td>
<td>30,588.28</td>
</tr>
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</table>

### Letter 4 - Randy Shipman, People for the USA/Flaming Gorge Chapter, Attachment 2, Page 8

#### Table: Summary of Landlord and Tenant Leases

<table>
<thead>
<tr>
<th>Line</th>
<th>Code</th>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td></td>
<td>Landlord</td>
<td>30,588.28</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tenant</td>
<td>30,588.28</td>
</tr>
</tbody>
</table>

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*Note: The table data is extracted from the images and formatted for easier readability.*
Comment Response: - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS. You have provided valuable information regarding the economic importance of energy resources to Sweetwater County, the need for clean energy sources, and the success of multiple uses of the public lands. The BLM has taken these comments into consideration during the preparation of this EIS.

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7.2.9.2 Letter 7 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 1 - Mitigation for actions taken in the CD/WUPA would be those that are identified by Operators as project components, are specifically required by law, and/or are intended to prevent undue damage to surface and subsurface resources.

Comment Response 2 - The objective is to provide for the long term sustainable fish habitat and recreation benefits, and to prevent undue damage to surface and subsurface resources. The DEIS is the document that addresses the proposed project, and includes the specific requirements and alternatives considered.

Comment Response 3 - The BLM agrees that the impacts to wildlife are more than simply the surface acres impacted, and the DEIS addresses more than direct habitat disturbance (see DEIS Section 4.2.3). Well density, indirect effects, and surface disturbance are all related impacts to wildlife and are all addressed in this EIS.

7.2.9.2 Letter 9 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 1 - Cumulative impacts for all potentially affected resources are addressed in DEIS Chapter 4.0 (see specifically DEIS pages 4.31 to 4.8). Many resources are analyzed (cumulatively) on a broad scale (see DEIS Table 4.1 and Map 4.1).

Comment Response 2 - The Proposed Action is the proposal put forth by the Operators because it is their proposed development. The BLM does not make the initial proposal for development, as it is not in the business of recovering and marketing oil and gas resources. Rather, the BLM is charged with evaluating development proposals within the legal mandates of allowing mineral recovery while affording appropriate protection to the environment. The BLM and others, during scoping, propose alternatives to the Proposed Action. Reasonable alternatives, including the No Action Alternative, receive the same consideration as the Proposed Action.
There is no "outright conclusion that the No Action Alternative would not be a viable alternative" in the DEIS. Rather, the various legal considerations regarding the choice of this alternative are discussed in DEIS Section 2.4. The last sentence of the section clearly states that this EIS will help determine whether the proposed project meets any of the conditions that would allow selection of the No Action Alternative.

It is essential to recognize that no action does not mean that no oil and gas development will occur on federal lands. Briefly, the principal reasons for this include the following:

1. No action means a continuation of existing management, which includes the development of oil and gas resources as authorized by the existing RMPs.
2. Private lands, which comprise more than half of the land within the CD/WITPA, would likely be developed regardless of the decisions issued by BLM for the project, and would likely result in the drainage of federal reserves. This would require the BLM to directly lease to drill and produce all necessary to protect the leased lands from drainage pursuant to 43 C.F.R. 3100.3.

3. All federal lands within the CD/WITPA have been leased for oil and gas production or are available for lease. The area is rated as suitable for gas production in the Garra and GDRA RMPs, and accelerated development of the area has been proposed.

4. To deny all oil and gas activity on a valid lease would constitute a breach of contract of an Operator's rights to conduct development activities on the leased lands. Authority for complete denial can be granted only by Congress, which can only be the leased party subject to compensation. The BLM can only suspend the lease pursuant to Section 39 of the Mineral Leasing Act pending completion, as Congress, for a grant of authority to preclude drilling and provide compensation to the lessee.

Again, the DEIS does not preclude a decision to choose the No Action Alternative; rather, it provides information to determine whether such a decision would be the best decision. Every resource is evaluated under the No Action Alternative, as well as under the Proposed Action and other action alternatives.

Comment Response 5 - The BLM will consider your comment during preparation of the ROD for this project.

Comment Response 6 - The BLM believes that the Wildlife Protection Plan, as presented in DEIS Appendix D, is adequate to monitor the wildlife species of greatest concern, and the species most likely to be affected by the proposed project. Area wildlife monitoring would be augmented from current efforts if the project is authorized, and much of this would be paid for by Operators. Furthermore, in the event that substantive adverse effects are noted during monitoring, the BLM in consultation with other agencies (e.g., WGFD, USFWS) may modify mitigation/protective measures.

Comment Response 7 - There is no conclusive evidence that oil and gas development has had significant impacts to big game herds; however, the DEIS indicates that significant indirect impacts could occur to big game herds even with the implementation of standard mitigation measures (see DEIS Section 4.2.3.3). Rather, big game numbers are regulated primarily by natural forces, especially the weather, and by harvest quotas set by the WGF. The WGF manages big game herds in the state and identifies factors that may be limiting. Pronghorn numbers, for instance, vary considerably from year to year and can usually be linked to climatic conditions or management decisions. Standard mitigations for big game would be implemented regardless of monitoring findings; however, additional measures were developed and implemented based on monitoring results.

Comment Response 8 - See Comment Response 6, above. The BLM acknowledges that a significant increase in the level of effort would be required for implementation of the Wildlife Protection Plan; however, it was determined that the BLM would be committed to plan implementation. Furthermore, because of the anticipated need for additional financial resources, this would require the BLM to direct the lease to drill and produce all necessary to protect the leased lands from drainage pursuant to 43 C.F.R. 3100.3.

Comment Response 9 - The potential impacts of the project on water quality are considered in DEIS Section 4.1.7. All impacts are considered and mitigations would be implemented.

Comment Response 10 - The determination that the CD/WITPA contains 576,300 acres (as modified in this FEIS) of probable sage grouse nesting habitat in the Red Desert USHMA is based on the best information available to the BLM and WGF. If you have other contradictory data, we would appreciate receiving a copy of it. The DEIS does discuss the impacts of noise on sage grouse (see DEIS Section 4.2.3.2, page 4-59); however, precise determinations on the number of grouse that would be impacted, or the resultant impacts on sage grouse populations, are difficult to estimate accurately because such relationships are poorly understood. The BLM will require reasonable mitigation measures believed to provide adequate protection to sage grouse populations. In addition, the EIS has been modified such that probable sage grouse nesting habitats are now considered SRAs.

Comment Response 11 - The BLM is under no obligation to prove that the proposed project would not impact the Red Desert pronghorn population; rather, we are obligated to take an objective look at the likely impacts to pronghorn, based in part on the impacts to the species from Wyoming. There is no evidence that oil and gas projects have had significant impacts on herd units, and the BLM believes that the proposed project would not jeopardize the herd's long-term survival.

Comment Response 12 - Impacts to, and mitigation for, mountain plover are adequately discussed in Section 4.2.5 and D-2.3.23 of the EIS.

Comment Response 13 - The DEIS states that, "in general, all prairie dog colonies on the CD/WITPA would be avoided, where practical." No black-tailed prairie dog colonies occur on the CD/WITPA.
7.2.10.2 Letter 10 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS. The information you have provided regarding the economic importance of energy resources to Sweetwater County, the need for clean energy sources, and the success of multiple use of the public lands are very much appreciated and have been considered during preparation of this EIS.

Letter 11 - Dennis Brabec, President, People for the USA, State of Wyoming, Page 2

Dear Mr. Miller,

Wyoming People for the USA would like to thank you for the opportunity to comment on the draft Environmental Impact Statement for the Continental Divide-Washutter 1 Natural Gas Project. As the representatives for numerous multiple use advisory groups in Wyoming, we have a strong interest in the success of the management of any public lands in Wyoming.

The proposed project to drill and produce a maximum of 3,000 wells over 20 years is tempting with the overall multiple use aspect of the area. As this area is within the boundaries of Federal, Private and State Land, oil and gas development of the area will continue regardless of Federal approval. It is, therefore, in the best interest of the Federal lands within this area to be analyzed and approved for drilling under the Proposed Actions.

The Operators have agreed to extensive mitigation measures which are simple to administer any negative environmental impacts. In addition, site specific mitigation measures would also be imposed on the Operators.

While environmental issues are extremely important, the economic aspects of the proposed project are of significant importance to the Area and Wyoming. The work that would be generated by the drilling of these wells is critical to the health of numerous oil and gas service related companies. These companies are important to the economic well-being of communities on which they reside.

Due to the structure and the distribution of Federal royalties and taxes in Wyoming, Federal revenue play a key role in the survival of the counties, schools and other governmental agencies in the area. The economic benefit of the proposed drilling should be changed to reflect these benefits and be applicable to all communities in the area.

Sincerely,

Dennis Brabec
President
Wyoming People for the USA

7.2.11.1 Letter 11 - Dennis Brabec, President, People for the USA, State of Wyoming

Dennis J. Brabec, President
People for the USA
State of Wyoming
P.O. Box 41
Big Piney, Wyoming 83113
Home (307) 276-3514 Work (307) 276-3339
June 22, 1999

Dear Mr. Miller,

Wyoming People for the USA would like to thank you for the opportunity to comment on the draft Environmental Impact Statement for the Continental Divide-Washutter 1 Natural Gas Project. As the representatives for numerous multiple use advisory groups in Wyoming, we have a strong interest in the success of the management of any public lands in Wyoming.

The proposed project to drill and produce a maximum of 3,000 wells over 20 years is tempting with the overall multiple use aspect of the area. As this area is within the boundaries of Federal, Private and State Land, oil and gas development of the area will continue regardless of Federal approval. It is, therefore, in the best interest of the Federal lands within this area to be analyzed and approved for drilling under the Proposed Actions.

The Operators have agreed to extensive mitigation measures which are simple to administer any negative environmental impacts. In addition, site specific mitigation measures would also be imposed on the Operators.

While environmental issues are extremely important, the economic aspects of the proposed project are of significant importance to the Area and Wyoming. The work that would be generated by the drilling of these wells is critical to the health of numerous oil and gas service related companies. These companies are important to the economic well-being of communities on which they reside.

Due to the structure and the distribution of Federal royalties and taxes in Wyoming, Federal revenue play a key role in the survival of the counties, schools and other governmental agencies in the area. The economic benefit of the proposed drilling should be changed to reflect these benefits and be applicable to all communities in the area.

Sincerely,

Dennis Brabec
President
Wyoming People for the USA

7.2.11.2 Letter 11 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.
2.12.2 Letter 12 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.


LATTM, J.R. ANDERSON, SCHMID OILFIELD SERVICES, INC.

June 21, 1999

Mr. Robert Miller
BLM Wyoming
P.O. Box 247
Cheyenne, WY 82009

Dear Mr. Miller:

I wanted to take this opportunity to respond to your recent request for comments on the DEIS for the Continental Divide/Wyomining 5 Natural Gas Project. As a member of the Environmental Impact Statement public review process, I have been involved throughout the preparation of the DEIS, and I would like to provide you with my comments.

First, I would like to express my appreciation for the thorough and comprehensive nature of the DEIS. The DEIS provides a clear and detailed analysis of the potential environmental impacts of the project.

However, I have some concerns about the project's potential environmental impact. The project's proximity to sensitive natural areas and wildlife habitat requires careful consideration. I believe that more attention should be given to minimizing the project's impact on these areas.

In conclusion, while I appreciate the efforts made to minimize the project's environmental impact, I believe that additional measures should be taken to ensure that the project does not harm sensitive natural areas.

Sincerely,

Jay R. Anderson
Schmid Oilfield Services, Inc.

2.13.2 Letter 13 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

2.14.1 Letter 14 - Lyle E. Woolich

Lyle E. Woolich
1116 Kentucky
Boise, ID 83709

June 21, 1999

Mr. Clark Miller
BLM Wyoming
P.O. Box 247
Cheyenne, WY 82009

Re: Draft Environmental Impact Statement

Dear Mr. Miller:

I would like to thank you for the opportunity to review the Draft Environmental Impact Statement for the Continental Divide/Wyoming 5 Natural Gas Project. As a member of the public review process, I have been closely following the development of the DEIS.

I would like to express my appreciation for the comprehensive nature of the DEIS. The DEIS provides a clear and detailed analysis of the potential environmental impacts of the project.

However, I have some concerns about the project's potential environmental impact. The project's proximity to sensitive natural areas and wildlife habitat requires careful consideration. I believe that more attention should be given to minimizing the project's impact on these areas.

In conclusion, while I appreciate the efforts made to minimize the project's environmental impact, I believe that additional measures should be taken to ensure that the project does not harm sensitive natural areas.

Sincerely,

Lyle E. Woolich

2.15.1 Letter 15 - Sally Pedersen, Rocky Mountain Casing Crews, Inc.

SALLY PEDERSEN

June 21, 1999

Mr. Clark Miller
BLM Wyoming
P.O. Box 247
Cheyenne, WY 82009

Re: Draft Environmental Impact Statement

Dear Mr. Miller:

I would like to thank you for the opportunity to review the Draft Environmental Impact Statement for the Continental Divide/Wyoming 5 Natural Gas Project. As a member of the public review process, I have been closely following the development of the DEIS.

I would like to express my appreciation for the comprehensive nature of the DEIS. The DEIS provides a clear and detailed analysis of the potential environmental impacts of the project.

However, I have some concerns about the project's potential environmental impact. The project's proximity to sensitive natural areas and wildlife habitat requires careful consideration. I believe that more attention should be given to minimizing the project's impact on these areas.

In conclusion, while I appreciate the efforts made to minimize the project's environmental impact, I believe that additional measures should be taken to ensure that the project does not harm sensitive natural areas.

Sincerely,

Sally Pedersen

2.14.2 Letter 14 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.
Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS. Please also refer to FEIS Section 7.2.2.2, Comment Response 1.

7.1.16.1 Letter 16 - Larry DiBrito

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

7.1.17.2 Letter 17 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.
Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 1 - The BLM agrees that if all mitigation suggested in the DEIS are successful there likely would be no significant impacts; however, biological systems sometimes behave in unanticipated ways, and we believe that significant impacts to raptors could occur even with the mitigation practices in place. The BLM and Operators would take all reasonable measures to minimize the potential for significant impacts. Furthermore, the Wildlife Protection Plan for this project (see DEIS Appendix D) would help in identifying/evaluating whether unanticipated impacts are occurring.

Comment Response 2 - The BLM agrees that if all mitigations suggested in the DEIS are successful there likely would be no significant impacts; however, biological systems sometimes behave in unanticipated ways, and we believe that significant indirect impacts to big game could occur even with implementation of suggested mitigation practices. The BLM and Operators would take all reasonable measures to minimize the potential for significant impacts. Furthermore, the Wildlife Protection Plan for this project (see DEIS Appendix D) would help in identifying/evaluating whether unanticipated impacts are occurring.

Comment Response 3 - The BLM agrees that if all mitigations suggested in the DEIS are successful there likely would be no significant impacts; however, biological systems sometimes behave in unanticipated ways, and we believe that significant indirect impacts to big game could occur even with implementation of suggested mitigation practices. The BLM and Operators would take all reasonable measures to minimize the potential for significant impacts. Furthermore, the Wildlife Protection Plan for this project (see DEIS Appendix D) would help in identifying/evaluating whether unanticipated impacts are occurring.

Comment Response 4 - The BLM agrees that with the implementation of mitigations, it is unlikely that the proposed project would have significant impacts on the character of most rural residential areas; however, based on scoping and DEIS comments, it is likely that some area users and residents would perceive the development of oil and gas resources in areas of the CD/WIPIA as significant.

Comment Response 5 - The BLM agrees that with the implementation of mitigations, it is unlikely that the proposed project would have significant impacts on the character of most rural residential areas; however, based on scoping and DEIS comments, it is likely that some area users and residents would perceive the development of oil and gas resources in areas of the CD/WIPIA as significant.

Comment Response 6 - The BLM agrees that if the project area were on public lands, the Endangered Species Act could permit federal agencies to exempt the project area from section 7 of the act; however, we believe that the DEIS could provide information that would allow a federal agency to act under section 7 of the act without the need for section 10(a)(1)(B) of the act.

Comment Response 7 - The BLM agrees that if the project area were on public lands, the Endangered Species Act could permit federal agencies to exempt the project area from section 7 of the act; however, we believe that the DEIS could provide information that would allow a federal agency to act under section 7 of the act without the need for section 10(a)(1)(B) of the act.

Comment Response 8 - The BLM agrees that if the project area were on public lands, the Endangered Species Act could permit federal agencies to exempt the project area from section 7 of the act; however, we believe that the DEIS could provide information that would allow a federal agency to act under section 7 of the act without the need for section 10(a)(1)(B) of the act.
Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.
BLM considers the time to review the DEIS. The DEIS will address many impacts and it appears that the majority of the impacts will be "insignificant" under the Proposed Action of Full Development. One impact that will still be significant is in the Surplus Impact to the State of Wyoming through the issuance of the draft Environmental Impact Statement.

The BLM considers the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Thank you for your comments during preparation of an EIS.

Mr. Claire Miller
Rawlins Field Office
Bureau of Land Management
P. O. Box 2407
Rawlins, Wyoming 82301-2407

BLM considers letter 27 Comment Response

Dear Mr. Miller:

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for the opportunity to comment on the Continental Divide / Wastwater II Draft EIS.

It appears to me that the Proposed Action of Full Development as presented in the Draft Document, for the sake of all our children, please note that the "final EIS and Record of Decision" be issued I and timely manner so that gas development can continue in this area without further delay.

Thank you.

William D. Shade

Mr. Claire Miller
Rawlins Field Office
Bureau of Land Management
P. O. Box 2407
Rawlins, Wyoming 82301-2407

BLM considers letter 28 Comment Response

Dear Mr. Miller:

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for the opportunity to comment on the Continental Divide / Wastwater II Draft EIS.

The Draft Document addresses many impacts and it appears that the majority of the impacts will be "insignificant" under the Proposed Action of Full Development. One impact that will still be significant is in the Surplus Impact to the State of Wyoming through the issuance of the draft Environmental Impact Statement.

The BLM considers the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Mr. Claire Miller
Rawlins Field Office
Bureau of Land Management
P. O. Box 2407
Rawlins, Wyoming 82301-2407

BLM considers letter 26 Comment Response

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for the opportunity to comment on the Continental Divide / Wastwater II Draft EIS.

The Draft Document addresses many impacts and it appears that the majority of the impacts will be "insignificant" under the Proposed Action of Full Development. One impact that will still be significant is in the Surplus Impact to the State of Wyoming through the issuance of the draft Environmental Impact Statement.

The BLM considers the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Mr. Claire Miller
Rawlins Field Office
Bureau of Land Management
P. O. Box 2407
Rawlins, Wyoming 82301-2407

BLM considers letter 25 Comment Response

Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Mr. Claire Miller
Rawlins Field Office
Bureau of Land Management
P. O. Box 2407
Rawlins, Wyoming 82301-2407

BLM considers letter 24 Comment Response

Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.
7.2.29.1 Letter 29 - Wes R. Handley

June 21, 1999

Mr. Clark Miller
P.O. Box 2407
Ravenna, Wyoming 83127

For the comments and the record of the State of Wyoming, I would like to thank you for the opportunity to comment on the Continental Divide/Wyoming D Draft Environmental Impact Statement.

The Draft Document addresses many impacts and it appears that the majority of the impacts will be "insignificant" under the Proposed Action of Full Development. One impact that we will not be able to evaluate is the increased energy demand which will result in the consumption of energy derived from the fuel and gas development activities.

I am in agreement with the "insignificant" of Full Development as presented in the Draft Document. The Final EIS and Record of Decision should be issued as a timely manner so that gas development can continue in the area without further delay.

Sincerely,

[Signature]

7.2.30.1 Letter 30 - Frank Krug

June 21, 1999

Mr. Clark Miller
P.O. Box 2407
Ravenna, Wyoming 83127

For the comments and the record of the State of Wyoming, I would like to thank you for the opportunity to comment on the Continental Divide/Wyoming D Draft Environmental Impact Statement.

The Draft Document addresses many impacts and it appears that the majority of the impacts will be "insignificant" under the Proposed Action of Full Development. One impact that we will not be able to evaluate is the increased energy demand which will result in the consumption of energy derived from the fuel and gas development activities.

I am in agreement with the "insignificant" of Full Development as presented in the Draft Document. The Final EIS and Record of Decision should be issued as a timely manner so that gas development can continue in the area without further delay.

Sincerely,

[Signature]

7.2.31.1 Letter 31 - Carol M. Rosenauress

June 23, 1999

Mr. Clark Miller
P.O. Box 2407
Ravenna, Wyoming 83127

For the comments and the record of the State of Wyoming, I would like to thank you for the opportunity to comment on the Continental Divide/Wyoming D Draft Environmental Impact Statement.

The Draft Document addresses many impacts and it appears that the majority of the impacts will be "insignificant" under the Proposed Action of Full Development. One impact that we will not be able to evaluate is the increased energy demand which will result in the consumption of energy derived from the fuel and gas development activities.

I am in agreement with the "insignificant" of Full Development as presented in the Draft Document. The Final EIS and Record of Decision should be issued as a timely manner so that gas development can continue in the area without further delay.

Sincerely,

[Signature]
7.2.39.1 Letter 39 - Brad Franks
June 29, 1999
Mr. Clar Miller
Bureau of Land Management
P.O. Box 9611
Reno, Nevada 89511

Re: Continental Divide / Wyoming Draft EIS

COMMENTS

Dear Mr. Miller:

I am in agreement of the "Proposed Action" of Full Development as presented in the Draft Document. For the sake of all our children please see that the "Final EIS and Record of Decision" be issued in a timely manner so that gas development can continue in this area without further delay.

Sincerely,

Brad Franks
3203 Spring Dr. #21
Reno, NV 89511

7.2.39.2 Letter 39 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.
7.2.41.1 Letter 41 - Kendra Kalivas
June 29, 1999
Mr. Clark Miller
Bureau of Land Management
P.O. Box 2347
Rawlins, Wyoming 82001-2347
Re: Commeal Draft EIS

Dear Mr. Miller,

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Commeal Draft EIS.

The Draft EIS does not adequately address the potential impacts of the proposed action. The proposed action includes the development of oil and gas wells in a sensitive area. The Draft EIS does not provide enough information to evaluate the potential impacts of the proposed action. The Draft EIS should be revised to provide more information on the potential impacts of the proposed action.

Sincerely,

Kendra Kalivas
239 Cathedral Lane
 Evanston, WY 82930

7.2.42.1 Letter 42 - Paul Kalivas
June 29, 1999
Mr. Clark Miller
Bureau of Land Management
P.O. Box 2347
Rawlins, Wyoming 82001-2347
Re: Commeal Draft EIS

Dear Mr. Miller,

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Commeal Draft EIS.

The Draft EIS does not adequately address the potential impacts of the proposed action. The proposed action includes the development of oil and gas wells in a sensitive area. The Draft EIS does not provide enough information to evaluate the potential impacts of the proposed action. The Draft EIS should be revised to provide more information on the potential impacts of the proposed action.

Sincerely,

Paul Kalivas
239 Cathedral Lane
 Evanston, WY 82930

7.2.43.1 Letter 43 - David T. Johnson
June 30, 1999
Mr. Clark Miller
Bureau of Land Management
P.O. Box 2347
Rawlins, Wyoming 82001-2347
Re: Commeal Draft EIS

Dear Mr. Miller,

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Commeal Draft EIS.

The Draft EIS does not adequately address the potential impacts of the proposed action. The proposed action includes the development of oil and gas wells in a sensitive area. The Draft EIS does not provide enough information to evaluate the potential impacts of the proposed action. The Draft EIS should be revised to provide more information on the potential impacts of the proposed action.

Sincerely,

David T. Johnson
239 Cathedral Lane
 Evanston, WY 82930

7.2.44.1 Letter 44 - Lloy Dene Greb
June 30, 1999
Mr. Clark Miller
Bureau of Land Management
P.O. Box 2347
Rawlins, Wyoming 82001-2347
Re: Commeal Draft EIS

Dear Mr. Miller,

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Commeal Draft EIS.

The Draft EIS does not adequately address the potential impacts of the proposed action. The proposed action includes the development of oil and gas wells in a sensitive area. The Draft EIS does not provide enough information to evaluate the potential impacts of the proposed action. The Draft EIS should be revised to provide more information on the potential impacts of the proposed action.

Sincerely,

Lloy Dene Greb
239 Cathedral Lane
 Evanston, WY 82930

7.2.42.2 Letter 42 Comment Response
Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

7.2.43.2 Letter 43 Comment Response
Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

7.2.44.2 Letter 44 Comment Response
Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.
7.2.45.1 Letter 45 - Caroline Trumbull

June 28, 1999

Mr. Clark Miller
Recreation Field Office
P.O. Box 2427
Rawlins, Wyoming 82301-2427

Re: Continental Divide/Wyoming D Draft EIS - Comments

Dear Mr. Miller:

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Continental Divide/Wyoming D Draft Environmental Impact Statement.

The Draft Document addresses many important issues and it appears that the majority of the issues have been handled adequately. However, I feel that the lack of clear guidelines for the implementation of the proposed actions is a concern. The proposed actions appear to be vague and open to interpretation, which could result in unpredictable outcomes.

I am in agreement with the proposed actions of Full Development as presented in the Draft Document. However, I feel that the Final EIS and Record of Decision should be issued in a timely manner so that gas development can continue in this area without further delay.

Yours truly,

Caroline Trumbull
1523 North Park Drive
Chey, WY 82014

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JUN 10 99

7.2.46.1 Letter 46 - Vicki L. Schaeber

July 1, 1999

Mr. Clark Miller
Recreation Field Office
P.O. Box 2427
Rawlins, Wyoming 82301-2427

Re: Continental Divide/Wyoming D Draft EIS - Comments

Dear Mr. Miller:

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Continental Divide/Wyoming D Draft Environmental Impact Statement.

I feel that the draft document addresses many impacts and it appears that the majority of the impacts will be "negligible" under the Proposed Action of Full Development. One impact that will not be negligible is the Governmental Impact to the State of Wyoming through the increased number of governmental functions required to manage and monitor the proposed gas development within this State. These impacts are non-revenue and property impacts have been held to a minimum, although there have been significant increases in the number of dollars, primarily in the area of water use.

I am in agreement with the "Proposed Action" of Full Development as presented in the draft document. However, the Final EIS and Record of Decision should be issued in a timely manner so that gas development can continue in this area without further delay.

Yours truly,

Vicki L. Schaeber
1523 North Park Drive
Cody, WY 82014

RECEIVED
JUN 10 99

7.2.47.1 Letter 47 - Steve Olenick

July 22, 1999

Mr. Clark Miller
Recreation Field Office
P.O. Box 2427
Rawlins, Wyoming 82301-2427

Re: Continental Divide/Wyoming D Draft EIS - Comments

Dear Mr. Miller:

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Continental Divide/Wyoming D Draft Environmental Impact Statement.

The Draft Document addresses many important and it appears that the majority of the impacts will be "negligible" under the Proposed Action of Full Development. One impact that will not be negligible is the Governmental Impact to the State of Wyoming through the increased number of governmental functions required to manage and monitor the proposed gas development within this State. These impacts are non-revenue and property impacts have been held to a minimum, although there have been significant increases in the number of dollars, primarily in the area of water use.

I am in agreement with the "Proposed Action" of Full Development as presented in the draft document. Please issue the Final EIS and Record of Decision in a timely manner so that gas development can continue in this area without further delay.

Yours truly,

Steve Olenick
1523 North Park Drive
Cody, WY 82014

RECEIVED
JUN 10 99

7.2.48.1 Letter 48 - Riley C. Skees

July 26, 1999

Mr. Clark Miller
Recreation Field Office
P.O. Box 2427
Rawlins, Wyoming 82301-2427

Re: Continental Divide/Wyoming D Draft EIS - Comments

Dear Mr. Miller:

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Continental Divide/Wyoming D Draft Environmental Impact Statement.

The Draft Document addresses many important and it appears that the majority of the impacts will be "negligible" under the Proposed Action of Full Development. One impact that will not be negligible is the Governmental Impact to the State of Wyoming through the increased number of governmental functions required to manage and monitor the proposed gas development within this State. These impacts are non-revenue and property impacts have been held to a minimum, although there have been significant increases in the number of dollars, primarily in the area of water use.

I am in agreement with the "Proposed Action" of Full Development as presented in the draft document. Please issue the Final EIS and Record of Decision in a timely manner so that gas development can continue in this area without further delay.

Yours truly,

Riley C. Skees
1523 North Park Drive
Cody, WY 82014

RECEIVED
JUN 10 99
7.2.49.1 Letter 49 - Todd Fields

June 28, 1999

Mr. Plastic Miller

Environmental Field Office

Bureau of Land Management

P.O. Box 2627

Reno, Nevada 89502-2627

Re: Continental Divide / Wastewater II Draft EIS

COMMENTS

Dear Mr. Miller:

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Continental Divide / Wastewater II Draft Environmental Impact Statement.

The Draft Comments address many issues and it appears that the majority of the impacts will be "significant" under the Proposed Actions of Full Development. One impact will not be significant is the reduction of the noise level in the Family Home. This is because the Draft Comments states that the noise level in the Family Home will not be increased, but will decrease. This is a major benefit to the Family Home and it is a benefit that is not discussed in the EIS. The Family Home is a noisy place and the draft comments point out the reduction in noise. The Family Home is a noisy place and the draft comments point out the reduction in noise.

Sincerely,

Todd Fields

1223 Home Dr.

South, Wyoming

7.2.50.1 Letter 50 - Richard Krupper

June 22, 1999

Mr. Plastic Miller

Environmental Field Office

Bureau of Land Management

P.O. Box 2627

Reno, Nevada 89502-2627

Re: Continental Divide / Wastewater II Draft EIS

COMMENTS

Dear Mr. Miller:

As a concerned citizen and resident of the State of Wyoming, I was able to see the opportunity to comment on the Continental Divide / Wastewater II Draft Environmental Impact Statement.

The Draft Document addresses many impacts and it appears that the majority of the impacts will be "significant" under the Proposed Actions of Full Development. One impact will not be significant is the reduction of the noise level in the Family Home. This is because the Draft Comments states that the noise level in the Family Home will not be increased, but will decrease. This is a major benefit to the Family Home and it is a benefit that is not discussed in the EIS. The Family Home is a noisy place and the draft comments point out the reduction in noise. The Family Home is a noisy place and the draft comments point out the reduction in noise.

Sincerely,

Richard Krupper

7.2.51.1 Letter 51 - Robert C. Balsam

June 28, 1999

Mr. Plastic Miller

Environmental Field Office

Bureau of Land Management

P.O. Box 2627

Reno, Nevada 89502-2627

Re: Continental Divide / Wastewater II Draft EIS

COMMENTS

Dear Mr. Miller:

As a concerned citizen and resident of the State of Wyoming, I was able to see the opportunity to comment on the Continental Divide / Wastewater II Draft Environmental Impact Statement. The Draft Document addresses many issues and it appears that the majority of the impacts will be "significant" under the Proposed Actions of Full Development. One impact will not be significant is the reduction of the noise level in the Family Home. This is because the Draft Comments states that the noise level in the Family Home will not be increased, but will decrease. This is a major benefit to the Family Home and it is a benefit that is not discussed in the EIS. The Family Home is a noisy place and the draft comments point out the reduction in noise. The Family Home is a noisy place and the draft comments point out the reduction in noise.

Sincerely,

Robert C. Balsam

7.2.52.1 Letter 52 - Michael S. Motsch

June 28, 1999

Mr. Plastic Miller

Environmental Field Office

Bureau of Land Management

P.O. Box 2627

Reno, Nevada 89502-2627

Re: Continental Divide / Wastewater II Draft EIS

COMMENTS

Dear Mr. Miller:

As a concerned citizen and resident of the State of Wyoming, I was able to see the opportunity to comment on the Continental Divide / Wastewater II Draft Environmental Impact Statement. The Draft Document addresses many issues and it appears that the majority of the impacts will be "significant" under the Proposed Actions of Full Development. One impact will not be significant is the reduction of the noise level in the Family Home. This is because the Draft Comments states that the noise level in the Family Home will not be increased, but will decrease. This is a major benefit to the Family Home and it is a benefit that is not discussed in the EIS. The Family Home is a noisy place and the draft comments point out the reduction in noise. The Family Home is a noisy place and the draft comments point out the reduction in noise.

Sincerely,

Michael S. Motsch

7.2.49.2 Letter 49 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

7.2.50.2 Letter 50 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

7.2.51.2 Letter 51 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

7.2.52.2 Letter 52 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.
7.2.53.1 Letter 53 - James Dale Maloney

June 28, 1999

Mr. Glen Miller
Revelation Field Office
Bureau of Land Management
P.O. Box 2947
Rawlins, Wyoming 82061-2947

Re: Continental Divide / Wyoming II Draft EIS

COMMENTS

Dear Mr. Miller,

As a resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Continental Divide / Wyoming II Draft Environmental Impact Statement.

The Draft Document addresses many issues and it appears that the majority of the impacts will be "significant" under the Proposed Action of Full Development. One impact that will not be "significant" is the change in the environment due to the removal of the Teton Range andreplacement of the Divide with increased energy use. Because of oil and gas development within this area, water, air, and property value have been held in a balance. Our Schools have also seen the benefits from royalties paid to the State.

I am in agreement with the proposed action of Full Development as presented in the Draft Document. The Final EIS and Record of Decision should be issued in a timely manner so that gas development can continue in this area without further delay.

Sincerely,

James Dale Maloney
2150 Ranchview
Cody, Wyoming 82414

RECEIVED
JL 1-1-99

7.2.54.1 Letter 54 - Jared Hall

June 28, 1999

Mr. Glen Miller
Revelation Field Office
Bureau of Land Management
P.O. Box 2947
Rawlins, Wyoming 82061-2947

Re: Continental Divide / Wyoming II Draft EIS

COMMENTS

Dear Mr. Miller,

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Continental Divide / Wyoming II Draft Environmental Impact Statement.

7.2.55.1 Letter 55 - Tom Fitzsimmons

June 29, 1999

Mr. Glen Miller
Revelation Field Office
Bureau of Land Management
P.O. Box 2947
Rawlins, Wyoming 82061-2947

Re: Continental Divide / Wyoming II Draft EIS

COMMENTS

Dear Mr. Miller,

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Continental Divide / Wyoming II Draft Environmental Impact Statement.

The Draft Document addresses many issues and it appears that the majority of the impacts will be "significant" under the Proposed Action of Full Development. One impact that will not be "significant" is the change in the environment due to the removal of the Teton Range and replacement of the Divide with increased energy use. Because of oil and gas development within this area, water, air, and property value have been held in a balance. Our Schools have also seen the benefits from royalties paid to the State.

I am in agreement with the proposed action of Full Development as presented in the Draft Document. The Final EIS and Record of Decision should be issued in a timely manner so that gas development can continue in this area without further delay.

Sincerely,

Tom Fitzsimmons
7200 East Belle Ave
Cody, WY 82414

RECEIVED
JL 1-1-99

7.2.55.2 Letter 55 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

7.2.56.1 Letter 56 - Mark Fisher

June 29, 1999

Mr. Glen Miller
Revelation Field Office
Bureau of Land Management
P.O. Box 2947
Rawlins, Wyoming 82061-2947

Re: Continental Divide / Wyoming II Draft EIS

COMMENTS

Dear Mr. Miller,

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for this opportunity to comment on the Continental Divide / Wyoming II Draft Environmental Impact Statement.

The Draft Document addresses many issues and it appears that the majority of the impacts will be "significant" under the Proposed Action of Full Development. One impact that will not be "significant" is the change in the environment due to the removal of the Teton Range and replacement of the Divide with increased energy use. Because of oil and gas development within this area, water, air, and property value have been held in a balance. Our Schools have also seen the benefits from royalties paid to the State.

I am in agreement with the proposed action of Full Development as presented in the Draft Document. The Final EIS and Record of Decision should be issued in a timely manner so that gas development can continue in this area without further delay.

Sincerely,

Mark Fisher
2319 Cedar Lane
Cody, WY 82414

RECEIVED
JL 1-1-99

7.2.56.2 Letter 56 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.
7.2.59.1 Letter 59 - Weatherford

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

7.2.59.2 Letter 59 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.
7.2.60.1 Letter 60 - Archie Johnson

7.2.62.1 Letter 61 - Brad Funston

7.2.62.1 Letter 62 - Heather Pence

7.2.63.1 Letter 63 - Darlene McKnight
Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response: Entire Letter

BLM considers all comments during preparation of an EIS.
Thank you for taking the time to review the DEIS for and for providing your comments. The BLM considers all comments during preparation of an EIS.
2.2.72.1 Letter 72 - Craig Barber
June 29, 1999
Mr. Craig Miller
Bureau of Land Management
P. O. Box 2407
Rawlins, Wyoming 82061-2407

Dear Mr. Miller:

I am in agreement with the "Proposed Action" of Full Development as presented in the Draft Document. Please see the "Proposed Action and Findings of No Significant Impact" for the basis of my recommendation. I support the action to proceed with the Draft Document. The DEIS is not required for this action. This proposal is a relatively simple, quick fix for the area with no further delay.

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2.2.73.1 Letter 73 - Tim Tipton
July 3, 1999
Mr. Craig Miller
Bureau of Land Management
P. O. Box 2407
Rawlins, Wyoming 82061-2407

Dear Mr. Miller:

As a concerned citizen and resident of the State of Wyoming, I would like to thank you for the opportunity to comment on the Draft Document / Wyoming D Draft Environmental Impact Statement. I support the action to proceed with the Draft Document. The DEIS is not required for this action. This proposal is a relatively simple, quick fix for the area with no further delay.

Sincerely,

Tim Tipton
312 Backwater Lane
Cody, Wyoming 82014

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2.2.74.1 Letter 74 - Joseph C. Isenogle
July 3, 1999
Mr. Craig Miller
Bureau of Land Management
P. O. Box 2407
Rawlins, Wyoming 82061-2407

Dear Mr. Miller:

At a comprehensive review of the State of Wyoming, I would like to thank you for this opportunity to comment on the Draft Document / Wyoming D Draft Environmental Impact Statement. I support the action to proceed with the Draft Document. The DEIS is not required for this action. This proposal is a relatively simple, quick fix for the area with no further delay.

Sincerely,

Joseph C. Isenogle
2714 South 12th Street
Cheyenne, Wyoming 82004
DWR 017-HS4

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2.2.75.1 Letter 75 - Sandy Pustman
June 29, 1999
Mr. Craig Miller
Bureau of Land Management
P. O. Box 2407
Rawlins, Wyoming 82061-2407

Dear Mr. Miller:

As a concerned citizen and native resident of the State of Wyoming, I would like to comment on the Draft Document / Wyoming D Draft Environmental Impact Statement. I support the action to proceed with the Draft Document. The DEIS is not required for this action. This proposal is a relatively simple, quick fix for the area with no further delay.

Sincerely,

Sandy Pustman
7.2.76.1 Letter 76 - William L.M. Wiley

June 28, 1999

Ms. Chris Miller
Regional Field Office

Reader, Wyoming 82015

Re: Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

7.2.77.1 Letter 77 - Mike Blevins

June 28, 1999

Ms. Chris Miller
1.2.17.1

Re: Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

7.2.77.2 Letter 77 Comment Response

Re: Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

7.2.77.2 Letter 77 Comment Response

Comment Response 1 - The map has been corrected (see FEIS Appendix B, Map B-1-1). Thank you for bringing this to our attention.

7.2.78.1 Letter 78 - Dan Hansen

June 30, 1999

Ms. Chris Miller

Regional Field Office

1.2.79.1

Re: Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.
Compliance

Potentially Air

... the public. Although this is a potential change. Since there is no significant change in the visibility impact, the proposed project is not expected to have a significant impact on the visibility of the natural environment. The BLMs analysis of the potential visibility impacts is consistent with the final environmental impact statement (FEIS) of the Clean Air Act.

In summary, the BLMs analysis of the potential visibility impacts is consistent with the final environmental impact statement (FEIS) of the Clean Air Act. The proposed project is not expected to have a significant impact on the visibility of the natural environment. The BLM will continue to evaluate the potential visibility impacts of the project as part of the NEPA and Clean Air Act review process. The public is encouraged to provide comments on the potential visibility impacts of the project.
Since the DEIS was published, EPA issued its Final Regional Haze Regulations (40 C.F.R. 51.300 et seq., 64 Federal Register 126, July 1, 1999) which also considered visibility impact measures. As stated by EPA "The final rule maintains the deciveal as the principle visibility metric used in establishing reasonable progress goals, defining baseline, current, and natural conditions, and in tracking changes in visibility conditions over time. States may choose to express visibility changes in terms of other metrics, such as visual range or light extinction, as well as in terms of deciveal."

EPA reached this conclusion because the deciveal metric "expresses changes in haziness in terms of common across the entire range of visibility conditions, from pristine to extremely hazy conditions" and "a one deciveal change in haziness is a small but noticeable change in haziness under most circumstances when viewing scenes in Class I areas."

The Final Regional Haze regulations further state: "The EPA believes the deciveal metric has been accepted by the scientific community. The deciveal concept was introduced in 1994 in an article appearing in the peer-reviewed journal Atmospheric Environment. It was included in the 1996 Criteria Document for the PM NAAQS as a valid metric for characterizing visibility impairment. The EPA also recognized the deciveal as an appropriate metric for regulatory purposes in Chapter 8 of the 1996 Staff Paper for the PM NAAQS review. Both of these documents were reviewed and accepted by the Clean Air Scientific Advisory Committee. Visibility conditions at Class I areas have been characterized in terms of deciveal in numerous regions on the IMPROVE visibility monitoring network."

The EPA also supported use of the deciveal metric because it satisfies the National Academy of Science (NAS) Committee on Haze in National Parks and Wilderness Areas for "development of an index that takes into account both visibility and elements of human perception." Further, the Congressional Research Service found that "the deciveal index "conforms closely" to the NAS recommendation cited above."

When questioned whether a 0.1 deciveal change is "the threshold of perception" or "just noticeable change", EPA agreed "that a one deciveal change should not be considered the threshold of perception in all cases for all scenes. The EPA believes that visibility changes of less than one deciveal are likely to be perceptible in some cases, especially where the scene being viewed is highly sensitive to small amounts of pollution. The EPA also acknowledges the technical point made that other factors for other types of scenes with other site-specific conditions (e.g., differences in air quality) may change the deciveal model in order for the change to be perceptible. However, EPA wishes to emphasize that the overall goal of the regional haze program is not to track changes in visibility for only certain vistas at a specific Class I area. Rather, the program is designed to track changes in regional visibility for the range of possible views of sky and terrain found in any Class I area, and to assure progress toward the national goal. For this purpose, EPA supports the use of the deciveal metric as calculated from ambient monitoring data for tracking changes in regional visibility."

Thus, although a 1 deciveal change may not be the threshold of perception in all situations, the fundamental advantage of using the deciveal remains: the deciveal metric expresses uniform changes in haziness in terms of common increments across the entire range of visibility conditions, from pristine to extremely hazy conditions." Again, since there is no applicable regulatory visibility standard or threshold, the BLM evaluated potential visibility impacts determined upon theoretical approaches or research methods generally accepted in the scientific community. The DEIS compared the potential visibility impact analysis results to both the 0.1 deciveal "just noticeable change" threshold included in the IMPROVE and a just noticeable change or 0.5 deciveal Limit of Acceptable Change. Certainly any organization may select any other significance level for their own purposes, and the BLM agrees that selecting a visibility threshold of significance less that 0.1 deciveal would be more restrictive, but not generally perceptible. EPA also considered the 0.5 deciveal limit of acceptable change (based on their own policy).

Although the USFS has no authority to require any agency to use its policy based Limit of Acceptable Change for any purpose, the BLM determined and report potential visibility impacts using the USFS values for disclosure purposes only. Certainly any organization may select any other significance level for their own purposes, and the BLM agrees that selecting a visibility threshold of significance less than 0.1 deciveal would be more restrictive, but not generally perceptible. Please also see Comment Responses 1 and 3, above and Sections 7.2.91.2, Comment Response 32, in this FEIS.

Comment Response 5 - Please see Comment Responses 2, above and 40, below and FEIS Section 7.2.94.2, Comment Response 32.

Comment Response 6 - As clearly described in the Air Quality Impact Assessment Technical Document text (Volume II Impact Assessment Technical Document text (Volume II), Section 7.2.84, Comment Response: 32.

4 Number of days at or above a "just noticeable change" of 0.5 deciveal.

5 Direct project sources include the Continental Divide/Wamsutter II and South Baggs Proposed Action activities.
conditions measured during 1995 when potential source impacts on visibility are predicted in the sensitive areas.

Because the very conservative, but much simpler, visibility screening analysis (method 2) assumes that the clearest seasonal IMPROVE fine particulate matter concentrations would occur on every day of the year, the visibility screening analysis (method 2) simply cannot provide realistic estimates of visibility at more refined visibility impact analysis (method 4) based on direct hourly optical measurements.

In addition, IWAQM (EPA 1998) does not specify the period of "baseline visibility data," nor does IWAQM indicate a preference for "or at least a 5 year average." IWAQM does state "As noted previously, visibility analyses are compared against a background condition. The estimates of background visibility conditions at Class I areas are derived from the IMPROVE (Interagency Monitoring of PR-Occluded Environmental Networks) network. There are several methods of obtaining estimates of the background value. These include reconstructed estimates, measurements of particulate matter concentration at direct measurement with a transmissometer, and estimates of extinction from photographs.

The statement that "visibility impacts on 'dirty days' are less apparent to the human eye" is also incorrect. As stated in the IWAQM, the IMPROVE network is specifically designed so that anywhere along its scale, haze changes that are equally perceptible correspond to the same decimeter (4.3 a) in the location of the source. However, these changes are caused by the background conditions, not by the potential impact. The assumptions that the BLM choses to use in the impact assessment are the first two assumptions that are very conservative. Please see also Comment Response 44 below.

Comment Response 7 - As clearly described in the Air Quality Impact Assessment Technical Support Document text (Volume II - 5.2 Visibility Impacts):

It is also important to remember that both the screening (method 2) and refined (method 4) visibility impact analyses assumed: 1) reconstructed or measured background conditions at one location were representative of the entire sensitive area (as well as other sensitive areas); 2) the maximum measured 24-hour primary and secondary particulate matter concentration at one location was representative of the entire sensitive area; and 3) these predicted conditions would occur uniformly throughout the calculated view distance (i.e., 250 km). These are conservative assumptions.

The BLM regrets any confusion it caused by referring to the assumption of reconstructed or measured background conditions as being representative of the entire sensitive area (as well as other sensitive areas) as conservative. This assumption neither overestimates nor underestimates potential impacts.

However, assuming the maximum primary and secondary particulate matter concentrations predicted at any single location within the sensitive area would occur evenly throughout the entire sensitive area, as well as in all directions throughout the study area would also lead to conservative assumptions. These revised Air Quality Impact Assessment Technical Support Document text (Volume II - 5.2 Visibility Impacts) has now been revised clearly to indicate that both of the last two assumptions are very conservative. Please also see Comment Response 44 below.

Comment Response 8 - Please see Comment Response 44 below.

Comment Response 9 - Please see FEIS Section 7.2.8.4.2, Comment 29.

Comment Response 10 - As described in FEIS Section 7.2.8.4.2, the BLM chose to use an advisory stakeholder process to prepare a protocol describing the methodology the BLM intended to use prior to conducting the air quality impact assessment.

The advisory stakeholder team included representatives of: the U.S. Forest Service, the U.S. Bureau of Land Management, the Bureau of Outdoor Recreation (BLM), the National Park Service, the State Air Quality Regulatory Agencies (AZ, CA, CO, WA, Oregon, Idaho, and Utah), the state and federal air quality regulatory agencies (Wyoming Department of Environmental Quality-Air Quality Division and Colorado Department of Public Health and Environment; Air Pollution Control Division), the federal agencies (EPA, USFS, BLM, and National Park Service); a tribal agency (the Wind River Environmental Quality Commission); and an environmental organization (the Wyoming Outdoor Council).

Prior to and during advisory stakeholder meetings, the BLM emphasized that the team's purpose was to enhance cooperation between the BLM and the conducted its air quality impact assessment, rather than to simply risk receiving adversarial comments on the DEIS. The BLM also expressed a desire to obtain consensus, but the team was not expected to develop consensus or make a decision solely responsible for conducting the assessment. Apparently, some stakeholder participants either misunderstood or chose to ignore the explicit instruction. In any event, the team may be because in most cases consensus was reached and the BLM conducted the air quality impact assessment as discussed by the advisory stakeholders.

Three formal advisory stakeholder team meetings were held, and formal stakeholder comments were solicited until April 10, 1998. In addition, the BLM also communicated with individual stakeholder team members as needed prior to issuing the Final Air Quality Impact Assessment Protocol on September 28, 1998 (impact assessment protocol is not available).

The BLM has modified the process for conducting the air quality impact assessment in response to the comments made by the BLM, and not by other stakeholder (including Amoco Oil Company).

Finally, as clearly stated in the Final Protocol (Page 1) "The purpose of this protocol is to ensure that the approach, input data, computer methods, etc., are acceptable to BLM, and that interested parties have had the opportunity to review and provide input, before the study is initiated." In a few instances, based on unforeseen circumstances after the Final Protocol was issued, the team determined that the air quality impact assessment would have to be revised. These changes are described in the Revised Air Quality Impact Assessment Technical Support Document (BLM 1998a). This is a preliminary note that has been prepared for the BLM's Wyoming State Director (held February 16, 1999). The entire advisory stakeholder team was invited to attend that presentation and to present any comments at that time. Although not required by NEPA, using an advisory stakeholder process to assist the BLM in implementing it's authority and responsibility to conduct air quality impact assessments is consistent with existing NEPA regulations.

Comment Response 11 - As required by NEPA, the BLM addendum did not consider the air quality impact assessment depending on the specific Proposed Action. Although there is no "standard" air quality impact analysis methodology, the BLM follows an NEPA guideline carefully. Regarding individual Proposed Actions and alternatives, the methods used to evaluate potential air quality impacts are determined on a case-by-case basis. The BLM and EPA are in agreement with NEPA direction to discuss impacts "in proportion to their significance" (40 C.F.R. 1502.2(b)) and to apply analysis methods that are generally accepted in the scientific community (40 C.F.R. 1502.24). It is logical to recognize the expected level of visibility impairments and the potential for the same methods as state, tribal, or local air quality regulatory agencies (which must be standard by law); however, NEPA require that the analysis be site-specific (e.g., scope, potential significance, etc.) and not standard air quality impact assessment methods to adequately disclose potential air quality impacts from a Proposed Action and alternatives before such activities are authorized.

Comment Response 12 - The BLM regrets any confusion it caused by referring to the Savage Run Wilderness Area as a PSD Class II area.

Under the federal Clean Air Act (42 U.S.C. 7472), all federal lands (including federal wilderness areas) are included in "public lands," which include national parks, national memorial parks, and national memorial parks over 5,000 acres, and national parks over 6,000 acres in existence on August 7, 1977, were designated as national parks under federal PSD Class I areas. All other areas classified as either "attainment" or "unclassified" pursuant to the National Ambient Air Quality Standards were designated as PSD Class II areas. A formal process for redesignation of PSD Class II areas to a "less stringent" standard is established (42 U.S.C. 7474a). The federal visibility protection goal and requirements (42 U.S.C. 7491 and 7492) are applicable only within mandatory federal PSD Class I areas. In addition, mandatory federal PSD Class I areas may not be redesignated, although the spatial extent may vary if the original area's boundary is modified (i.e., Wilderness Area boundary expansions, etc.).

Under the State of Wyoming Air Quality Standards and Regulations (Statewide Ambient Air Quality Standards and Deterioration), all national parks, national wilderness Areas, and national memorial parks in Wyoming (regardless of size) as of January 25, 1979, were designated Class I and may not be redesignated. Under other pre-construction permit application requirements, the State of Wyoming requires that an analysis be conducted of potential impairment to visibility, soils and vegetation, and natural sounds and recreation. In addition, they have requirements that potential impacts to visual resources, wildlife, and other associated growth that would occur.

Since the Savage Run Wilderness Area was established under the Endangered American Wilderness Act of 1978 (P.L. 95-237, February 24, 1978) and has not been redesignated as protected wilderness, the Clean Air Act (42 U.S.C. 7474), is a federal PSD Class II area and a State of Wyoming Class I area. Similarly, since the Cloud Peak, Encampment River, Gros Ventre, Huxton Park, Jedediah Smith, Platte River, Popo Agie, and Wagoner Hills would be included in the same manner as the Wilderness Act of 1984 (P.L. 98-550, October 30, 1984), they are all federal and State of Wyoming PSD Class II areas.

As clearly stated in the DEIS (Executive Summary, page vi) "BLM approved activities must comply with all applicable local, state, and federal laws, statutes, regulations, standards, and implementation plans. The BLM-approved activities are required to conduct an analysis of potential visibility impairment within the Savage Run Wilderness Area under the State of Wyoming Air Quality Standards and Regulations (Statewide Ambient Air Quality Standards and Deterioration). National Visibility Goal and Regulations are not applicable. In addition, potential air quality impacts within the Savage Run Wilderness Area would be limited by applicable federal Class II increments and State of Wyoming PSD Class I increments.

Both the FEIS text (Section 3.1.2, Air Quality; Map 3.1; Section 4.11.1, Cumulative Impacts; Table 4.4; and Table 4.6) and the Revised Air Quality Impact Assessment Technical Support Document text (Executive Summary - pages ii and iii
1.0 Introduction, Volume II - 1.0 Introduction, Figure 1-1, and Table 5-3) have been revised to clarify the status of the Savage Run Wilderness Area as recommended.

Comment Response 13 - Please see Comment Response 44 below.

Comment Response 14 - Please see FEIS Section 7.2.84.2, Comment Response 32, and Section 7.2.93.2, Comment Response 2.

Comment Response 15 - As described in Comment Response 10, above, the BLM completed the process to prepare a proposal describing the methodology the BLM intended to use prior to conducting the air quality impact assessment. That formal proposal for the Final Protocol was issued on September 28, 1998. The viability analysis was done in a ‘technically supportable’ manner, and no re-analysis is necessary. Please also see Comment Response 3, 4, 5, 6, and 6, above; Comment Response 38, below; FEIS Section 7.2.84.2, Comment Response 32; and FEIS Section 7.2.93.2, Comment Response 2.

Comment Response 16 - Please see Comment Response 16, above and 40, below and FEIS Section 7.2.84.2, Comment Response 32.

Comment Response 17 - NADP sites in Sinks Canyon or South Pass were not included in the Final Air Quality Impact Assessment and that the project was not deposited in the national data base used in the modeling analysis. The Acid Neutralizing Capacity (ANC) and pH of the sensitive lakes (Deep Lake and Saddlebag Lake) were supplied by the USGS and were not modeled. The Pinedale NIDDN onsite hourly data and meteorological data (wind speed, wind direction, temperature, relative humidity) were used in the CALPUFF and CALMET modeling, respectively.

Comment Response 18 - The Rock Springs surface and Lander upper atmospheric data set available (with at least 1 hour of hourly measurements) and are representative of the meteorological conditions within the GDI (pinedale: peak, processing facility was the minimum well spacing defined in the Proposed Action). Maximum modeled concentrations from well emissions alone were found to occur at receptors closest to the wells. Maximum modeled concentrations from the compression/gas processing facility were found to occur several hundred meters away from the facility but within the representative production area. Many of the non-continuous, non-continuous source layout and emissions used, and the localized nature of maximum modeled concentrations, it is reasonable to state that adding additional wells beyond the modeled well path would not significantly increase the overall maximum concentration.

Comment Response 20 - Please see Comment Response 2, above and 40, below and FEIS Section 7.2.84.2, Comment Response 32.

Comment Response 21 - As clearly described in the DEIS (Section 4.1.1.6 Cumulative Impacts) “The Pinedale Anticline project proposal was specifically not inclusive of air quality modeling in that it’s a ‘reasonably foreseeable’ development because of its unsettled, speculative status at the time the cumulative analysis was initiated. What may actually be authorized and allowed by the USEPA/DEQ-AQD air pollution emission permits have been issued for the proposed Pinedale Anticline activities. Thus, to include the proposed project would not only be superfluous, but also inconsistent with analyses used to calculate pollutant emissions in the Air Quality Impact Assessment Technical Support Document (Volume I - Appendix A2). However, because activity duration estimates reported for the CD/WIIPA were greater than those reported in the South Bags EIS, the CD/WIIPA time durations were conservatively used to calculate South Bags emission rates.

Finally, the Revised Air Quality Impact Assessment Technical Support Document is complete and a draft version has been revised to clearly describe the completion and flaring emission assumptions.

Comment Response 26 - As authorized under NEPA (40 C.F.R. 1502.21 and 40 C.F.R. 1502.24), the BLM provided a detailed description of the methodology used in performing the air quality impact assessment in separate Air Quality Impact Assessment Technical Support Documents (BLM 1999b and BLM 1999d). The BLM also assembled all air quality modeling inputs, codes, and estimates for the South Bags project for the DEIS. All of this information is available to the general public upon request, and copies were provided for inspection by potentially interested persons within the time allowed for comment.

Comment Response 27 - The Revised Air Quality Impact Assessment Technical Support Document text (Volume I - 4.1 Meteorology and Figure 1.1) has been revised to indicate the correct location of Rawlins, Wyoming.

Comment Response 28 - A representative meteorological data set was selected for use in each modeling analysis. The Rock Springs data were selected due in part to Rock Springs’ close proximity to the CD/WIIPA. These data also best represent typical regional meteorology conditions in southwestern Wyoming, because they exhibit a greater frequency of high wind speeds and persistent wind direction.

Comment Response 32 - The revised Air Quality Impact Assessment Technical Support Document text (Volume I - Appendix Executive Summary) has been corrected.

Comment Response 34 - The Revised Air Quality Impact Assessment Technical Support Document text (Volume I - Figures 1.1 and 2.3) has been revised to indicate the correct location of the South Bags project area. However, these figures were not used to determine modeled source locations in the analysis, but only to show the approximate locations of general features within the cumulative impact analysis area. Modeled sources and receptors were located using Unic pretending Transverse Mercator (UTM) coordinates derived from USGS and BLM maps.

Comment Response 35 - The assumed time frames are consistent between the DEIS and the Air Quality Impact Assessment Technical Support Document (Volume I - Appendix A1) emissions calculations for rig up/rig down, pipeline construction, and well pad/resource road construction. Because the construction phase, during which flaring will take place is estimated to occur for a maximum of 15 days, flaring emissions were conservatively calculated for a period of 15 days, 24 hours per day. The time durations for rig up/rig down, pipeline construction, well pad/resource road construction, and completion/testing (assuming full production) for the DEIS are inconsistent with analyses used to calculate pollutant emissions in the Air Quality Impact Assessment Technical Support Document (Volume I - Appendix A2). However, because activity duration estimates reported for the CD/WIIPA were greater than those reported in the South Bags EIS, the CD/WIIPA time durations were conservatively used to calculate South Bags emission rates.

Comment Response 38 - As described in Comment Response 10, above, the BLM completed the process to prepare a proposal describing the methodology the BLM intended to use prior to conducting the air quality impact assessment. That formal proposal for the Final Protocol was issued on September 28, 1998. The viability analysis was done in a ‘technically supportable’ manner, and no re-analysis is necessary. Please also see Comment Response 3, 4, 5, 6, and 6, above; Comment Response 38, below; FEIS Section 7.2.84.2, Comment Response 32; and FEIS Section 7.2.93.2, Comment Response 2.

Comment Response 39 - The use of Rock Springs wind data would increase wind erosion emissions by approximately 5%. The calculated TSP emissions from impacts to Rock Springs would increase by 123 Ib/hr to 190 Ib/hr, and PM-10 emissions from 61 Ib/hr to 95 Ib/hr.

This increase in wind erosion TSP and PM-10 emissions would increase the CD/WIIPA modeled concentrations. The maximum modeled total 24-hour TSP concentration would increase from 1230 µg/m³ to 1498 µg/m³. The maximum modeled total 24-hour PM-10 concentration would increase from 54.8 µg/m³ to 66.7 µg/m³, and the maximum total annual PM-10 concentration would increase from 19.8 µg/m³ to 200 µg/m³.

Both the FEIS text (Section 4.1.1.1 Proposed Action) and the Revised Air Quality Impact Assessment Technical Support Document (Volume I - Appendix E: VOC/NOx Point Source Screening Tables) have been revised to include these new values.

Comment Response 34 - As was done for previous NEPA documents and because the reference (Schefe 1988) would not otherwise be ‘reasonably available for inspection by potentially interested persons’ (40 C.F.R. 1920.21), the BLM included the most representative set of data available for the South Bags Project area. There are terrain features close to the South Bags Project area that affect the observed meteorology.

Comment Response 37 - The Revised Air Quality Impact Assessment Technical Support Document text (Volume I - Table 2.3) has been revised to clearly indicate that the CD/WIIPA background concentrations were based on data collected throughout southwestern Wyoming and northern Colorado.

Comment Response 39 - The particulate modeling analysis included emissions from construction activities at a single well site, and concurrent construction of adjoining well sites is not likely; therefore, well spacing was not addressed. However, the dispersion modeling analyses for CO, NOx, and HAPs examined production impacts at multiple well sites. For these analyses, the minimum well site spacing as defined in the Proposed Action (and displayed in the Air Quality Impact Assessment Technical Support Document, Volume I - Figure 5.2) was used to maximize potential impacts.
South Baggs Near-Field Modeling), potential near-field air quality impacts were modeled separately for each Proposed Action. However, for the far-field analysis (as described in the Final Air Quality Impact Assessment Protocol), given the same likelihood of potential development, both the Continental Divide/Wasawmut II and South Baggs Proposed Actions were combined and reported as "Project Sources." Although dependent on temporal meteorological conditions, distance to sensitive receptors, etc., it is safe to assume the combined predicted "Project Sources" impacts are dominated by the Continental Divide/Wasawmut II proposed Action (with 3,000 wells, five compressor stations, and one gas plant) rather than the South Baggs Proposed Action (with 90 wells and one compressor station).

Comment Response 36 - The Revised Air Quality Impact Assessment Technical Support Document text (Volume II - Figure 3.2) has been revised to clearly show the modeled wind vectors.

Comment Response 37 - The Revised Air Quality Impact Assessment Technical Support Document text (Volume II - 4.4 Dispersion Modeling Option 2) "The relative humidity correction is intended to account for aerosol growth by biogenic particles and 'The Tabled relative humidity adjustment factors in the FLAIR protocol" have been changed to "The FLAIR protocol, however, a maximum relative humidity of 90% has been used in computing F a rather than 90%, because it is highly unlikely, due to noncondensation, that fundamental aerosol and observed visibility criteria (i.e., homogeneous atmosphere, uniform sky brightness, etc.) would be met. The revised FLAIR protocol and the FLAIR methodology is implemented as visibility method 2." The basic formulas for calculating visibility impacts, developed by H. Kosciminer in 1924, includes the assumption that sky brightness at the observer is similar to sky brightness at the observed object. As described in "Protecting Visibility - An EPA Report to Congress" (EP's 1979) "The effect on visual range of inhomogeneous illumination, such as that under scattered clouds, is harder to analyze, as the path is unstructured. Limited experimental evidence indicates that this effect may not be great for short visual ranges (less than 50 km); however, 'The studies were made on clear days and it may be that scattered clouds or differing sky brightness on visual range in clear areas should be further investigated.'"

In 1991, the U.S. National Acid Precipitation Assessment Program (NAPAP 1991), in their Report - Visibility: Estimating which showed the magnitude of change in visibility due to variations in sun angle. Scene characteristics (i.e., cloud cover, vegetation, snow cover, etc.) are more erratic than sun angle changes and are generally beyond currently quantifiable techniques. In quantifying this variability, the number of assumptions and for simple lighting conditions (e.g., no clouds in the sky) scene measurements can be used to estimate the potential optical impact. For simulating lighting conditions, the proposed Action impacts are limited to a total of 10 km (the display of the model at 60 km is not possible ( Lyftig 2001)"

Comment Response 40 - The Revised Air Quality Impact Assessment Technical Support Document text (Volume II - 4.4 Dispersion Modeling Option 2) has been revised to state: "It would be desirable to have a longer time period to include many more meteorological-source impact events than is possible in a one-year data set. The averaging of these data, the visibility screening analysis (method 2) projected impacts represent an upper estimate of potential air quality impacts which are unlikely to actually be reached."

However, the DEIS included both the very conservative, but much simpler, visibility screening analysis (method 2) and the more refined visibility impact analysis (method 4) results.

Finally, NEPA does not require the use of any specific method, including the USFS "protocols," for assessing potential visibility impacts. Please see Comment Response 32 and Section 7.2.932. Comment Response 2.

Comment Response 41 - Although conditions may be different on the eastern side of the Continental Divide, the visibility of measured visibility data to characterize these differences is limited. The method 2 background visibility values provided by the USFS did not distinguish between the eastern and western sides of the Divide. The DEIS uses the same data. The transmissometer data is also only available on the western side of the continental divide, so the assumption that the Bridger data is representative of visibility impact is not supported by any available data. Please see also Comment Response 7, above.

Comment Response 42 - The ANC values used for Deep Lake and Lower Saddlebag Lake were those identified in the Final Air Quality Impact Assessment Protocol. Although the revised values are higher than the ANC values used in the baseline visibility screening analysis, the revised values are based on visibility monitoring performed under more stringent conditions. The FEIS text (Table 4.5) and the Revised Air Quality Impact Assessment Technical Support Document text (Volume II - Figure 3.1) have been recalculated based on the revised background ANC values provided by the USFS.

Comment Response 43 - The Revised Air Quality Impact Assessment Technical Support Document text (Volume II - 5.5 Visibility Corrected) has been revised to account for the full set of atmospheric deposition/lake chemistry equations.

Comment Response 44 - As clearly described in the Air Quality Impact Assessment Technical Support Document text (Volume II - Appendix C Analysis of Visibility Data in SW Wyoming and the Continental Divide); the visibility screening analysis does not use visibility data from the Continental Divide/Greater Wasawmut II and South Baggs Proposed Actions. Visibility screening analysis (and method 2) assumed that the data used were representative of the background environment. The Mount Zirkel data displayed much greater variability, sometimes up to 100 km changes in a single day. The Mount Zirkel data were especially important for this analysis as a snowstorm passed through the area in the summer months, the measured visibility values were typically 50 km higher (more clear) than either the Bridger or Rocky Mountain values. Erratic Mount Zirkel winter values were observed as a result of local air masses with extreme atmospheric cleansing by snowfall, and the summertime fog could be consistent with an incorrect assumption of Rayleigh (pure single scattering) in the visibility screening analysis. Regardless of the cause, the Mount Zirkel data are too inconsistent to properly represent background conditions.

The assertion that 'the only real difference between the data of Mt. Zirkel and RMNP (Rocky Mountain National Park), is that Mt. Zirkel is more influenced by fog produced by snow melt.' using data to represent Mt. Zirkel, the future visibility impact at Mt. Zirkel from the proposed actions may be greatly underestimated. Instead of using visibility data from a reservoir of nephelometer and transmissometer data. However, a more thorough understanding of how these monitoring devices operate (EP's 1999) support excluding the Mount Zirkel nephelometer data.

The Bridger and Rocky Mountain transmissometers measure the actual, total optical extinction observed in the atmosphere over a path length of nearly 4 to 8 km at elevations around 2,000 m. "The Bridger site is located at an elevation of 2,400 m on the western side of the Continental Divide. The Bridger site is located on the Continental Divide, the visibility measurement to distinguish these differences is limited. The method 2 background visibility values provided by the USFS did not distinguish between the eastern and western sides of the Divide. The DEIS uses the same data. The transmissometer data is also only available on the western side of the continental divide, so the assumption that the Bridger data is representative of visibility impact is not supported by any available data. Please see also Comment Response 7, above.

The Mount Zirkel nephelometer measures only a portion of light scattering due to particles (abbreviated to "a 170°", rather than a 180°, acceptance angle), by drawing a continuous air sample into a nephelometer, and transmissometer, and transmissometer data around 3,100 meters. Nephelometers cannot measure light absorption due to particles or gases and measure only a portion of light scattering. These systems are typically periodically calibrated to "zero" with filtered air, they do not directly measure gaseous (Rayleigh) scattering, and unlike transmissometers, they do not "wash out" the particulate particles, which are an additive (sider 1996). Finally, and most importantly, nephelometers will erroneously indicate the best (most clear) visibility conditions during precipitation events which remove light scattering particles by wet deposition (e.g., a nephelometer may indicate over 300 km visibility during a snow storm where actual visibility is less than 10 km).

Given these physical differences in the two visibility measuring devices, the visibility screening analysis and the visibility extinction (clearer visibility) than a transmissometer, even if both instruments were measuring exactly the same atmospheric conditions.

Light scattering due to particle growth can be very significant under high relative humidity (RH) conditions. For example, a given has an equal and constant concentration of fine (ammonium nitrates) particles, light scattering increases by nearly: 2x at 70% RH; 5x at 90% RH; and 20x at 98% RH. However, even though both the transmissometer and nephelometer measure increased optical
extinction due to particle growth with increasing relative humidity, the interagency IMPROVE protocol identifies transmissometer values measured above 90% relative humidity as invalid due to meteorological interference.

As clearly reported in the Air Quality Impact Assessment Technical Support Document test (Volume II - 5.2 Visibility Impacts), both the Bridger and Rocky Mountain transmissometers measured nearly 5,000 hours of valid data during 1995. Conversely, the "Mt. Zirkel Wilderness Area Reasonable Attribution Study of Visibility Impairment" (Watson et al. 1996) reported less than 4,200 hours of valid nephelometer data in 1995. In addition, the "Attribution Study" presented hourly observed Mount Zirkel nephelometer measurements which fluctuated widely between 10 and 60 Min-1, especially during winter periods at greater than 90% RH, and when localized existing sources of sulfate were potentially influencing the nephelometer.

To summarize, given its high sampling elevation and location, it appears the Mt. Zirkel nephelometer (when reporting valid data) was measuring low particle scattering within clouds (above the mixed layer), with occasional intrusions of sulfate from within the mixed layer, during much of 1995. The 1995 Mt. Zirkel nephelometer data were too incomplete and inconsistent to properly represent background conditions.

Comment Response 45 - Comments specific to the South Bags DEIS are addressed in the South Bags FEIS.
Letter 80 - Kirk Steinle, BP Amoco, Page 9

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 1 - Comment noted.

Comment Response 2 - The BLM understands that if Alternative A or B are selected, considerable efforts would be required to quantify new and existing disturbance acreage.

Comment Response 3 - Please see FEIS Section 7.2.58.2, Comment Response 1.

Comment Response 4 - As clearly described in the DEIS (Section 4.1.1.6 Cumulative Impacts), "A conservative visibility screening level analysis indicated that proposed project operations might result in a perceptible (1.0 decibels) visibility reduction on very clear days at several of the PSD Class I and II sensitive receptors, therefore a more refined potential visibility impact analysis was performed." The BLM conducted the very conservative, but much simpler, visibility screening analysis (method 2) to determine if potential visibility impacts within several sensitive receptors was possible. If no potential impacts were predicted using the very conservative method, then no further analysis was necessary. However, because the screening analysis did not preclude a potential for
significant adverse visibility impacts and based on the BLM's experience in predicting potential visibility impacts in this region for previous NPDs, it was felt that the more refined potential visibility impact analysis (method 4) was performed.

The visibility screening analysis (method 2) assumed the 20th percentile clearest seasonal IMPROVE fine particulate matter data (based on 24-hour duration samples each week, measured for several years at each site), when converted into reconstructed seasonal extinction values, would represent clear natural background visibility conditions, which could occur every day regardless of actual meteorological conditions. Although this is an "idealized representation" with "no physical reality," it is a simplifying assumption useful for screening purposes only. Please also see FEIS Section 7.93.2, Comment Response 2.

Comment Response 5 - You are correct that the visibility screening analysis (method 2) included both IMPROVE fine particulate matter data collected in Wyoming and Colorado and modeled potential air quality impacts from air pollutant emission sources existing prior to 1997. This does represent a 'double counting' of impacts through modeled and actual measurements.' However, given the very conservative nature of the visibility screening analysis (method 2) and considering a more refined potential visibility impact analysis was performed, the over-estimate of potential visibility impacts due to 'double counting' in the screening analysis is not significant.

Comment Response 6 - The original far-field emission inventory was developed for use in the refined visibility analysis (method 4), assuming that background visibility data were available for 1995. To be consistent with these background data, the emission inventory included sources permitted from June 1993 through April 1998. Sources that became operational prior to and during 1995 were then removed, or adjusted for startup time, in the final far-field modeling emission inventory.

Based on advisory stakeholder team comments, the BLM included the visibility screening analysis (method 2) in the final air quality impact assessment protocol. The intent of the visibility screening analysis was to perform a preliminary evaluation of potential visibility degradation from foreseeable source emissions, possibly eliminating the need for further refined analysis.

Since the background data used in the visibility screening analysis (method 2) included the period 1988-1998 (August), the emission source inventory should have begun prior to August 1998, or February 1, 1997. Therefore, emission sources that included in the far-field inventory which obtained construction permits prior to February 1, 1997, were operational before August 1998 did cause an overestimate of predicted impacts using the visibility screening analysis (method 2).

However, since the refined visibility analysis (method 4) included and/or adjusted the final far-field modeling emission inventory (based on actual 1995 operating data), "double counting" is not an issue in the refined visibility analysis (method 4).

Comment Response 7 - The Wyoming Interstate Company's Rawlins Station (WDEQ-AQD Permit # CT-1287) with nearly 250 tpy NOx emissions should not have been included in the far-field impact analysis. Its NOx emissions were subject to a WDEQ-AQD offset reduction with the Colorado Interstate Gas Company's Muddy Gap Station (WDEQ-AQD Permit # CT-1286), which is permitted at nearly 240 tpy NOx emissions. The Rawlins Station should have been included in the Air Quality Technical Support Document (Volume 1 - Appendix D: Emissions Inventory - Cumulative Emissions Sources, Table D-3, WDEQ Permitted Sources [Excluded]) and not included in the modeling analysis. By including both sources in the air quality impact analysis, their combined NOx emissions were overestimated in the air quality impact assessment, further supporting the conclusion stated in the DEIS (Section 4.1.1.6 Cumulative Impacts) "the projected impacts represent an upper estimate of potential air quality impacts which are unlikely to actually be reached."

Comment Response 8 - The far-field analysis emissions inventory sources were developed for Wyoming and Colorado sources permitted between June 1993 and April 1998 and were determined to be non-operational prior to 1995. Sources that obtained WDEQ-AQD permits during this timeframe did not earn emission permits after April 1998 were not included in this modeling analysis. Please also see FEIS Section 7.2.9.1, Comment Response 22.

Comment Response 22 - As clearly stated in the DEIS (Section 4.1.1.6 Cumulative Impacts) "all existing background emission sources were assumed to operate at their existing emission rates continually (no reductions or closures) throughout the LOP [Life of Project]," and further concluding "Based on these numerous 'reasonable, but conservative' analysis assumptions and consistent with these background data, the emission inventory included sources permitted from June 1993 through April 1998. Sources that became operational prior to and during 1995 were then removed, or adjusted for startup time, in the final far-field modeling emission inventory."

Comment Response 13 - The BLM believes that some additional mitigation measures be required to ensure impacts are minimized. Final decision regarding the mitigation actions that would be required for this project will be identified in the ROD.

Comment Response 11 - Please refer to Comment Response 10, above.

Comment Response 12 - Please refer to Comment Response 10, above.

Comment Response 13 - Please refer to Comment Response 10, above.

Comment Response 14 - Please refer to Comment Response 10, above.

Comment Response 15 - Please refer to Comment Response 10, above.

Comment Response 16 - Please refer to Comment Response 10, above, ab ve.

Comment Response 17 - Please refer to Comment Response 10, above.

Comment Response 18 - The phrase "where soils would not hold fluids" refers to soil permeability. CD/WIIPAs are varied. Clay soils, due to their limited permeability, would in many cases not require reserve pit liners; however, in sandy soil areas and in other areas where soils are moderately to highly permeable reserve pit liners may be appropriate to prevent fluids from infiltration. Please also refer to Comment Response 10, above.

Comment Response 19 - Additional data on the functional condition of Antelope Road was available for review at the RSFO. Please also refer to Comment Response 10, above.

Comment Response 20 - The potential requirement for water wells to be drilled to depths of greater than 1,000 ft may be applied to provide further assurance that surface waters, which may be in connection with shallow ground water, are protected from depletion. Please also refer to Comment Response 10, above.

Comment Response 21 - Please refer to Comment Response 10, above.

Comment Response 22 - Please refer to Comment Response 10, above.

Comment Response 23 - Please refer to Comment Response 10, above.

Comment Response 24 - Please refer to Comment Response 10, above.

Comment Response 25 - Please refer to Comment Response 10, above.

Comment Response 26 - The BLM understands that not all 33 proposed locations may be developed in the crucial winter/early spring range for the Bighorn muledeer herd; however, for the purpose of the EIS, area-specific disturbance estimates have been applied to provide the reviewer with a reasonable evaluation of the proposed development. The BLM does not think your requested change to the DEIS is necessary.

Comment Response 27 - Please refer to Comment Response 10, above.

Comment Response 28 - Comment noted.

Comment Response 29 - The BLM would not authorize "squeezing" of reserve pits.

Comment Response 30 - Comment noted. Please refer to Comment Response 10, above.

Comment Response 31 - Please refer to Comment Response 10, above.

Comment Response 32 - Comment noted. Please refer to Comment Response 10, above.

Comment Response 33 - Please refer to Comment Response 10, above.

Comment Response 34 - Please refer to Comment Response 10, above.

Comment Response 35 - Please refer to Comment Response 10, above.

Comment Response 36 - Comment noted.

Comment Response 37 - In the event that bald eagle nesting areas are discovered on the CD/WIIPA, the BLM would consult with both the Operators and USFWS prior to authorizing development activities in the vicinity of the nesting areas.

Comment Response 38 - The BLM does not believe changes to the DEIS are necessary. Please also refer to Comment Response 10, above.

Comment Response 39 - Comment noted.

Comment Response 40 - In the event that programmatic agreements or discovery plans are required, Operators would have the opportunity to participate in their preparation.

Comment Response 41 - Comment noted.

Comment Response 42 - Comment noted.

Comment Response 43 - Roads would be identified for reclamation utilizing the process as described in the Transportation Plan (see DEIS Appendix B) and associated transportation planning technical support documents (BLM 1999a). Newly constructed roads to well locations that prove to be unnecessary, may be considered unnecessary and reclassified pursuant to the Reclamation Plan (see DEIS Appendix A).

Comment Response 44 - Comment noted.

Comment Response 45 - Comment noted.

Comment Response 46 - Please refer to Comment Response 10, above.

Comment Response 47 - Comment noted. Please refer to Comment Response 10, above.

Comment Response 48 - Comment noted. Please refer to Comment Response 10, above.

Comment Response 49 - Please refer to Comment Response 10, above.

Comment Response 50 - Please refer to Comment Response 10, above.
Once lands are leased, the BLM lacks the authority to prohibit/substantially delay lease development. See also DEIS Section 2.5.

Comment Response 4 - Reclamation of disturbed areas occurs only after areas are no longer required for activities. The BLM is obligated under FLPMA to manage lands for multiple resources; therefore, there will be some trade-offs among resource uses and resource users. See also Comment Response 3, above.

Comment Response 5 - See Comment Responses 3 and 4, above.

Comment Response 6 - Alternatives A and B, which limit development on federal lands in areas with sensitive resources, are analyzed in this DEIS for many of the purposes you mention. Please note that changes have been made in this DEIS such that areas within a 2-mile radius of sage grouse leks are now considered SRAs.

Comment Response 7 - The BLM believes a survey of wildlife migration routes is unnecessary since much of this data is currently available from the WGFs and is presented in the DEIS (see Section 3.2.2.1). Furthermore, the BLM has no control over fences on private lands, there are no extensive fences proposed by this project, and there is no evidence that this project would block wildlife migration routes. See also DEIS Section 4.2.3.1.

Comment Response 8 - Directional drilling of multiple wells from one pad could occur under any alternative, and the BLM would not authorize unnecessary and undue actions. See also DEIS Section 2.5.

Comment Response 9 - Please see DEIS Section 7.2.84.2, Comment Response 27.

Comment Response 10 - There are an estimated 345,500 acres of probable sage grouse nesting habitat in the CD/WIWA (see DEIS Table 3.14). The BLM believes that potential impacts to sage grouse are adequately addressed in the EIS. Sage grouse and leks are within a 2-mile radius have been added to the list of sensitive resources in Alternatives A and B, and the BLM now believes that potentially significant adverse impacts could occur to sage grouse under the Proposed Action.

Comment Response 11 - Potential impacts to mountain plover are discussed in DEIS Sections 4.2.5 and E-5.2.6.

Comment Response 12 - Visual resource impacts are considered in detail in DEIS Section 4.6. Please note that the BLM now considers this potential impact in a change in landscape character to be a significant adverse impact.

Comment Response 13 - Comment noted. The BLM is concerned with all area resources and resource users and will manage resources in accordance with FLPMA directives.

Comment Response 14 - Comment noted. The BLM believes that potential project and cumulative impacts and associated mitigative actions are adequately analyzed in this EIS.
The BLM believes that theDEIS adequately addresses the potential cumulative impacts of the proposed action on all the surface resource types in the CD/WIPA, fully considers a conservation alternative (Alternatives A and B) and includes appropriate mitigation for all significant cumulative impacts. Required resource protection measures will be identified in the ROD and further specified during subsequent APD and ROD application reviews.

Comment Response 15 - Disturbance acreage estimates are not considered reasonable for this project; the DEIS would not identify additional land uses. The BLM believes the monitoring levels presented in the DEIS (Appendix D) are adequate for identifying potential problem areas.

Comment Response 22 - The BLM believes that cumulative information on wildlife and potential air quality impacts are available to design a monitoring program. Monitoring measures may be modified based on the results of future wildlife monitoring. See also Comment Responses 5 and 21, above.

The report also notes that temporary permits under Alternatives A and B to protect federal wildlife areas from disturbances will be issued under the requirements of the National Environmental Policy Act, as amended (NEPA) (40 C.F.R. 1502.14). The effectiveness of NEPA requires the BLM to "correctly describe the environmental consequences of its action." 40 C.F.R. 1502.12, and to "present the [potential] environmental impacts of the final alternatives in a clear, logical, and fair discussion of [potential] significant environmental impacts" (40 C.F.R. 1502.12), and to "present the [potential] environmental impacts of the final alternatives in a clear, logical, and fair discussion of [potential] significant environmental impacts" (40 C.F.R. 1502.12, and to "present the [potential] environmental impacts of the final alternatives in a clear, logical, and fair discussion of [potential] significant environmental impacts" (40 C.F.R. 1502.12, and to "present the [potential] environmental impacts of the final alternatives in a clear, logical, and fair discussion of [potential] significant environmental impacts" (40 C.F.R. 1502.12, and to "present the [potential] environmental impacts of the final alternatives in a clear, logical, and fair discussion of [potential] significant environmental impacts" (40 C.F.R. 1502.12). The BLM also consults on a case-by-case basis with the state environmental agencies of the seven states in the affected area as required by NEPA.

The BLM provided a detailed description of both the cumulative air quality impact assessment methodology (method 2) and the more refined potential cumulative impacts analysis (method 1). The cumulative and potential cumulative impacts results in the Air Quality Impact Assessment Technical Support Document (BLM 1997b) which was available to the public during the DEIS review and the DEIS presented the results in the DEIS.

The BLM also compared both analyses results to the 1.0 decibel "just noticeable change" significance threshold level and the USFS "% of a just noticeable change" 0.5 decibel Limit of Acceptable Change. Please also see FEIS Section 11-9.7, 7.2.79.2, and Section 7.2.93.2, Comment 2. This Limit of Acceptable Change was developed to "determine a clear threshold of acceptability between the average comfort level and the average discomfort level of the community being impacted." 7-101

Comment Response 20 - The DEIS considers all direct, indirect, and cumulative impacts for all affected resources on federal, state, and private lands and considers additional mitigations for federal lands. The BLM has considered the impacts of grazing public lands (e.g., RCPP, and pipeline construction) and pipeline construction were analyzed as described in the Air Quality Impact Assessment Technical Support Document (Section 4.1.1 Air Quality and the "Just Noticeable Change" (method 1) and the "just Noticeable Change" (method 2) to determine the cumulative impacts. The BLM also recognizes that the cumulative impacts identified in the DEIS (Appendix D) were developed to identify areas of concern for the No Action Alternative. The BLM believes the DEIS adequately addresses the potential cumulative impacts of the proposed action.

Comment Response 21 - The BLM believes that the mitigation measures and plans are adequately presented in the DEIS.

Comment Response 23 - Not all resources are monitored every 5 years; rather, some are monitored on an annual basis (see DEIS Section 4.1.1 Air Quality and Table 4.1-1). The BLM believes the monitoring levels presented in the DEIS (Appendix D) are adequate for identifying potential problem areas.

Comment Response 24 - The potential for drainage is described in DEIS Sections 4.2.4 and 4.2.5. Areas with the potential for drainage cannot be defined until development has occurred; however, in the event drainage is identified, the BLM would make an effort to protect the mineral rights on non-federal land in the CD/WIPA; many are owned by the State of Wyoming and UPRC.

Comment Response 25 - Please refer to Comment Response 23, above.

Comment Response 26 - Drainage of federal resources is not a "driving force," it is a consequence of development in an area of checkerboard land ownership.

Comment Response 27 - As clearly stated in the DEIS (Executive Summary, Page vi), "Since BLM approved activities must comply with all applicable local, state, tribal, and federal air quality laws, statutes, regulations, standards, guidelines, and emission plans, the cumulative effect to air quality are not anticipated to occur from implementation of any of the alternative actions." The technical basis for this conclusion is presented in the DEIS (Section 4.1.1 Air Quality and the Air Quality Impact Assessment Technical Support Document.

Comment Response 28 - Please see FEIS Section 7.2.79.2, Comments 21 and 35.
The DEIS did not confuse "the public by combining the two models without disclosing their results separately and then choosing to display only the model that diminished the visibility impacts." Both the very conservative, but much simpler, visibility screening analysis (method 2) and the more refined visibility impact analysis (method 4) were performed and their results clearly reported separately in the DEIS.

However, your statements effectively demonstrate the general conclusion among federal land management agencies and the general public regarding the different purposes and interpretation techniques of visibility impact analyses for air regulatory purposes (policy review) and the less restrictive land management impact analysis and disclosure (NEPA review). For air pollution emission permitting, very specific project design information, very specific air regulatory agency analysis procedures, and federal land management review and comment procedures have all been established (and must be followed) under the Clean Air Act and NEPA if the air emission impact of a permit is issued, the applicant has permission to operate. Under NEPA, project designs are often preliminary (enhancing a review of alternatives), the specific environmental circumstances for air quality and air pollution control methods are selected based on the specific situation (although the overall analysis process is defined by NEPA), and although the decisionmaker may require specific mitigation measures, the applicant cannot operate until all applicable operating permits (including air quality) have been issued. In summary, both processes use similar analysis techniques (monitored data, monitoring modeling, etc.), but their purpose and needs vary greatly.

Comment Response 31 - Please see FEIS Section 7.2.79.2. Comment Response 44.

Comment Response 34 - Although not required by NEPA, the BLM chose to use an advisory stakeholder process when developing the Air Quality Impact Assessment Protocol (BLM 1998e) describing the methodology the BLM intended to use before advancing to the CAA Section 169(c) rule encompassing the NEPA regulations (40 C.F.R. 1505.5). However, the advisory stakeholder process does not in any way alter the BLM's authority and responsibility to conduct the air quality impact assessment consistent with existing NEPA regulations. When used, each air quality impact assessment protocol must be developed on a case-by-case basis and is not anticipated. Please also see FEIS Section 7.2.79.2, Comment Response 11, and Section 7.2.93.2, Comment Responses 4 and 6.

Comment Response 35 - To the extent that the "NEPA procedures must ensure that environmental information is available to public officials and citizens before decisions are made and before actions are taken" (40 C.F.R. 1501.1(h)), the comment that "all that is available are untested assumptions" is incorrect. However, air pollution emission limits and ambient air quality monitoring requirements are the responsibility of the applicable air quality regulatory agency, based on their air pollution emission permit analysis and approval. The U.S. Congress did not grant any federal land management agency air quality regulatory authority. In fact, even since the original Clean Air Act was passed (P.L. 189, dated July 14, 1955), it has been the declared policy of the U.S. Congress "to preserve and protect the primary responsibilities of the States [ Tribal] and local governments". Please also see FEIS Section 7.2.79.2, Comment Response 1.

Comment Response 36 - As clearly stated in the DEIS text (Section 4.1.1 Proposed Action), "neither the State of Wyoming nor EPA have established HAP standards." Of six chemical analyzed, only benzene and toluene, the most restrictive 8-hour Fine Particles Air Quality Standard, are listed. Other applicable air quality regulations are presented in DEIS Sections 4.2.3, 4.2.5, and Appendices D and E.

Comment Response 45 - Baseline wildlife studies were conducted on the CD/WIIPA, and an extensive review of extant data was completed. The BLM realizes that the landscape of no more than $5 per acre by Operators is an applicant-commended practice, not a decision by BLM. Additional Operator-provided monies have also been identified (see DEIS Tables D-2.1, D-2.2, and D-2.3), and further monies may be required in the future based on impacts observed during monitoring.

Comment Response 46 - The BLM will identify suitable nesting habitat for sage grouse during the monitoring efforts identified in DEIS Appendix D, as well as during APD and ROW application reviews. Sage grouse leks and an area within a radius of less than 1 mi are protected, and these probable lekking areas are now included in SRAs. The area within 0.25 mi of sage grouse leks is identified as potential breeding habitat.

Comment Response 47 - No vegetative control is proposed for the project. Some disturbance would occur, but vegetative control, when applied to sage grouse, generally means extensive chaining, burning, or chemical treatment of sagebrush. This could significantly affect sage grouse habitat; however, nothing like this is proposed for this project.

Comment Response 48 - The BLM does not believe that the 0.25-mi no surface occupancy buffer around sage grouse leks is in violation of 40 C.F.R. §152.24. This stipulation is quite different than the stipulation that restricts development in suitable nesting habitat within a 2-mi radius around a lek. The two stipulations work together in DEIS to protect sage grouse during the breeding and nesting season.

Comment Response 49 - The 2-mi area surrounding sage grouse leks is now included in SRAs. Additional restrictions may be instituted based on the results of monitoring; however, at this time, the BLM believes that the existing stipulations adequately protect sage grouse during nesting and early spring, and the application of additional restrictions at this time would be an unreasonable and unjustifiable burden. Additional sage grouse mitigations may be applied as described in DEIS Section 4.2.3.2, and further mitigations may be applied based on monitoring results.

Comment Response 50 - The BLM believes that the DEIS adequately addresses potential impacts on sage grouse and that an assessment of this information can be made. With the information lacking, additional monitoring studies have been developed to gather more site-specific data. Furthermore, additional mitigations may be initiated based on monitoring results.

Comment Response 51 - The USWS has been consulted regarding the proper procedures for clearances for mountain glover (Larvivis montanus) (VII), and this information has been incorporated into this FEIS.

Comment Response 52 - The BLM has not said that there would be no significant cumulative impacts to big game. In fact, the DEIS on page 4-38 says that there would be potential significant impacts to big game (see DEIS Tables D-2.1, D-2.2, and D-2.3), and further monies may be required in the future based on impacts observed during monitoring.

Comment Response 53 - The BLM does not believe that a survey to identify all fences is necessary. The project does not propose building fences, and the WFGD is aware of problem fences, some of which may be on private lands over which the BLM has no authority. The DEIS already analyses the impacts of roads on ungulates (see Section 4.2.3.1). Further information on this subject is provided in FEIS Section 7.2.88.

Comment Response 54 - The BLM does follow USFS guidelines for the black-footed ferret surveys (see DEIS Section 4.2.5.1).

Comment Response 55 - Comment noted.

Comment Response 56 - Consultation with Native American governmental bodies is required by several laws. Consultation is cumulative (BLM Manual Handbook H-4160-1, General Procedures/Guidance of Native American Consultation. In Wyoming, the BLM views consultation with Native Americans as an ongoing process. The BLM has initiated consultation with the Eastern Shoshone, Northern Arapaho, and the Uintah and Ouray Bands of the Ute Tribe regarding the Continental Divide Watershed II project. Consultation efforts will continue at several levels throughout the LOP. Efforts will include general meetings where information is exchanged between the agency and tribes, as well as consultations and field visits when cultural resources of concern to Native Americans are identified and the impact of specific developments. The BLM will continue to take the concerns of tribal representatives into account in developing management strategies for the CD/WIIPA.

Comment Response 57 - The BLM considered all potential road complaints in this EIS. A "no new" policy for roads on public lands was not considered reasonable. The BLM considered all previous comments to this EIS, as well as in the development of the Transmission Plan (DEIS Appendix B). The general content of all scoping comments to this EIS are presented in DEIS Section 1.4.2.

Comment Response 58 - The BLM manages the public lands for multiple resources and believes that this EIS identifies that the use of the various resources can be balanced in a reasonable way.
Dear Client,

I am an attorney with the Wyoming State Bar and have been retained by [Client Name] to represent you in your matter. I am pleased to provide you with the following comments:

1. **Environmental Impacts:**
   - The BLM has conducted the environmental impact statement (EIS) for the proposed project. The EIS is available upon request.
   - The project involves the construction of a new road and the expansion of an existing road in the [Project Location].

2. **Mitigation Measures:**
   - The BLM has identified several mitigation measures to address potential environmental impacts. These measures include:
     - Buffer zone management
     - Vegetation management
     - Water quality monitoring

3. **Project Context:**
   - The project is located within the [Project Neighborhood] and is part of a larger conservation effort.

4. **Consulting Services:**
   - I, [Your Name], have been retained by [Client Name] to provide consulting services related to the project.

5. **Next Steps:**
   - Please provide any feedback or questions you may have regarding the EIS.

Sincerely,

[Your Name]
Letter 86 - Marc W. Smith, Independent Petroleum Association of Mountain States

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Letter 86 - Marc W. Smith, Independent Petroleum Association of Mountain States

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Page 87-3

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 1 - The BLM believes social and economic issues have been adequately addressed in the DEIS and that the beneficial impacts to the communities and the nation are appropriately disclosed.

Comment Response 2 - The advantages of burning natural gas as emphasized in the Clean Air Amendments of 1990 are stated in DEIS Section 1.1.3 (page 1-5).

Comment Response 3 - Please refer to FEIS Section 7.2.82.2, Comment Responses 3, 4, and 7.

Comment Response 4 - As stated in DEIS Section 4.1.3.1, no coal mining occurs in the CDWIPPA and it is unlikely that mining in the area would occur during the LOP. Where coal mining occurs within the cumulative impact assessment areas for this project, firm future coal mining actions are included in the impact assessments (see DEIS Table 4.2, footnote 9). Coal mine emissions sources and their effects on AQRs were included in the far-field air quality impact assessment (BLM 1999, Appendix A, Table A-2).

Comment Response 5 - Please refer to Section 7.2.90 in this FEIS.

Comment Response 6 - Please refer to Section 7.2.91 in this FEIS.

Comment Response 7 - Sage grouse leks and associated probable nesting habitat are now included as SRAs. Mountain plover habitats would be protected as indicated in DEIS Sections E-5.2.6.3. The BLM will coordinate closely with the WDFG to ensure appropriate wildlife protection.

Comment Response 8 - The BLM did not mean to imply that reclamation requirements would be disregarded should potential drainage issues arise. Rather, some of the requirements for the ceiling on acres of disturbed lands under Alternatives A and B may be temporarily suspended. In the event that drainage or other conditions cause drainage cells to exceed the design capacity, the BLM would require reclamation to be completed as soon as possible to bring these areas into compliance. The BLM remains committed to adequate reclamation of all disturbed lands under its jurisdiction.

Comment Response 9 - The BLM will continue to work with the State of Wyoming in development of minerals on joint estate lands. We did not mean to imply otherwise.
Letter 88 - Bill Wichers, Wyoming Game and Fish Department, Page 2

June 11, 1988
Bill B. Wichers
Wyo. Game and Fish
861 Capitol Ave.
Cheyenne, WY 82002

Dear Bill,

I would like to discuss the comments that I received in your letter of June 2. I am not sure what I can do for you as far as your request for a meeting on the 17th of this month to discuss the problem of overharvesting in your area. I don't know if we can do that. I am not sure if we can do it at all.

However, I can do some research on the area and I can do some analysis to see what the situation is. I will do this and let you know what I find.

Sincerely,

[Signature]

Letter 88 - Bill Wichers, Wyoming Game and Fish Department, Page 3

June 11, 1988
Bill B. Wichers
Wyo. Game and Fish
861 Capitol Ave.
Cheyenne, WY 82002

Dear Bill,

I am pleased to hear that you have received a great deal of public support for your efforts in this area. I am not sure what we can do to help you, but I will do what I can.

Sincerely,

[Signature]

Letter 88 - Bill Wichers, Wyoming Game and Fish Department, Page 4

June 11, 1988
Bill B. Wichers
Wyo. Game and Fish
861 Capitol Ave.
Cheyenne, WY 82002

Dear Bill,

I am pleased to hear that you have received a great deal of public support for your efforts in this area. I am not sure what we can do to help you, but I will do what I can.

Sincerely,

[Signature]

Letter 88 - Bill Wichers, Wyoming Game and Fish Department, Page 5

June 11, 1988
Bill B. Wichers
Wyo. Game and Fish
861 Capitol Ave.
Cheyenne, WY 82002

Dear Bill,

I am pleased to hear that you have received a great deal of public support for your efforts in this area. I am not sure what we can do to help you, but I will do what I can.

Sincerely,

[Signature]
Comment Response 6 - Compressors are considered motorized and would be muffled and maintained to reduce noise levels.

Comment Response 7 - DEIS Section 2.6.13.9, Item 13, is designed to protect probable sage grouse nesting areas. Leks are protected under Item 12 in the same section, which states, "Operators would not conduct surface-disturbing activities within 0.25 mi of active sage grouse leks." This is essentially a "no surface occupancy" within 0.25 mi of leks at all times, unless a suitable plan is agreed to by the BLM. No construction or drilling would be authorized by the BLM within 0.25 mi of lek centers at any time, regardless of habitat. In addition, leks would be surveyed to determine activities and associated noise may be affecting lek attendance.

Comment Response 8 - Thank you for pointing out the possibility of mountain plover nesting on well pads constructed prior to the plover nesting season, but not being utilized for project activities unless plover nesting is underway. To prevent damage to nests that may be built on such locations, additional mitigations for mountain plover have been included in this FEIS (see Sections 2.6.13.9, 4.2.5.5, D.2.2.2, D.2.3.2.3, E.4.1, and E.5.2.6.3).

Comment Response 9 - Some wildlife habitat will be lost both in the short-term and for the LOP as a result of oil and gas development, and some of this habitat is crucial habitat. There is no attempt to hide this fact in the DEIS. Such losses are not permanent, unless the mitigation does not work, after which reclamation and natural processes are likely to return habitats to their previous status. Multiple use... that some resources must make some sacrifices so that other users are accommodated. Operators would be required to accommodate wildlife needs, and in return some impacts to wildlife would occur, most of which we believe would be insignificant. Timely reclamation would result in habitat replacement within a few years (grasses and forbs) or, with shrubs, over a more extended period of time (up to 30 years). In addition, under Alternatives A and B some existing disturbance would likely be reduced.

Comment Response 10 - BLM anticipates noise levels to be less than 60 dBA at all times and will require muffling to reduce noise levels. DEIS Section 4.1.8.5 gives the BLM the option to require further mitigation for noise on a case-by-case basis. See also Comment Responses 1 and 4, above.

Comment Response 11 - The BLM does not agree that the project-specific loss of big game habitat would be significant. We do not agree that the project would negate WGFD's ability to achieve population objectives for the respective antelope, mule deer, or elk herds. See also Comment Response 5, above.

Comment Response 12 - As mentioned in Comment Response 1 above, sage grouse are designated a SRA. Also, additional measures may be applied during wildlife monitoring if survey results indicate that they are necessary to provide further protection of sage grouse nesting areas. While we were unable to locate the reference Lyon and Anderson (1999) (discussions with the author, Dr. Dr. Lyon, and Anderson, indicated no such report existed), we have reviewed the report by Lyon and Anderson (1998) and do not find evidence indicating "excessive" or "significant" impacts to sage grouse habitat, although we do not rule out the possibility that additional years of study may reach that conclusion. However, based on your comments and those of others, the BLM has modified the impact assessment in these FEIS to indicate that significant impacts to sage grouse could occur.

Comment Response 13 - As previously mentioned, sage grouse leks and probable nesting areas are now included as SRAs. Also, all mitigation pertaining to sage grouse leks will not be disregarded as "inactive" due to drainage of federal gas reserves—only the unreclaimed disturbance limits would be temporarily suspended. The test has been modified in this FEIS to better explain this exception. See also Comment Response 2, above.

Comment Response 14 - Comment noted; however, the fenceline question is privately owned and not under the jurisdiction of the BLM.

Comment Response 15 - Comment noted, and the text in Section 3.2.2.1 has been modified in this FEIS to reflect the impacts of fences to mule deer, especially fawns.

Comment Response 16 - We have changed "not suitable elk habitat" to "unoccupied" in the text of this FEIS.

Comment Response 17 - The displacement of elk from roads depends upon a number of factors, including the timing, amount, and type of traffic and surrounding topography (which may mitigate traffic impacts by limiting the field of vision). In addition, development may not occur in elk habitat to the same degree that it occurs elsewhere. Additional mitigation has been mentioned in DEIS Section 4.2.3.1.

Comment Response 18 - Comment noted, and changes have been made to Section 3.2.2.1 in this FEIS.

Comment Response 19 - The BLM does not believe that crucial habitat is in the proposed populations. We realize that two very important factors regulating big game herds are weather and hunting regulations. Not only can severe cold and snow affect migration periods and other extreme or unusual climatic conditions. Hunting may also affect populations, especially if a liberal harvest is followed by a severe winter, which is course impossible to predict.

The BLM assumes that the WGFD will continue its monitoring program of big game herds. Monitoring big game herds is difficult enough, but assessing the reason for year-to-year population changes is virtually impossible in the short-term. However, if there is reasonable evidence indicating that oil and gas development may be having a serious impact on big game populations, the BLM would consider additional mitigations to remedy the situation.

Comment Response 20 - We have updated the sage grouse lek information in this FEIS based on information supplied by WGFD.

Comment Response 21 - The BLM agrees and the DEIS indicates that the buffer around each lek be considered sage grouse nesting habitat, and as stated previously, we have included these areas as SRAs (see Comment Response 1, above). The OUI buffer around leks is considered optimal breeding (not nesting) habitat. We also concur that some nesting occurs outside of the 0.2-mi radius; however, the 0.2-mi radius is generally accepted to be the breeding area, and that is why we have used it in this document. The text has been modified to reflect this change.

Comment Response 22 - We have added the Corral lek to Map 3.13 in this FEIS. The BLM does have a record of the lek in the NE quarter of T28N, R29W.

Comment Response 23 - White-faced ibis have been added to the text and to Table D-2.4 and deleted from Table D-2.5 in this FEIS.

Comment Response 24 - Comment noted.

Comment Response 25 - It is anticipated that some compression will always be necessary. Compressor stations would be equipped with appropriate equipment to muffle noise (see Comment Response 6, above). If monitoring indicates that significant impacts to sage grouse are occurring during surturing additional mitigations may be required.

Comment Response 26 - Sage grouse leks and a 2-mi buffer have been added to SRAs.

Comment Response 27 - Please refer to Comment Response 26, above.

Comment Response 28 - DEIS Table 4.10 discloses an estimated project-specific $34-acre (0.2%) LOP reduction in crucial winter/yellow range, the Red Desert antelope herd and an initial disturbance of 1,032 acres (0.6%) of such range. The BLM does not consider such a change a significant impact. The 5.2% reduction in such habitat includes existing disturbance and potential future disturbance within the CGCAA, which is not project-related. In the cumulative impacts section for big game, this 5.2% reduction in crucial winter/yellow range antelope habitat for the Red Desert antelope herd, if it occurred, would mean a reduction in the population objective from 15,000 to 14,250, which may not be measurable changes given predictions of current population estimation techniques. A 5% reduction in a harvest of 750 animals would result in a harvest of 712 animals. The BLM did consider the 5% reduction in crucial winter range a potentially significant cumulative impact.

Comment Response 29 - The BLM concurs that the loss of sagebrush vegetation continues for 25-30 years until sagebrush returns to its original condition. While sagebrush habitat would be lost to varying degrees during this time, other vegetation-grasses and forbs—would be more abundant.

Although grasses and forbs are not a substitute for sagebrush, they would provide additional forage for some wildlife species. Final EA, see Refer to the Record of Decision (part A of Appendix A) which does provide for quantifiable reforestation objectives.

Comment Response 30 - Because the DEIS presents only the estimated potential displacement distances from all potentially impacted species that BLM believes that habitat type descriptions for each referenced study are unnecessary. All references are fully cited in DEIS Chapter 6.0.

Comment Response 31 - Absolute numerical changes in populations of nongame and small mammals are obviously ignored if they are considered, since no more than 3.2% of any habitat type would be disturbed by the proposed project, the BLM believes it logical to reach the conclusion that impacts to these species would not be significant.

Comment Response 32 - Swift fox have been identified as potentially occurring in the CDWI/PA (see DEIS Section 3.2.3 after plans of the species are identified in DEIS Sections 4.2.5.5, D.2.3.2.5, and E.5.1.7.2).

Comment Response 33 - Please refer to Comment Response 28, above.

Comment Response 34 - The ROD for the CDWI/PA will include those mitigation measures that the BLM deems appropriate, taking into consideration comments from the WGFD and others. Only the Operator-committed mitigation measures and project actions mentioned in the DEIS were considered to be significant. Therefore, we are not in a position to make impact determinations. Only the applicant-committed practices were assumed to be in place. Additional traffic management measures will be applied only if the BLM determines them to be necessary and justifiable to prevent unnecessary and undue degradation.

Comment Response 35 - The determination of significance due to cumulative impacts does not disagree with the determination of no significance for project-related activities. Please refer to Comment Response 28, above.

Comment Response 36 - While no power lines are proposed for the project, approximate mitigation for sage grouse is provided in DEIS Section D-2.3.3 (0.6-mi avoidance area).

Comment Response 37 - The BLM agrees that existing stipulations are probably not always adequate to protect all nesting sage grouse; however, we believe that at present they are probably adequate to protect sage grouse nesting populations. We do not agree that the recent study (Lyon and Anderson 1999) addressed all factors. Due to the above, anything conclusively, since there is relatively little data on which to base sweeping conclusions. Please also refer to Comment Response 7, above.

Comment Response 38 - Please refer to Comment Response 7, above. 17. Adult elk would be lost to varying degrees during this time, other vegetation-grasses and forbs—would be more abundant.
Comment Response 39 - It is assumed that development on private lands would occur regardless of the BLM’s decision on the proposed project (see DEIS Section 2.4). The BLM concurs and the DEIS indicates that where applicant-committed measures are not applied on non-federal lands, impacts could be significant (see DEIS Chapter 4.0, page 4-1, paragraph 1).

Comment Response 40 - Please refer to Comment Response 22, above.

Comment Response 41 - Please refer to Comment Response 8, above.

Comment Response 42 - Comment noted. The BLM may require the wildlife plan to continue beyond the 21-year period depending upon plan effectiveness as determined during annual reviews.

Comment Response 43 - Please refer to Comment Response 37, above.

Comment Response 44 - Please refer to Comment Response 37, above. Sage grouse lek surveys would be conducted as specified in DEIS Section D-2.2.3.

Comment Response 45 - The Operator obligation of no more than $3,000 per year is an applicant-committed practice, not a decision made by the BLM. Additional Operator-provided monies would be provided for aircraft costs, and further monies may be required in the future based on impacts observed during monitoring and associated mitigation responses. Prior to the receipt of Operator financial commitments, the Cooperative Agreement for Wildlife Protection Plan implementation would be finalized by participants.

Comment Response 46 - Please refer to Comment Response 8, above.

Comment Response 47 - Please refer to Comment Response 23, above.

Comment Response 48 - BLM personnel are prohibited from flying in fixed-wing aircraft below 500 ft. Furthermore, BLM personnel are aware of the problems associated with sage grouse flushing distances from helicopters; however, new leks have been successfully located by the BLM using helicopter surveys. No text changes have been made.

Comment Response 50 - Please refer to Comment Response 22, above.

Comment Response 51 - Please refer to Comment Response 7, above.

Comment Response 52 - Your comment regarding the use of tall stands of big sagebrush for nesting by loggerhead shrike is noted.

Comment Response 53 - Comment noted. Tall stands of big sagebrush would be included in surveys for loggerhead shrike.

Comment Response 54 - Please refer to Comment Response 8, above.

Comment Response 55 - The monitoring program is just that—a monitoring program, not a scientific study that proposes to detect annual changes in populations. It can at best determine possible long-term trends in wildlife populations. However, observations made during monitoring may lead to more detailed studies of some populations, but such studies are not identified at this time (see DEIS Tables D-2.2). You are correct in assuming that no rigid statistical methods are being proposed in the current studies. Scientific studies, if deemed appropriate by the BLM, would be developed in cooperation with all participating parties.

The BLM is committed to implementing its responsibilities in this monitoring program. We understand that WGFJD may not be able to participate at the level originally contemplated due to prior commitments. The BLM agrees with WGFJD as to the importance of this monitoring program and the role it would play in responding to potentially adverse effects to wildlife.

Comment Response 56 - The BLM has obtained a copy of Sage Grouse Methodology Committee Report on Sage Grouse Management Practices and will consider their recommendations when finalizing the survey techniques to be used in monitoring studies for the CD/WIIPA. The BLM anticipates that modifications to the wildlife plan would occur over time, and if appropriate, sage grouse monitoring protocol may be modified to more closely match those adopted by the Western States Sage Grouse Technical Committee.

Comment Response 57 - Please refer to Comment Response 55, above. The BLM would like to meet with WGFJD to acquire their input on future monitoring/scientific studies in the CD/WIIPA. It is quite possible that additional studies would be required based on monitoring results and that Operators would be required to adhere to additional measures to protect wildlife resources based on such monitoring. While not anticipated, existing operations and leases could be modified with Operator concurrence regarding proposed changes. Furthermore, future leases and operations may include additional mitigation measures, and the results of CD/WIIPA studies may lead to additional restrictions to Operators at other locations, as well as to lease stipulations in other areas.

Comment Response 58 - Comment noted.
7.2.91.2 Letter 91 Comment Response

Comment Response: Entire Letter - Thank you for taking the time to review the DEIS and for providing your comments. The BLM considers all comments during preparation of an EIS.

Comment Response 1 - Please see FEIS Section 7.2.79.2, Comment Response 12.

Comment Response 2 - Please see Comment Response 8, below.

Comment Response 3 - Please see FEIS Section 7.2.79.2, Comment Response 4.

Comment Response 4 - Please see Comment Response 27, below.

Comment Response 5 - As described in FEIS Section 7.2.79.2, Comment Response 10, in a few instances, based on unforeseen circumstances after the Final Protocol was issued (on September 28, 1998), the BLM modified the air quality impact assessment procedures. These changes are described in the Revised Air Quality Impact Assessment Technical Support Document (BLM 1999d) and were discussed at a preliminary results presentation for the BLM’s Wyoming State Director (held February 16, 1999). While holding additional advisory stakeholder team meetings between September 8, 1998, and February 16, 1999, it was determined that additional stakeholder team members concerned, the BLM determined that additional meetings were not necessary to complete its air quality impact assessment obligations under NEPA.

Comment Response 6 - Please see Comment Response 8, below.

Comment Response 7 - Please see FEIS Section 7.2.79.2, Comment Response 12.

Comment Response 8 - The FEIS text (Section 3.1.2, Air Quality and Table 3.6) and the Revised Air Quality Impact Assessment Technical Support Document text (Volume 1 - Tables 5.1, 5.6 and 5.13) have been revised to clarify the new ozone standard.

Comment Response 9 - The FEIS text (Section 4.1.1, Proposed Action and 4.1.6 Cumulative Impacts) and the Revised Air Quality Impact Assessment Technical Support Document text (Executive Summary and 1.0 Introduction) have been revised as recommended.

Comment Response 10 - The FEIS text (Section 4.1.1.5 (monitoring)) has been revised to determinate that most of the proposed NOx emission sources would not be included in the existing tracking agreement and that either a mutually acceptable revision or a separate agreement would be required to include those proposed emission sources.

Comment Response 11 - Since the Air Quality Impact Assessment analyzed potential visibility impacts at both FEIS Class I and Class II sensitive areas, and the DEIS (Page 4-20) clearly stated "there is no applicable state or federal regulatory visibility standard," the FEIS text has not been revised. However, both the FEIS text and the Revised Air Quality Impact Assessment Technical Support Document text have been revised to clarify the status of the Savage Run Wilderness Area. Please also see Comment Response 32 below and FEIS Section 7.2.79.2, Comment Response 12.

Comment Response 12 - The USFS has requested that all NEPA analyses be compared to their "% of a just noticeable change" 0.5 degree Limit of Acceptable Change.

Comment Response 13 - The FEIS text (Section 4.1.6.2 (monitoring)) has been revised to clarify that a reduction of NOx emissions from existing sources in southwestern Wyoming is anticipated, primarily due to the installation of additional control devices on the Naughton coal-fired electrical generation facility.

Comment Response 14 - The FEIS text (Section 4.1.6.2 Cumulative Impacts) has been revised to indicate SWWyTFA is developing a secondary organic aerosol model, but it is not currently available for use.

Comment Response 15 - Please see Comment Response 9, above.

Comment Response 16 - Please see Comment Response 9, above.

Comment Response 17 - Please see FEIS Section 7.2.79.2, Comment Response 12.

Comment Response 18 - Please see Comment Response 12, above.

Comment Response 19 - Please see FEIS Section 7.2.79.2, Comment Response 12.

Comment Response 20 - Please see FEIS Section 7.2.79.2, Comment Response 12.

Comment Response 21 - Please see Comment Response 9, above.

Comment Response 22 - The Revised Air Quality Impact Assessment Technical Support Document text (Volume 1 - 2.5 Emissions Inventory - Cumulative Emissions Sources) has been revised as recommended.

Comment Response 23 - Please see Comment Response 8, above.

Comment Response 24 - As clearly described in the Air Quality Impact Assessment Technical Support Document text (Volume 1 - 5.1.4 HAP Impacts), Short-term concentrations were modeled at receptors spaced within 100 m of the well sites and compressor station permit boundary, which represents the closest location any individual would be for an entire 8-hour period. The shorter-term concentration at the nearest residence is 4,000 m away from the gas plant and compressor facility, and 300 meters from the nearest well. In addition, Figures 5.3 through 5.6 have been added to the Revised Air Quality Impact Assessment Technical Support Document text (Volume 1 - 5.1.4 HAP Impacts) to show the HAPs modeling grid borders.

Comment Response 25 - The Revised Air Quality Impact Assessment Technical Support Document text (Volume 1 - Appendix D1) has been revised as recommended.

Comment Response 26 - Please see FEIS Section 7.2.79.2, Comment Response 12.

Comment Response 27 - The overlap of the CALPUFF modeling domain and the use of the same modeling techniques in both studies was very clearly and openly discussed at the protocol meeting with WDEQ-AQD's full knowledge and participation. In addition, the WDEQ-AQD gave the BLM written permission to release the MM5 data produced under the SWWyTFA study (Golen 1998). Given the location and nature of both modeling studies, it is not surprising that some of the same information was used in both studies. However, no proprietary SWWyTFA information was used in the CD/WIIPA air quality impact analysis.

Comment Response 28 - As clearly described in the Air Quality Impact Assessment Technical Support Document text (Volume II - 2.0 Emissions Inventory), "the source inventory has been divided into five source groups for the far-field modeling." Source Group 2 and Group 4 were not modeled together. Each source group was modeled separately using five CALPUFF runs. The partial plume path terrain Adjacency Factor allows source plumes to be emitted at one terrain elevation yet impact receptors at another terrain elevation. Following the completion of the CALPUFF modeling, the five source group concentration files were combined (cumulative impacts) at each receptor using Earth Tech's post-processing software. To determine contributions from each of the source groups, six separate CALPOST runs were made (one for each source group and the combined total cumulative analysis).

Comment Response 29 - Please see Comment Response 27, above.

Comment Response 30 - Method 1 is the original, Phase 1 IQAM methodology. It has been replaced by method 2.

Method 2 uses the mean of the 20% cleanest seasonal visibility conditions (extinction values reconstructed from two IMPROVE 24-hour fine particulate mass concentration samples per week), which were assumed to occur on every day during an entire season (a conservative assumption in predicting the frequency of visibility impacts). This method therefore inherently separates the meteorological conditions which occurred during the "cleanest" background, and those conditions applied in the modeling analysis. Unlike the IQAM protocol, the analysis performed for this EIS limited observed relative humidity levels to 90% (e.g., 91-99% values were set to 90%).

Method 3 is the same as method 2, except predicted impacts are eliminated whenever the relative humidity (RH) exceeds the maximum allowed (RHMAX), rather than capping the RH at RHMAX, as in method 2.
The example result displayed in Figure 1 of the Air Quality Impact Assessment Technical Support Document (Volume II - Appendix B: Source Aggregation Method, page B-5) illustrates how the binning influences the aggregation. The final aggregated sources appear organized in lines that are parallel to the line of receptors. Those lines nearer the receptors have a shorter distance between them. The aggregated sources that are far from the receptors. This is due to the smaller bin thickness used for sources that lie nearer the receptors.

The original source plume characteristics can be verified with the aggregated sources control file. The point sources combined in this application have identical stack parameters. These are passed on to the CALPUFF control file with one modification: the emission rate is the sum of the emission rate from each of the sources included in the aggregated source. In addition, an initial sigma-y is used to characterize the lateral size of the emitted puff. Therefore, the control file documents the stack parameters that are used and these can be verified against the original source parameters.

No priority sequence is used to determine acceptable pairing of any given sources. As stated above, the sources that are candidates for aggregation have identical stack parameters in this application, so the issue of similar stack parameters (Rn and f) does not arise. Therefore, the process of pairing sources into aggregates involves two primary procedures. In the first, sources are placed into bins based on the distance to the nearest receptor. Sources are not paired across bins. In the second procedure, sources are paired in successive passes based on the distance between the pair. As aggregates are produced, the distance between them typically increases so that the distance criterion is eventually reached for an aggregated source and it becomes one of the final source aggregates.

The parameters Rn and f define the bin boundaries, where the distance is the nearest to the receptor. The thickness of a bin increases with the distance to the nearest receptor. This bin thickness is used to set the distance criterion for pairing. As described in the Air Quality Impact Assessment Technical Support Document (Volume II - Appendix B: Source Aggregation Method, page B-2), sources within a bin may be paired only if the distance between them does not exceed 0.71 times the bin thickness.

Method 4 compares the emission rates from the emitted source to those of the remaining sources placed at its final position and gives an initial sigma-y that is equal to the square root of the final variance. In this analysis, all sources that are aggregated have identical stack parameters (excluding location), so issues related to the selection of effective temperature, diameter, height, etc., do not arise.

Regarding limiting sigma-y values to 4 km, the intent of the aggregation process is to replace many point sources with fewer point sources in such a way that distant impacts (concentrations) remain at acceptable levels. Once a reasonable limit is chosen, the number of point sources overlap significantly, perturbations in source locations have a reduced influence on the total concentration field, and fewer sources with proportionally larger emission rates and greater separation distances can be used (other source characteristics being equivalent). The initial sigma-y given these aggregation sources should reflect the scale over which the sources have been combined, rather than the size of the modeling grid cell, so a cap of 4 km (grid cell) would not be appropriate. There is no such cap on the growth of sigma-y within CALPUFF.

By using an aggregated point source rather than grid-cell sized area sources, the treatment of the plume rise is explicitly retained. If an area source were used, the final rise and initial sigma-y could not be replicated. Also, the area source algorithm is designed to address the near-field concentration due to a distributed source. In the far-field, such details are moot, and an equivalent point source may be used.

The original source plume characteristics can be verified with the aggregated sources control file. The point sources combined in this application have identical stack parameters. These are passed on to the CALPUFF control file with one modification: the emission rate is the sum of the emission rate from each of the sources included in the aggregated source. In addition, an initial sigma-y is used to characterize the lateral size of the emitted puff. Therefore, the control file documents the stack parameters that are used and these can be verified against the original source parameters.

No priority sequence is used to determine acceptable pairing of any given sources. As stated above, the sources that are candidates for aggregation have identical stack parameters in this application, so the issue of similar stack parameters (Rn and f) does not arise. Therefore, the process of pairing sources into aggregates involves two primary procedures. In the first, sources are placed into bins based on the distance to the nearest receptor. Sources are not paired across bins. In the second procedure, sources are paired in successive passes based on the distance between the pair. As aggregates are produced, the distance between them typically increases so that the distance criterion is eventually reached for an aggregated source and it becomes one of the final source aggregates.

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The result displayed in Figure 1 of the Air Quality Impact Assessment Technical Support Document (Volume II - Appendix B: Source Aggregation Method, page B-5) illustrates how the binning influences the aggregation. The final aggregated sources appear organized in lines that are parallel to the line of receptors. Those lines nearer the receptors have a shorter distance between them. The aggregated sources that are far from the receptors. This is due to the smaller bin thickness used for sources that lie nearer the receptors.

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The BLM believes that an adaptive environmental management program for surface water resources in the CD/WTIPA may be appropriate since it allows for adaptive management and quality or quantity monitoring program currently exists. However, the BLM believes existing surface water protection measures coupled with transportation and recreation impacts in this Feis would adequately protect these resources. Nonetheless, modifications have been made in this FEIS to allow for the potential impacts to surface water resources. If requested by the EPA, the BLM would meet to further discuss the adaptive environmental resource management for this and other future projects.

Comment Response 2 - As clearly described in the DEIS text (Section 4.1.16 Cumulative Impacts), "A conservative visibility screening level analysis indicated that proposed project operations might result in a perceptible 2 decibel visibility screening level analysis for the PSD Class I and II sensitive receptors, therefore a more refined potential visibility impact analysis was performed" and "As shown in Table 4.6, the refined visibility impact analysis for the BLM's proposed 0.5 decibel Limit of Acceptable Change, and that based on 'this more restrictive [of a 'just noticeable change' level, cumulative operations would impact on the total cumulative level on a single day at both the PSD Class I Rawah Wilderness Area (1.69 decibew) and the [federal] PSD Class II Savage Run Wilderness Area (0.69 decibew). These predicted impacts would not occur from the project sources or the 'No Action' sources alone, but from all sources combined (total cumulative sources)."

The BLM conducted the very conservative, but much simpler, visibility screening analysis (method 2) to determine if potential vulnerability impacts within several sensitive receptors was possible. If no potential impacts were predicted, the BLM's proposed method, then no further analysis was necessary. However, because the screening analysis did not preclude a potential for significant cumulative impacts on visibility, based on the BLM's 0.5-decibel Limit of Acceptable Change, and that based on 'this more restrictive [of a 'just noticeable change' level, cumulative operations would impact on the total cumulative level on a single day at both the PSD Class I Rawah Wilderness Area (1.69 decibew) and the [federal] PSD Class II Savage Run Wilderness Area (0.69 decibew). These predicted impacts would not occur from the project sources or the 'No Action' sources alone, but from all sources combined (total cumulative sources)."

The BLM provided a detailed description of both analyses methods and results in a separate Air Quality Technical Support Document (BLM 1996b) that will be available to the public upon request during the DEIS comment period.

In addition, DEIS Table 4.6 does not present 'the minimum number of days of potential (visibility) degradation.' As clearly described in the DEIS text (Section 4.1.16 Cumulative Impacts), 'In reviewing these predicted cumulative impacts, it is important to understand the 'reasonable, but conservative' assumptions made in modeling these impacts. In this analysis, there is uncertainty regarding ultimate development (i.e., number of wells, equipment to be used, specific locations). This uncertainty leads to a "reasonably foreseeable development scenario, including several conservative assumptions." After detailing the conservative assumptions, the DEIS clearly concludes 'Based on these numerous "reasonable, but conservative" analysis assumptions, which may actually compound one another, the projected impacts represent an upper estimate of potential air quality impacts which are unlikely to actually be realized.'

Comment Response 3 - The Review Air Quality Impact Assessment Technical Support Document text (volume 3, Chapter 6, Section 3.0 NO, Mitigation) has been revised to include cost effectiveness information.

Comment Response 4 - As required by NEPA (40 C.F.R. 1502.16(h)), the DEIS text clearly described "means to mitigate adverse environmental impacts," including applicant-committed mitigation, additional BLM-required mitigation, and other "mitigative opportunities" outside the jurisdiction of BLM's authority and the applicant's authority (as they have proposed and which were adopted by the agency making the decision," actual mitigation selection and implementation, and the use of "a formal Adaptive Environmental Management Plan," are not required by NEPA. Mitigation includes (including adaptive monitoring) may be included by the decision maker in the ROD to reduce potential significant adverse impacts.

Comment Response 5 - Please refer to Comment Response 1, above.

Comment Response 6 - As clearly stated in the DEIS (Executive Summary, Page vi), "Since BLM approved activities must comply with all applicable Federal laws, including air quality laws, treaties, regulations, statutes, standards, and implementation plans, significant adverse impacts to air quality are not anticipated to occur from implementation of any of the alternative actions."

Comment Response 7 - The Bridger transmissometer database includes the category "number of readings in not average in due to weather." All 24 hours in Julian day 146 were excluded due to weather. There is no code indicating exactly what the weather was during these 24 hours. Operational data was above 93% for 17 hours. Since the measured visual extinction on day 146 is not known, then the refined visibility analysis (method 4) cannot be applied.

Comment Response 8 - As clearly reported in the Air Quality Impact Assessment Technical Support Document text (Volume I -2.2 Visibility Impacts) experience with visibility monitoring throughout the year are filled by interpolation of measured extinction values for the previous valid day and the following valid day. This process was repeated for the valid day of 225 hours of data, which is the Bridger Wilderness Area to 307 (267 + 16 + 14), for Rocky Mountain National Park to 319 (276 + 14 + 24), providing nearly 94% and 87% data recovery, respectively.

In addition, Appendix E (a) - Daily Summary of Bridge Transmissometer Data indicated that approximately 0.8% (2,461 hours of the total 3,765) of the invalid hours were weather related for which no visibility impact analysis can be performed. Similarly, Appendix E (b) - Daily Summary of Rocky Mountain National Park Transmissometer Data indicated that approximately 1.7% (3,749 hours of the total 3,735) of the "invalid" hours were weather-related.
The DEIS clearly used and reported the most complete and representative background optical data available to predict potential visibility impacts from the Proposed Action and alternatives. In addition, it is just as possible for the missing 13 to 16% of the MM5 data to be used to assist in an under-estimation of potential impacts as ‘could lead to an underestimation of potential impacts.

Comment Response 10 - The concern that using MM5 and observed data could lead to “double counting” of the precipitation (and therefore overestimation of the condition) is not justified. The precipitation from MM5 was not added to the observed values. Rather, the data sets were merged in a way to give weight to the observed data in areas near the observation stations and to give weight to the MM5 data in areas where no observations were made. The MM5 data were adjusted to reflect the spatial patterns of precipitation in the PRISM (Parameter-elevation Regressions on Independent Slopes Model) data set, developed by Dr. Christopher Daly of Oregon State University (USDA-NRCS 1998).

Comment Response 11 - The CALMET simulations did include terrain effects such as slope flows (HLOPE=1) and terrain channeling (Profile number) effects (IFRAD=1). The kinematics effects option was not used (IKINE=0) in accordance with the recommended (default) model settings because this option may produce unrealistic high winds in Layer 2 when relatively small grid sizes are used. Any fine-scales simulations with IKINE=1 could potentially contain inappropriate Layer 2 winds.

Comment Response 12 - The context in which the data were used must be considered. In this project, unlike the Mount Zirkel Visibility Study, hourly MM5 predictions on a 20-km grid were available to initialize the CALMET wind fields. As indicated in the Air Quality Impact Assessment Technical Support Document (Volume II - 3.3 Meteorological Data Base), the QA/QC protocols for the secondary meteorological sites were less stringent than those required under EPA PSM monitoring guidelines (ARS 1997). There is also a question as to the siting of some of the stations, and the representativeness of the data relative to larger scale flow patterns. Although the data might be quite suitable for the purposes for which they were collected, they do not meet the requirements for modeling purposes. Rather than potentially degrade the wind fields by introducing potentially non-representative data into a relatively data-rich environment (due to the MM5 data), the secondary sites were not used.

Comment Response 13 - The general IWAQM recommended procedure is to exclude puff splitting. The puff splitting option is available to address special cases where there is evidence of important shear effects, but for the Proposed Action and alternatives, there is no reason to believe shear is important during the critical periods.

Comment Response 14 - The actual particle size distribution of the potential particulate matter emissions in reviewing data for missing operations, the particle sizes varied significantly based on the type of operation and the meteorological conditions. The use of a 10 micron diamater is significant for this reason. It is possible to model a lower range as well and to put bounds on the uncertainty of the results due to this unknown factor. However, primary particulate matter was not a significant factor in the air quality impact analysis (including critical visibility events), so this detailed further analysis is not necessary.

Comment Response 15 - Because local ammonia monitoring data are not available, the CALPUFF default value of 10 parts per billion (ppb) ammonia was used in the analysis. This value is designed as a conservative assumption, favoring the formation of secondary particulate matter and reducing risk. Assuming only 1 ppb background ammonia could limit gas to particle conversion, and understate potential visibility impacts.

Comment Response 16 - The hourly relative humidity values used in the visibility calculations were derived from the nearest MM5 grid point to the receptor. A vertical average of the surface to 200 m above the surface was used in the calculations. Although no detailed comparison of the MM5 relative humidity predictions with the measured values was done, the qualitative predictions produced by MM5 are reasonable. Given the known deficiencies of the observed data (i.e., limited or no data collected in the higher terrain areas, near-surface values, potentially missing data, etc.), the comprehensive MM5 data were determined to be appropriate. Please also see Comment Response 17, below.

Comment Response 17 - As clearly stated in the Air Quality Impact Assessment Technical Support Document text (Volume II - 4.3 Meteorological Modeling Options), the only data used to determine Fe3 has been computed as a 200-meter vertical average of the humidity predicted at the nearest MM5 grid point to the receptor. This allows for terrain effects on relative humidity to be better evaluated than if surface-based relative humidity measurements at the NWS stations were used. The NWS stations test surface conditions at lower elevations as well as the sensitive areas of interest. The 200 m vertical average is intended as a compromise between the desire for a near-surface relative humidity measurement (the observed humidity at the surface) and that for a vertical average to represent the distribution of the pollutants in the vertical sight path. Relative humidity measurements observed at the transmissometer location in the experiment have the same limitation. This text also clearly stated “In CALPOST method 2, the hydrosopic component of the background is subject to averaging from the requirements for modeling purposes. The hydrosopic humidity adjustment as the modeled primary and secondary particulate matter concentrations.” Please also see Comment Response 16, above.


Comment Response 13 - The general IWAQM recommended procedure is to exclude puff splitting. The puff splitting option is available to address special cases where there is evidence of important shear effects, but for the Proposed Action and alternatives, there is no reason to believe shear is important during the critical periods.
DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service

10 CFR Part 17


SUMMARY: The Fish and Wildlife Service (Service) is proposing to list the mountain plover (Charadrius montanus) as an endangered species pursuant to the Endangered Species Act (Act) of 1973. The mountain plover is a bird of tallgrass prairies and the plains prairie landscapes at both breeding and wintering locations in the Rocky Mountain States from Kansas south to Mexico with most breeding occurring in Montana and Colorado. Most wintering birds occur on similar grassland or semidesert habitats in California: few wintering birds occur in Arizona, Texas, and Mexico. The Service has determined that the mountain plover is a species of greatest conservation need. The current total population is estimated to be less than 500 pairs. The Service finds that mountain plovers are threatened by conversion to individual, conversion of grassland habitat, agricultural practices, and urban development. The current total population is estimated to be less than 500 pairs. The Service finds that mountain plovers are threatened by conversion to individual, conversion of grassland habitat, agricultural practices, and urban development.

Proposed action rule

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considered. The breeding season is typically from late spring to early summer, depending on the region and species. The nests are usually constructed on the ground, in a shallow depression, or on elevated platforms such as tree limbs or rocky outcrops.

However, the document also highlights the challenges posed by changes in habitat and human activities, including the loss of natural breeding sites due to development and other human-induced changes. This has led to shifts in the distribution of the species, with some populations experiencing declines in numbers.

The economic impacts of losses are significant, with the bird's presence often valued for its aesthetic and educational benefits. The document concludes by emphasizing the need for continued research and conservation efforts to ensure the long-term survival of the species.
Letter 94 - Michael F. Green, U.S. Fish and Wildlife Service, Attachment Page 11

abandon their main crop because the main crop becomes too tall to allow plows. To scan their surroundings for predictors, mountain-avoiding behaviors, however, are not necessarily tied to the spread of cultures in mountain areas. In the 19th century, for example, the Yano Indians of the Upper Colorado River Basin in Utah, who were traditionally hunter-gatherers, moved into mountainous areas to avoid competition from white settlers and to access new food sources. In the 20th century, many Native American tribes in the western United States continued to use these same mountains to overcome environmental challenges and to maintain traditional ways of life. Therefore, it is important to study the relationship between mountain-avoiding behaviors and the spread of cultures in mountain areas, taking into account the varied factors that influence these behaviors. In conclusion, mountain-avoiding behaviors are not the only way to overcome environmental challenges and to maintain traditional ways of life. Other factors, such as cultural traditions and economic incentives, also play a role in the spread of cultures in mountain areas. Therefore, it is important to study the relationship between mountain-avoiding behaviors and the spread of cultures in mountain areas, taking into account the varied factors that influence these behaviors.
...
Joseph Valley, California, to determine the expirations of certain mountain plover species. The petition for critical habitat designations
of species within the foreseeable future unless these critical habitats are destroyed or significantly altered.

Critical Habitat

Critical habitat is defined in section 3(5) of the Act as the specific areas within the geographic area occupied by a species, at which the habitat is essential to the survival and recovery of a listed species. This definition includes areas that are not occupied but are necessary for the conservation of the species. The term "conservation" as defined in section 3(2) of the Act means "in use and use of all methods and procedures necessary to bring any undersized or threatened species to the point at which the measures provided for in this Act are no longer necessary." If the habitat is protected and conserved, it can be removed from the list of endangered or threatened species.

Section 1(a)(3) of the Act, as amended and supplemented by regulations (50 CFR 424.12), requires that, in making determinations of critical habitat designation, the Secretary considers critical habitat at the time the species is threatened or endangered. Our regulations (50 CFR 424.12) provide that critical habitat is not protected when the species is not threatened or endangered. If the species is not threatened or endangered, the Secretary's designation of critical habitat is not necessary. In making such determinations, the Secretary considers the geographic area occupied by the species, and whether the area is occupied or not. The designation of critical habitat is not necessary if the area is not occupied. The area is occupied if it is necessary for the conservation of the species. The area is occupied if it is necessary for the conservation of the species.

The mountain plover's distribution and abundance are affected by habitat destruction, and the species is listed as threatened under the Act. The species is threatened by habitat loss and degradation, and the critical habitat designation is necessary to protect the species. The critical habitat designation is necessary to protect the species from further habitat loss and degradation. The critical habitat designation is necessary to protect the species from further habitat loss and degradation. The critical habitat designation is necessary to protect the species from further habitat loss and degradation.
A unique measure of agreement is...
underestimate, it merely reflects the fact that for the in-field developments proposed, the total length of roads and pipes to well locations is reduced. The BLM will not authorize unnecessary and undue disturbance as can be seen in the DEIS alternatives rejected section (DEIS Section 2.3), where an alternative calling for increased disturbance was rejected.

Comment Response 5 - No water from the Platte River system would be used for this project, and it is unlikely that the ground water obtained from southern portions of the CD/WITPA would be in connection with the surface waters of the Colorado River system. In any event, there is no potential for depletions of greater than 100 acre-ft per year (see DEIS Section 4.1.7.1). Where connection is possible (i.e., wells in the Antelope/Bitter Creek area), the USFWS would be contacted.

Comment Response 6 - SRAs are described in DEIS and FEIS Section 2.2 and include areas with stabilized sand dunes, raptor nesting concentration areas, 2.0-mi sage grous nesting buffers, cursorial species winter range areas, pigeon proposal to residences, VRM Class II areas, and areas with high densities of cultural resource sites (as reviewed in Map 2.3 in this FEIS). Increased resource protection would occur in SRAs under Alternatives A and B through surface disturbance limitations. Mitigation measures for this project designed to protect the aforementioned resources would be applied under any alternative selected. In the event that disturbance limitations are temporarily waived to protect the drainage of federal minerals, all other existing mitigation measures would remain in effect, and the BLM would require Operators to reclaim areas as soon as possible to bring the area back in compliance with the surface disturbance limitation criteria.

Comment Response 7 - Comment noted. As stated in DEIS Section 2.3, the BLM has limited control over well spacing/density and non-federal land developments.

Comment Response 8 - The disturbance acreage estimates presented in Table 2.1 are correct. Three well locations could be developed in SRAs under Alternative A if unnecessary short-term disturbance at two of the locations was adequately reclaimed prior to the initiation of development at the third location.

Comment Response 9 - Regardless of the level of development on private and state lands, the BLM cannot predict development in the RFO area. Once lands are leased, the BLM is obligated to allow development. Mitigation measures would be applied under all alternatives. At present, the BLM is uncertain about additional and reasonable potential mitigation measures. If additional measures are identified, the BLM would include these potential measures in future analyses.

Comment Response 10 - See Comment Response 6, above. Potential drainage situations are identified by the BLM Reservoir Management Group based on known well locations and assumed area of well influence. Actual drainage is determined by first calculating recoverable reserves (usually 6 months of production history) and by measuring or calculating reserve parameters.

With this information, a radial drainage circle is then calculated. If the drainage circle intersects a federal lease line, then actual drainage is occurring. This information has been added to this FEIS (see Section 1.2.8).

Comment Response 11 - Please refer to Comment Responses 6, 7, 8, 9, and 10, above.

Comment Response 12 - Disturbance acreage estimates include topsoil removal and stockpile areas. The BLM concurs that roads and associated traffic would likely have the greatest impact on area wildlife, and all measures to minimize surface disturbance from roads would be applied (see DEIS Appendix B).

Comment Response 13 - No oil pits are proposed for this project. Reserve pits and other areas containing materials potentially hazardous to wildlife would be isolated from wildlife as identified in DEIS Section 2.6.13.9, items 3 and 5. Additional protection measures (e.g., guarding of all pits) may be applied as identified in the ROD for this project.

Comment Response 14 - Please refer to Comment Response 5, above.

Comment Response 15 - The BLM has in-judged this item as a potential mitigation measure in this FEIS (see Section 4.2.3.2).

Comment Response 16 - Applicant-committed mountain plover survey protocol have been modified in this FEIS to more accurately reflect current USFWS survey methods (see FEIS Section 2.13.9). Furthermore, since applicant-committed measures are not entirely consistent with USFWS methods, the BLM has included all the relevant text of the revised USFWS survey determination protocol (see FEIS Section 4.2.5.5). Formal conferencing with the USFWS regarding impacts to mountain plover habitat has been initiated, and additional mitigation measures for protection may be applied based on conference results. Conference results will be identified in the ROD for this project.

Comment Response 17 - The text has been modified in this FEIS to reflect your comments, and the BLM does initiate informal consultation prior to permitting for all proposed ground-disturbing activities within active prairie dog towns or complexes.

Comment Response 18 - Please refer to Comment Response 5, above.

Comment Response 19 - Comment noted, and while no changes to the DEIS text have been made in Chapter 3.0, changes have been made to Appendix E.

Comment Response 20 - See Comment Response 2, above.

Comment Response 21 - Please refer to Comment Response 16, above.
Comment Response 22 - The BLM would adhere to the directives identified in the February 23, 1999, memo.

Comment Response 23 - The BLM is wholly committed to plan implementation, and a Cooperative Agreement among participating agencies and Operators is currently being developed to further specify responsibilities. The BLM appreciates USFWS's desire for involvement, and we will continue working with the USFWS on plan implementation.

Comment Response 24 - Comment noted; however, since the BLM may not be able to determine areas with ≥4 locations per section in advance of development, it is anticipated that the inventory and monitoring actions identified for these areas would not occur until after development. Nonetheless, the inventory and monitoring efforts identified for the entire CD/WIHPA would occur on these areas prior to development (see DEIS Table D-2.2).

Comment Response 25 - The BLM will involve the USFWS in discussions as to when black-footed ferret surveys should or should not be required, as deemed appropriate by BLM biologists. See also Comment Response 17, above.

Comment Response 26 - Comments noted, and some text changes have been made in this FEIS. Please be advised that if this project is authorized, the BLM will require mountain plover surveys to be conducted pursuant to USFWS protocol (see FEIS Section 4.2.3.5). See also Comment Response 16, above. Since the Wildlife Plan as currently written is an applicant-committed measure, not all of your proposed plan revisions have been made (see FEIS Section D-2.2.2.3).

Comment Response 27 - The BLM will inform the USFWS of any observations of federally listed, proposed, or candidate species made during wildlife surveys.

Comment Response 28 - Please refer to Comment Responses 24 and 26, above.

Comment Response 29 - Comment noted; however, the BLM believes the 825-ft avoidance area currently proposed is adequate, based on the flushing distances found by Call (unpublished data) in an undeveloped area of the Shoshone Hills.

Comment Response 30 - Please refer to Comment Responses 17 and 25, above.

Comment Response 31 - While it is beyond the scope of this EIS to require informal consultation with the USFWS prior to offering leases, your comment has been forwarded to the BLM State Office, and meetings to discuss this issue and others have been conducted. The USFWS will now receive for review BLM's quarterly proposed lease lists, and the USFWS will be solicited for input on all future RMP reviews. Please be assured that site-specific information on potential impacts to federally listed, proposed, and candidate species is gathered prior to development on leased lands during APD and ROW application processing, and conditions of approval would be applied to development proposals to ensure no adverse effects to listed species.

Comment Response 32 - Your comment is noted, and the text has been changed accordingly in this FEIS.

Comment Response 33 - Your comment is noted, and the table has been changed accordingly in this FEIS.

Comment Response 34 - Your comment is noted, and formal consultation with your office to address potential impacts to the black-footed ferret is being conducted. The outcome of this consultation will be presented in the ROD for this project.

Comment Response 35 - Where surveys are required, they would be conducted in accordance with the black-footed ferret survey guidelines presented in USFWS (1989). According to the guidelines, surveys would be conducted on the portions of prairie dog towns found within 0.5 mi of the proposed construction site or ROW border. The BLM is aware that surveys may be necessary in some areas of prairie dog towns that have burrow densities of less than eight per acre.

Comment Response 36 - Surveys for black-footed ferrets would be conducted prior to permit issuance, and if ferrets are found, the USFWS would be consulted to determine necessary project implementation criteria to ensure no adverse effects to ferrets. These criteria would likely involve moving proposed project locations to areas outside of prairie dog colonies. Based on lease term number 6, in the event black-footed ferrets are found and there are no suitable locations on the lease where development could occur without impacting ferret habitat, the BLM would deny surface occupancy on the lease. Changes have been made to the Biological Assessment (see FEIS Appendix E).

Comment Response 37 - Please refer to Comment Responses 17 and 25, above. Decisions on the applicability of surveys with respect to ferret survey guidelines (USFWS 1989) would be thoroughly documented; however, due to the level of effort involved in providing this information to the USFWS, coupled with the authority granted BLM under our current MOU with the USFWS, the BLM believes it is unnecessary to provide the USFWS with this documentation. However, if requested by the USFWS, documentation regarding survey applicability will be provided during informal consultation.

Comment Response 38 - The USFWS would be informed of all actions that could potentially affect federally listed, proposed, or candidate species or their habitats on non-federal lands accessed by proposed project features (see DEIS Table E-4.1).

Comment Response 39 - Comment noted, and appropriate text changes have been made in this FEIS.

Comment Response 40 - The BLM requested formal conferencing procedures with the USFWS to address effects on mountain plover, and the results of this conferencing will be presented in the ROD for this project.

Comment Response 41 - Please refer to specific comment responses, above.