

5.0 CONSULTATION AND COORDINATION

5.1 AGENCIES, ORGANIZATIONS, AND INDIVIDUALS CONTACTED

Numerous contacts with associated federal, state, and local agencies, and individuals have been made during the course of this assessment.

Category	Department – Issue
Federal Agencies	U.S. Department of the Interior U.S. Fish and Wildlife Service - Threatened, Endangered and Candidate Species and Raptors
State of Utah	Department of Community and Economic Development - Recreation State Historical Preservation Office - Cultural Resources Department of Natural Resources Division of Oil, Gas and Mining - Drilling Plan Division of Wildlife Resources - Wildlife Habitat and Enforcement
Carbon and Duchesne Counties	Planning and Zoning Office - County Issues
Private Parties	Montgomery Archaeological Consultants, Moab, Utah - Cultural Resources

5.2 COMMENT ANALYSIS

A total of 224 comment letters (with 350 comments) were received in response to the preliminary EA that was circulated for a 30-day public comment period. Each comment that required a response was placed in one of 15 subject categories and a response was provided. The 350 comments and their responses follow. An index to the comment letters, with the appropriate response numbers, is also included so that commentators can easily locate their comments.

Letter No.	Comments Followed by Responses (in bold)
NEPA AND GENERAL COMMENTS	
WTG02	<p>1 - Because we believe current dust abatement measures to be ineffective, we believe the proposed dust abatement measures will also be ineffective.</p> <p>1 - Dust abatement proposed by BBC in the EA area is far more intensive than has been the case in the past. Obviously, it is impossible to suppress all dust--the project area is located in a dry climate and has been experiencing a drought for several years. Carbon County has applied magnesium chloride to the road in the past, and this has proven to be successful--not to eliminate dust, but to reduce dust generation.</p>
WTG04	<p>2 - We recommend that an expanded NEPA document be prepared that would investigate an adequate range of alternatives designed to avoid impacts to riparian streams. This could be accomplished by selecting perpendicular stream crossing locations as well as consideration of horizontal boring of the pipeline under the channel to avoid stream disturbance.</p> <p>2 - Impacts to riparian areas are minimal, amounting to approximately 11.9 acres. In addition, reclamation</p>

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	is anticipated to be successful in 3-5 years.
WTG04	<p>3 - Additional NEPA documentation could consider the alternative that includes these mitigation measures combined with placing the proposed pipelines within the road bed along Nine Mile Canyon and Dry Canyon, especially when the road is near perennial streams.</p> <p>3 - The proposal to place the pipeline in the road bed was considered but eliminated from further consideration primarily due to cultural resource concerns (EA at 2.5.1).</p>
WTG04	<p>4 - The cumulative impacts of the West Tavaputs Drilling Program have not been demonstrated to be insignificant because the proposed project is likely to result in other future actions which may result in significant impacts.</p> <p>4 - No decision was made in the EA as to the significance of cumulative impacts to cultural resources because the EA is not a decision document. A determination of significance is made in the Decision Record.</p>
WTG04	<p>5 - BBC is in the process of completing its Stone Cabin Seismic Project to survey 57,000 acres in and around the West Tavaputs area. The cumulative effects of this type of full-scale development should be address in additional NEPA documentation prior to approval of the proposed action.</p> <p>5 - See response to comment 66. The cumulative impacts of the Stone Cabin Seismic Project were analyzed in the Stone Cabin EA and in this EA at 4.3.2.1 and Table 4.3.</p>
WTS02	<p>6 - Any NEPA analysis should include at least some generic statements of the societal (including economic) benefits of energy development, otherwise it would be unfairly tilted toward protection of a physical environment that will be unimportant if people cannot heat their homes, travel freely, or otherwise enjoy their quality of life.</p> <p>6 - Sections 4.2.1.13 and 4.2.3.13 of the EA acknowledge that the recovery of natural gas resources “would be a beneficial impact that would assist the U.S. in meeting the domestic demand for natural gas.” NEPA recognizes impacts which are beneficial [40 CFR 1508.8 (b)]; however, to include the need for energy development in the Purpose and Need for the project, Section 1.3, would increase the overall scope of the project, making the scope, and inevitably the range of alternatives, unreasonably broad.</p>
WTL04	<p>7 - 1.4 Conformance with BLM Land Use Plans: The bottom of paragraph #2, should read as follows: Nine Mile Canyon road through Duchesne and Carbon counties is held by these Counties as a class “B: County road, and was designated a Backcountry Byway in 1990 in recognition of the scenic values along the road.</p> <p>7 - The text has been changed to incorporate this information in section 1-4.</p>
WTL04	<p>8 - 1.6 Identification of issues: Adding into this EA that BBC procures any required permits or easements to be consistent with various federal, State, and local laws and regulations are appropriate. Carbon County will issue the needed bonds or permits as BBC requests provided that they meet our requirements.</p> <p>8 - Thank you for your comment.</p>
WTO01	<p>9 - This EA fails to accurately assess the cumulative impacts to Nine Mile Canyon and its resources. Its scope is too small to see the large picture. The agency has carefully masked the real extent of the damage.</p> <p>9 - The BLM adequately identified and analyzed the potential incremental impacts of the project when added to other past, present, and reasonably foreseeable projects in the area. The scope of this analysis, presented in Section 4.3, includes all relevant activities associated with oil and gas exploration and development, livestock management, recreation, fuel and wildlife habitat treatments, road maintenance, and logging practices occurring within, or within the vicinity of, the project area. Cumulative impacts to each affected resource identified in Section 1.6 are fully disclosed.</p>
WTO02	<p>10 - The proposed directional drilling from existing well pads is of concern because these locations have not been clearly identified (2.2). The EA indicates that the existing pads will be identified after analysis of source testing (2.2.1.2 “Directional Drilling”). The fact that “existing” pads were mentioned for directional drilling means that they already have been identified. Directional drilling seems to be restricted to the Nine Mile Canyon Unit (Figure 2.2, well marked PG 11 (small print makes the map obscure) that encompasses the Nine Mile Canyon road and likely includes locations at the same pads proposed in the previous “Seven Well” EA that was rejected in 2003. (An unconnected note under Alternative C, 2.4.5, Traffic Control, references “...16 directional wells that would be drilled” that suggests plans have included more directional drilling than has been reported).</p> <p>10 - Under the Proposed Action, up to 16 wells would be directionally drilled from existing pads or from pads identified in the Proposed Action. The pads that would be chosen for the additional drilling would be those that showed the most promise of being commercially productive--a determination that cannot be made until the vertical wells are drilled. Therefore, a determination as to what pads would be used for drilling directional wells has not been made. Nothing in the EA suggests that directional drilling would be restricted to the Nine Mile Canyon Unit or to well #PG 11. The reference in Section 2.4.5 (Alternative C) to the 16 directional wells refers to the same 16-well directional drill program described in the Proposed Action.</p>
WTO02	<p>11 - A more reasonable alternative, yet rejected by BBC, is to route the compressor stations and gas transmission pipes over the plateau to join the distribution pipe at Soldier Canyon (2.5 Alternatives Considered but Eliminated from further Analysis). Questar Gas is proposing to install its compressor station on the north side of the plateau out o the canyon, and BBC could do the same on the south side of the plateau.</p> <p>11 - It is important to note that the Proposed Action is the proponents’, not BLM’s. The range of action alternatives analyzed must realistically address the purpose and need for the project.</p>
WTO03	<p>12 - the number of round-trips by trucks, semi-truck transport vehicles, and delivery vehicles that will occur as a</p>

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	<p>direct result of this project, and the potential for impacts is uncertain, especially in light of conflicting estimate in the EA, including the following: 15,960 round-trips by heavy vehicles - 4,620 trips for each of the first two years and 6,720 trips for the 16 directional wells (EA at 2-9); For Alternative A and C, 21,470 round-trips by heavy vehicles - 6,215 trips for each of the first two years and 9,040 trips for the 16 directional wells. (EA at 2-26, 2-40); and "approximately 7,500 trips." (EA at 4-58).</p> <p>12 - The wording has been revised to clear up misunderstandings regarding traffic levels. The text in the EA at 2.2.1.14 has been revised to include: "In addition, approximately 1,440 trips would be made by water trucks during each of the first two years, and 2,240 trips in subsequent years if and when all 16 directional wells were drilled. An additional 1,200 trips would be required for pipeline construction, most of which would occur during the first two years."</p> <p>The text in the EA at 2.4.5 has been revised to include: "In addition, approximately 1,440 trips would be made by water trucks during each of the first two years, and 2,240 trips in subsequent years if and when all 16 directional wells were drilled. An additional 2,400 trips would be required for pipeline construction, most of which would occur during the first two years."</p> <p>The text in the EA at 4.3.4.11 has been revised to include: "Implementation of the WTPDP would result in approximately 8,255-8,855 round trips per year during each of the first two years of the project for drilling and completing wells, watering roads, and constructing pipelines, and an additional 11,280 trips for drilling and completing directional wells, watering roads, and constructing pipelines. The distribution of the 11,280 trips would depend upon whether directional wells were drilled and, if they were drilled, the rate of drilling. The 8,255-8,855 round trips during the first two years represent an increase of approximately 18-19% in the estimated 46,000 trips per year in the Nine Mile Canyon area."</p>
WTO03	<p>13 - There is also uncertainty regarding the impacts of the dust generated by that traffic, and uncertainty regarding BLM's form of mitigation for that traffic - dust suppression.</p> <p>13 - No definitive study has demonstrated direct damage of rock art as a result of the use of magnesium chloride as a dust suppressant. BLM has not approved the use of magnesium chloride in association with dust control on BLM roads. Please see the response to comment 1.</p>
WTO03	<p>14 - The cumulative impacts of the West Tavaputs Drilling Program are likely to be significant, especially in light of the precedent the project would set for future significant actions. The EA proposes up to 38 new wells, which would quadruple the number of active wells, as well as 31 miles of new or reconstructed pipelines, 13 miles of new roads, and 3 new compressor stations. EA at 1-4.</p> <p>14 - The proposed project would not set a precedent for determining the significance of future actions. The significance of this action, future actions, and the combination of actions is evaluated based the significance criteria provided in 40 CFR 1508.27. A rationale as to the significance of impacts resulting from the implementation of this project is provided in a Decision Record.</p>
WTO03	<p>15 - The cumulative effects of this type of full-scale development should be addressed in an EIS.</p> <p>15 - Full field development of oil and gas leases based on information yet to be gathered from the Stone Cabin 3D Seismic Exploration Project is speculative and, therefore, would not be appropriate within the scope of the cumulative impacts analysis.</p>
WTO03	<p>16 - BLM must either prepare a Supplemental EA addressing these inadequacies or prepare a full-scale EIS.</p> <p>16 - The BLM adequately identified and analyzed the potential incremental impacts of the project when added to other past, present, and reasonably foreseeable projects in the area in Section 4.3 of the EA, in addition to the analysis of the direct and indirect impacts presented in Section 4.2.</p>
WTO03	<p>17 - BLM must examine the environmental impacts of the site-specific wells proposed, and provide for alternatives, which would include alternative locations and numbers, in the proposed West Tavaputs Drilling Program EA.</p> <p>17 - Site-specific impacts at individual federal wells, pipelines, and roads have been completed and the impacts analyzed.</p>
WTO03	<p>18 - BLM has excluded a discussion of the impacts associated with the site-specific exploratory wells, even though those wells are the basis for the West Tavaputs EAs proposal for compressor stations, new/improved pipelines, and other forms of infrastructure. See EA at 2-3 to 2-12).</p> <p>18 - Chapter 2 is not the place where impacts are discussed. Impacts are discussed in Chapter 4, and the impacts from the wells, pipelines, and roads are the basis for that discussion. These well sites have been determined not to cause significant impacts and no alternative sites are required. The exception is well site 23-7 in Alternative A, which is replaced by well site PP8-33 in Alternative C.</p>
WTO03	<p>19 - The EA fails to analyze the reasonably foreseeable future actions based on the information gathered by the exploratory wells proposed in this project.</p> <p>19 - There are no reasonably foreseeable future actions based on information gathered by the wells proposed in this project because the wells have not been drilled or evaluated as to production potential.</p>
WTO06	<p>20 - BLM notes that "[t]he continuing policy of the federal government in the national interest is to foster and encourage private enterprise in the orderly and efficient development of domestic oil and gas under principles of multiple-use management." EA at 1-4. BLM makes no attempt to demonstrate that this project is an efficient method to develop oil and gas given that the productivity of the area is uncertain. By failing to demonstrate that this project is in accordance with the federal government's policy of efficient oil and gas development the public</p>

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	<p>lacks the information necessary to determine the accuracy and reasonableness of the BLM's stated purpose and need.</p> <p>20 - Section 1.2 of the EA says that "BBC proposes oil- and gas-related development activity in four exploratory units..." and the EA at 3.2 says that there are currently 27 wells within or immediately adjacent to the WTPPA, indicating a strong likelihood that the proposed wells would be successful in locating commercial reserves of natural gas. Therefore, the accuracy and reasonableness of the purpose and need for the WTPDP is justified. In addition, BLM, by national policy, determined that the most effective way to develop oil and gas on the Federal Mineral Estate is by nomination by interested parties. The lands in question have been not only leased but have had three exploratory units formed to allow the operators to explore larger areas (units) efficiently. BLM, therefore, has demonstrated that this project as the end product of that system of leasing is, currently, the most efficient method known for developing hydrocarbons on the Federal Mineral Estate.</p>
WTO06	<p>21 - BLM acknowledges that currently there is insufficient information to define the resource potential. However, BLM failed to demonstrate that the West Tavaputs Project is an efficient method to acquire knowledge on the resource potential in the area.</p> <p>21 - There are existing wells in the WTPPA that are producing commercial quantities of natural gas. The success of these wells has encouraged additional drilling to further assess the potential in the area. In addition, seismic exploration is underway to further determine the potential for natural gas production, and to further determine the most likely locations to drill so as avoid dry wells and their associated disturbance and expense. Seismic exploration and drilling are two primary ways to determine the natural gas resource potential of an area.</p>
WTO06	<p>22 - BLM has recently authorized the Stone Cabin 3D seismic survey. Information generated by this survey may assist in a more accurate delineation of the resource potential of the area. BLM should delay authorization of this drilling program until BBC has interpreted the results of its seismic survey, when it will presumably have more accurate information as to the location of subsurface deposits. Such a delay would ultimately result in a more efficient and effective development.</p> <p>22 - 3D seismic is used so that geologists and geophysicists, with the aid of computers, can determine what and where formations of interest occur in the subsurface. Once they have determined this, petroleum engineers analyze this data for source and reservoir rocks and make a determination as to the best places to drill, assuming that there are areas showing promise of containing hydrocarbons. However, to determine if the geophysical data is accurate, drilling and coring are needed to validate the data. The wells analyzed in this EA are necessary to validate the 3D seismic survey, and the data they generate could decrease the number of exploratory holes necessary to delineate the gas resource.</p>
WTO06	<p>23 - Assuming immediate authorization, BLM failed to demonstrate that proposed wells are located where they will best meet the need of developing oil and gas resources in an efficient manner.</p> <p>23 - Please see the response to comment 22.</p>
WTO06	<p>24 - BLM failed to demonstrate that drilling 38 wells best meets the purpose and need for the project. A lesser number of wells following the assessment of soon to be available information of the resource potential could achieve the same purpose and need.</p> <p>24 - The number of wells to be drilled was proposed by the lease holder, who has the right under a lease to recover the oil and gas resources therein so long as unnecessary and undue degradation does not occur. The lease holder is in the best position to determine the number of wells necessary to accomplish this, and is not interested in proposing more wells than necessary to accomplish this goal because of the cost of drilling, completing, and producing a well. Information furnished by the seismic exploration will certainly assist in determining the potential of the WTPPA and reduce the likelihood of a dry hole.</p>
WTO06	<p>25 - BLM Failed to Consider a Reasonable Range of Alternatives.</p> <p>25 - The range of alternatives is adequate. Alternative C provides optional courses of action that involve "unresolved conflicts concerning alternative uses of available resources" (40 CFR 1507.2(d)) which, in the case of this EA, involves well site 27-3 and the pipelines in Nine Mile Canyon and Dry Canyon.</p>
WTO06	<p>26 - BLM's full analysis of only three alternatives with Alternative C only slightly modifying the proposed action violates BLM's duty under NEPA to seek out and consider a full range of reasonable alternatives.</p> <p>26 - Please see the response to comment 25.</p>
WTO06	<p>27 - BLM should seek out, consider, and analyze alternative drilling scenarios with reduced well numbers, alternative well locations, and distinct pipeline scenarios.</p> <p>27 - BLM reviewed the applicant's Proposed Action and developed alternatives for aspects of the Proposed Action that appeared to have unnecessary environmental impacts. BLM did provide an alternative that moved the location of one well and a major pipeline, and examined but dismissed from detailed analysis several other alternatives. Additional alternatives were deemed unnecessary. Also, please see comment response 24.</p>
WTO06	<p>28 - BLM failed to justify the elimination of an alternative requiring that pipelines be buried beneath roads in Dry Canyon and Nine Mile Canyon. BLM's rationale that such an alternative would require blasting of bedrock, additional impacts to cultural resources, and road closures is unsupported. Additional costs associated with the</p>

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	<p>blasting of bedrock do not warrant elimination of the alternative. Impacts to cultural resources could be mitigated through surveys and avoidance measures. And, public use of Nine Mile Canyon is substantially interrupted by the analyzed alternatives. This alternative is reasonable and should be fully analyzed.</p> <p>28 - Please see the response to comment 75.</p>
WTO06	<p>29 - BLM must consider alternatives more consistent with the Price MFP. For example, BLM should develop an additional alternative that does not violate the land use plan's mandates regarding visual resources, floodplains, and wetlands.</p> <p>29 - Alternatives in the EA do not violate the Price River MFP with regard to visual resources, floodplains, or wetlands except where stated in the EA. All reasonable mitigation measures to reduce or avoid impacts to these resources are included in the EA.</p>
WTO06	<p>30 - BLM should have considered an alternative that incorporates the use of more private land to meet the stated purpose and need.</p> <p>30 - The lessee has the right to drill on their leasehold subject to the terms and conditions of the respective leases. However, if any actions occurring on private lands are connected to a federal action they would be analyzed in a NEPA document and recommendations made accordingly.</p>
WTO06	<p>31 - BLM should have considered an alternative that incorporates the use of more private land to meet the stated purpose and need.</p> <p>31 - BLM has no jurisdiction or authority over private lands. In addition, please see the response to comment 95.</p>
WTO06	<p>32 - Although BLM admits that the proposed action and Alternative C fail to conform to the applicable land use plans, BLM never takes a hard look at the consequences on nonconformance.</p> <p>32 - Direct, indirect and cumulative impacts are disclosed, including impacts that would violate planning thresholds.</p>
WTO06	<p>33 - BLM is inconsistent when it notes that "the WTPDP would result in approximately 7,500 trips," which contradicts the 15,960 round trips predicted at page 2-9. EA at 2-9, 4-19, 4-42. BLM must resolve this inconsistency and examine the impact of the anticipated 15,960 round trips on recreational opportunities.</p> <p>33 - The text in section 4.2.1.11 that you refer to has been revised to read as follows: "Implementation of the Proposed Action would result in approximately 8,255 round trips per year during each of the first two years of the project for drilling and completing wells, watering roads, and constructing pipelines, and an additional 11,280 trips for drilling and completing directional wells, watering roads, and constructing pipelines. The distribution of the 11,280 trips would depend upon whether directional wells were drilled and, if they were drilled, the rate of drilling. The 8,255 round trips during the first two years represent an increase of approximately 18% in the estimated 46,000 trips per year in the Nine Mile Canyon area."</p> <p>The text in section 4.2.3.11 that you refer to has been revised to read as follows: "Implementation of the WTPDP would result in approximately 8,855 round trips per year during each of the first two years of the project for drilling and completing wells, watering roads, and constructing pipelines, and an additional 11,280 trips for drilling and completing directional wells, watering roads, and constructing pipelines. The distribution of the 11,280 trips would depend upon whether directional wells were drilled and, if they were drilled, the rate of drilling. The 8,855 round trips during the first two years represent an increase of approximately 19% in the estimated 46,000 trips per year in the Nine Mile Canyon area."</p> <p>The text in section 4.3.4.11 that you refer to has been revised to read as follows: "Implementation of the WTPDP would result in approximately 8,255-8,855 round trips per year during each of the first two years of the project for drilling and completing wells, watering roads, and constructing pipelines, and an additional 11,280 trips for drilling and completing directional wells, watering roads, and constructing pipelines. The distribution of the 11,280 trips would depend upon whether directional wells were drilled and, if they were drilled, the rate of drilling. The 8,255-8,855 round trips during the first two years represent an increase of approximately 18-19% in the estimated 46,000 trips per year in the Nine Mile Canyon area."</p> <p>The impacts of this travel have been analyzed in the EA.</p>
WTO06	<p>34 - The cumulative impact analysis lacks requisite information on the impacts of grazing, "wildlife habitat improvement projects," fire, roads, other oil and gas developments, off-road vehicles, and drought.</p> <p>34 - Please see the response to comment 9.</p>
WTO06	<p>35 - BLM must provide more context for its conclusion that "all past, present and reasonably foreseeable projects is less than 5 percent of the WTPPA." EA at 4-56. For example, does BLM consider off road vehicle use a project?</p> <p>35 - The context for the conclusion that "The anticipated disturbance in the WTPPA from all past, present and reasonably foreseeable projects is less than 5 percent of the WTPPA" is presented in Table 4.3 of the EA. Off-road vehicle use is not considered as a project, but is considered as a past, present, and future impact (see Table 4.3); however, the extent of disturbance due to ORV use is unknown.</p>
WTO06	<p>36 - As drafted, the West Tavaputs EA failed to indicate whether BLM has conducted an independent evaluation of the information submitted by these consultants.</p> <p>36 - This EA is a BLM document and the BLM accepts full responsibility for its contents.</p>

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WTO06	<p>37 - The Nine Mile Canyon area is unique for several reasons, including, but not limited to: the number, diversity, and significance of the cultural resources; Nine Mile Creek's eligibility for designation under the Wild and Scenic Rivers Act; the recreational significance of the area as one of the most visited areas in the region; the presence of suitable habitat for endangered specie.</p> <p>37 - Noted. Thank you for your comment.</p>
WTO06	<p>38 - BLM anticipates future oil and gas development in the area. Particularly, following the results of the approved Stone Cabin seismic survey, BBC will likely develop more wells in the area. By approving this project with an EA, BLM would establish a precedent that an EA is sufficient to comply with NEPA despite the significant impacts of the actions.</p> <p>38 - Please see the response to comment 14.</p>
WTO06	<p>39 - The West Tavaputs Project requires numerous federal agency actions, including CWA Section 404 permits from the Army Corp of Engineers and consultation with the Fish and Wildlife Service. These connected actions demonstrate the significance of the proposed action.</p> <p>39 - There is no direct correlation between the number and type of permits required and the significance of a project.</p>
WTO06	<p>40 - The development activities described in the proposed project and its alternatives exceeds those anticipated and authorized by the Price MFP.</p> <p>40 - The development activities described in this EA are in compliance with the Price River RMP (EA at 1.4).</p>
WTO06	<p>41 - BLM has not undertaken this multiple use analysis previously on a site-specific level. Therefore the agency must do so before making a decision on the project. This analysis informs not only whether oil and gas development is an appropriate use of these lands, but how to manage any oil and gas development activities that may be deemed permissible.</p> <p>41 - Multiple use of the WTPPA is an important issue in this EA, and the various resources have been analyzed extensively. In addition, many applicant-committed environmental protection measures and mitigation practices have been required.</p>
WTO06	<p>42 - The agency must consider the relative values of the resources affected by the proposed project. BLM must explicitly consider the unique and irreplaceable nature of the natural, scientific, and historical values in the area.</p> <p>42 - The value of all resources has been considered in this EA, and the impacts to those resources analyzed and disclosed.</p>
WTO06	<p>43 - BLM Failed To Accurately Identify The Area Of Potential Effect.</p> <p>43 - The EA at 1.2 defines the WTPPA as the four exploratory units as well as the development of roads, pipelines, and compressor stations on lands outside unit boundaries.</p>
WTO12	<p>44 - The EA uses vague language to describe the anticipated traffic in Nine Mile Canyon. 2.2.1.3. Well Completion describes 5,510 round trips for 38 wells. 2.2.1.5 Pipelines claims 1,200 round trips for construction, but what about maintenance? 2.2.1.8 Water Sources and Water Use describe 1,440 roundtrips per year and 2,240 trips during the time any directional wells would be drilled. Under 2.2.1.14 Traffic Control, it is estimated that approximately 6,215 round trips would occur during each of the first 2 years. Does this include worker transport, compressor construction, etc.? 9,040 round trips may be added for more directional wells.</p> <p>44 - Please see the response to comment 12.</p>
WTU01	<p>45 - Alternative A appears to identify 15,960 round trips in two years of drilling (p.2-9), and an additional 5,510 round trips in two years once the wells were drilled (p. 2-11) If some of these numbers represent the same trips it is not clear in the narrative of the EA.</p> <p>45 - Please see the response to comment 12. In addition, the wording has been modified in the EA at 2.2.1.2 and 2.2.1.3.</p>
WTU01	<p>46 - Visual inspection will demonstrate that using water for dust suppression during hot, dry travel season is not effective in eliminating or even diminishing the dust plume.</p> <p>46 - Water is effective in dust suppression, and is not the only method that could be used. The EA at 2.2.1.7 discusses various alternatives to water use, although BLM believes that water is an important tool in suppressing dust on area roads.</p>
WTU02	<p>47 - ...there is a lawsuit pending seeking a comprehensive EIS for existing projects that were approved. Any further extractive industries proliferation in the District should be suspended until after those processes are completed.</p> <p>47 - Noted. Thank you for your comment.</p>
WTU02	<p>48 - The scope of assessment cannot just be the project boundaries but the entire region and ecosystem. By considering each proposal to test and drill for natural gas separately, rather than considering the cumulative impact of all the proposals taken together the picture is lost and the facts are obscured in favor of those who wish to profit at the expense of the rest of us. The result will be that all the so-called "small" projects will add up to one big disaster in the canyon. I urge the BLM to use long-term cumulative impacts to the entire region as the proper level of analysis and to include all planned and previous activity in its assessments.</p>

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	48 - Please see the response to comment 9.
WTU05	<p>49 - I find the EA fails to provide the Engineer-Prepared Plan which is referenced on Page 2-12 (2.2.1.5 road Construction). Figure 2.5 is no more than a BLM sketch of a dirt road. Only proper road design and construction will minimize airborne dust contamination.</p> <p>49 - The detailed engineering plan referred to in the EA at 2.2.1.5 is not required to be a part of the EA. The plan is available for review at the BLM Price Field Office.</p>
WTU05	<p>50 - The shallow depth of the bedrock on the Plateau should carry no validity when it comes to burying pipelines, as wheel trenchers have been used throughout the West to bury pipelines even in areas of Basalt, Navajo Sandstone and etc. If you can justify burying pipelines to avoid interference with wild horse gathers then the shallow bed rock is not an issue.</p> <p>50 - Noted. Thank you for your comment.</p>
WTU05	<p>51 - In reference to Page 2-38, 2.4.2.6 Construction management, Training, and Environmental Compliance, I question the entire section as detailed maps, construction details, environmental protection plans, and other permits and approvals are not provided in this EA? If public input is to be sanctioned, the information provided to the reviewer must be clear and concise.</p> <p>51 - Such detailed information is not required in a NEPA document. The requirements listed in the EA at 2.4.2.6 provide sufficient detail. Many of the documents mentioned are available for review at the Price Field Office.</p>
WTU05	<p>52 - In the recent past we have discussed the need of an alternate road into the field to ease the pressure on Nine Mile Canyon as well as a transmission line to get the gas to market.</p> <p>52 - Please see the response to comment 350.</p>
WTU15	<p>53 - ...it has been brought to light in the recent national media, nearly 75% of our public lands leased ARE NOT producing oil and gas. So why would we risk exploring an area - an area with unique artifacts not found anywhere else - when the odds are so low?????</p> <p>53 - There are numerous reasons why much of the leased public lands are not currently producing oil or gas. First of all, it often takes several years from lease to development because of the various permits that must be obtained prior to development. Also, lease sales do not always occur at the time a development company wants to develop the lease, so if they want the lease they have to buy it when it is available, even if they don't intend to develop it for several years. That is one reason that leases are valid for relatively long periods of time--often 10 years. There is no expectation that a lease will necessarily be developed immediately after it is issued. It may also be the case that a lease does not have access to a sales pipeline, and a developer may wait until other nearby development justifies construction of such a pipeline.</p>
WTU16	<p>54 - Comments: Table 2.3 Lease Numbers, there are a couple errors UTU-66801 is in the Jack Canyon Unit not the Peters Point Unit Section 32-T12S-R16E is the discovery well of the Jack Canyon Unit NOT in the Prickly Pear Unit and is not accessible by way of Lower Flat Iron Road but by way of Cottonwood Canyon and a dugway (it's our well and section so we know).</p> <p>54 - Table 2.3 has been corrected.</p>
WTU86	<p>55 - If Questar builds an additional compressor in Blind Canyon, that will negate at least a portion of Alternative C's improvements, and no doubt, necessitate another EA process.</p> <p>55 - The proposed Questar compressor upgrade at Blind Canyon would increase the capacity of Questar's main line. The upgrades proposed by BBC are necessary to put the gas from BBC's wells into the Questar main line.</p>
WTU156	<p>56 - I think these essential national interests are understated in Section 1.3, the Purpose and Need of the Proposed Action.</p> <p>I think Section 3.3.15 dealing with potential wilderness character of the land should be discounted. I believe the analysis of purported wilderness characteristics used by the BLM is not in keeping with the spirit of intent of the Wilderness Act. These lands are not designated for special consideration in the current land management plan and following the withdrawal of the Wilderness handbook last year they should not be given any special consideration in deciding whether this proposed activity should be permitted on these BLM-managed lands.</p> <p>56 - Noted. Thank you for your comment.</p>
WTU158	<p>57 - Based on the significant impacts, BLM should prepare an environmental impact statement prior to authorizing the West Tavaputs Drilling Project. Impacts associated with the project include the drilling of 38 wells, the construction of 7.5 miles of new roads on federal lands, the construction/replacement of 31 miles of pipeline on federal surface, and the upgrade of compressor sites in Dry, Sage Brush Flat, and Water canyons. In addition, the project will result in numerous stream crossings by roads and pipelines. In an environmental impact statement, BLM must thoroughly consider and analyze these impacts in relation to the unique character of the area, the precedent established for future actions, the controversial nature of the action, and temporal scale of the project, which is 35-50 years.</p> <p>57 - The BLM has prepared this EA to determine whether to prepare an environmental impact statement or make a determination of a Finding of No Significant Impact in accordance with NEPA (40 CFR 1508.9). The significance of this action will be evaluated based the significance criteria provided in 40 CFR 1508.27, which</p>

Letter No.	Comments Followed by Responses (in bold)
	includes consideration of the unique character of the area, any precedence for future actions, and the controversial nature of the impacts. A rationale as to the significance of impacts resulting from the implementation of this project will be provided in the Decision Record.
WTU168	<p>58 - Based on this EA documentation, I request that the BLM produce a full environmental impact statement (EIS) before approving the project. Overall, this BLM analysis is adequate to reveal the following issues: The project will be controversial. The potential affected users will extend across the nation, arguably across the world. The proposed access route is a back Country Byway with amply demonstrated scenic and cultural values. Indeed, within the document itself are descriptions like "greatest concentration of prehistoric rock art in the world."</p> <p>58 - Please see the response to comment 316.</p>
WTU168	<p>59 - If the EA has any major inadequacy, this lack of projection and failure to consider sustained benefit vs. immediate is it...</p> <p>59 - The EA strives to develop a program that will protect cultural and other resources an also provide for recovery of oil and gas resources.</p>
WTU189	<p>60 - In an environmental impact statement, BLM must thoroughly consider and analyze these impacts in relation to the unique character of the area, the precedent established for future actions, the controversial nature of the action, and temporal scale of the project, which is 35-50 years.</p> <p>60 - All of these factors were taken into consideration when preparing this EA.</p>
WTU190	<p>61 - For what happens here will set a precedent that will reign in future operations of the same type. The EIS must also consider the time scale of this project: perhaps 30 to 50 years.</p> <p>61 - Please see the response to comment 14.</p>
WTU204	<p>62 - This project fills the critical national interest of reducing our dependence on foreign energy sources by developing domestic supplies and, by increasing supply, helping restrain increasing energy costs. I think these essential national interests are understated in Section 1.3, the Purpose and Need of the Proposed Action.</p> <p>62 - The need for energy development to accommodate the national interest of reducing dependence on foreign energy sources and to help restrain increasing energy costs is beyond the scope of this project. To include such a statement in the Purpose and Need for the project, Section 1.3, would make the scope, including the range of alternatives, unreasonably broad.</p>
WTF07	<p>63 - This project fills the critical national interest of reducing our dependence on foreign energy sources by developing domestic supplies and, by increasing supply, helping restrain increasing energy costs. I think these essential national interests are understated in Section 1.3, the Purpose and Need of the Proposed Action.</p> <p>63 - Please see the response to comment 62.</p>
WTF08	<p>64 - Based on the significant impacts, BLM should prepare an environmental impact statement prior to authorizing the West Tavaputs Drilling Project. Impacts associated with the project include the drilling of 38 wells, the construction of 7.5 miles of new roads on federal lands, the construction/replacement of 31 miles of pipeline on federal surface, and the upgrade of compressor sites in Dry, Sage Brush Flat, and Water canyons. In addition, the project will result in numerous stream crossings by roads and pipelines. In an environmental impact statement, BLM must thoroughly consider and analyze these impacts in relation to the unique character of the area, the precedent established for future actions, the controversial nature of the action, and temporal scale of the project, which is 35-50 years.</p> <p>64 - Please see the response to comment 57.</p>
AIR QUALITY	
WTO02	<p>65 - Four compressors at the Dry Canyon compressor station would concentrate compressor noise and emissions from the compressor engines thereby harm local air quality more so than if the compressor stations are separated.</p> <p>65 - Siting all of the compressors at one site does concentrate both noise and compressor emissions at one location. Although the noise levels would be higher at the Dry Canyon site, they would not be four times as loud because the noise levels from more than one source are not directly additive. In addition, the compressors would be housed and muffled and the existing compressor would be housed and the stacks extended to attenuate noise levels. There would be no compressor noise at the Water Canyon or Sage Brush Flat sites, so there would be one, rather than three, areas generating noise. As far as air quality emissions are concerned, the Utah DEQ would require more stringent controls to meet air quality standards with all four compressors at one location than would be required if the facilities were separate. Overall emissions from the proposed new compressor would be less than the existing compressor which would be and are being removed (Sage Brush Flat & Water Canyon).</p>
WTO06	<p>66 - The agency failed to provide data on increases in PM₁₀ and PM_{2.5} as a result of construction activities and natural gas production. This information cannot be excluded from the EA.</p> <p>66 - The EA at 4.3.2.1 states that the control of PM₁₀ and PM_{2.5} emissions from unpaved roads in the WTPPA would reduce air emissions from existing traffic as well as project traffic. There would be a net reduction in dust generation in the Nine Mile Canyon area for the duration of the project.</p>
WTO06	<p>67 - The agency must consider and analyze the air quality effects of the application of magnesium chloride.</p> <p>67 - Magnesium chloride is not an air pollutant. Magnesium chloride is used successfully nationwide to control fugitive dust from unpaved roads. No definitive study has demonstrated direct damage of rock art</p>

Letter No.	Comments Followed by Responses (in bold)
	as a result of the use of magnesium chloride as a dust suppressant.
WTO06	<p>68 - BLM must explain how it chose 200 feet as the trigger point for "additional dust suppression" measures. These measures should be specified. Also, the agency should consider more aggressive mitigation measures to preserve air quality and reduce impacts to rock art panels.</p> <p>68 - To give a visual "rule of thumb" means of determining when dust suppression applications would be needed some definitive measure was needed, otherwise it would be left to individual proponent discretion. Because the concern is with secondary air quality standards, i.e. local visibility and safety, 200 feet seemed reasonable among BLM field personnel, who have extensive experience traveling on unsurfaced roads. Most of the unsurfaced BLM system roads are suitable for travel at 30 miles per hour, a common design speed for class III roads. Whether the dust cloud hovers for a time affects visibility on the road and is a safety concern. Without some criteria for visually determining when dust suppression should be applied there could be no consistency in road conditions or assurance that roads would remain safe for travel at all times. Prior to this "rule of thumb" criteria, there has been no standard determine when dust suppression is appropriate.</p>
WTO06	<p>69 - BLM must detail how it will monitor construction activities and natural gas production to ensure compliance with the relevant air quality standards.</p> <p>69 - The Utah Division of Air Quality may require that dispersion modeling be performed as part of the Approval Order process to demonstrate modeled compliance with ambient air quality standards. Compliance stack testing may be required upon start-up and/or on an annual basis for compressor engines or other combustion equipment; however, ambient air quality monitoring would not typically be required for industrial sources such as the compressor stations and oil and gas wells proposed in the WTPPA.</p>
WTO06	<p>70 - According to the EA, the closest available wind measurements to the project area indicate that the majority of winds blow in a southerly direction. EA at 3-3. There are three Prevention of Significant Deterioration Class I areas to the south of the project area: Arches National Park, Canyonlands National Park, and Capitol Reef National Park. Possible detrimental impacts to air quality, including visibility, in these three areas must be evaluated. This evaluation must include both the impacts of the project individually and cumulatively with other sources of ambient air pollution. The agency must show a thorough analysis of these possibilities, merely stating a finding of no effect is insufficient.</p> <p>70 - Air pollutant emissions would occur in the WTPPA during well site construction and natural gas production. Nitrogen oxides (NO_x) from natural gas combustion sources during natural gas production over the LOP would be the primary pollutant emitted in the field and would result in increased ambient concentrations of NO₂ and contributions to visibility degradation. NO_x emissions from the WTPPA could combine with emissions from other regional sources to produce cumulative air quality impacts. Cumulative air quality impacts are defined as incremental impacts from any one alternative combined with impacts from other existing or proposed air emission sources in the region, including existing sources within the WTPPA. Cumulative impacts on ambient air quality and on visibility are compared to air quality standards and thresholds established to protect ambient air quality and visibility within PSD Class I areas. The following mandatory PSD Class I areas are located within 100 miles of the WTPPA; Arches National; and Capitol Reef National Park, located 98 miles southwest of the WTPPA.</p> <p>The most recent cumulative air quality analysis completed within the Price Field Office was conducted for the Ferron EIS (Greystone 1999). NO_x was identified as the significant pollutant associated with the Ferron project and was the pollutant for which a regional emissions inventory was compiled and modeling was performed. Pollutant concentration impacts and visibility impacts (regional haze) were analyzed following Utah and federal guidance. The analysis predicted cumulative air quality impacts at Arches, Canyonlands, and Capitol Reef National Parks.</p> <p>The cumulative concentration impact analysis modeled 56,535 tons of NO_x from regional sources. Cumulative concentration impacts in all Class I areas were below the PSD Class I Increment for NO₂. The cumulative visibility impact analysis modeled 1,419 tons of NO_x from the proposed compressor engines from the Ferron Natural Gas and Price CBM Projects. Cumulative impacts to regional haze, expressed as percent change in light extinction from background conditions, were predicted. The thresholds for visibility impairment are a 5 percent change in extinction, signaling a just noticeable change for the National Park Service, and a 10 percent change in extinction, signaling a just noticeable change for the Bureau of Land Management. That analysis indicated that a reduction in visibility conditions of greater than a 10 percent change in extinction could occur in both Canyonlands (2 days per year) and Capitol Reef (11 days per year) National Parks and that no change in extinction above 10 percent would occur within Arches National Park.</p> <p>The Ferron EIS results found no significant cumulative concentration or visibility impacts within Arches National Park, the closest PSD Class I area to the WTPPA. With full development of Alternative A (the WTPPA alternative which would result in the greatest NO_x emissions increase) current field NO_x emissions would increase by 89.4 tpy, 0.2% over levels analyzed in the Ferron EIS concentration impact analysis and 6% over levels analyzed in the Ferron EIS visibility impact analysis. Considering these findings, Alternative A would not be expected to significantly contribute to adverse cumulative impacts. Alternatives B and C would result in less of an increase in NO_x emissions; therefore, cumulative impacts would be less than those discussed for Alternative A.</p>

Letter No.	Comments Followed by Responses (in bold)
WTO06	<p>71 - BLM's air quality cumulative impact analysis failed to account for future natural gas compressors.</p> <p>71 - Section 4.3.2.1 of the EA discloses impacts of all reasonably foreseeable compressor sites on air quality.</p>
WTU01	<p>72 - In addition, I could not locate in the EA any references to the impact of dust particulates from the road on the health of animals and humans in the area. There has been no baseline study of the levels of dust emissions at present.</p> <p>72 - Particulate matter is the term used for a mixture of solid particles and liquid droplets found in the air. They can be a health concern because they easily reach the deepest recesses of the lungs. Numerous scientific studies have linked particulate matter, especially fine particles (alone or in combination with other air pollutants), with a series of significant health problems. However, the proposed project has incorporated measures to mitigate potential project-related increases in particulate matter. These include the applicant-committed practices included in numerous subsections of Appendix B. Water or other dust suppressants would be applied to control fugitive dust during construction activities and on roads. Although emissions from fugitive dust would occur at increased levels in locations adjacent to well and road construction sites, potential impacts would be temporary. Dispersion modeling at similar oil and gas fields has determined that construction activities would not violate 24-hour and annual average ambient air quality standards (EA at 4.2.1.1).</p>
WTU13	<p>73 - An analysis needs to be done on potential particulate concentrations and potential health side effects.</p> <p>73 - Please see the response to comment 72.</p>
WTU14	<p>74 - P 2-40 - "(four compressors) would be located at the Dry Canyon site."</p> <p>Adding three more compressors to the Dry Canyon site would be absurd and incongruous. The fact that the land is owned by the Oil Company, BBC, and they are not required to comply with a multitude of rules, could and would lead to further degradation of both Canyons.</p> <p>Air quality would also be negatively impacted by the addition of the compressors and there support systems.</p> <p>74 - All compressors at the Dry Canyon site would be subject to the same air quality regulations as they would be if they were located on federal surface. VRM standards would not apply; however, a compressor station with four compressors presents essentially the same visual impact as a compressor station with one or two compressors.</p>
CULTURAL RESOURCES	
WTG01	<p>75 - The document places a higher priority on cultural rather than natural resources, without benefit of an alternatives analysis. The alternative that may have provided that analysis, burial in the road bed, was dismissed from consideration. We suggest that burial of the pipeline in the road bed, at least for sections where riparian resources will be impacted, is a reasonable alternative and should be analyzed.</p> <p>75 - Please refer to Section 2.5.1 of the EA for an explanation as to why pipeline burial in the Dry Canyon and Nine Mile Canyon roads was not analyzed in detail.</p>
WTG02	<p>76 - With a pending National Historic District nomination, pending land use plans, a pending lawsuit, and a pending ad hoc group; and for this proposal pending cultural resources survey reports and Traditional Cultural Properties identification, we find this Environmental Assessment to be substantially incomplete.</p> <p>76 - The Proposed Action does not conflict with the National Register nomination. The Ad Hoc committee is an active interest group that will to function beyond this proposed project. This Proposed Action is not in conflict with the pending land use plan. The final cultural resource report was sent to interested parties on June 10, 2004. No Traditional Cultural Properties have been identified by the interested Tribes with which the BLM has consulted.</p>
WTG04	<p>77 - Because the survey is incomplete, if Alternative A were approved, the decision would not reflect all potential cultural resource sites at risk. This appears to conflict with the assertions provided by BLM that "all identified cultural sites would be avoided."</p> <p>77 - If Alternative A was selected, the cultural survey would have to be completed. Because cultural sites could not be avoided, there would be impacts to cultural resources. The text at EA 4.2.1.2 was modified accordingly.</p>
WTG04	<p>78 - Additional NEPA documentation is needed to develop an alternative that would accomplish BLM's intended goal of avoiding damage to these nationally-important cultural sites by completing the necessary cultural site surveys and then avoiding impacts to these sites through changes in pipeline routes if necessary.</p> <p>78 - The EA states that all cultural sites would be avoided (EA at 4.2.1.2). The Nine Mile Canyon pipeline route in the Proposed Action was not chosen because it could not avoid cultural resource sites.</p>
WTO01	<p>79 - Presently there are processes under way that affect the future of Nine Mile canyon. These include possible designation as a National Historic District, Wild & Scenic River Status, Area of Critical Environmental Concern (ACED) designation and listing of numerous archaeological sites on the National Register of Historic Places (NRHP). Furthermore there is a lawsuit pending seeking a comprehensive EIS for existing projects that were approved. Any further extractive industries proliferation in the District should be suspended until after those processes are completed. As well, a plan to enhance the benefits to the local economy based on Heritage tourism should be developed.</p> <p>79 - The proposed National Register Nomination for Nine Mile Canyon area is being completed. The</p>

Letter No.	Comments Followed by Responses (in bold)
	National Register of Historic Places is the official federal list of properties that are significant in American history, architecture, archaeology, and engineering. The BLM believes that nominating Nine Mile Canyon to the National Register will give honorary recognition to the historic and prehistoric significance of the area. This proposed NRHP listing is compatible with the Proposed Action.
WTO01	<p>80 - The evaluation of vandalism now and in the future is flawed due to lack of a baseline measure and lack of ongoing monitoring of the cultural resources. Moreover the entire project area does not seem to have been surveyed completely. The number of sites in the area is certainly much greater than the quantity. All of the canyon drainage must be surveyed and all the sites in the canyon should be fully recorded before another management decisions can be accurately made. That is the first step in the process of good management.</p> <p>80 - Intensive Class III inventories have been completed for all areas to be disturbed by the BLM-selected alternative. The area of potential effect (APE) was defined in consultation with the State Historic Preservation Office. The archaeological surveys identified 115 new and previously recorded sites consisting of rock art, prehistoric habitations, historic and prehistoric camps, historic and prehistoric artifact scatters, homesteads, and landscape features such as brush fences and corrals. All archaeological sites in the BLM-selected alternative would be avoided.</p>
WTO01	<p>81 - It is impossible for the public to determine what the results of any consultations with Native Americans are since those findings have been withheld from the EA.</p> <p>81 - No Traditional Cultural Properties have been identified by interested Tribes through the consultation process.</p>
WTO01	<p>82 - Truck traffic and the exhaust, noise and dust it creates are an ongoing problem in the canyon and have potentially destructive effects on rock art. As well large truck traffic poses a hazard to visitors to the Canyon.</p> <p>82 - Dust abatement on the access roads will be required. There is no evidence to support the assertion that vehicle exhausts would impact rock art. Signing and speed limits have been addressed (EA at 2.2.1.14). Traffic would be controlled using roadside signs, flagmen, and barricades.</p>
WTO02	<p>83 - In addition, there is concern that this noise will impact wildlife that adds to the natural ambiance of the sites, and potentially cause vibration frequencies that would have detrimental effects on the rock art and other archaeological sites over the long term.</p> <p>83 - The Nine Mile Canyon road has been in place for over 100 years and provides primary access for private lands owners, recreational users, the oil and gas industry, the timber industry, as well as alternate access between Wellington and Myton (Hwy 40). There is no evidence that impacts would occur to archaeological sites.</p>
WTO02	<p>84 - When the proposed project in Nine Mile Canyon is finished, and BBC trucks are gone, normal traffic on the Nine Mile Canyon road will reduce mag/chloride to dust - dust that would have a high content of mag/chloride that likely would have a detrimental effect on rock art.</p> <p>84 - There is no evidence that the residual magnesium chloride would affect the rock art within the area.</p>
WTO03	<p>85 - Initiating the Section 106 process after the preparation of an EA seems contrary to the purpose and spirit of the Section 106 regulations. The purpose of the Section 106 process is to seek ways to avoid, minimize, or mitigate adverse effects on historic resources. 36 C.F.R. § 800.1(a) (emphasis added). The regulations clearly state that the agency must “ensure that the Section 106 process is initiated early in the undertaking’s planning, so that a broad range of alternatives may be considered during the planning process for undertaking” Id. § 800.1.(c).</p> <p>85 - Informal Section 106 for the proposed drilling program has been on-going since the fall of 2003. The Area of Potential Effect (APE) for each pipeline, road, and well pad and was defined in consultation with the Utah State Historic Preservation Office or by using standard dimensions that have routinely been used on a statewide basis for years. A draft summary report of the archaeological surveys was provided to the State Historic Preservation Office in March 2004.</p>
WTO03	<p>86 - The Section 106 review is likely to result in significant information about cultural resources, which is not reflected in the EA, and is also likely to result in modifications to the project and additional mitigation.</p> <p>86 - Cultural resource inventories, with exception of the pipeline in Nine Mile Canyon, were completed prior to the completion of the EA and before the start of the public comment period. A total of 115 sites were identified and all sites will be avoided by the project except the four sites disclosed at 4.2.1.2. However, these four sites would not be disturbed under Alternative C.</p>
WTO03	<p>87 - Since the EA contains very little information on cultural resources potentially affected by the project, the NEPA process in this case does not provide a meaningful or adequate opportunity for the public to comment with respect to the effects of the proposed development on historic and cultural resources.</p> <p>87 - The EA does include an extensive summary of the cultural resources in the WTPPA in Section 3.3.2. All cultural sites would be avoided in the agency-selected alternative.</p>
WTO03	<p>88 - Tribal interests and cultural connections should be considered as an important part of the context for Nine Mile Canyon.</p> <p>88 - Native American consultation has been completed and is discussed/analyzed in Sections 3.3.2, 4.2.1.2, 4.2.2.2, 4.2.3.2, and 4.3.2.2</p>
WTO03	<p>89 - The context of Nine Mile Canyon is significant to society as a whole. BLM itself touts Nine Mile Canyon as</p>

Letter No.	Comments Followed by Responses (in bold)
	<p>the “greatest concentration of rock art sites in the U.S.A.”</p> <p>89 - BLM is in the process of nominating Nine Mile Canyon to the National Register of Historic Places. This special designation is compatible with other uses including gas development. The EA recognizes the special values of Nine Mile Canyon in Sections 3.3.2 and 3.3.</p>
WTO03	<p>90 - In light of the recognized cultural and historic importance of the Nine Mile Canyon area, as an area of national importance and of interest to native American Tribes, BLM must recognize that the context of the area for the proposed drilling project is extraordinarily significant.</p> <p>90 - Please see comment responses 87 and 89.</p>
WTO03	<p>91 - NEPA also requires consideration of the intensity, or severity, of impacts, which is evaluated by ten factors set forth in 40 C.F.R. § 1508.27(b). In this case, at least half of those factors weigh strongly in favor of a finding of significance, requiring preparation of an EIS: the geographic area has unique characteristics; the effects are highly uncertain; the action may establish a precedent for future actions with significant effects, which will have cumulatively significant impacts on the environment; and the action will adversely affect cultural resources and an area eligible for listing in the national Register of Historic Places.</p> <p>91 - BLM agrees that the Nine Mile Canyon area is special due to the cultural resources present. However, as the EA demonstrates, the impacts from the project are known, the project would not adversely affect cultural resource eligible for listing in the NRHP, and cumulative impacts would not be significant.</p>
WTO03	<p>92 - We are particularly concerned about the lack of detailed information on cultural resources, and the potential impacts of truck traffic and dust suppression on the petroglyphs and pictographs in the canyon.</p> <p>92 - A total of 115 archaeological sites have been identified and included in the EA. All archaeological sites will be avoided by the BLM selected alternative. Dust abatement would be required during the project.</p>
WTO03	<p>93 - The EA acknowledges that “[n]umerous rock art sites . . . have the potential to be damaged by increased dust levels caused by the traffic and construction associated with the WTPDP. Dust abatement is recommended for this project.” EA at 3-10 through 3-11. Yet the EA is vague about how dust will be monitored and suppressed. The potential effects of dust suppression on the fragile rock art in close proximity to the Nine Mile Canyon road and the tributary roads are uncertain. The adverse effects of dust suppressants like magnesium chloride are also not known. The EA states that “[n]o definitive study has been found indicating direct damage to rock art as a result of the use of magnesium chloride.” EA at 4-6 (emphasis added). This is an issue that clearly warrants further study.</p> <p>93 - Please see the responses to comments 1, 83, and 84.</p>
WTO03	<p>94 - An archaeological survey for the pipeline in Alternative A was begun, but was abandoned after just 1.65 miles, “due to the high density of sites encountered.” EA at 3-10. Yet even that survey of less than two miles led to the discovery of 21 historic sites, of which 4 sites would be “damaged” if the pipeline were placed in the proposed location. EA at 4-6. Because the survey is incomplete, if Alternative A were approved, the decision would not reflect all potential sites at risk. Moreover, the EAs’ assertions that “all identified cultural sites would be avoided,” id., are contradicted even by the incomplete survey information compiled to date.</p> <p>94 - The reference to the cultural survey along the pipeline ROW in Nine Mile Canyon was included because that ROW was in the applicant's Proposed Action; therefore, BLM is obligated to analyze it. The survey quickly demonstrated that cultural resources could not be avoided making it unlikely that it would be the preferred ROW alternative. Therefore, an alternative was offered for the pipeline ROW in Alternative C. If alternative A was selected, the remainder of that route would be surveyed and an avoidance/mitigation plan developed. The statement that all cultural sites would be avoided clearly refers to sites "except for the pipeline in Nine Mile Canyon" (EA at 4-6).</p>
WTO03	<p>95 - Implementation of the WTPDP, when combined with the existing land uses of recreation, grazing, farming, geophysical, and oil and gas development, adds to an accumulating list of intrusions to the proposed Nine Mile Canyon Historic District. However, since cultural resource surveys are required for all projects approved on state and federal surface areas, and sites would be avoided no long term cumulative impacts to the Historic District or cultural resources are expected from the Alternatives.</p> <p>95 - The decision as to whether or not cumulative impacts to cultural resources are significant is disclosed in the Decision Record. The preliminary EA is not a decision document.</p>
WTO03	<p>96 - EA at 4-52 (emphasis added). Unfortunately, this statement fails to consider how continued, long-term impacts associated with future development will affect the potential integrity of the National Register Historic District.</p> <p>96 - NRHP nomination is compatible with other uses such as gas development. Please see comment response 37. In addition, the text in the EA at 4.3.2.2 is clear that no long-term cumulative impacts to the Historic District are expected.</p>
WTO03	<p>97 - The EA does not directly discuss the impacts on the national Register-eligible district as a whole, nor does it consider impacts to individual fragile cultural resources, including petroglyphs, pictographs, granaries, rock structures, and other historic buildings.</p> <p>97 - Please see the response to comment 37.</p>
WTO03	<p>98 - The West Tavaputs EA fails to examine the indirect and cumulative effects of the proposed project (for both Alternatives A and C) on Cultural and Historic Resources.</p>

Letter No.	Comments Followed by Responses (in bold)
	98 - The EA addresses indirect impacts in Sections 4.2.1.2 and 4.2.3.2 and cumulative impacts in Section 4.3.2.2. Impacts to the general setting in the WTPPA are also addressed in other sections of the EA, especially those analyzing visual resources and recreation.
WTO03	<p>99 - The EA fails to fully analyze the indirect impacts from this project on the cultural landscape for both Alternatives A and C.</p> <p>99 - Please see the response to comment 98.</p>
WTO03	<p>100 - BLM must provide a more detailed analysis about the indirect and cumulative effects of the project and reasonably foreseeable projects on the cultural landscape, and provide substantive recommendations for mitigating such impacts.</p> <p>100 - Please see the response to comment 98.</p>
WTO03	<p>101 - BLM's assumption that vandalism incidents would not increase as a result of the project, EA at 4-6, is not supported by evidence within the EA. BLM's only basis for this assumption is that the plateaus have a low density of cultural sites. Id. This assumption is inadequate for purposes of the NEPA analysis, and thus BLM must prove an adequate discussion for these impacts and suggest methods for mitigation to ensure protection of cultural sites against vandalism.</p> <p>101 - There are two reasons presented in the EA as to why vandalism would not increase. First of all, vandalism of cultural resources in the WTPDP and vicinity is currently at low levels (EA at 3.3.2), and "BBC will inform their employees, contractors and subcontractors about relevant federal regulations intended to protect archaeological and cultural resources. All personnel will be informed that removing and collecting artifacts, including arrowheads, is a violation of federal law and that employees engaged in this activity will be subject to disciplinary action." (EA at page B-9, Section 2.12. item 3). Much of the enforcement depends upon a citizenry that does not commit such vandalism and reports people that do commit such acts.</p>
WTO06	<p>102 - Moreover, the portion of the pipeline route that BLM did survey reveals a significant adverse impact to cultural sites. A survey of 1.65 miles of the proposed pipeline inventoried 21 cultural sites, of which four would be damaged by construction activities. EA at 4-6. BLM must disclose the significance of these impacts, discuss why avoidance, minimization, and mitigation measure are not possible, and evaluate the costs and benefits of these impacts based on the significance of the cultural site.</p> <p>102 - Please see the response to comment 94.</p>
WTO06	<p>103 - BLM should have completed the Section 106 consultation process prior to the release of the West Tavaputs EA to the public in order to allow the public to evaluate and comment on the results of this consultation.</p> <p>103 - As outlined in 36CFR 800.2 (2) (5) (d) (3), you may provide input on this proposal during the 30 day public comment period.</p>
WTO06	<p>104 - These anticipated effects undermine BLM's assertion that the proposed action would not cause significant impacts to cultural resources.</p> <p>104 - All archaeological sites would be avoided in the BLM-selected alternative.</p>
WTO06	<p>105 - Under Alternative C, a geomorphologic survey conducted by Lamm "to identify a route that would be least likely to encounter buried cultural sites" does not fulfill BLM's duty to take a hard look at impacts to cultural sites. EA at 4-35. In addition, BLM failed to independently evaluate the information contained in this geomorphologic survey.</p> <p>105 - The geomorphology study predicted the potential for buried cultural deposits along the creek in Nine Mile Canyon. The route identified in the BLM selected alternative avoids sediment deposits that may contain a high concentration of cultural deposits. In addition, intensive inventories were completed to identify the presence of cultural resources.</p>
WTO06	<p>106 - BLM failed to indicate a cultural resource survey has occurred on surface area disturbed by burying the pipeline under Alternative C. BLM must require that such a survey be conducted to look at all work areas and surface disturbance areas in order to properly evaluate the project's effects on cultural sites.</p> <p>106 - All areas of potential disturbance and prescribed buffer zones have been surveyed for cultural resources.</p>
WTO06	<p>107 - BLM notes that the proposed route for the buried pipeline is "in geologic material of sufficient depth and age to have been deposited after occupancy by prehistoric habitation." EA at 2-28. Thus, according to BLM, cultural sites are likely to occur under geologic material. Yet, the EA suggest that a buried pipeline will lead to less impacts to cultural resources. BLM's conclusion is contradicted by its own statements and failed to demonstrate that the agency has taken a hard look at Alternative C.</p> <p>107 - After the corridor was selected based upon the geomorphology, a 300-foot wide corridor along the proposed route was subjected to an intensive cultural resource inventory.</p>
WTO06	<p>108 - As noted above, BLM acknowledges that numerous rock art sites have the potential to be adversely impacted by dust. According to the EA, "[w]hen dust plumes exceed 200 feet in length, operation would cease until additional dust suppression was applied to the road." EA at 2-16. However, BLM also suggests that this 200-foot dust cloud must hover behind a vehicle traveling at 30 mph. EA at 4-3. BLM's inconsistent approach to dust impacts demonstrates that agency's failure to make a convincing statement of the insignificance of the impacts of</p>

Letter No.	Comments Followed by Responses (in bold)
	<p>the West Tavaputs Project. BLM does not identify the individual who will monitor dust levels; BLM does not provide any justification for this 200 foot trigger; BLM does not provide any justification for its 30 mph assessment or indicate how an individual will measure the speed of a vehicle in regards to the size of the dust cloud. Moreover, the EA failed to make dust suppression a binding mitigation measure. Accordingly, BLM's unsubstantiated and conclusory statement that dust that could damage rock art would be adequately suppressed failed to fulfill NEPA's hard look and convincing case obligations.</p> <p>108 - BBC has committed to dust suppression in its applicant-committed environmental protection measures (EA at B-3, #16) and in Sections 2.2.1.5, 3.3.1.7, and 2.2.1.8.</p>
WTO06	<p>109 - BLM's agreement with regards to "procedures to be followed in the event that a [cultural] site is unearthed" is not a substitute for surveying the area completely prior to initiating the action. EA at 4-35. Similarly, having an archaeologist on site to monitor construction does not fulfill NEPA's duty to take a hard look at impacts prior to deciding upon the appropriateness of an action.</p> <p>109 - All areas subject to disturbance have been surveyed for cultural resources; however, cultural resource surveys rely on surface evidence of cultural sites. There is always a chance that buried sites may not show evidence of their presence on the surface. A monitoring and discovery plan will be implemented during project construction.</p>
WTO06	<p>110 - This lack of research does not relieve BLM of its duty to take a hard look at the potential impacts of magnesium chloride application. Moreover, EPA's approval of magnesium chloride as a dust suppressant does not establish that this chemical is benign in areas with invaluable rock art.</p> <p>110 - There is no evidence that magnesium chloride is harmful to rock art. BLM has not yet approved the use of magnesium chloride on BLM roads. Please see comment response 6.</p>
WTO06	<p>111 - The West Tavaputs EA failed to consider or discuss impacts to cultural resources resulting from ground vibrations resulting from, for example, road grading or drilling. These activities have the potential to damage standing structures and damage rock faces.</p> <p>111 - Historic evidence and avoidance demonstrate that no adverse impacts would result from road maintenance and or normal drilling activities.</p>
WTO06	<p>112 - The West Tavaputs EA failed to cite any professional studies of the archaeology of the Nine Mile Canyon area. BLM should consider the following resources, among others, when describing the archaeological significance of the Nine Mile Canyon region: Spangler, J.D. Paradigms and Perspectives, A Class I Overview of Cultural Resources in the Uinta Basin and Tavaputs Plateau, Vol. II. Uinta Research, Salt Lake City, Utah. 1995. Geary, E.A. "Nine Mile: Eastern Utah's Forgotten Road." Utah Historical Quarterly 49(1): 42-55. Salt Lake City. 1981. Hurst, W. and B.D. Louthan. Survey of Rock Art in the Central Portion of Nine Mile Canyon, Eastern Utah. Department of Anthropology and Archaeology, New Series No. 4. Brigham Young University, Provo, Utah. 1979. Kelen, L and D. Sucec. Sacred Images: A Vision of Native American Rock Art. Gibbs Smith: Salt Lake City, Utah. 1996.</p> <p>112 - The Summary Report and archaeological reports cite proper professional work completed in the area. This information is not available to the public.</p>
WTO06	<p>113 - The proposed oil and gas activities are plainly inconsistent with the area's special status under the SRCMA Plan, which notes that "[t]he principal management objective for the planning area is to protect and preserve cultural resources." SRCMA Plan at 25. The Plan also states, "all BLM cultural sites in the study area will be assigned to the scientific use category," meaning that although other uses are not precluded, these "other uses must be managed so that the qualities of the site that make it suitable as the subject of scientific study are not lost." SRCMA Management Plan at 33. The West Tavaputs EA failed to explain the inconsistency between the proposed activity and the objectives and management prescriptions of the SRCMA Plan.</p> <p>113 - The consistency of the WTPDP with the establishment and management of the SRCMA is explained in the EA at 4.2.1.2. Cultural sites would be avoided except in the Proposed Action pipeline in Nine Mile Canyon. Realizing that the Proposed Action pipeline would not be compatible with the SRCMA, an alternative pipeline route was developed in Alternative C to avoid impacts to cultural resources (EA at 2.4 and 2.4.1). This plan is compatible with other uses and specifically identifies oil and gas exploration as concurrent and ongoing within the area.</p>
WTO06	<p>114 - The proposed oil and gas activities are inconsistent with the area's potential designation as a historic district.</p> <p>114 - A NRHP designation is not in conflict with other uses.</p>
WTO06	<p>115 - The West Tavaputs EA failed to consider and analyze the cumulative impacts of other projects foreseeable in the area. For example, the West Tavaputs EA does not analyze the potential adverse effects to cultural resources resulting from the Stone Cabin seismic project in relation to this proposed action.</p> <p>115 - Please see the response to comment 9.</p>
WTO06	<p>116 - Over the course of centuries, numerous cultural sites have washed down from the benches to the floodplain. These sites must be inventoried, identified, and assessed for eligibility under the National Historic Preservation Act prior to any undertaking. BLM must take a hard look at these sites to determine their significance prior to authorizing the project.</p> <p>116 - Areas of potential effect were identified and inventoried. Please refer to comment response 85.</p>

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WTO06	<p>117 - BLM states that “[a]ll issues regarding Native American religious concerns associated with the WTPDP would be settled by negotiation with the appropriate tribe.” EA at 4-7. However, these concerns and any settlement should be disclosed, discussed, and analyzed in the EA in order to fulfill the agency’s NEPA obligations.</p> <p>117 - Please see comment response 81.</p>
WTO06	<p>118 - BLM must be more specific about how the agency would address “burial sites” under the Native American Graves Protection and Repatriation Act (NAGPRA).</p> <p>118 - NAGPRA is specific in the steps that must be followed should human remains be found. The details of this process need not be detailed in this EA. Such procedures are included as a standard stipulation for all BLM actions and will be included in the conditions of approval.</p>
WTO06	<p>119 - BLM’s assertion that “no long term cumulative impacts to the Historic District or cultural resources are expected from the Alternatives” misapplies NEPA’s cumulative impacts analysis.</p> <p>119 - Thank you for your comment. The text at 4.3.2.2 has been changed.</p>
WTO06	<p>120 - The Environmental and Cultural Consequences of the West Tavaputs Project Are Significant and BLM Should Prepare an EIS To More Thoroughly Analyze the Impacts.</p> <p>120 - BLM's determination of the significance of impacts from the WTPDP will be disclosed in the Decision Record, as will the necessity of preparing an EIS. The EA is not a decision document.</p>
WTO06	<p>121 - The West Tavaputs Project would impact globally significant cultural resources. Many of the cultural sites within the project area have been nationally recognized for their eligibility for the National Register of Historic Places. Locally, Nine Mile Canyon is a popular recreation destination, as well as a place of continuing archaeological study. Based on the context of the impacted area, the preparation of an EIS is necessary.</p> <p>121 - The agency-selected alternative will not adversely affect archaeological resources, as all known sites would be avoided. Also, please see response to comment 120.</p>
WTO06	<p>122 - The impacts to cultural resources are uncertain and unique because cultural sites, once damaged or destroyed, can never return to their current integrity. Intact cultural sites are necessary for the study of human existence in the area.</p> <p>122 - Cultural resources would be avoided, as explained in the EA at 3.3.2.</p>
WTO06	<p>123 - The West Tavaputs Project would occur in perhaps one of the nation’s richest areas for cultural sites. Given the construction activities, dust, and increased access to cultural sites associated with the proposed action, this action may affect eligible cultural resources or the designation of the area as a historic district, as a whole.</p> <p>123 - Please see the responses to comments 1, 79, 80, and 82.</p>
WTO06	<p>124 - The Price River MFP requires nomination of the Nine Mile Canyon, Dry Canyon and Cottonwood Canyon as eligible to the National Register of Historic Places. The proposed project and its alternative do not conform to this decision.</p> <p>124 - Please see the response to comment 79.</p>
WTO06	<p>125 - The West Tavaputs EA failed to comply with the NHPA because it failed to: (1) accurately identify the West Tavaputs Project’s “area of potential of effects,” (2) completely identify, assess, and attempt to mitigate impacts to historic properties, and (3) accurately consider the project’s direct and indirect adverse effects on these historic properties.</p> <p>125 - Please see the responses to comments 85 and 80.</p>
WTO06	<p>126 - BLM acknowledges that “dust could damage rock art.” EA at 4-6. Nonetheless, BLM failed to assess the APE from dust. This omission is exacerbated by BLM’s recognition that dust suppression methods will only control 50 percent of the dust related to construction activities. EA at 4-3.</p> <p>126 - Please see the responses to comments 1, 80, 82, 84, and 85.</p>
WTO06	<p>127 - The West Tavaputs EA failed to assess the APE from vibrations caused by construction activities. Such activities have the potential to damage standing cultural sites.</p> <p>127 - Please see the response to comment 111.</p>
WTO06	<p>128 - BLM failed to indicate that any actual surveys were conducted for the proposed buried pipeline route under Alternative C.</p> <p>128 - The EA at 2.4.1 describes the surveys upon which the Alternative C buried pipeline was based. It says that "The route is based on a geomorphic study (Lamm 2003). The route would pose the least likelihood of disrupting a cultural site, as determined by the age and depth of the deposits along the canyon floor. BBC would be required to have an archaeologist on site during construction in the event a cultural site is encountered. The route is proposed in geologic material of sufficient depth and age to have been deposited after occupancy by prehistoric habitation. In addition, all existing data regarding cultural resources were plotted to assist in avoiding cultural features and areas where site densities are highest."</p>
WTO06	<p>129 - BLM acknowledges that surveys for cultural resources along the proposed pipeline routes were not completed. EA at 3-10. This lack of identification violated the NHPA.</p> <p>129 - NHPA requires that cultural resource surveys be completed before disturbance occurs. It does not require Class III surveys be completed prior to completion of a NEPA document. Actually, most Class III surveys have been completed for the WTPDP. The survey along the Nine Mile Pipeline in the Proposed</p>

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	Action was not completed when it became apparent that the pipeline route was unacceptable because of the many sites found in just the first 1.65 miles. The EA at 3.3.2 says "The pipeline route for Alternative A in Nine Mile Canyon was partially surveyed; due to the high density of sites encountered, the survey was not completed."
WTO06	<p>130 - BLM has not identified cultural resources in the APE for Alternative C. Although, BLM suggest that the agency and BBC "have agreed to procedures to be followed in the event a site is unearthed," this agreement does not fulfill the NHPA identification and evaluation requirements. All surface cultural sites and known below surface sites must be identified and evaluated along the Alternative C pipeline route.</p> <p>130 - Please see the response to comment 85.</p>
WTO06	<p>131 - BLM's reliance on and on site archaeologist failed to comply with the NHPA's requirement that the agency identify and evaluate cultural resources prior to the undertaking. In particular, many cultural resources have washed off the benches over time and now lie within the canyon bottom. Each of these sites must be identified and evaluated prior to any undertaking.</p> <p>131 - Please see the response to comment 85.</p>
WTO06	<p>132 - BLM's suggestion that impacts to cultural resources would be reduced by placement of a buried pipeline in Dry Canyon parallel to the existing road is contradicted by BLM's acknowledgment that "the existing roads were originally sited without respect to cultural resources present in the canyons, and the roads pass directly through cultural sites." EA at 2-41. Moreover, BLM failed to provide an independent assessment of this alternative pipeline route.</p> <p>132 -A Class III inventory was completed for Alternative C and all archaeological sites would be avoided (EA at 3.3.2).</p>
WTO06	<p>133 - BLM acknowledges that dust impacts rock art. BLM admits that dust suppression measures only control dust by, at most, 50 percent. Nonetheless, BLM failed to discuss other avoidance, minimization, or mitigation measures that could reduce or eliminate the impacts of dust.</p> <p>133 - Please see the responses to comments 1, 83, 84, 92, and 13.</p>
WTO06	<p>134 - BLM must assess the potential adverse affect of the application of magnesium chloride on rock art. BLM cannot simply state that it does not have enough information.</p> <p>134 - Please see the response to comments 13 and 1.</p>
WTO06	<p>135 - BLM failed to account for vibrations caused by construction related activities, such as drilling or road grading. These activities may alter standing structure or rock faces directly or indirectly. However, BLM failed to provide any discussion of avoidance, minimization, or mitigation measure that could reduce or eliminate these impacts.</p> <p>135 - Please see the response to comment 111.</p>
WTO06	<p>136 - BLM notes that increased vandalism of cultural resources could result from increased access to the area. Again, BLM provides little discussion of measures taken to avoid or reduce these impacts.</p> <p>136 - See response to comment 101.</p>
WTO12	<p>137 - We strongly recommend a research project, which tests the impact of dust suppressants on rock surfaces. We also suggest that dust suppressants used in such massive quantities, as proposed, may cause water contamination, permanent damage to plant and animal life. This EA is inadequate without further research on the impact of magnesium chloride or other dust suppressants.</p> <p>137 - There are no definitive studies to demonstrate that the proper use of magnesium chloride as a dust suppressant adversely affects rock surfaces, damages animal or plant life, or causes water contamination. It is approved by EPA as a dust suppressant.</p>
WTU01	<p>138 - Another glaring inadequacy of this EA is the absence of consideration of impacts of the proposed project, in either Alternative A or C, on the proposed National Register Nomination of the Nine Mile Canyon Historic District.</p> <p>138 - Please see the response to comment 79.</p>
WTU01	<p>139 - The eligibility of archaeological sites and historic sites should be considered on their overall contribution to the proposed district as a whole. The ancient and more historic peoples were not living in Nine Mile Canyon and its surrounding environs as independent, non-communicative groups. They all used and explored a large area and interacted with a wide variety of ecological zones.</p> <p>139 - Please see the response to comment 79.</p>
WTU02	<p>140 - The evaluation of vandalism now and in the future is flawed due to lack of a baseline measure and lack of ongoing monitoring of the cultural resources.</p> <p>140 - The majority of cultural sites in Nine Mile Canyon are located on fee lands. Although evidence of past vandalism is apparent, the overall trend appears to be decreasing. Also, please see the response to comment 101.</p>
WTU02	<p>141 - It is impossible for the public to determine what the results of an consultations with Native Americans are since those findings have been withheld from the EA.</p> <p>141 - Please see the response to comment 81.</p>

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WTU02	<p>142 - The BLM promises supervision. But we know that the BLM is chronically shorthanded, and supervision has been less than optimal, in the past.</p> <p>142 - The BLM would provide supervision based on need and availability of personnel. BLM believes that this will be adequate to deal with the attention required by this project. BLM recognizes the sensitivity of the area and the value of its cultural, scenic, and recreational resources.</p>
WTU02	<p>143 - Truck traffic and the exhaust, noise and dust it creates are an ongoing problem in the canyon and have potentially destructive effects on rock art. As well large truck traffic poses a hazard to visitors to the Canyon. The Sunnyside Road, which ascends the Tavaputs Plateau from Sunnyside, east of Wellington, is a much shorter route to the plateau south of Nine Mile canyon. Those doing any sort of work in that region (oil, gas, timer, etc.) should use that access. This road will reduce traffic in the canyon.</p> <p>143 - Please see the response to comment 350.</p>
WTU08	<p>144 - Two other obvious areas that require further study are cultural resources and noise impacts. On page 3-10, the EA states in part, "The pipeline for Alternate A in Nine Mile Canyon was partially surveyed; due to the high density of sites encountered, the survey was not completed..." the obvious question is how can there be a proposed alternate if the cultural resource survey is not completed? And on page 3-33, Table 3.11 only address noise levels from one compressor per site. What about four (4) compressors together, as in Alternate C?</p> <p>144 - Please see the response to comment 94.</p>
WTU21	<p>145 - Reading in the EA we learned that definitive studies have not been conducted on the use of magnesium chloride, enzymes, etc to settle the dust of the road and how it will affect the rock art, plants and animal life. It is breaking up into dust. Without proper scientific research, it is not known what long term affects could harm the rock art, the plants, the animals, and of course man.</p> <p>145 - Please see the responses to comments 13, 1, 83, and 54.</p>
WTU23	<p>146 - We ask BLM to consider other access routes to the project area instead of using the Nine Mile Canyon road as primary access. This could avert the impacts against this cultural site.</p> <p>146 - Please see the response to comment 350.</p>
WTU86	<p>147 - Additional impacts---not adequately noted in the EA, but nonetheless very real---occur with industrial traffic. The cultural and historic resources in the canyon cannot withstand such cumulative effects without a tragic, permanent loss.</p> <p>147 - Please see the response to comment 82.</p>
WTU87	<p>148 - The need for an EIS is apparent in section 4.2.1.2 of the EA where it says that "No definitive study has been found indicating direct damage to rock art as a result of the use of magnesium chloride." A full EIS should naturally include a definitive study on magnesium chloride's effects on rock art. While magnesium chloride treatment does temporarily reduce dust, my observations in the canyon indicate that without a properly engineered road base and graded road surface, it does not take long for heavy industrial traffic to pulverize the treated roadway into magnesium chloride-treated dust. I would suggest that the use of magnesium chloride in Nine Mile Canyon be suspended until the requested EIS is complete.</p> <p>148 - The fact that no definitive study has been found indicating direct damage to rock art as a result of the use of magnesium chloride is not an argument for preparation of an EIS. Rather, it indicates that the use of magnesium chloride would not result in significant impacts to rock art. Again, however, this EA is not a decision document. That decision will be made in the Decision Record.</p>
WTU157	<p>149 - Having an archaeologist on site during construction is not adequate protection to these irreplaceable resources, because by the time buried sites are noticed, they will already have been damaged.</p> <p>149 - An approved monitoring and discovery plan will be implemented.</p>
WTU157	<p>150 - In addition, recent vandalism damage shows that the BLM is already unable to protect the rock art in Nine Mile Canyon and will be even less equipped to do so when construction roads and the pipeline corridor increase opportunities for public access to the area.</p> <p>150 - Noted. Thank you for your comment.</p>
WTU168	<p>151 - This single site is well known throughout the U.S. and the world and it is clear that cultural sites such as this have an important, direct economic value. One of the things I did not find in the document is an estimate of the economic and security value to the nation and BBC of this effort. How then can one determine the wise course and judge whether risks and inevitable losses are worth the real cost?</p> <p>151 - The importance of the WTPPA for cultural and recreational opportunities is emphasized in the EA. Applicant-committed environmental protection measures and other mitigation measures have been developed to protect resource values while at the same time allowing oil and gas development.</p>
WTU168	<p>152 - ...in section 2.2 (Environmental Protection Measures) is some material covering the contingency that previously undetected cultural resources are encountered and the response that work will halt and not resume until some sort of analysis is conducted. This sounds good, but I am left wondering how it would be reduced to practice. For instance, who would be on-site to make the discovery? Will workers (presumably untrained) be called on to reveal new situations or will an archaeologist or other knowledgeable person survey work constantly?</p> <p>152 - In some cases the proponent would be the one who would notify BLM if previously undetected (buried) cultural sites are encountered. In other cases, an archaeological monitor would be on site, particularly</p>

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	<p>where there is reason to believe that buried sites are likely to occur. Class III archaeological surveys, which are completed on all federal projects before any surface disturbance occurs, can only examine the surface. If there is no surface evidence of a buried cultural site, there is no way to know the site exists unless it is disturbed by excavation. The fact that a buried site is encountered does not necessarily mean that the site has been destroyed. Also, please refer to comment responses 109 and 149.</p>
WTU168	<p>153 - Nowhere is a stipulation as to what sort of thresholds will stop work and what factors would enter into the decision making process. One is left with the idea that while this sounds good, without more management details, it won't really mean much in reality. 153 - Please see the response to comment 152.</p>
WTU168	<p>154 - Under environmental protection measures (2.2.1.5) dealing with roads, is a statement that dust suppression methods including use of magnesium chloride and unspecified enzymes will be used to control dust. The statement is offered that no definitive studies have documented damage to rock art by magnesium chloride. You need to employ a higher standard here--the onus is on the user to ensure this protocol is not damaging. 154 - Please see the responses to comments 1 and 84.</p>
WTU168	<p>155 - ...nothing is offered regarding the potential effects of dust and the enzymes on rock art. The patina created on rocks is due to microbes interacting with minerals from dust and water. Enhanced dust levels and humidity alone could speed up a normally slow process and favor rock art fading. Since enzymes are proteins, a useful source of carbon, nitrogen and energy for microbes and quite likely to be contain other nutrients as well, the risk of accelerated rock art obliteration must be regarded as a real possibility. Once this process begins, it will be impossible to reverse. 155 - Please see the responses to comments 1, 84, 13, and 83.</p>
WTU168	<p>156 - In section 4.2.1.16 are some mitigation measures. I point out that monitoring, although important, is NOT mitigation. 156 - Monitoring is listed as a mitigation measure for convenience, and is an important part of the process to ensure that cultural sites are being avoided. In practice, a monitor often detects cultural sites prior to serious disturbance, when avoidance is still possible or a recovery program will at least salvage any valuable information that the site may disclose.</p>
WTU194	<p>157 - ...the BLM should consider other alternative access routes to the project area. Nine Mile Canyon Road, which under your proposal, "would provide the primary access into Nine Mile Canyon and the identified side canyons and up into the Project Area," was federally designated a Backcountry Byway in recognition of the scenic and cultural values along the road. 157 - Please see the response to comment 350.</p>
FLOODPLAINS	
WTO106	<p>158 - BLM must evaluate additional stream crossing by roads and pipelines that may occur as a result of future oil and gas development. EA at 4-52. BLM's reliance on industry standards and reclamation to conclude no impact to floodplains failed to meet NEPA's cumulative impact analysis requirements. See EA at 4-52. 158 - BLM cannot make site-specific evaluations of stream crossings when the site has not been identified. However, all future crossings would have to comply with BMPs and satisfy the requirements of a stream crossing permit.</p>
WTO06	<p>159 - The Price River MFP restricts development in floodplains. The West Tavaputs Project would violate this restriction. 159 - Special stipulations may be developed based on site-specific conditions or circumstances. Please see the responses to comments 221 and 239.</p>
THREATENED, ENDANGERED, PROPOSED, CANDIDATE, AND SPECIAL STATUS SPECIES	
WTO06	<p>160 - BLM's conclusion that project related activities occurring from November 1 to May 15 "would not be likely to adversely affect" bald eagles is unsupported and unanalyzed. Moreover, BLM appears to anticipate road construction activities to start as early as April 15. EA at 2-3. In order to demonstrate a hard look, BLM must provide more discussion of this conclusion and contradiction. 160 - It is well documented that bald eagles are infrequent transient visitors to the project area. No nesting bald eagles have been identified within 80 miles of the project area. No suitable nesting habitat exists within 3 miles of the lease area. No major water source providing suitable prey species occurs within the project area or in near proximity. A finding of "may affect, not likely to adversely affect" has been made for the bald eagle. The bald eagle is an infrequent winter visitor within the project area (December 15th through March 15th). The most potentially disturbing actions of the project (construction and drilling) are scheduled to occur outside of the winter period (November 1 to May 15) and would avoid the time when the bald eagle may be present in the project area. Important bald eagle migration corridors and winter use areas along the Green River are far enough away from the project area to be unaffected by elements of Alternative C. The absence of vehicle access from the project area to the Green River would ensure that increased human presence or activity along the Green River corridor would not occur.</p>

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WTO06	<p>161 - BLM suggests that Mexican spotted owl “would not be likely to be adversely affect[ed]” by the West Tavaputs Project because surveys “did not verify the presence” of the endangered species. However, pursuant to the Endangered Species Act, BLM is obligated to “carry[] out programs for the conservation of endangered species.” 16 U.S.C. § 1536(a). Conservation includes not only the survival of the species, but necessary measures to facilitate the recovery of the species. Given that the expected life of the project is 35 to 50 years, BLM failed to account for future inhabitation by Mexican spotted owls. BLM must consider and analyze the recovery potential of the area in light of the fact that the project area contains “suitable habitat.”</p> <p>161 - BLM has been carrying out programs for recovery of endangered species. An analysis of suitable habitat has been conducted. Surveys of suitable habitat have been conducted for the past 3 years. Mexican spotted owls have not been found. Furthermore, those areas found suitable are a minimum of ¼ mile from any proposed activity. Suitable Mexican spotted owl habitat was surveyed to determine the presence of the species, and none were observed. The nature of suitable habitat--steep canyon (40%+), broken rock crevices, and an abundance of prey (woodrats)--constitute sites which do not render themselves suitable for drilling. BLM is committed to follow-up surveys on all suitable Mexican spotted owl areas prior to any disturbance, and if Mexican spotted owls were to expand into these areas no activity would occur unless approved by the USFWS, UDWR, and BLM.</p>
WTO06	<p>162 - BLM suggests that Mexican spotted owl “would not be likely to be adversely affect[ed]” by the West Tavaputs Project because surveys “did not verify the presence” of the endangered species. However, pursuant to the Endangered Species Act, BLM is obligated to “carry[] out programs for the conservation of endangered species.” 16 U.S.C. § 1536(a). Conservation includes not only the survival of the species, but necessary measures to facilitate the recovery of the species. Given that the expected life of the project is 35 to 50 years, BLM failed to account for future inhabitation by Mexican spotted owls. BLM must consider and analyze the recovery potential of the area in light of the fact that the project area contains “suitable habitat.”</p> <p>162 - Please refer to comment response 161.</p>
WTO06	<p>163 - BLM relies on the “implementation of conservation measures described in the Biological Assessment” to reach its not likely to adversely affect Mexican spotted owl determination. However, as explained above, the public has never had the opportunity to review the Biological Assessment for this project and therefore, the specifics of anticipated conservation measures remain unidentified.</p> <p>163 - The public is not responsible for the determination of potential impacts to endangered species and BLM is not required to make the BA available for public comment or include the BA with the EA. The mitigation considered in the BA is consistent with the mitigation described in the EA. The USFWS has provided concurrence to the finding of “not likely to adversely affect” the Mexican spotted owl. The BA is available from the BLM and USFWS upon request.</p>
WTO06	<p>164 - BLM failed to adequately consider the environmental consequences of the annual depletion of approximately 20 acre-feet on endangered Colorado River fish species. Although, this depletion may not rise to the level of jeopardizing the continued existence of the species, BLM must still take a hard look at the environmental consequences of the project on these species.</p> <p>164 - The BLM did take a hard look at the average annual surface water depletion of approximately 20 acre-ft. As explained in detail in the EA at 4.2.1.4, the volume of this surface water depletion was such that the U.S. Fish and Wildlife Service determined that a jeopardy opinion would be offset.</p>
WTO06	<p>165 - Areas indirectly affected by the West Tavaputs Project may contain habitat for juvenile endangered Colorado River fish species. These areas provide refugia essential to the recovery of these species. BLM failed to identify these habitats or assess the impacts of the project on threatened and endangered juvenile fish species.</p> <p>165 - Nine Mile Creek has been surveyed a number of times over the last 20 years. No threatened, endangered, or candidate species of fish (adult or juvenile) have ever been observed. No adverse impacts downstream from the project area, where potential refugia for such species may occur, can reasonably be foreseen as a consequence of project-related activities.</p>
WTO06	<p>166 - BLM identifies in Table 3.6 of the West Tavaputs EA numerous Sensitive Species that may occur in the West Tavaputs Project area. In particular, past surveys specifically identified ringtail cat and greater sage grouse as occupying the project area. As detailed below, BLM failed to provide the minimal level of protection for these species, which is the same level of protection afforded to ESA candidate species. As well, BLM failed to take a hard look at the projects impacts to these species or provide a convincing case as to the insignificance of the impacts.</p> <p>166 - Ringtails are not considered sensitive based on the current sensitive species list. Greater sage-grouse have been surveyed for (Spring 2004). No leks or brooding grounds exist within the project area. Greater sage-grouse currently utilize the winter range within the project area and do not appear to have conflicts with the current level of winter activity. The birds seek out plowed roads as a source of grit.</p>
WTO06	<p>167 - BLM must conduct surveys for sensitive species prior to authorizing the West Tavaputs Project.</p> <p>167 - Surveys for sensitive species were implemented.</p>
WTO06	<p>168 - BLM recognizes that the Utah Division of Wildlife Resources has “identified high value winter range and high value yearlong range in the area” for greater sage-grouse. EA at 3-17. Nonetheless, BLM concludes that impact to the bird “would be negligible to low” because of “the size of the WTPPA, the amount of people-related activities, and the relatively low population of birds.” EA at 4-10. However, BLM is obligated to implement</p>

Letter No.	Comments Followed by Responses (in bold)
	<p>measures to ensure that authorized activities “do not contribute to the need for the species to become listed” under the ESA. BLM acknowledges that population levels are low and has done nothing to ensure the conservation of the species.</p> <p>168 - BLM has enhanced wildlife habitat and continues to do so with vegetation manipulation, water impoundments, and avoidance of critical habitat by development where feasible. Observations by field biologists have noted a reliance on plowed gravel roads as a source of grit during hard winters. The un hunted populations of grouse show little evidence of a flight response associated with normal road traffic. A survey conducted spring 2004 indicated a resident bird population of between 50 and 100 on the historic brooding ground approximately 4 miles south of the project area.</p>
WTO06	<p>169 - BLM acknowledges that activity will occur during the winter within “high value winter range” for the species. EA at 4-9. BLM provides no analysis or justification for its conclusion that “such activity would have negligible impacts on greater sage grouse because of the small amount of area disturbed.” EA at 4-9</p> <p>169 - Please see the response to comment 168.</p>
WTO06	<p>170 - Similarly, BLM acknowledges “some disturbance to brooding greater sage grouse” yet failed to elaborate on these impacts, failed to substantiate its conclusion regarding the intensity of the impacts, and failed to assess the impacts on the population of greater sage grouse as a whole. EA at 4-9. In fact, BLM does not provide any population estimates to provide context for its conclusions. BLM must do so.</p> <p>170 - Please see the response to comment 168.</p>
WTO06	<p>171 - BLM acknowledges that “[r]ingtails, which were observed in the WTPPA, may be temporarily displaced during project-related activities.” EA at 4-10. However, BLM does not assess the impacts of this anticipated temporary displacement on the species.</p> <p>171 - The text in the EA at 4.2.1.4 has been modified to say that because there would be only temporary displacement, because project-related activities would not occur in the ringtail's preferred habitat, and because direct mortality or physical damage to dens would be unlikely, impacts would be negligible.</p>
WTO06	<p>172 - BLM failed to analyze impacts to the ringtail’s preferred habitat - rocky, boulder-strewn riparian areas. BLM’s mitigation measures for riparian habitats are inadequate and therefore, the long-term degradation of this sensitive species habitat must be analyzed. EA at 4-10.</p> <p>172 - The affected riparian area represents less than 2% of the total disturbance of the project area. The affected riparian area that contains rocky, boulder-strewn ringtail habitat represents a negligible portion of the total affected riparian area. Also, please see the response to comment 171.</p>
WTO06	<p>173 - BLM acknowledges that the surface water depletion may affect blue headed sucker, flannelmouth sucker, and roundtail chub. BLM relies on “adherence to BMPs to control additional turbidity and sedimentation in downstream surface waters” to allege reductions in the impacts to the fish species. EA at 4-10. BLM failed to assess the impacts of the surface water depletion on these sensitive species.</p> <p>173 - Please see the responses to comments 164 and 165.</p>
WTO06	<p>174 - BLM failed to demonstrate that adherence to BMPs would sufficiently mitigate impacts to the species.</p> <p>174 - Based on similar projects throughout the region, the implementation of BMPs will substantially reduce or eliminate sedimentation to Nine Mile Creek and its associated drainages.</p>
WTO06	<p>175 - BLM must assess population numbers for migratory bird species, evaluate the area of disturbance in relation to utilized habitat, and determine the adequacy of adjacent habitats.</p> <p>175 - BBC has entered into an agreement with UDWR to inventory migratory birds in that portion of Nine Mile Canyon which may be impacted. This survey will be completed prior to any construction.</p>
WTO06	<p>176 - BLM provides no justification for its conclusion that “reasonably foreseeable disturbance would impact less than a fraction of one percent of the available habitat” for threatened, endangered, candidate, and sensitive species. EA at 4-53. Moreover, BLM failed to evaluate the cumulative effects of activities in the area on the recovery of these special status species.</p> <p>176 - The statement that all past, present, and reasonably foreseeable disturbance would impact less than a fraction of one percent of the available habitat is based on a mathematical calculation that assumes an area of 57,500 acres and total disturbance of 2,590 acres (Table 4.3), giving a disturbance of 4.5 percent. The statement in the EA at 4.3.4.4 has been corrected. However, it should be remembered that no TESS have been found within this area.</p>
WTO06	<p>177 - Although, Mexican spotted owl suitable habitat occurs within the project area, BLM asserts the foraging habitat will not be affected “given the large areas of foraging habitat.” EA at 4-53. However, BLM never quantifies the foraging habitation or provides evidence that of ample prey species availability.</p> <p>177 - The EA at 3.3.4.1 and 4.3.4.4 states that no Mexican spotted owls have been identified within the project area. Because more than 95 percent of the area would remain undisturbed by past, present, and reasonably foreseeable action scenarios, it is not unreasonable to believe that adequate foraging areas would remain should a Mexican spotted owl arrive. If the impacts to foraging habitat were analyzed as negligible, surveys for species are not warranted and would change from month to month based on population factors. Also, please see the response to comment 275.</p>

Letter No.	Comments Followed by Responses (in bold)
WTO06	<p>178 - Suitable habitat for the Mexican spotted owl occurs within the project area. Moreover, the project will directly and indirectly affect prey availability for this species. Also, threatened and endangered fish species may be indirectly harmed by the West Tavaputs Project. Accordingly, an EIS is necessary.</p> <p>178 - A BA completed on the proposed project and concurred with by the USFWS concluded the project would not be likely to adversely affect any federally-listed species that inhabit the project area, or any federally-listed species outside the project area that could be affected as a result of the proposed project.</p>
WTO06	<p>179 - BLM failed to demonstrate that it is “carrying out programs for the conservation of endangered species.” 16 U.S.C. § 1536(a)(1). This affirmative duty requires BLM to take actions necessary for the survival and recovery of endangered species. BLM acknowledges that suitable habitat for endangered species is within the area affected by this proposed project. Nonetheless, BLM failed to demonstrate that it has take all measures necessary to ensure the survival and recovery of affected endangered and threatened species.</p> <p>179 - BLM maintains an aggressive program to preserve suitable habitat while complying with the pre-existing right of lessees. No critical habitat would be lost as a result of the WTPDP. BBC has relocated a number of wells in cooperation with the BLM to avoid impacts to suitable Mexican spotted owl habitat. Also, please see the response to comment 161.</p>
WTO06	<p>180 - The Biological Assessment should be included as part of, or as an appendix to, the West Tavaputs EA.</p> <p>180 - The BA is the province of the USFWS and is available for review at their office as well as the Price BLM Office.</p>
WTO06	<p>181 - Authorization of the West Tavaputs Project would result in the “take” of endangered or threatened species. Through proper consultation, prior to public involvement, BLM must resolve with FWS the likelihood of the “take” of endangered and threatened species.</p> <p>181 - No “take” would occur relative to the WTPDP. A take permit would be required only in the event there is high probability that an animal and/or plant would be in jeopardy. No conclusion of jeopardy was reached.</p>
WATER RESOURCES	
WTG03	<p>182 - The project should be designed to avoid impacts to waters to the maximum extent practicable, such as running the pipeline along and/or under existing roads as much as possible and jack and bore the pipeline beneath streams. Any impacts to waters deemed necessary due to road and /or pipeline crossings, need to be minimized to the maximum extent practicable, as well. Minimization measures include: constructing the road to the minimum width necessary to safely pass traffic, placing the pipeline at existing road crossings of waters and reducing the width of the project footprint where possible.</p> <p>182 - The alternative to route pipelines beneath roads was considered and dismissed from analysis (EA at Section 2.5.1). The EA at 2.2.1.6 references standard road construction guidelines, which include dimensions and standards that have been specifically developed to minimize movement of soils common in this region. Appendix B of the EA lists detailed applicant-committed environmental protection measures. The proposed pipeline route requires crossings of Nine Mile Creek where there are no existing or proposed roads. Therefore, it is not possible to place the pipeline along existing road crossings only. The ROW width for pipeline construction would be limited to a maximum of 60 feet--the minimum practical width needed.</p>
WTG03	<p>183 - The EA states that Dry Canyon Creek would require a road crossing of 534 feet. Alternative locations for this crossing should be investigated to find narrower location in order to minimize fills in waters.</p> <p>183 - The crossing location for Well 27-3 is proposed under Alternative A. Not all of the access road length of 534 feet is actually crossing Dry Canyon Creek. The actual high flow channel width at the crossing location is 17 feet. An approved GP-40 permit exists for this crossing. Under Alternative C, the 27-3 well has been relocated out of Dry Canyon, so this would not be an issue.</p>
WTG04	<p>184 - A revised EA could provide a risk assessment of potential hydrocarbon release within the streams and provide the available existing data on water quality in Nine Mile Canyon. In addition, the reasons why Nine Mile Creek is on the State of Utah’s Clean Water Act 303(d) list of impaired waters should be included in this revised analysis.</p> <p>184 - No hydrocarbon release into Nine Mile Creek is anticipated. The impacts of such releases would depend upon the timing and quantity of such releases. Water quality in Nine Mile Creek is not anticipated to be degraded by the project. Some water quality data is included in the EA at 3.3.5. The reason why Nine Mile Creek is listed as an impaired water has been added to the EA at 3.3.5.</p>
WTG04	<p>185 - Additional NEPA documentation should demonstrate compliance with the CWA 404(b)(1) Guidelines and selection of the least damaging practicable alternative for pipeline crossings prior to BLM approval of the proposed action.</p> <p>185 - The least damaging practicable alternative for pipeline crossings would be used; however, BLM does not see a need for boring pipelines under Nine Mile Creek. All crossing would comply with stream crossing permits issued by the State of Utah in cooperation with the Corps of Engineers.</p>
WTS02	<p>186 - To protect water quality, reduce erosion, improve accessibility and longevity of roadways, and to reduce long term costs for road maintenance, our office recommends and strongly advises that the provisions existing of these standards be employed within this project.</p> <p>186 - The road construction BMPs mentioned have been incorporated into Alternatives A and C (EA at</p>

Letter No.	Comments Followed by Responses (in bold)
	2.2.1.5).
WTS02	<p>187 - There is also potential for significant erosion and destruction of habitat resulting from placement of the pipeline itself. Statewide requirements should be developed for preventing or reducing such potential erosion which might include standards for: 1) Revegetation to ground cover level > or = to conditions prior to pipeline construction. 2) Structural BMPS to infiltrate runoff from slopes in pipeline excavation >5% for > 10 feet. 3) Maintaining the erosion rate on the pipeline below the standard NRCS acceptable level. 4) Employing structural BMPS to capture sediment and suspended solids in runoff before it would enter intermittent or perennial streams, or washes, or gullies.</p> <p>187 - The pipeline construction standards in the EA at 2.4.2.3 and 2.4.2.4, as well as B-4, section 2.4, provide adequate mitigation and BMPs to protect pipeline ROWs from contributing additional sediments that would disturb aquatic habitats. All stream crossings would require a stream crossing permit from the State of Utah in cooperation with the Corps of Engineers. Although BLM is in agreement that some statewide standards for pipeline construction would be desirable, this EA is not the place for development of such standards.</p>
WTS02	<p>188 - The EA, on pages 2-19 and 2-20, discusses the gathering system for the wells on Flat Iron mesa, and in the discussion it mentions that “a small tributary would be crossed by trenching” A permit may be necessary for this crossing. Permits would be required for each of these crossings to remove the old pipe and place the new line (if they are trenched crossings). If the crossings will span the creek, and the bed and banks of the stream are not impacted, no permits will be required.</p> <p>188 - The Decision Record for all actions emphasizes that authorization to proceed is contingent upon the approval of all other necessary rights and permits.</p>
WTS02	<p>189 - BBC anticipates using between 12.88 and 38.67 acre-feet of water to meet this need. However, this is only for the “dry periods” which have been determined to be only 100 days. It would seem reasonable that this need will exist for many more days than 100 days during the coming summer. Therefore, it is questionable whether this amount of water is sufficient, unless other suppressants are utilized.</p> <p>189 - The proposed quantity of water to be used is revised in the final EA. BLM relies on the Utah Division of Water Rights to approve consumptive use, to determine how much water may be consumed and from what source, etc. BLM estimated the quantity of water that would be used and what the impacts that would result from that use.</p>
WTS02	<p>190 - Section 2.2.1.8 Water Sources and Water Use: The EA indicates that three sources of water will be used for the project which includes two existing water wells, an adjudicated water right owned by BBC and water being purchased from a rancher who has water rights in Nine-Mile Canyon. The EA indicates that the wells will be used for the drilling and completion of the proposed oil and gas wells, and will require 2.0 acre-feet of water from each of the two wells. One of the wells is located in the Prickly Pear Unit and locally is referred to as the Prickly Pear Well. This well has an existing water right, 90-1528, in the name of the Bureau of Land Management. BBC filed a Temporary Application on this same well in 2002 under water right 90-1826; however, this right lapsed August 20, 2003. Another water right has not been filed or approved allowing use of this well at the current time. The well that is on the Peters Point Unit has not been identified and as a result, water rights have not been able to be identified. The adjudicated water right on Dry Canyon is 90-14. A Temporary Change Application has been received by this office, however because of a lack of evidence of recent use, it is questionable whether the application can be approved. As of this date, change application has not been filed by any of the ranchers in the Nine-Mile Canyon area, which would allow BBC to use any of the water from the creeks.</p> <p>190 - A notice was sent to the proponent informing them of the present status of these water rights. As previously mentioned in the response to comment 16, the Decision Record typically emphasizes that authorization to proceed is contingent upon the approval of all other necessary rights and permits.</p>
WTS02	<p>191 - When a final route is established, appropriate permits will need to be filed with the office of the State Engineer, or the Corps of Engineers.</p> <p>191 - The Decision Records for all actions typically emphasize that authorization to proceed is contingent upon the approval of all other necessary rights and permits.</p>
WTS03	<p>192 - In light of the occasional very high flows, we suggest that wherever possible, the pipe be buried at least four feet below the channel bottom.</p> <p>192 - The pipeline will be buried at least six (6) feet below the channel (see EA at 2.4.1).</p>
WTS03	<p>193 - Such activities also allow higher stream velocities which may subsequently allow head-cutting up the main channel itself. The use of geo-textiles, reseeding and replanting appropriate woody vegetation is recommended in such areas.</p> <p>193 - Noted. Thank you for your comment.</p>
WTS03	<p>194 - We suggest that the alignment remain immediately adjacent to or under the roadbed itself. As stated above, removal of existing and developing riparian communities will jeopardize bank stability, allow higher velocity and reduce the settling of suspended sediment loads during high flow events.</p> <p>194 - See response to comment 182.</p>
WTS03	<p>195 - Nine Mile Creek is currently listed for temperature impairment in our 303(d) list of impaired waters. Recent observations suggest that the best and perhaps only way to remedy this impairment is to facilitate development of</p>

Letter No.	Comments Followed by Responses (in bold)
	<p>the riparian woody vegetation to maturity. This will provide considerable stream shading which will reduce daytime heating of the stream as well as water stored within the banks.</p> <p>195 - A comprehensive reclamation plan was developed that should ensure enhancement of riparian areas (EA at Appendix C).</p>
WTO06	<p>196 - Nine Mile Creek and its tributaries are currently not meeting their beneficial uses for temperature, and the project will exacerbate this non-compliance with state water quality standards.</p> <p>196 - Please see the response to comment 195.</p>
WTO06	<p>197 - The EA indicates no involvement by the Utah Division of Water Quality. However, the project has the potential to significantly impact water resources. It is necessary for the state to be consulted. This is particularly true because DWQ must determine whether it will certify the project under Section 401 of the Clean Water Act.</p> <p>197 - Please see the EA at Table 1.1, which lists regulatory agencies and the permits they require. Under Utah Department of Environmental Quality, Division of Water Quality the table lists "Storm water discharge permits", which are one type of 401 permit this project would require. The Division of Water Quality is aware of this project, is involved in the EA review, and will be administering any required permits under their regulatory authority, including 401 permits. No point source discharges have been proposed.</p>
WTO06	<p>198 - BLM asserts that various unidentified and unsubstantiated mitigation measures will protect wetlands, streams, aquatic habitat and water quality. Mitigation proposals must be sufficiently detailed to show a fair evaluation of environmental consequences.</p> <p>198 - Please see the responses to comments 332 and 187. Detailed practices for pipeline construction would be incorporated as part of any 404 permit, and would be based on appropriate studies.</p>
WTO06	<p>199 - The proposed action and Alternative C will violate the Colorado River salinity standards.</p> <p>199 - The project would not violate any Colorado River salinity standards. Nine Mile Creek and all other water bodies within the proposed project area are within acceptable salinity ranges established by the Utah Division of Water Quality. The soils within the region are not highly saline, and storm water discharge permits for construction, issued by the Utah Division of Water Quality will establish acceptable limits of additional sediment loading to water bodies. Based on these factors, BLM believes existing salinity standards would be met.</p>
WTO06	<p>200 - BLM admits that "Nine Mile Creek is likely going to aggrade in many areas," thereby confirming that significant increases in sedimentation of the streams will occur. EA at 3-22.</p> <p>200 - Chapter 3 includes a description of the existing condition of Nine Mile Creek. The aggradation mentioned in the EA is a desirable condition occurring as a result of positive changes in management other than this Proposed Action. Sediment transport is a natural ecological function of this stream type (Rosgen C). Aggradation does not necessarily indicate additional sediment loading, but instead indicates the settlement of existing sediment along the channel bed.</p>
WTO06	<p>201 - BLM cannot support its statements that water quality in Dry and Cottonwood canyons and in Jack Creek are "good." EA at 3-33.</p> <p>201 - BLM has water quality data on file from samples collected on Dry and Cottonwood Creeks as part of cooperative water quality monitoring program with the Utah Division of Water Quality. The most recent analysis is about 10 years old. However, no changes have occurred in management of these two areas that would degrade water quality. These are spring fed creeks which have water chemistry, metals, nutrients, and physical properties well within the beneficial use criteria. Nine Mile Creek is tested by BLM at least four times annually. The temperature has been determined at times to exceed those needed for cold water fish reproduction; however, all other beneficial use criteria are being met. The 303(d) list over-generalizes the Nine Mile Creek system by transferring the same description for the 303(d) list as is used in the beneficial use classification for Nine Mile Creek. Beneficial uses of the tributaries of Nine Mile Creek were presumed to be the same as those for Nine Mile Creek when classification was done by DWQ. However, they are not the same. Dry Canyon and Cottonwood are not used for irrigation, and do not presently support cold water fish due to their flow regimes, rather than water quality. BLM's description of water quality within the area of the proposed action is supported by field data. Also, please see the response to comment 195.</p>
WTO06	<p>202 - BLM must evaluate the effect to water quality resulting from magnesium chloride application.</p> <p>202 - BLM was not provided with samples of magnesium chloride that may be used in this project; therefore, salinity concentration mixing calculations could not be performed. Based on experience analyzing larger sources of salt loading, magnesium chloride from dust suppression would not be detectable in Nine Mile Creek or tributaries using standard methods of analysis.</p>
WTO06	<p>203 - Nine Mile Creek and its tributaries are currently impaired due to temperature. EA at 3-22. No further activity can occur because the streams are not meeting their beneficial uses. This is particularly true because the type of activity authorized by the proposed project will exacerbate excessive temperature by destroying riparian vegetation, widening the stream channel, increasing erosion, depleting the water, and down cutting banks. Moreover, BLM cannot show activities approved under Alternatives A or C will not decrease water quality in the Nine Mile Creek and its tributaries.</p> <p>203 - There are no state or federal directives or policies which mandate discontinuing all activity due a</p>

Letter No.	Comments Followed by Responses (in bold)
	303(d) listing. Several federal and state agencies are currently involved in developing the environmental protection measures for the stream crossings during and after pipeline construction. The impacts described in your comment would not be allowed.
WTO06	<p>204 - The agency must investigate the possible deleterious effects of buried pipelines. Simply stating that they will be avoided by proper techniques is insufficient.</p> <p>204 - Please see the response to comment 205.</p>
WTO06	<p>205 - The agency must clearly identify each crossing by pipelines and roads. It must also identify how it will determine which construction technique is proper for burying a pipeline below a stream and how it will determine when to bury a pipeline and when to suspend a pipeline across a stream.</p> <p>205 - The proper crossing technique for pipelines would be determined by professional judgment after examination of the physical characteristics of the crossing location, as well as by other factors such as visual resources. All crossings would be reviewed by, and require a permit from the Corps of Engineers. Under the BLM-selected alternative the replacement pipeline in Nine Mile Canyon would include 16 stream crossings, with all stream crossings trenched (EA at 2.4.1). Figure 2.7 presents the buried pipeline route in Nine Mile Canyon proposed under Alternative C. The road crossing of Nine Mile Creek at Harman Canyon is described in the EA at 2.2.1.5.</p>
WTO06	<p>206 - BLM failed to assess the cumulative impacts of all of the stream crossings by road and pipelines. As well, BLM must examine the cumulative impacts of all activities requiring Clean Water Act Section 404 permits, including the filling of wetlands.</p> <p>206 - Although 404 Permits are not specifically identified for applicable actions included in the cumulative impacts analysis (EA at 4.3), the analysis does include all actions that may require such permits. In addition, please see the response to comment 198.</p>
WTO06	<p>207 - BLM must address the cumulative impacts from existing roads, proposed road modifications, and proposed pipeline burials, as well as development, including existing and reasonably foreseeable development in this watershed, on wetlands, streams, riparian areas, aquatic habitat, and water quality. Because these cumulative impacts promise to be significant, an individual permit and an EIS is required.</p> <p>207 - Please see the response to comment 38. In addition, the Utah Division of Water Quality and Army Corps of Engineers have jurisdiction over, and are informed about permit requirements for this project.</p>
WTO06	<p>208 - For example, BLM should demonstrate that it has considered, among other things, the impacts associated with Questar's Southern System Expansion Project for which the Federal Energy Regulatory Commission is currently preparing an EA.</p> <p>208 - Questar's Southern System Expansion Project is proposed to occur outside of the project area and cumulative impacts analysis area to the west of Nine Mile Canyon and the West Tavaputs Plateau and is, therefore, not considered within the scope of this EA.</p>
WTO06	<p>209 - Assuming the proposed wells are productive, BLM must assess the impacts of future development of the area, including impacts to; riparian areas, water quality, visual resources, and floodplains in light of the fact that BLM may allow non-conforming actions related to this project.</p> <p>209 - Any future oil and gas development of the area is speculative at this time and would be analyzed using appropriate NEPA documentation.</p>
WTO06	<p>210 - The Price River MFP requires protection of springs, whether flowing or not. The EA does not determine if springs will be impacted by the proposed project and its alternative and does not prohibit development in the proximity to springs. Thus, the proposed project and its alternative do not conform to the land use plan.</p> <p>210 - None of the alternatives proposed developments within 660 ft of any spring, so the alternatives are in compliance with the Price River MFP.</p>
WTO06	<p>211 - BLM lacks adequate information to determine the current water quality of waters potentially impacted by the project and to determine the impacts that the project and its alternatives will have on these waters.</p> <p>211 - Please see the response to comment 201.</p>
WTO06	<p>212 - BLM cannot approve any action that will cause or contribute to a violation of Utah's Water Quality Standards. Therefore, the agency cannot approve any project that will impact the water quality of Nine Mile Creek and its tributaries, in any way, because these waters are currently not meeting their beneficial uses. This is especially true because the proposed action and Alternative C would result in conditions that will contribute significantly to temperature exceedences. These conditions include increased upland and riparian erosion, loss of riparian vegetation, widening of the stream channel, and decreases in hydrological function.</p> <p>212 - Please see the response to comment 203.</p>
WTO06	<p>213 - At the very least, BLM cannot approve any action that will impact water quality in effected waters that are not meeting their beneficial uses until the State of Utah completes a TMDL to address temperature exceedences in Nine Mile Creek and its tributaries.</p> <p>213 - Please see the response to comment 203.</p>
WTO06	<p>214 - The proposed action and Alternative C would violate both Utah's anti-degradation and narrative standards, as well as the Colorado River salinity standards.</p> <p>214 - There are no water bodies within the region of the WTPPA that are classified as anti-degradation</p>

Letter No.	Comments Followed by Responses (in bold)
	segments by Utah DWQ. Also, please see the responses to comments 199, 201, and 203.
WT006	<p>215 - The EA must fully explain why Nine Mile Creek is not attaining applicable water quality standards and explain how the proposed action will impact Nine Mile Creek's ability to support its beneficial uses.</p> <p>215 - Nine Mile Creek does not meet the temperature standard for the 3A (cold water fishery) beneficial use classification due to agriculture. The natural cottonwood canopy has been removed to increase farmable acreage, and open field irrigation exposes large quantities of creek water to solar radiation. This was not discussed in the EA because the agency selected alternative would have no effect on the temperature of Nine Mile creek. Additional protective measures may be implemented as a result of NEPA analysis and public input. BLM believes the effects of surface disturbance on water quality would be minimized to the point of being indistinguishable from background levels using standard analytical methods. Also, please see the response to comment 195.</p>
WT006	<p>216 - BLM must provide baseline data and identify the impacts of the proposed project and its alternatives on water temperature—and on other water quality parameters such as TDS, pH, dissolved oxygen, heavy metals, chlorine, ammonia and other criteria pollutants in all effected waters including Nine Mile Creek and its tributaries. Because it does not have this baseline data, the agency cannot determine whether the project would cause or contribute to violations of state water quality standards.</p> <p>216 - Please see the responses to comments 199, 201, 203, and 215.</p>
WTU05	<p>217 - The “design” for the incised channel of Dry Canyon is based on a 6-hour/25 year event which rarely if ever occurs in this part of the country, a 30 minute cloudburst is the norm and is the major cause of natural channel erosion. This type of armored crossing will alter the stream characteristics both above and below the crossing and will surely fail without trash racks in a flash flood event.</p> <p>217 - The 6-hour/25-year event is a standard design parameter by regulation, used as a fixed variable for runoff calculations. This is actually dealt with in the Stream Channel Alteration permit (GP-40 or 404). Public Notices for GP-40 may be found in the local newspapers and comments on these proposals are welcome. Your suggestion to use debris racks will be forwarded to the proponent for consideration. Flows in excess of the culvert capacity are designed to flow over the crossing(s).</p>
WTU05	<p>218 - Low profile culverts with a concrete apron to allow flood stage events to pass over will have much less influence on the characteristics of the channel.</p> <p>218 - The designs call for rock aprons, which will serve the same purpose when properly constructed, but should be more visually compatible with the landform.</p>
WTU13	<p>219 - The ecological impact of taking a large amount of water during drought periods and using it on the road is not addressed.</p> <p>219 - The quantity of water to be used on the roads as compared to the amount of water available within the ecosystem is insignificant, even during drought. The concern is whether the use of water on the roads will interfere with existing human uses, a quantity which is also insignificant compared to what is available in the ecosystem. The uplands would not be deprived of water. The only possibility of altered ecologic process would be if the surface flow Nine Mile Creek were sufficiently depleted to dry the channel. Because all of the water in the basin is adjudicated, no additional depletions would be authorized by the Division of Water Rights. Theoretically, any water used for the project would be water that is not used for what it was previously being used (i.e. irrigation). This was not described in the EA because there would be no additional depletion authorized as a result of this action.</p>
WTU21	<p>220 - We think we know all about [the subsurface water aquifers], but do we really know their routes, their levels, and relation to each other? We are concerned that the drilling and exploration could affect the resident's wells.</p> <p>220 - Casing would be set in all wells to isolate ground water aquifers. Water wells tap bedrock formations 1,000 ft or more below the canyon floor and would not impact domestic wells.</p>
WETLAND/RIPARIAN AREAS	
WTG01	<p>221 - The document does not fully disclose the impacts to riparian resources, aquatic biota, and water resources that would result from adoption of Alternative C, the Preferred Alternative.</p> <p>221 - Alternative C was formulated to minimize visual, cultural, and safety concerns identified in the proposed action. Relative to the Nine Mile Canyon Backcountry Byway and proposed cultural district, BBC selected a route based on a geomorphologic survey that determined the age and depth of sediments in the canyon bottom. This information enabled the BLM and BBC to select a route that poses the least possibility of disturbing buried archaeological sites. The same route also was determined to minimize visual concerns and to eliminate the major safety issues. To assess the potential impacts, BBC hired an independent consultant to survey wetland/riparian areas that would be temporarily disturbed. The survey utilized the criteria established by the Price Field Office to identify wetland/riparian areas, and the results indicated minimal impacts. BLM utilized two of their specialists to resurvey 12 routes, and their independent survey predicted even less temporary disturbance. It was determined that approximately 12 acres of riparian area and less than 1 acre of wetlands would be disturbed within Nine Mile Canyon and Dry Canyon. Impacts to aquatic biota and the water resources would be negligible because BMPs would be employed at all stream crossings. The proposed reclamation would result in increased vegetative and a more desirable native vegetation community as compared to the existing invasive species (tamarisk) currently present in Nine Mile</p>

Letter No.	Comments Followed by Responses (in bold)
	Canyon and Dry Canyon.
WTG01	<p>222 - During that visit, it became apparent that, while the proponent is willing to mitigate impacts, the NEPA document substantially underestimates the impact acres of riparian and possibly wetland habitats.</p> <p>222 - The EA overestimated the extent of disturbance to wetland/riparian areas. Recent surveys of these habitat types within the proposed pipeline disturbance area, based on characteristic vegetation species associated within these habitat types, revealed considerably less disturbance than was stated in the EA. BLM specialists surveyed the pipeline corridor in Nine Mile Canyon and Dry Canyon and determined there would be approximately 12 acres of wetland/riparian areas, of which less than 1 acre would be wetlands. See also response 221.</p>
WTG01	<p>223 - As discussed with you on June 3, 2004, we do not believe that impacts to riparian and wetland habitats can be fully mitigated. In an area subject to periodic high water events as evidenced by debris accumulations, linear structures within the floodplain and approximately parallel to the stream pose a high erosion potential. This is especially true if high water events occur prior to re-establishment of riparian vegetation adequate to dissipate the energy of the flood flows.</p> <p>223 - The pipeline and structures would be engineered to withstand a 50-100 year flood event. By implementing current industry construction standards and reclamation BMPs it is reasonable to say that disturbed areas will return to near present conditions within the stated time frames. Also, please refer to comment response 221.</p>
WTG01	<p>224 - We recommend that, in coordination with the Corps, you conduct a complete wetland delineation in order to adequately describe and evaluate impacts to wetlands. In addition, similar delineation and mapping of riparian resources should be completed in order to adequately describe and evaluate impacts.</p> <p>224 - Riparian areas have been delineated and the extent of pipeline disturbance calculated for each of the stream crossings. The dominant vegetation species at each creek crossing have also been determined. This information will be used for reclamation with native species within these wetland/riparian areas. These reasonable descriptions and disclosures of impacts to wetland/riparian areas are adequate for this EA. The riparian and wetland surveys implemented by both a third party consultant and the BLM were adequate to determine both the existing resource and the potential impacts associated with alternative C. In the event the ACOE requires additional delineation in the permit approval process, the BLM would so stipulate.</p>
WTG03	<p>225 - A delineation of all waters of the United States within the pipeline right of way and well pad and compressor station footprints needs to be conducted and submitted to this office for verification. Waters of the United States include, but are not limited to, seeps, springs, wetlands, mud flats, vegetated shallows, and perennial, intermittent and ephemeral streams below the ordinary high water mark. The Corps of Engineers regulates any discharge of dredged or fill material into waters of the United States, including wetlands, (waters) under Section 404 of the Clean Water Act. Any such discharge would require a permit from this office.</p> <p>225 - All necessary permits, including permits from the Army Corp of Engineers, will be secured prior to project approval.</p>
WTG03	<p>226 - When an application is submitted to this office for the pipeline project and its ancillary facilities (a single and complete project), portions of the project that cross private land must also be delineated for waters and those impacts fully disclosed.</p> <p>226 - All federal, private, and fee lands are analyzed in this EA. No distinction relative to existing environmental conditions or potential impacts is made based on land ownership. Mitigation specific to non-federal lands is recommended but cannot be mandated.</p>
WTG04	<p>227 - We recommend that BLM and the Corps conduct a complete wetland delineation including the ecological functions of any wetlands in order to adequately describe and evaluate impacts to wetlands and waters of the U.S.</p> <p>227 - If any wetlands are disturbed they would first be delineated to determine if they are jurisdictional, and permitted accordingly. At this time it appears that any jurisdictional wetlands that would be impacted would be less than 0.5 acres, would be successfully reclaimed in 3-5 years, and would be covered by a Nationwide Permit.</p>
WTS03	<p>228 - The EA noted that major channel erosion began about 100 years ago. Yet, in the recent few years, new riparian woody vegetation has become established throughout much of this region. It is therefore extremely important to include BMPs to replace disturbed vegetation in order to continue development of stream bank stability.</p> <p>228 - BMPs to replace disturbed vegetation in order to ensure stream bank stability are included at 2.4.2.4. A detailed reclamation plan is included as Appendix C.</p>
WTO06	<p>229 - Because the EA does not squarely address the issue of impacts to wetlands, waters of the United States, aquatic habitat and water quality, BLM has wrongly restricted the scope of its analysis.</p> <p>229 - Please see the response to comment 234.</p>
WTO06	<p>230 - Alternatively, BLM cannot issue a decision on the proposal until the Army Corps of Engineers completes its obligations under section 404 of the Clean Water Act. To do otherwise would improperly restrict the alternatives available to the Army Corps of Engineers in violation of NEPA and could mislead the applicant into spending funds unwisely.</p> <p>230 - Please see the responses to comments 332 and 187.</p>

Letter No.	Comments Followed by Responses (in bold)
WTO06	<p>231 - The proposed project and Alternative C require an individual permit under section 404 of the Clean Water Act.</p> <p>231 - The EA recognizes the need for appropriate permits under Section 404 of the Clean Water Act in Table 1.1 of the EA.</p>
WTO06	<p>232 - The EA states that no surveys have been conducted in the project area to delineate or classify jurisdictional wetlands or to determine adequately if springs will be impacted by the project. EA at 3.23. For this reason alone, the EA is fatally deficient.</p> <p>232 -Surveys are conducted to analyze areas of potential impact. Where no impact is going to occur, surveys are not warranted. No springs would be affected by the Proposed Action or the alternatives.</p>
WTO06	<p>233 - The proposed project and Alternative C violate the Utah Riparian Management Policy. Alternatively, the agency has not provided a convincing case as to why the proposed project and its alternatives do not violate this policy.</p> <p>233 - Utah Riparian Management Policy provides for disturbance to riparian areas when there is no practicable alternative and when all long-term impacts are fully mitigated. Both of these criteria are met with the Nine Mile Canyon pipeline in Alternative C.</p>
WTO06	<p>234 - All evidence suggests that the adverse impacts of the proposed project to wetlands, streams, aquatic habitat and water quality cannot be mitigated and will result in permanent damage to these critical resource values and to waters of the United States. As a result, the project must be evaluated under the 404(b)(1) regulations and redesigned to avoid these areas.</p> <p>234 - There is nothing in the EA that suggests that impacts to wetlands, streams, aquatic habitat, and water quality cannot be mitigated. Throughout Chapter 2.0 and Appendix B the applicant has described in detail the use of best management practices to mitigate these impacts, and impacts to water quality and wetlands/riparian zones have been analyzed and determined to be low to negligible. In the case of possible adverse impacts from well 23-3, Alternative C included an alternative location that would not impact aquatic areas.</p>
WTO06	<p>235 - The Price River MFP requires delineation and protection of all wetlands, floodplains, and riparian areas in part by eliminating surface disturbing activities.</p> <p>235 - Please see the response to comment 221. Special stipulations may be developed based on site-specific conditions or circumstances.</p>
WTO06	<p>236 - As previously stated, these impacts demonstrate that BLM must consider an alternative more consistent with the Price River MFP which requires delineation and protection of all wetlands, floodplains, and riparian areas in part by eliminating surface disturbing activities.</p> <p>236 - There would be no long-term impacts to wetlands or floodplains, and impacts to riparian habitat would be minimized to the extent possible.</p>
WTO06	<p>237 - BLM's assessment of riparian impacts from fugitive dust and stream crossings is insufficient and vague. BLM must provide support for its assertions that water quality will not be negatively impacted by the proposed project.</p> <p>237 - The level of impact to riparian areas from fugitive dust and stream crossings is disclosed in the EA at 4.2.1.6 and other places that discuss dust suppression and the use of BMPs.</p>
WTO06	<p>238 - Trenching work conducted in riparian areas will expose soils and remove vegetation. Eroding trench material could diminish water quality even further. The agency should address this possibility. The BLM must examine the impact that the loss of vegetation would have on water quality and temperature, especially since Nine Mile Creek and its tributaries are non-compliant.</p> <p>238 - Best management practices during pipeline installation would minimize impacts to water quality. Also, please see the response to comment 273.</p>
WTO06	<p>239 - The Price River MFP requires delineation and protection of all wetlands, floodplains, and riparian areas in part by eliminating surface disturbing activities. Moreover, BLM has determined that watershed of the West Tavaputs Plateau is particularly vulnerable to erosion and sedimentation. Should the BLM approve the project or Alternative C and allow the placing miles of pipeline and other development facilities in these sensitive areas, its decision would not conform to the relevant land use plan and therefore would violate FLPMA. By the same token, BLM must consider an alternative more consistent with the Price River MFP which requires delineation and protection of all wetlands, floodplains, and riparian areas by eliminating surface disturbing activities there.</p> <p>239 - The MFP does not require delineation of wetlands, floodplains, and riparian areas. It includes a lease stipulation based on Executive Orders 11988 and 11990 that encourages avoidance of these areas. The MFP presumes that by preventing disturbance within 330 feet from the centerline of streams and 660 feet from the discharge points of springs (or the 100 year floodplain), these areas would be protected, whether delineated or not. The Price MFP contains language which allows exceptions or modifications to these distances according to management discretion. Criteria upon which such exceptions could reasonably be made have been provided to management as part of this action. FLPMA would not be violated.</p>
WTU168	<p>240 - BLM recognizes that the Bill Barrett Corporation will need to obtain a Clean Water Act Section 404 permits for placement of dredged or ill material in area waters and adjacent wetlands. The appropriateness of issuing section 404 permits must be analyzed contemporaneously with the impacts of the project as a closely related action.</p>

Letter No.	Comments Followed by Responses (in bold)
	<p>Despite this fact, “[n]o surveys have been conducted to delineate specific wetlands or to determine if such wetlands are jurisdictional.”</p> <p>240 - Please see the response to comment 198.</p>
WTU189	<p>241 - BLM recognizes that the Bill Barrett Corporation will need to obtain a Clean Water Act Section 404 permits for placement of dredged or fill material in area waters and adjacent wetlands. The appropriateness of issuing Section 404 permits must be analyzed contemporaneously with the impact of the project as a closely related action. Despite this fact, “[n]o surveys have been conducted to delineate specific wetlands or to determine if such wetlands are jurisdictional.”</p> <p>241 - Please see the response to comment 198.</p>
WTU190	<p>242 - No surveys have been conducted vis-à-vis Clean Water Act Section 404 permits. Again, without this info how can the project be allowed to proceed?</p> <p>242 - If jurisdictional wetlands would be disturbed, appropriate permits would be obtained under Section 404 of the Clean Water Act. Also please see the response to comment 198.</p>
WTF08	<p>243 - BLM recognizes that the Bill Barrett Corporation will need to obtain a Clean Water Act Section 404 permits for placement of dredged or fill material in area waters and adjacent wetlands. The appropriateness of issuing Section 404 permits must be analyzed contemporaneously with the impact of the project as a closely related action. Despite this fact, “[n]o surveys have been conducted to delineate specific wetlands or to determine if such wetlands are jurisdictional.”</p> <p>243 - Please see the response to comment 198.</p>
WILD AND SCENIC RIVERS	
WTL02	<p>244 - Paragraph 3.3.7 Wild and Scenic Rivers. Second paragraph mentions a 45-long segment of Nine Mile Creek as being eligible for designation with a tentative classification of recreational. The Diamond Mountain RMP, Nine Mile Creek was considered but not found suitable for designation as a Wild & Scenic River.</p> <p>244 - Price Field Office and Vernal Field Office are currently revising their land use plans, including the Diamond Mountain RMP. The Wild and Scenic Rivers Act specifies that the BLM must give consideration to streams potentially eligible for designation [Section 5 (d)(1)] during all land use planning. As part of these current planning efforts, both field offices coordinated an inventory of Nine Mile Creek and determined it eligible. The suitability of Nine Mile Creek will inevitably be considered again as part of the land use plan revision process.</p>
WTO06	<p>245 - BLM violated NEPA when it failed to “study and discuss the full effect” of the Proposed Action on the eligibility of Nine Mile Creek for Wild and Scenic River Act designation.</p> <p>245 - An analysis of impacts to the eligibility of Nine Mile Creek was provided in Sections 4.2.1.7, 4.2.2.7, and 4.2.3.7 for each respective alternative. The BLM’s policy is to protect the outstandingly remarkable values (ORVs), such as cultural, historic, and scenic, identified in the eligibility determination process. Management and development within corridors of eligible rivers cannot modify ORVs and free-flowing condition to the degree that the eligible rivers’ eligibility would be affected. The analysis of impacts to each ORV demonstrates that although the values may be affected by Alternatives A or C, the impacts would not affect the ORVs to the extent that they would make Nine Mile Creek ineligible.</p>
WTO06	<p>246 - BLM failed to adequately assess the impacts of streambed modifications on the eligibility of Nine Mile Creek for WSRA designation.</p> <p>246 - The affect of streambed modifications on the free-flowing condition of Nine Mile Creek is analyzed in Sections 4.2.1.7, 4.2.2.7, and 4.2.3.7 for each respective alternative. Modifications to the free-flowing character of Nine Mile Creek would not occur to the extent that they would affect the stream’s eligibility. The EA recognizes that the streambed would be modified in certain locations, but concludes that the overall riverine character of the stream would remain free-flowing.</p>
WTO06	<p>247 - The visual impacts of the Proposed Action will degrade Nine Mile Creek’s outstandingly remarkable values rather than enhancing or protecting them, as the WSRA and BLM handbook require.</p> <p>247 - The EA notes that visual impacts would occur only along approximately 1.0 mile of the corridor within which Nine Mile Creek meanders for 45 miles. This limited visual impact would not preclude the stream from possessing the outstandingly remarkable scenic values contributing to the further consideration of Nine Mile Creek for a determination of suitability under the Wild and Scenic Rivers Act.</p>
WTO06	<p>248 - BLM must assess the impacts of these intrusions on the ORVs of Nine Mile Creek.</p> <p>248 - An analysis of impacts to Nine Mile Creek’s outstandingly remarkable cultural, historical, and scenic values is provided for each respective alternative in Sections 4.2.1.7, 4.2.2.7, and 4.2.3.7.</p>
WTO06	<p>249 - BLM failed to take a hard look at the impacts of Alternative C on the eligibility of Nine Mile Creek for WSRA designation.</p> <p>249 - A hard look at the impacts of Alternative C to the eligibility of Nine Mile Creek is provided in Section 4.2.3.7.</p>
WTO06	<p>250 - BLM’s statement that “none of the RFFAs would compromise cultural, historic or scenic values” of the Nine Mile Creek area is unsupported and contradicts the ample impacts acknowledged in the West Tavaputs EA. Moreover, BLM must provide justification for its conclusion that BLM’s failure to conform to the VRM Class II</p>

Letter No.	Comments Followed by Responses (in bold)
	<p>standards “would not be of a magnitude to make Nine Mile Creek ineligible for consideration for [WSRA] designation”</p> <p>250 - The justification for this statement is stated in the EA at 4.3.4.7.</p>
VEGETATION	
WTL03	<p>251 - [Burying pipeline] could establish a precedent for other projects in the area. Trees could camouflage the pipeline compared to digging and leaving a scar which would require extensive land rehabilitation. Burying pipelines increases substantially the amount of surface disturbance and may bring about a need for blasting through bedrock areas that could be detrimental to adjacent rock art and artifacts. In the event of breaks the breaches of pipeline are more visible and requires less surface disturbance to repair. Painting the pipelines would make them less obvious and more visually acceptable. When the project is over with, surface pipelines can be removed with no impact.</p> <p>251 - Noted. Thank you for your comment.</p>
WTO06	<p>252 - BLM admits that as a result of West Tavaputs Project “[a]pproximately 171 acres of vegetation would be disturbed.” EA at 4-13. Without any study or analysis of the probability of reclamation success under potentially different conditions, this conclusion is unsupported and failed to provide a convincing statement of insignificance of the impact.</p> <p>252 - The Proposed Action would have negligible impacts to vegetation. Approximately 171 acres of vegetation would be disturbed. These disturbed areas would require adherence to the reclamation plan for the project. The successful reclamation cited in the EA are for upland sites with pinyon/juniper and sagebrush grass vegetation. No special or unique habitats would be disturbed other than riparian habitat (EA at 4.2.1.6). Two examples of riparian recovery sites are located within Nine Mile Canyon. One site is located at the mouth of Gate Canyon and the other is at the mouth of Sulfur Canyon. Both sites in the past received heavy livestock grazing that removed virtually all the riparian vegetation. Both sites were in functioning-at-risk to nonfunctioning condition. Within 3-5 years following the removal of livestock grazing, the area now supports a sufficient growth of thick root mass plants that armor and protect the creek banks from high-water flow events. Both sites are aggrading with accumulations of sediment and increased riparian plant diversity and stream channel stability. Dust from project-related activities can settle on plants and affect growth by blocking sunlight and clogging stomata; however, dust suppression proposed by BBC would reduce dust emissions to levels lower than at present. Since vegetation in the project area is surviving under present dust conditions, no loss of vegetation from project-related dust is anticipated.</p>
WTO06	<p>253 - BLM has not done any analysis of potential invasion of disturbed areas by noxious weeds. EA at 2-33; 2-3; 4-26.</p> <p>253 - The Federal and the Utah Noxious Weed Acts state that prevention measures are the frontline to stopping the spread of noxious weeds. These measures include cleaning construction equipment before transporting it to other locations. Close monitoring of specific sites of soil disturbance, followed by appropriate treatment actions, are methods used to eradicate or control infestations. BBC has agreed to these procedures and will be responsible for their enforcement. BLM is mandated to conduct periodic monitoring of resource conditions on the public lands. BLM will notify BBC of any noxious weed infestations attributable to BBC within the project area.</p>
WTO06	<p>254 - Moreover, BLM failed to assess the increased vegetation loss associated with Alternative C. EA at 4-40. As well, BLM provides no justification for its conclusion that impacts would be “negligible.” EA at 4-40.</p> <p>254 - Impacts to native vegetation (EA at 4.2.3.8) under Alternative C would be the same in kind as for the Proposed Action; however, approximately 255 acres would be disturbed as compared to 171 acres for the Proposed Action.</p>
WTO06	<p>255 - Although BLM relies on reclamation of these disturbed areas, the EA does not cite any evidence or studies of successful reclamation under similar conditions.</p> <p>255 - The EA in Section 4.2.1.10 says that past reclamation efforts in the vicinity of the WTPPA have generally been successful. This reclamation has often been associated with oil and gas development. Also, please see the response to comment 252.</p>
WTU05	<p>256 - Page 2-24 states “...would be reclaimed during the first available season following well completion,” this is not BMP and will only serve to delay reclamation and increasing time the time frame of cumulative impacts. To the extent possible all areas need to be reclaimed immediately following disturbance.</p> <p>256 - In the arid west, reclamation (seeding) needs to occur when conditions are optimal to ensure success. This normally occurs in early spring (March-May) and late fall (October-November). Timing is critical for reclamation success. Seed mixes normally include both warm and cool species. This means a portion of the seed will need to scarify (freeze/thaw) in order to germinate. So a fall planting favors these species. Warm species require soil temperatures in the high 50s to low 60s and saturated soil for a minimum of 24 hours to germinate. Winter seeding is impractical, whereas summer seeding can result in thunderstorms providing the saturated soils and required temperatures that result in germination, followed by hot, drying conditions which could result in a total die off of warm weather species. Therefore, the first available growing season refers to that period best suited to provide the greatest likelihood of success.</p>
WILDLIFE RESOURCES	

Letter No.	Comments Followed by Responses (in bold)
WTS02	<p>257 - Seasonal activity buffers for the bighorn sheep lambing season should be included for the two most easterly re-entry sites PPU 36-3 and PPU #10. This applies to both construction and workover activities. Any variance from seasonal restrictions should be made with full concurrence of the Utah Division of Wildlife Resources (UDWR).</p> <p>257 - Seasonal closures are committed to for all activities within 1 mile of the delineated lambing areas utilized by Rocky Mountain bighorn sheep.</p>
WTS02	<p>258 - No specifications for pump jack noise levels are included. We believe that the wildlife impacts of quiet pump jacks are much less than those of noisy pumping units. If producing wells require pumping units. We recommend that pump units be monitored annually and meet a standard of less than 55dBA at a distance of 200 feet as established by EPA Publication EPA 550/9-74-009.</p> <p>258 - Pump jacks have not been proposed, and based on producing wells in the same field, pump jacks are seldom required. However, in the event a pump jack is required, all state and federal requirements would be met including EPA Pub. 550/9-74-009 relative to noise at or below 55 dBA at 200 feet.</p>
WTS02	<p>259 - This project will have impacts on greater sage-grouse winter range. In addition to the physical destruction of habitat, habitat quality will be reduced due to increased disturbance and predator mobility on plowed roads. We are very concerned about the cumulative impacts of hydrocarbon development on greater sage-grouse on the West Tavaputs Plateau. Meaningful long-term mitigation, such as habitat enhancement, for greater sage-grouse impacts should be included in the proposed alternative. Potential habitat enhancement projects include the removal of pinyon and juniper from good sagebrush sites, and the control of erosional headcuts in wet meadow brooding habitat.</p> <p>259 - There is no documented evidence that predators would pose a greater threat to greater sage-grouse because of increased mobility along maintained roads; however, there is evidence that predator numbers decline in more accessible areas. The proponent has implemented mitigation such as the prescribed burn in the Dry Canyon bottom and will continue to enhance habitat by removing pinyon and juniper and controlling erosional head cuts in road, well, and gas line corridors.</p>
WTS02	<p>260 - A thorough inventory, with maps and databases, of surface waters and associated species (including reptiles, amphibians, and mollusks) is recommended, especially for headwater seeps, springs, and areas of intermittent flow.</p> <p>260 - These aquatic areas would be avoided to the extent possible (EA at Appendix B, page B-6, 2.6.1); therefore, a thorough survey of aquatic species was not deemed necessary.</p>
WTL02	<p>261 - <i>Table 2.3 footnote 4</i>, last sentence mentions the authorized officer will determine appropriate buffer zones. The Diamond Mountain RMP has listed the spatial and seasonal buffers for the twenty special status or sensitive raptors species. The existing and applicable plan should be the guide.</p> <p>261 - Buffer zones identified by the USFWS will be adhered to for all raptor species.</p>
WTO04	<p>262 - I am concerned about the statement that impacts to game species such as elk and mule deer are negligible, especially since the EA admits that, in regard to mule deer, "specific quantitative estimates of such impacts are not possible because the requisite research has not been done." Studies should be undertaken before such unsupported statements are made.</p> <p>262 - The statement that impacts to elk and mule deer would be negligible are based on a considerable amount of literature that is cited and summarized in the EA at 4.2.1.9. It is true, however, that "specific quantitative estimates of such impacts are not possible because the requisite research has not been done." However, the best information that is available indicates that, because of the level of development and because of experience in other areas with similar development, impacts would be low. Also, please see the response to comment 263.</p>
WTO05	<p>263 - This region may be the most important remaining wildlife habitat in Utah, but is in danger of being sacrificed to one use only: natural gas exploration and production.</p> <p>263 - Impact analysis in the EA demonstrates that oil and gas development can occur without "sacrificing" wildlife. Multiple use will continue in the West Tavaputs area, including recreation, livestock grazing, and other existing uses. Wildlife habitat potentially impacted as a result of the Proposed Action constitutes less than 1/100 of 1 percent of available suitable habitat in the herd units or wildlife use areas.</p>
WTO05	<p>264 - The expected vehicular traffic on the new roads and others in the area, necessary for construction, production and maintenance operations over the course of many years, will constitute a much greater impact with respect to many terrestrial species of fauna that are adverse to roads and heavy road use. Again, this impact will be compounded many times over by incremental addition of future projects to existing ones.</p> <p>264 - There are certainly impacts to wildlife from roads and the vehicular traffic associated with them. These have been addressed in the EA. Future development will have impacts as well, and future development that is known at this time is included in the EA at 4.3.2.9. These impacts to wildlife were judged to be low. See response to comment 263.</p>
WTO06	<p>265 - BLM asserts that "[v]ehicle/wildlife collisions are expected to be minimal due to existing road conditions and vehicle speeds anticipated on the access roads." EA at 4-17. BLM provides no justification for this conclusion given that "it is anticipated that 15,960 round-trips by trucks, semi-truck transport vehicles, and delivery vehicles would occur during the project." EA at 2-9. BLM must examine the likelihood of vehicle collisions, assess the impact of these collisions on wildlife populations, and provide justification for its conclusion that collisions would</p>

Letter No.	Comments Followed by Responses (in bold)
	<p>be "minimal."</p> <p>265 - Consultation with UDWR indicated that based on road conditions, travel speeds, and usage, collisions with wildlife would be extremely rare with the exception of the paved portion from Wellington, Utah to the Soldier Creek mine (approximately 9 miles). These accidents normally involve coal truck traffic. The majority of the traffic associated with the project will come from the Uinta Basin via Gate Canyon. This route would be comparable to the Nine Mile Road. Travel speeds and road conditions minimize animal/vehicle collisions.</p>
WTO06	<p>266 - BLM relies on "[a] UDWR helicopter inventory in 2002 and a ground survey by EIS in 2002 of historic nesting sites found no active nesting sites" as sufficient to identify raptors in the project area. EA at 3-29. However, a survey of historic nesting sites is not sufficient. BLM must survey the entire impact area, including areas indirectly impacted by the project, in order to sufficiently inventory raptors. Moreover, BLM failed to demonstrate the validity of the information submitted by EIS.</p> <p>266 - All data was compiled by and in cooperation with UDWR. Follow-up surveys are conducted annually (two surveys conducted in 2004 with the same findings).</p>
WTO06	<p>267 - The West Tavaputs EA failed to analyze the effect of the proposed project on Rock Mountain Bighorn sheep, especially in the relatively narrow confines of Jack's Canyon and Dry Canyon. BLM must evaluate impacts to Bighorn sheep lambing habitat and Bighorn Sheep populations in general.</p> <p>267 - No activity would occur in the reaches of Jack Canyon which is designated as a lambing area. Dry Canyon does not contain a breeding/lambing population of bighorn sheep.</p>
WTO06	<p>268 - The West Tavaputs Project would occur in critical and high priority range for elk, BLM acknowledges that gas well maintenance "within crucial winter ranges would disturb elk potentially causing them to use valuable energy reserves during a time when they are in a negative energy balance." EA at 4-16. Nonetheless, despite these impacts to elk, BLM concludes that impacts to these big game species are "negligible." BLM must provide a justification for this conclusion and comprehensively evaluate the impacts of activity during the crucial winter period.</p> <p>268 - Over the past 20 years, the resident winter elk herd has developed a tolerance of well field activity. Elk are routinely seen grazing on and adjacent to both well pads and well service roads. With the exception of the hunting season, a flight response from elk to a moving vehicle is all but non-existent. Currently, hunting seasons are open in the lease area from mid-August through January. The period from March through April would have most elk on the lower reaches of winter range and well out of the project area.</p>
WTO06	<p>269 - BLM acknowledges that the West Tavaputs Project would occur in "critical, high value, and substantial value range for mule deer." EA at 3-25. BLM acknowledges impacts to mule deer, but states "specific quantitative estimates of such impacts are not possible because the requisite research has not been done." EA at 4-15. Nonetheless, despite these impacts to mule deer habitat, BLM concludes that impacts to these big game species are "negligible." BLM must take a hard look at the environmental consequences of habitat reductions and direct mortality from vehicle collisions. Moreover, BLM must provide quantitative estimates of the impacts, including impacts to mule deer populations generally.</p> <p>269 - The mule deer population in the Range Creek Management area is currently at 39% of the desired number. Winter range is not a limiting factor and mitigation has resulted in a net gain in productivity.</p>
WTO06	<p>270 - BLM states that "[e]lk on high priority and critical winter ranges would be protected by seasonal restrictions on construction from November 1 through May 15." EA at 4-16. BLM also states that "[r]oad construction would occur from April 15 to October 30." EA at 2-13. BLM must resolve this inconsistency in favor of protecting critical elk winter range.</p> <p>270 - The text has been changed at 2.2.1.5 to read "May 15 to October 31".</p>
WTO06	<p>271 - According to the Price MFP, because this project would impact more than 10 acres or critical deer or elk winter range, BBC must enhance an equivalent acreage. EA at 4-16. To fulfill this requirement, BBC "has agreed to purchase seed mix for a controlled burn project on federal lands within Dry Canyon." EA at 4-16. However, BLM failed to demonstrate that this project is of an equivalent acreage. Moreover, BLM provides no justification for its conclusion that this seed purchase "qualifies as mitigation for the impacts to wildlife resources anticipated by the Proposed Action."</p> <p>271 - The mitigation (controlled burn of 400+ acres) in Dry canyon should yield a 200-300 percent increase in productivity of desirable forage. The seed constitutes 50% of the total project cost (mitigation credits) and would be well in excess of the total long-term and interim forage lost as a result of the proposed disturbance.</p>
WTO06	<p>272 - BLM failed to assess impacts to aquatic species in the area. Given that the West Tavaputs Project would require surface water depletion, increase sedimentation in watercourses, and impact water temperature, BLM must assess the project's impacts on aquatic species.</p> <p>272 - Because of the utilization of BMPs, impacts to surface waters would be minimal. Water quality would not be degraded so as to affect the biotic community. No net loss in water (depletion) to Nine Mile Creek or any of the lateral drainages would occur as a result of this action. Water used for dust control, drilling operation and/or the normal range of drilling and or construction activities would come from an approved source which would not have made up the historic flows of the Nine Mile Creek.</p>

Letter No.	Comments Followed by Responses (in bold)
WTO06	<p>273 - Diminished water quality can adversely affect aquatic habitat. The EA states that populations of bluehead sucker, flannelmouth sucker, and roundtail chub within the WTPPA may be impacted by water depletion. EA at 4-10. However, the agency fails to consider other likely impacts on these fish as well as other aquatic life. These impacts include increased temperature, sedimentation, and erosion and changes to the stream channel as well as the increases in other criteria pollutants.</p> <p>273 - Impacts to aquatic habitats, especially those resulting from diminished water quality due to temperature, sedimentation, erosion, changes to the stream channel, or increases in criteria pollutants are discussed, when considered an issue, in the EA at 4.2.1.5, 4.2.1.7, 4.2.1.10, and elsewhere. There is no reason to believe that water temperatures would be impacted by the WTPDP. Sedimentation and erosion would be mitigated by the use of BMPs; changes in the stream channel would occur only at road crossings and would be minimal (EA at 4.2.1.7); and any release of criteria pollutants would be mitigated by implementation of the Spill Prevention, Control, and Countermeasure Plan (EA at 2.2.1.10).</p>
WTO06	<p>274 - The agency must also identify the extent of impacts on the fish and other aquatic life from the water depletion.</p> <p>274 - BMPs during pipeline installation would minimize impacts to water quality and to aquatic life. Temporary disturbance to benthic macro invertebrates is acknowledged in the EA at 4.2.3.5, and impacts to fish from surface water depletion are discussed in Section 4.2.1.4 and elsewhere in the EA.</p>
WTO06	<p>275 - BLM reaches the unsubstantiated conclusion that cumulative impacts to wildlife “are expected to be low,” despite acknowledging loss of habitat, increased human activity during critical periods, and direct mortality from collisions. EA at 4-57. BLM provides no justification that mitigation measures are adequate to remedy these impacts. Moreover, BLM’s cumulative impact analysis appears limited to deer and elk despite a diversity of wildlife species utilizing the area.</p> <p>275 - Cumulative impacts to wildlife were determined to be low based on a number of criteria: 1) total disturbance constitutes less than 5% of the project area; 2) the majority of the disturbance is short-term (less than 3 years); 3) reclamation is designed to enhance the vegetation cover, diversity, and desirable forage on all disturbed sites; and 4) mitigation has been implemented that exceeds the anticipated disturbance and will to a large degree mitigate historic disturbance.</p>
WTO06	<p>276 - The Price River MFP prohibits major construction activity while deer and elk are on the winter range and requires mitigation for loss of critical habitat for these large ungulates. The proposed action and its alternative fail to conform to these time restrictions and fail to comply with the mitigation requirement as specified in the RMP.</p> <p>276 - The EA at 4.2.1.9 says that mule deer and elk would be protected by winter closures from November 1 through May 15, as indicated in the Price River MFP.</p>
WTU01	<p>277 - There is no mention in the EA on the impacts to wildlife because of water rights being used for dust suppression in a drought cycle.</p> <p>277 - The water used by BBC would be water already allocated for agricultural use, and not a new depletion.</p>
WTU13	<p>278 - The potential impacts are on the wildlife of the canyon as well as effects near the road from the water and dust suppressants.</p> <p>278 - Impacts to wildlife are analyzed in the EA at 4.2.1.9, 4.2.2.9, 4.2.3.9, and 4.3.2.9. No impacts to wildlife are anticipated from the use of water or magnesium chloride as dust suppressants.</p>
WTU23	<p>279 - It is not acceptable that BLM concludes the impacts on large mammals are “negligible,” when the EA points to impacts on elk from gas well maintenance activities, and potential impacts on mule deer that have not yet been analyzed.</p> <p>279 - The conclusion “impacts are negligible” is accurate based on the small area disturbed by project activities in comparison to the amount of winter range available to mule deer and elk. In addition, elk, mule deer, and even wild horses have acclimated to oil and gas field activity over the last 30 years.</p>
WTU58	<p>280 - BLM acknowledges impacts to mule deer, but states “specific quantitative estimates of such impacts are not possible because the requisite research has not been done.” Nonetheless, despite these impacts to elk and mule deer habitat, BLM concludes that impacts to these big game species are “negligible.” BLM must take a hard look at the environmental consequences of the project before reaching these unsupported and unjustified conclusions.</p> <p>280 - Please see Response to comment 279.</p>
WTU189	<p>281 - The West Tavaputs Project would occur in critical and high priority range for elk, critical, high value, and substantial value range for mule deer. BLM acknowledges that gas well maintenance “within crucial winter ranges would disturb elk potentially causing them to use valuable energy reserves during a time when they are in a negative energy balance.” Moreover, BLM acknowledges impacts to mule deer, but states “specific quantitative estimates of such impacts are not possible because the requisite research has not been done.” Nonetheless, despite these impacts to elk and mule deer habitat, BLM concludes that impacts to these big game species are “negligible.” BLM must take a hard look at the environmental consequences of the project before reaching these unsupported and unjustified conclusions.</p> <p>281 - Please see the responses to comments 279, 268, 270, and 271.</p>
WTU194	<p>282 - The West Tavaputs Project would occur in critical and high priority range for elk, critical, high value, and substantial value range for mule deer. Gas well maintenance (in your own words) “within crucial winter ranges would disturb elk potentially causing them to use valuable energy reserves during a time when they are in a</p>

Letter No.	Comments Followed by Responses (in bold)
	<p>negative energy balance.” Moreover, your proposal acknowledges impacts to mule deer, but states “specific quantitative estimates of such impacts are not possible because the requisite research has not been done.” Nonetheless, despite these impacts to elk and mule deer habitat, your proposal concludes that impacts to these big game species are “negligible.”</p> <p>282 - Please see the response to comment 281.</p>
WTF08	<p>283 - BLM acknowledges impacts to mule deer, but states “specific quantitative estimates of such impacts are not possible because the requisite research has not been done.” Nonetheless, despite these impacts to elk and mule deer habitat, BLM concludes that impacts to these big game species are “negligible.” BLM must take a hard look at the environmental consequences of the project before reaching these unsupported and unjustified conclusions.</p> <p>283 - Please see the responses to comments 262, 268, 296, 271, 254, and 275.</p>
SOILS	
WTS02	<p>284 - The department recommends the inclusion, of, in Appendix C at C.1.2.4 Seed Mix, a statement similar to that found in Appendix B at 2.8 Reclamation paragraph 3. This information more appropriately addresses site-specific seed mixes.</p> <p>284 - A reclamation plan including seed mixes is presented in Appendix C.</p>
WTO06	<p>285 - Moreover, the West Tavaputs EA acknowledges that erosion potential for both the Guben and Doney soil types is severe, with poor reclamation potential for the Guben soils. Table 3-9, EA at 3-31. As well, the Podocabba soil type is predicted to have moderate erosion and poor reclamation potential. Id. BLM failed to evaluate adequately the high erosion and limited reclamation potential for the soils in the area.</p> <p>285 - Best management practices would be used during reclamation. The practices used would depend upon the soil types and the problems involved with reclamation on those soil types. More sensitive soils would require more stringent reclamation practices. These requirements are detailed in Appendix C.</p>
WTO06	<p>286 - BLM claims that “[p]ast reclamation efforts in the vicinity of the WTPPA have generally been successful,” but the EA is unsupported by any evidence of other comparable disturbances that were successfully reclaimed under similar conditions. EA 4-18.</p> <p>286 - Please see the response to comment 255.</p>
WTO06	<p>287 - BLM failed to provide sufficient support for its conclusion that “BMPs would reduce impacts to soils to negligible to low levels.” EA Given the soil types and substantial area of surface disturbance, BLM must comprehensively analyze the ability of BMPs to mitigate impacts under these specific conditions.</p> <p>287 - Please see the response to comment 285.</p>
WTO06	<p>288 - Despite these acknowledgments, BLM failed to provide justification as its conclusions regarding the insignificance of the impacts to soil crusts.</p> <p>288 - The justification is based on the total disturbance area (approximately 51 acres) and the fact that past reclamation in the area has generally been successful.</p>
WTO06	<p>289 - Moreover, BLM’s prediction that the heavier textured soils found in the WTPPA “coupled with a good moisture regime” would lead to successful reclamation is unsubstantiated by any evidence of past success, study, or consideration of the low precipitation in the area. Id. In particular, BLM’s statement regarding a “good moisture regime” is undefined and contradicts the fact that average annual precipitation for the project ranges from 10 to 30 inches. EA at 3-1. This reliance on a “good moisture regime” also failed to account for the fact that the region is in the sixth year of a drought with no signs of a change to come.</p> <p>289 - Drought can add to the difficulty of successful reclamation. However, future weather patterns cannot be predicted, droughts have occurred in the past, and reclamation in the general area has been successful in the past. Reclamation of areas with 10-30 inches of precipitation is not uncommon in the western U.S. and, while more difficult than in areas with higher precipitation, is accomplished on a regular basis.</p>
WTO06	<p>290 - BLM acknowledges that impacts to soils “could be moderate in the immediate area of any unsuccessful reclamation.” EA at 4-57. However, BLM failed to take a hard look at the implications of unsuccessful reclamation. Moreover, BLM notes that “seeding would be repeated if initially unsuccessful,” but failed to assess the impacts of completely unsuccessful reclamation should reseeding not work.</p> <p>290 - There is no reason to assume that reclamation would be “completely unsuccessful”. As stated in the EA, reclamation efforts would continue until successful. It is acknowledged that moderate impacts could occur in areas where initial reclamation efforts were unsuccessful.</p>
WTU05	<p>291 - If topsoil is to be stockpiled more than about two weeks it begins to mold, sour and will soon diminish its quality. To immediately redistribute the topsoil on out slopes of the roads and drill sites will however sustain the topsoil. The adjacent horizon to the topsoil if scarified, tends to support revegetation quite well.</p> <p>291 - Noted. Thank you for your comment.</p>
WTU05	<p>292 - Stockpiled topsoil should not be placed in the trench and compacted as suggested on Page 2-19, I’m not sure this is not a typo. Fall planting increases reclamation success with the freeze thaw action on the seed hull as well as the winter storms enhance the soil binders which anchor the seeds in the soil.</p> <p>292 - The text has been changed to read "Stockpiled topsoil would be placed over the compacted spoil to facilitate reclamation" and "The entire ROW would be reseeded in the first appropriate season after disturbance."</p>

Letter No.	Comments Followed by Responses (in bold)
WTU168	<p>293 - ...the proposals to recover cryptogammic soils are wholly unproven and based on anecdotal, apparently gross visual inspection evidence. Will conditions be suitable in remediated soils for re-establishment? Perhaps there will be too much nutrient in these areas for crusts (that thrive in low-nutrient conditions) to form. If this seeding technique doesn't work, you risk failure at the site itself, but also extend the damage to other areas. It is unclear what the criterion will be for success and no thought has been given to effects of harvest on the once undisturbed donor sites.</p> <p>293 - The difficulties in reclaiming damage to biological soil crusts--especially the time frames that may be involved--are discussed in the EA at 4.2.1.10. The reclamation procedures are those recommended by scientists that are most familiar with biological soil crusts, and represent the best chance for success. The WTPDP would likely disturb a maximum of 51 acres of biological soil crusts, or about 1 percent on the project area.</p>
RECREATION	
WTS02	<p>294 - ROS is not a management tool, but rather an inventory of what is currently available on the ground. A better description may be that these lands are "categorized" rather than "managed".</p> <p>294 - Thank you for your comment. The word "managed" has been changed to "classified" in the text in 3.3.11.</p>
WTO02	<p>295 - The visitor expectations will be significantly diminished for the Backcountry Byway and the Recreation and Cultural Area Management Plan: Nine Mile Canyon special Recreation and Cultural Management Area (SRCMA) (BLM 1995).</p> <p>295 - Loss of quality in visitor experience is disclosed at 4.2.3.11.</p>
WTO02	<p>296 - The proposed actions have the likelihood of spoiling future heritage tourism development in Nine Mile Canyon.</p> <p>296 - Heritage tourism is addressed as an integral portion of the recreation experience and is adequately addressed in the EA at 4.2.3.11 and 4.2.3.12. The recreation experience is discussed and it is reasonable to conclude the value of Nine Mile Canyon as a heritage tourism destination.</p>
WTO02	<p>297 - Visitors who come to see and enjoy the Native American and historic sites will be unable to separate the imposed modern industrial disturbances. These installations of noisy and offensive constructions detract from the natural context that the canyon offers. The visitor's experience will become less valuable ultimately resulting in fewer visitors over time and a loss of local business revenue. The development of heritage tourism could be completely de-railed.</p> <p>297 - Impacts to the recreational experience due to loss of landscape context is disclosed at 4.2.3.11. Activities on fee lands are not under the jurisdiction of the BLM, and more than 60 percent of the lands along the Nine Mile Canyon road are privately owned. Also, please see the response to comment 296.</p>
WTO03	<p>298 - Finally, the potential cumulative impacts to the visitor experience, for both Alternative A and C, are uncertain. The EA acknowledges that "[t]he quality of the experience of viewing cultural sites could be diminished if the natural cultural landscape elements take on a more modern, industrialized appearance." EA at 4-58 (emphasis added); see also EA at 4-19, 4-42.</p> <p>298 - The analysis takes into consideration variations in perceptions by visitors as to what is "natural" and what is a "more modern, industrialized experience." Such perceptions vary considerably depending upon the visitor's knowledge, experience, and expectations. It is important to note that Alternative C would eliminate the most obtrusive aspect of oil and gas development--the Water Canyon Compressor Site. Actions on private land are not under the review and/or approval of the BLM.</p>
WTO03	<p>299 - The increase in development in the Nine Mile Canyon area has the likely indirect and cumulative effect of increasing the need for BLM to provide better infrastructure for tourism and recreation.</p> <p>299 - The comment seems to allude to the safety issues of traffic on the road, safe places for visitors to park and get off the road, etc. Additional turnouts and parking areas are provided for in the SRCMA Plan. Safety and traffic issues have been adequately identified and addressed in the EA.</p>
WTO03	<p>300 - The EA states that increased traffic in Nine Mile Canyon due to oil and gas exploration could have cumulative, yet unpredictable impacts. EA at 4-58.</p> <p>300- The EA at 4.3.2.11 states, "...oil and gas exploration has not appeared to have had any effect on the number of recreational visits to Nine Mile Canyon. Whether cumulative impacts would impact the amount of visitation is difficult to predict; however it appears that visitation will increase in the future."</p>
WTO04	<p>301 - BLM should complete the nomination of Nine Mile Canyon as a National Historic District and develop a plan to give secure protection to the Canyon's archaeological resources BEFORE pursuing further energy exploration and development</p> <p>301 - The National Historic District nomination process is underway. There is no need to complete it prior to allowing development of existing leases. The oil and gas development is compatible with the National Historic District designation.</p>
WTO06	<p>302 - The West Tavaputs EA failed to mention, consider or analyze the pending ACEC nomination. Clearly, the West Tavaputs Project could hinder or preclude ACEC designation.</p> <p>302 - Portions of the project are within an area currently being considered as an Area of Critical</p>

Letter No.	Comments Followed by Responses (in bold)
	<p>Environmental Concern (ACEC) in the Price Field Office Resource Management Plan revision. ACECs are established for areas where certain criteria regarding relevance and importance are met. For the proposed Nine Mile Canyon ACEC historical, cultural, and archaeological resources meet these criteria. However, because the BLM-selected alternative would result in a negligible impact to these resources, the establishment of the ACEC would not be precluded.</p>
WTO06	<p>303 - BLM must explain the discrepancy between the SRCMA Plan and BBC's proposed activities. 303 - There would be no discrepancy between the SRCMA plan and BBC's proposed activities.</p>
WTO06	<p>304 - BLM acknowledges that visitors already report that their experiences are often "less-than satisfying" because of excessive dust. EA at 3-31, 4-19. BLM admits that the substantial increase in traffic due to the project would make conditions along the primary access to Nine Mile Canyon "extremely dusty during dry months." EA at 4-19, 4-42. BLM must examine the effects of additional dust in the area on recreational opportunities. Simply acknowledging the impact does not comply with BLM's obligation to take a hard look at the project. 304 - The quote "extremely dusty during dry months" is taken out of context. This refers to current conditions and could be moved to Chapter 3. Dust control measures and dust volume is adequately analyzed in the EA. Please see the response to comment 252.</p>
WTO06	<p>305 - BLM failed to take a "hard look" at the impact significantly increased noise levels would have on visitors when it notes that the noise "could be disruptive to recreationists." EA at 4-20. 305 - Reactions to noise are based on a number of factors, as pointed out in the EA at 4.2.1.11. The EA acknowledges that noise levels associated with the WTPPA could be disruptive to recreationists, and discusses the length of time that various noise levels would occur at various distances from the source.</p>
WTO06	<p>306 - Despite this acknowledgement, BLM failed to assess the impacts of this deviation from SRCMA's objectives and recreational experiences, generally. 306 - See response to comment 301.</p>
WTO06	<p>307 - In assessing recreational impacts, BLM must consider the economic impact to local communities that would result from the disruption to, and likely decrease of, recreational visits to the area. 307 - Oil and gas development within Nine Mile Canyon has increased substantially over the last 5 years. Visitation by tourists has been steadily increasing as well. No correlation appears to exist.</p>
WTO06	<p>308 - The BLM should compare the long-term economic viability of developing the Nine Mile Canyon area as a Historic District and ACEC with the long-term viability of industrializing the Nine Mile Canyon area as a gas field. 308 - Please see the response to comment 307.</p>
WTO06	<p>309 - Following BLM's acknowledgment of a myriad of cumulative impacts adversely affected recreational experiences BLM concludes that "the overall impact will be low." EA at 4-59. BLM must provide additional analysis and justification for this conclusion. 309 - The quote was taken out of context. It refers to impacts to recreation from traffic only.</p>
WTO06	<p>310 - BLM must assess the cumulative impacts to the pending nomination of the location as an Area of Critical Environment Concern. 310 - Please see the response to comment 303.</p>
WTO06	<p>311 - BLM must examine this development and future development activities in relation to the objectives and management decisions made in the SRCMA Management Plan, including "the primary management objective...to protect and preserve prehistoric and historic cultural resources," and the "second management objective...to protect, preserve, and enhance the natural character, solitude, inspirational value, and scenic quality" of the Nine Mile Canyon area. 311 - The EA does address these issues both in the analysis of impacts from the three alternatives and in the cumulative impacts section. Cultural resources, recreation, and visual resources are addressed in all of those sections. Furthermore, oil and gas development is acknowledged as an objective in the Recreation and Cultural Area Management Plan for the Nine Mile Canyon SRCMA. Appendix 2 of the plan, Management Objectives and Constraints, states, "Allow and encourage development of those leasable minerals known to occur within the planning area in accordance with the current laws and regulations so as to aid in filling the local and national energy requirements."</p>
WTU01	<p>312 - There is no mention of the impact of these industrial activities on the casual visitor. 312 - Impacts to the recreational experience is disclosed in the EA at 4.2.1.11, 4.2.2.11, 4.2.3.11, and 4.3.4.11, as well as comparable sections discussing impacts to visual resources (4.2.1.12, 4.2.2.12, 4.2.3.12, and 4.3.4.12) and non-WSA lands with wilderness characteristics (4.2.1.15, 4.2.2.15, 4.2.3.15, and 4.3.4.15).</p>
WTU08	<p>313 - The section '4.2.1.11 Recreation' is the epitome of understatement and obfuscation. It begins with acknowledging the Proposed Action would have long and short term impacts on the recreational opportunities. Then on page 4-19, the second sentence begins, "However, an industrial presence <i>may</i> be noticeable..." (Italics mine) Yet on page 2-19, the EA states: "...15,960 round trips by trucks, semi-truck transport vehicles, and delivery vehicles..." On page 2-4, "In summary, under this alternative all compression (four compressors) would be located at the Dry Canyon site..." then on page 4-60, "The compressor station at Dry Canyon is located on private land and it is not required to comply with VRM Class II..."</p>

Letter No.	Comments Followed by Responses (in bold)
	313 - The sentence has been revised to read as follows: “However, an industrial presence would be noticeable and there would be an increase in social contacts and managerial presence such as signs, detours, etc. that would tend to move recreational opportunity more to the urban end of the spectrum.”
WTU08	<p>314 - The EA makes an all-encompassing statement on page 2-9, “Public access would be <i>maintained</i> on all existing roads during the drilling process...” (Italics mine)</p> <p>In contrast, on page 2-13, “Road construction would occur from April 15 to October 4...” Page 2-16, “Short delays can be expected when roads are crossed for pipeline construction...” Page 2-19, “Surface 4-inch pipelines adjacent to roads would be assembled on the roadway...” Page 2-20, “All of the road would be needed for pipeline construction...” Page 2-21, “Construction would take up to 8 weeks. The road would be used for staging...No other staging areas would be used... There would be three road crossings necessitating temporary closures...”</p> <p>314 - There will be public access for the duration of the project; however, some short delays may occur at various times and places.</p>
WTU08	<p>315 - In addition, on page 2-30, “...using the existing road for as much of the work area as possible... Construction would require temporary closure of the road. The existing road would be used for staging... Construction would take 4 to 8 weeks... Short but undetermined periods of time during construction would require temporary closure of the road. The existing road would be used for staging... There would be six road crossings (buried) and 16 stream crossings...”</p> <p>315 - Please see the response to comment 314.</p>
WTU86	<p>316 - Each new activity allowed to date has seriously detracted from the Nine Mile Canyon experience that is the goal of the interpretative plan.</p> <p>316 - Noted. Thank you for your comment.</p>
WTU190	<p>317 - Dust is already an issue in this area for those who use it now, but we have seen nothing yet. Imagine what will happen with that amount of increased traffic. If possible, alternative access should be arranged so as to allow those who go there for recreation to enjoy themselves.</p> <p>317 - Please see the responses to comments 340 and 350.</p>
VISUAL RESOURCES	
WTO02	<p>318 - The proposed gas exploration and the establishment of gas wells clearly will have long lasting affects upon the visual resources of the canyon (Section 4.2.1) and do not meet the expectations of the Price MFP.</p> <p>318 - The agency selected alternative would meet visual resource objectives in a 3-5 year period (EA at 4.2.3.11).</p>
WTO02	<p>319 - The Dry Canyon compressor station cannot be excluded in consideration for the VRM Class II experience even though it is on private land (4.3.2.12 Visual Resources, third paragraph).</p> <p>319 - The EA at 4.3.2.12 considers VRM classification of the Dry Canyon compressor station, stating that “it contributes to the cumulative visual impacts of the area.”</p>
WTO06	<p>320 - BLM asserts that Alternative C would meet the VRM Class II objective in 5-10 years assuming “successful reclamation efforts.” EA at 4-44. However, BLM provides no analysis of this impact if reclamation efforts are not successful.</p> <p>320 - BLM has reassessed the time projections for meeting VRM objectives. A site specific reclamation plan with the application of state of the art reclamation measures led us to conclude that reclamation could be achieved in a shorter time frame. In addition to reclamation, other techniques (see EA at 4.2.3.16) would be employed to mitigate visual impacts, thereby shortening the time it would take to meet VRM Class II objectives. These measures include the use of “brush hog” equipment, feathering of edges, varying disturbances width, planting shrubs, and the use of rocks and vegetation.</p>
WTO06	<p>321 - Similarly, BLM acknowledges numerous visual intrusions in the Nine Mile Canyon area, yet concludes that the overall cumulative impact “would be minimal.” EA at 4-61. In order to comply with NEPA, BLM must provide more analysis and justify its conclusions.</p> <p>321 - The quote was taken out of context. It refers to impacts to VRM III areas outside the SCRMA.</p>
WTO06	<p>322 - The Price River MFP requires protection of visual resources. The project area is a Class II area receiving significant visitor use. By allowing development that will not retain existing character of the project area, the proposed project and its alternative are in violation of the land use plan.</p> <p>322 - Alternative C would meet VRM Class II standards in the long term (EA at 4.2.3.12) and would not violate the Price River MFP.</p>
NON-WSA LANDS WITH WILDERNESS CHARACTERISTICS	
WTL02	<p>323 - Paragraph 3.3.15 Non-Wilderness Study Area (WSA) Lands With Wilderness Characteristics. This portion needs to be re-written to be in compliance with the April 11, 2003 Stipulation and Joint Motion to Enter Order Approving Settlement and to Dismiss the Third Amended and Supplemental Complaint, in <i>State of Utah v. Norton</i>, United States District Court, District of Utah, Case No. 2:96cv0870 (“April 2003 Wilderness Settlement Agreement”). <i>Paragraph 4.2.1.15 Impacts to Non-WSA Lands with Wilderness Characteristics.</i> See comment on paragraph 3.3.15. <i>Paragraph 4.2.3.7 Wild and Scenic Rivers.</i> See comment on paragraph 3.3.7.</p> <p>323 - BLM believes that this section is in compliance with the cited agreement’s language. We are treating</p>

Letter No.	Comments Followed by Responses (in bold)
	the various reference inventory data as “new” information and included it for analysis purposes as is required by NEPA.
WTO04	<p>324 - Should also evaluate a no drilling alternative in the wilderness study and inventory areas.</p> <p>324 - No drilling has been proposed within any existing wilderness study areas. There is no planning decision that would prohibit a company to develop their lease rights within an area inventoried to have wilderness characteristics. No restrictions have been discussed in this document.</p>
WTO06	<p>325 - BLM acknowledges that surface disturbance associated with the West Tavaputs Project “would directly affect and reduce naturalness on 26 acres on non-WSA lands with wilderness characteristics that are contiguous to the Jack Canyon WSA.” EA at 4-24. Moreover, “opportunity for solitude and primitive and unconfined recreation would be reduced due to increased road density.” EA at 4-25. Nonetheless, BLM concludes that “[w]hile opportunities would be reduced; the non-WSA lands with wilderness characteristics do not possess outstanding opportunities on their own, but rather in association with the Jack Canyon WSA.” EA at 4-25. This cursory examination of the effect of the project on these unique lands failed to fulfill NEPA’s hard look and convincing case requirements.</p> <p>325 - BLM believes that this section adequately addressed NEPA requirements. The impacts to wilderness characteristics, including the opportunity for solitude and primitive and unconfined recreation within the project area, have been analyzed.</p>
WTO06	<p>326 - Similarly, BLM reaches the same unsubstantiated conclusion with regards to lands associated with the Desolation Canyon WSA. EA at 4-25. Although, BLM acknowledges reduced opportunities for solitude and direct impacts from road and well construction, BLM failed to analyze the consequences of these impacts.</p> <p>326 - BLM believes that we have adequately analyzes the impacts as stated.</p>
WTO06	<p>327 - BLM must consider the impacts from full-field development. The EA must also include an end-use analysis.</p> <p>327 - The Stone Cabin 3D Seismic Survey Project and Questar’s proposed compressor site and Blind Canyon are the only reasonably foreseeable oil and gas projects proposed other than this project. The projects are included in the analysis of cumulative impacts in Section 4.3. Full field development is speculative at this time.</p>
WTU23	<p>328 - We do not find any reference in the draft EA to areas that are proposed for wilderness designation in “America’s Redrock Wilderness Act” (S. 639 and H.R. 1796). Surely the fact that members of Congress are currently proposing those for protection should be reflected in BLM’s analysis. The proposal involves roads, pipelines, and continuing activities that will surely degrade wilderness values in the affected areas.</p> <p>328 - The EA has responded to the issues that were identified for this project and has adequately analyzed the impacts to lands with wilderness characteristics within the project area.</p>
WTU158	<p>329 - The proposed project is likely to have very substantial negative impacts, both direct and indirect, on the significant wilderness, cultural and historic resources of the Canyon. The BLM must do a full and a valid scientific analysis of these threats. It must then develop the constraints, controls, and monitoring methodologies required to ensure that none of these negative impacts ever occur in the Canyon. In short, this is the type of development project that absolutely requires that the BLM prepare a full Environmental Impact Statement (EIS).</p> <p>329 - Please see the response to comment 316.</p>
WTU204	<p>330 - I think section 3.3.15 dealing with potential wilderness character of the land should be discounted. I believe the analysis of purported wilderness characteristics used by the BLM in not in keeping with the spirit of intent of the Wilderness Act. These lands are not designated for special consideration in the current land management plan and following the withdrawal of the Wilderness handbook last year they should not be given any special consideration in deciding whether this proposed activity should be permitted on these BLM-managed lands.</p> <p>330 - Please see the response to comment 56.</p>
WTF07	<p>331 - I think section 3.3.15 dealing with potential wilderness character of the land should be discounted. I believe the analysis of purported wilderness characteristics used by the BLM in not in keeping with the spirit of intent of the Wilderness Act. These lands are not designated for special consideration in the current land management plan and following the withdrawal of the Wilderness handbook last year they should not be given any special consideration in deciding whether this proposed activity should be permitted on these BLM-managed lands.</p> <p>331 - Please see the response to comment 56.</p>
SAFETY AND HAZARDOUS WASTE	
WTG03	<p>332 - These pipelines pose potential safety hazards during high water or landslide events. Rocks and other debris being carried down the channel during flooding or entering the channel from the hillsides could potentially rupture the lines and cause environmental and public hazards. Additionally, the pipelines are susceptible to vandalism and tampering. Therefore, this office encourages all pipeline crossings to be either jack and bored or trenched and buried below the channel bottom and shutoff valves be installed on both sides of the channel crossings.</p> <p>332 - The Plan of Development requires the pipeline to be buried at a minimum depth of 6 ft.</p>
WTO01	<p>333 - The Sunnyside Road, which ascends the Tavaputs Plateau from Sunnyside, east of Wellington is a much a shorter route to the plateau south of Nine Mile canyon. Those doing any sort of work in that region (oil, gas, timber, etc.) should use that access. This road will reduce traffic in the canyon. Nine Mile Canyon needs to be managed in a way that addresses these concerns. This applies to all activity in the area.</p>

Letter No.	Comments Followed by Responses (in bold)
	333 - See response to comment 350.
WTO04	334 - If the project is approved, then it should be with the stipulation that the Nine Mile Canyon road not be the primary access road. Other routers should be found and designated as such. 334 - Please see the response to comment 350.
WTO06	335 - BLM must assess the efficacy of BBC's proposed containment and cleanup techniques. 335 - Proposed containment and cleanup techniques are described in the EA at 2.2.10 and B-12, 13. These techniques are standard practices and in compliance with applicable federal regulations.
WTO06	336 - Although BLM claims that the chances of contamination of ground water are minimal, the EA fails to assess the consequences of such contamination. The agency must examine how the ecosystem would be affected if a spill or leak occurred and what sorts of clean-up measures would be available. 336 - Cleanup measures would depend upon the type and quantity of the material spilled, but would follow standard guidelines. The impacts of such spills would also depend upon the type and quantity of the material spilled, as well as the location of the spill. These are unlikely and unpredictable events, and the EA can only say that they would be dealt with according to existing regulations in the unlikely event that they occur. There is no record of serious spills in the area resulting from past oil and gas operations.
WTO12	337 - We recommend that an alternative route, such as the road through Sunnyside, to the natural gas drilling sites be considered. 337 - Please see the response to comment 350.
WTU01	338 - Both alternatives state that "traffic would be controlled using roadside signs, flagmen, and barricades as appropriate" (pp. 2-26, 2-40). This is entirely inadequate for the safety of visitors and travelers to the canyon. 338 - In addition to the use of signs, flagmen, and barricades, dust suppression would be used to improve visibility along roads used for project-related activities. In addition, roads would be maintained (EA at B-3) in a safe condition. These are all standard practices to provide safety to travelers, and are used throughout the country during road construction and repair.
WTU01	339 - There are many blind or sharp corners on the road in this area where visibility is limited. More needs to be done to identify these areas, and a proper mitigation plan proposed for dealing with the effects of the increased traffic and the increased dust on the safety of the casual traveler. 339 - The EA at 2.2.1.14 describes the measures that would be taken to mitigate impacts from increased dust and increased traffic on the safety of the casual traveler.
WTU05	340 - I feel the document contradicts itself as to fugitive dust concentrations and potential damages and is evasive toward committing to BMPs even in more remote areas. 340 - Dust suppression measures should alleviate safety problems as well as impacts to cultural resources, recreation, etc.
WTU13	341 - An analysis needs to be done on accidents due to the increased traffic with the associated financial loss to the public as well as injury and possible death. 341 - Mitigation measures in the EA are designed to help reduce the potential for accidents due to increased traffic.
WTU24	342 - ...would like to see the alternative Sunnyside route utilized. Industrial traffic is not compatible with and does not belong on National Backcountry Byways! 342 - Please see the response to comment 350.
WTU158	343 - The BLM should consider other alternative access routes to the project area. 343 - Please see the response to comment 350.
WTU179	344 - I have also visited some of the existing wells in the area and do not see all the measures needed to prevent any pollution released into the environment. ...at the mouth of dry canyon there are barrels of geypton left out in the open and leaking. This site is also close to Nine Mile Creek. 344 - The existing development was not included as part of this action, and has not been subject to the present environment assessment. The Dry Canyon facility is not on BLM administered lands, and is not majority of oil and gas related activity in Nine Mile Canyon.
WTU179	345 - Nine Mile is a desert climate, using the amount of water needed to keep the dust down will also cause problems with water shortage. It would cause the roads to become slippery in some areas making it hazardous to drive on, especially for tourist who do not know the area very well. 345 - Water for dust suppression would come from existing water rights. If water is not available from these sources it would be purchased from an approved source, or other methods would be used for dust suppression. Water would make roads slippery and more hazardous to drive on; however, signs (see EA at 2.2.1.14) would be used to warn motorists of the hazard. Excessive dust can be an even greater hazard to driving by limiting the driver's vision.
WTU179	346 - Using chemicals can also cause the suspension system in cars to corrode making it dangerous for property owners and others who travel the road more frequently. 346 - Various salts do erode metal. In the case of salts, including magnesium chloride, applied to roads to melt ice and snow, the damage is most usually to the body of the vehicle, not the suspension. Prolonged

Letter No.	Comments Followed by Responses (in bold)
	exposure is generally necessary to cause significant harm. The potential for damage to a vehicle from corrosion must be weighed against the added safety to the driver, passengers, and vehicle resulting from improved visibility of the road and associated traffic.
WTU180	347 - This project should consider an alternative access route. Southern Utah hardly has the water to spare for using here for controlling dust. 347 - Please see the response to comment 350.
WTU189	348 - The BLM should consider other alternative access routes to the project area. As proposed, Nine Mile Canyon Road "would provide the primary access into Nine Mile Canyon and the identified side canyons and up into the Project Area." 348 - Please see the response to comment 350.
WTU200	349 - An alternate route must be used, and if not available, the proposed projects must be declined. 349 - Please see the response to comment 350.
WTF08	350 - The BLM should consider other alternative access routes to the project area. 350 - The Sunnyside-Water Canyon route via Dry Canyon to Nine Mile Canyon is not feasible to large truck traffic due to excessively steep grades (in excess of 15%), tight, non-negotiable switchbacks, width of travel surface (less than 21 feet in places), and inaccessibility during periods of heavy rain and snow. The safety aspects to light truck and SUV traffic in any volume would preclude the use of this route during the majority of the year, and conflicts with recreation (hunting) and landowner use would add additional safety issues.

INDEX TO RESPONDERS AND COMMENTS/RESPONSES.

Letter No.	Type	First Name	Last Name	Comment/Response No.
WTG01	Federal	H.R.	Maddox	75, 221-224
WTG02	Federal	Leigh J.	Kuwanwisiwma	1, 76
WTG03	Federal	Jason A.	Gipson	182, 183, 225, 226, 332
WTG04	Federal	Larry	Svoboda	2-5, 77, 78, 184, 185, 227
WTS01	State	Mike	Dmitrich	No response necessary
WTS02	State	John	Harja	6, 186-191, 257-260, 284, 294
WTS03	State	Theron	Miller	192-195, 228
WTL01	Local	Pace	Hansen	No response necessary
WTL02	Local	Clayton	Chidester	244, 261, 323
WTL03	Local	David	Haslem	251
		Jim	Abegglen	
		Michael J.	McKee	
WTL04	Local	William D.	Krompel	7, 8
WTO01	Organization	Kyle	Ross	9, 79-82, 333
WTO02	Organization	Ray T.	Matheny	10, 11, 65, 83, 84, 295-297, 318, 319
WTO03	Organization	Elizabeth S.	Merrit	12-19, 85-101, 298-300
WTO04	Organization	Michael J.	Painter	262, 301, 324, 334
WTO05	Organization	Kirk C.	Robinson	263, 264
WTO06	Organization	Sean	Phelan	20-43, 66-71, 102-136, 158-181, 196-216, 229-239,
		Joro	Walker	245-250, 252-255, 265-276, 285-290, 302-311, 320-
		Stephen	Bloch	322, 325-327, 335, 336
WTO07	Organization	Mary L.	McPherson	No comment necessary
WTO08	Organization	Wade	Haerle	No comment necessary
WTO09	Organization	R. Heggie	Wilson	No comment necessary
WTO10	Organization	Kim	Hicks	No comment necessary
WTO11	Organization	Eric	Noblitt	No comment necessary
WTO12	Organization	Diane	Orr	44, 137, 337
WTU01	Individual	Pam	Miller	45, 46, 72, 138, 139, 277, 312, 338, 339
WTU02	Individual	Kyle	Ross	47, 48, 140-143
WTU03	Individual	Margene	Hackney	No comment necessary
WTU04	Individual	Bob & Margene	Hackney	No comment necessary

Letter No.	Type	First Name	Last Name	Comment/Response No.
WTU05	Individual	Steven K.	Tanner	49-52, 217, 218, 256, 291, 292, 340
WTU06	Individual	Bus	Rich	No comment necessary
WTU07	Individual	Ralph	Roberts	No comment necessary
WTU08-9	Individual	Fred S.	Jenkins	144, 313-315
WTU10	Individual	Michael J.	Fercik	No comment necessary
WTU11	Individual	Karen Gwyn	Mortiz	No comment necessary
WTU12	Individual	Ray	Randall	No comment necessary
WTU13	Individual	E. Ivan	White	73, 219, 278, 341
WTU14	Individual	Diane	Gorman	74
WTU15	Individual	Kimberly	Splan	53
WTU16	Individual	Marcy	Underdahl	54
WTU17	Individual	Judith	Moffett	No comment necessary
WTU18	Individual	Casey	Hopes	No comment necessary
WTU19	Individual	Garth	Frandsen	No comment necessary
WTU20	Individual	Evan	Olanson	No comment necessary
WTU21	Individual	William & Violet	Corkle	145, 220
WTU22	Individual	Jim & Joyce	Brown	No comment necessary
WTU23	Individual	George & Frances	Alderson	146, 279, 328
WTU24	Individual	Jerry	Vaculin	342
WTU25	Individual	Carl	Migliori	No comment necessary
WTU26	Individual	Nadeen	Crabtree	No comment necessary
WTU27	Individual	Olive	Hammond	No comment necessary
WTU28	Individual	Ernie	Herrera	No comment necessary
WTU29	Individual	Rose	Difley	No comment necessary
WTU30	Individual	Dorrell	Barker	No comment necessary
WTU31	Individual	Robert	Powell	No comment necessary
WTU32	Individual	Landon	Hansen	No comment necessary
WTU33	Individual	Bryan	Boray	No comment necessary
WTU34	Individual	Bill	Clafin	No comment necessary
WTU35	Individual	Chris	Jensen	No comment necessary
WTU36	Individual	Sam	Mead	No comment necessary
WTU37	Individual	Jake	Knighton	No comment necessary
WTU38	Individual	Ryan	Jensen	No comment necessary
WTU39	Individual	Clinton	Coyne	No comment necessary
WTU40	Individual	Kip	Leonard	No comment necessary
WTU41	Individual	Cody	Cook	No comment necessary
WTU42	Individual	Branden	Bowden	No comment necessary
WTU43	Individual	Marc	Tomadakis	No comment necessary
WTU44	Individual	Jeff	Wilson	No comment necessary
WTU45	Individual	E. Russell	Koeniger	No comment necessary
WTU46	Individual	Joey	Herrera	No comment necessary
WTU47	Individual	Robert	Barnes	No comment necessary
WTU48	Individual	Christin	Westmoreland	No comment necessary
WTU49	Individual	Kyle D.	Bundy	No comment necessary
WTU50	Individual	Johna	Chrisan	No comment necessary
WTU51	Individual	Daryl	Hussey	No comment necessary
WTU52	Individual	Aaron	Powell	No comment necessary
WTU53	Individual	Jonathan	Powell	No comment necessary
WTU54	Individual	Eldon L.	Miller	No comment necessary
WTU55	Individual	Richard	Bourland	No comment necessary
WTU56	Individual	Minnie	Koenig	No comment necessary
WTU57	Individual	Shanna	Koenig	No comment necessary
WTU58	Individual	Larry	Cook	No comment necessary
WTU59	Individual	Shea	Hail	No comment necessary
WTU60	Individual	Coral	Houser	No comment necessary

Letter No.	Type	First Name	Last Name	Comment/Response No.
WTU61	Individual	Kevin	Watkins	No comment necessary
WTU62	Individual	Frank	Moore	No comment necessary
WTU63	Individual	JB	Lindley	No comment necessary
WTU64	Individual	Bill	Williams	No comment necessary
WTU65	Individual	Nelola	Nasson	No comment necessary
WTU66	Individual	Robbie	Schuster	No comment necessary
WTU67	Individual	Patrick	Demons	No comment necessary
WTU68	Individual	Lonnie C.	Morse	No comment necessary
WTU69	Individual	Henry	Coleman	No comment necessary
WTU70	Individual	Maxine	Lambright	No comment necessary
WTU71	Individual	Melin B.	Floyd	No comment necessary
WTU72	Individual	Barbara	Floyd	No comment necessary
WTU73	Individual	Melvin	Floyd	No comment necessary
WTU74	Individual	Alton	Roland	No comment necessary
WTU75	Individual	Lakie	Smith	No comment necessary
WTU76	Individual	Veola	Lamar	No comment necessary
WTU77	Individual	John	Densley	No comment necessary
WTU78	Individual	Robert	Migliori, Jr.	No comment necessary
WTU79	Individual	Dennis	Davis	No comment necessary
WTU80	Individual	Bill	Flemetakis	No comment necessary
WTU81	Individual	Philip	Richardson	No comment necessary
WTU82	Individual	Silas	Hansen	No comment necessary
WTU83	Individual	Wayne	Noyes	No comment necessary
WTU84	Individual	Kirt L.	Jensen	No comment necessary
WTU85	Individual	Ralph	Hardman	No comment necessary
WTU86	Individual	Bill Shirley	Walsh Weathers	55, 147, 316
WTU87	Individual	Steven C.	Hansen	148
WTU88	Individual	Christopher C.	Dore	No comment necessary
WTU89	Individual	Susanna	Virden	No comment necessary
WTU90	Individual	Brad	Child	No comment necessary
WTU91	Individual	Trevor	Connolly	No comment necessary
WTU92	Individual	Gareth	Partridge	No comment necessary
WTU93	Individual	Justin	Parker	No comment necessary
WTU94	Individual	Kim	Buchle	No comment necessary
WTU95	Individual	Calvin	Snow	No comment necessary
WTU96	Individual	Dwayne	Brandford	No comment necessary
WTU97	Individual	Joe	Graham	No comment necessary
WTU98	Individual	Jared	Whitmire	No comment necessary
WTU99	Individual	Heather	Donohue	No comment necessary
WTU100	Individual	Brandon	Payne	No comment necessary
WTU101	Individual	Randy	Anderson	No comment necessary
WTU102	Individual	Shauna	Lucero	No comment necessary
WTU103	Individual	Jarrad	Williams	No comment necessary
WTU104	Individual	Beth	Stone	No comment necessary
WTU105	Individual	Brian	Bray	No comment necessary
WTU106	Individual	Mark	Armstrong	No comment necessary
WTU107	Individual	Gabe	Gomez	No comment necessary
WTU108	Individual	Bill	Fox	No comment necessary
WTU109	Individual	Jason	Wilbur	No comment necessary
WTU110	Individual	Katherine	Walker	No comment necessary
WTU111	Individual	Atheny	Scogg	No comment necessary
WTU112	Individual	Ferris	Oliver	No comment necessary
WTU113	Individual	Laura	Ludlam	No comment necessary
WTU114	Individual	Jared	Peterson	No comment necessary
WTU115	Individual	Scott	Wheeler	No comment necessary

Letter No.	Type	First Name	Last Name	Comment/Response No.
WTU116	Individual	Robert W.	Spigarelli	No comment necessary
WTU117	Individual	Blaine	Warren	No comment necessary
WTU118	Individual	Erik	Haslem	No comment necessary
WTU119	Individual	Wyatt	Olsen	No comment necessary
WTU120	Individual	Allen J.	Hacking	No comment necessary
WTU121	Individual	Stacey	Goodrich	No comment necessary
WTU122	Individual	Frank	Barker	No comment necessary
WTU123	Individual	John	Murdock	No comment necessary
WTU124	Individual	Lynette	Brough	No comment necessary
WTU125	Individual	Dennis	Anderson	No comment necessary
WTU126	Individual	Beau	Barker	No comment necessary
WTU127	Individual	Scott	Caldwell	No comment necessary
WTU128	Individual	Aric	Nelson	No comment necessary
WTU129	Individual	Christine	Greenwood	No comment necessary
WTU130	Individual	Tom	Niederhauser	No comment necessary
WTU131	Individual	Keith	Mason	No comment necessary
WTU132	Individual	Keith	Garner	No comment necessary
WTU133	Individual	Levi	Riche	No comment necessary
WTU134	Individual	Danny	Blanton	No comment necessary
WTU135	Individual	Richard	Tatton	No comment necessary
WTU136	Individual	R. Victor	Turner	No comment necessary
WTU137	Individual	Kelli	Knighton	No comment necessary
WTU138	Individual	Lori	Peterson	No comment necessary
WTU139	Individual	Alan	Peterson	No comment necessary
WTU140	Individual	Brock	Branson	No comment necessary
WTU141	Individual	David	Swenson	No comment necessary
WTU142	Individual	Ed	Howa	No comment necessary
WTU143	Individual	Cory L.	Schindler	No comment necessary
WTU144	Individual	Kim	Sprigarelli	No comment necessary
WTU145	Individual	David	Child	No comment necessary
WTU146	Individual	Ken	Larson	No comment necessary
WTU147	Individual	Rick	Leamaster	No comment necessary
WTU148	Individual	Dean	Davis	No comment necessary
WTU149	Individual	Tom	Warden	No comment necessary
WTU150	Individual	Maryanne	Berch	No comment necessary
WTU151	Individual	Michelle	Bray	No comment necessary
WTU152	Individual	Hilary	Troutman	No comment necessary
WTU153	Individual	Jay	Hampton	No comment necessary
WTU154	Individual	Brenda	Watkins	No comment necessary
WTU155	Individual	Rex	Sacco	No comment necessary
WTU156	Individual	Brandon	Sullivan	56
WTU157	Individual	Linea	Sundstrom	149, 150
WTU158	Individual	Ronald	Winn	No comment necessary
WTU159	Individual	Jane	Rerecich	No comment necessary
WTU160	Individual	Jim	Kinser	No comment necessary
WTU161	Individual	Kurt	Reinecke	No comment necessary
WTU162	Individual	Mike	Bailey	No comment necessary
WTU163	Individual	Heino	De Rheden Van Swinderen Cleveringa	No comment necessary
WTU164	Individual	Greg	Hinds	No comment necessary
WTU165	Individual	Cheryl	Edelen	No comment necessary
WTU166	Individual	Bryan	Wyberg	57, 240, 280, 329, 343
WTU167	Individual	Peter	Moreland	No comment necessary
WTU168	Individual	Tyler	Kokjohn	58, 59, 151-156, 293
WTU169	Individual	Craig	Reagan	No comment necessary

Letter No.	Type	First Name	Last Name	Comment/Response No.
WTU170	Individual	Cynthia	Jones	No comment necessary
WTU171	Individual	Charise	Goodrich	No comment necessary
WTU172	Individual	John	Ludlam	No comment necessary
WTU173	Individual	Todd	Cusick	No comment necessary
WTU174	Individual	Shane	Collett	No comment necessary
WTU175	Individual	Kenneth	Appis	No comment necessary
WTU176	Individual	Valerie	Silver	No comment necessary
WTU177	Individual	Brandy	Emmons	No comment necessary
WTU178	Individual	Linda	Mark	No comment necessary
WTU179	Individual	Anna	Anglin	344- 346
WTU180	Individual	Carol	Beers	347
WTU181	Individual	Michael	Shurgot	No comment necessary
WTU182	Individual	David	Ludlam	No comment necessary
WTU183	Individual	Melinda	Shishim	No comment necessary
WTU184	Individual	Carl	Paulson	No comment necessary
WTU185	Individual	John	Zimmerhackel	No comment necessary
WTU186	Individual	Ed	Long	No comment necessary
WTU187	Individual	Caryl	Say	No comment necessary
WTU188	Individual	Lesley	Hunt	No comment necessary
WTU189	Individual	David	Lien	60, 241, 281, 348
WTU190	Individual	William	Huggins	61, 242, 317
WTU191	Individual	Beth	Fogel	No comment necessary
WTU192	Individual	Ross	Levin	No comment necessary
WTU193	Individual	Cassandra	Trimble	No comment necessary
WTU194	Individual	N & Sunanda	Sukumar	157, 282
WTU195	Individual	Curtis L.	Ditzell	No comment necessary
WTU196	Individual	Dinda	Evans	No comment necessary
WTU197	Individual	Chuck	Simmons	No comment necessary
WTU198	Individual	Harry	Wolters	No comment necessary
WTU199	Individual	Katherine & Michael	McCoy	No comment necessary
WTU200	Individual	Ross	Gralia	349
WTU201	Individual	Jim	Felton	No comment necessary
WTU202	Individual	Garrett	Meigs	No comment necessary
WTU203	Individual	Bob	Jackson	No comment necessary
WTU204	Individual	Mark	Dolar	62, 330
WTF01	Form			No comment necessary
WTF02	Form			No comment necessary
WTF03	Form			No comment necessary
WTF04	Form			No comment necessary
WTF05	Form			No comment necessary
WTF06	Form			No comment necessary
WTF07	Form			63, 331
WTF08	Form			64, 243, 283, 350

5.3 LIST OF PREPARERS AND INTERDISCIPLINARY TEAM

Name	Degree	Years of Experience	Responsibility
BLM Interdisciplinary Team			
Mark Mackiewicz	BS Agronomy	28	Realty Specialist and Soils - Project Manager

Name	Degree	Years of Experience	Responsibility
Dean Nyffeler	BS Geology, MPA	26	Geology
Kerry Flood	BA Chemistry/Mathematics	15	Hydrology and Soils
Brad Higdon	BA Interdisciplinary Studies	2	NEPA Coordinator - NEPA Development
Mike Tweddell	BS Range	6	Range Management Specialist Grazing and Wild Horses
Eric Jones	BS Geological Engineering	20	Petroleum Engineer - Oil and Gas Leasing
Julie Howard	BS Anthropology	22	Cultural Resources
David Mills	BS Wildlife Management	26	Wildlife Resources and TESS
Don Stephens	BS Geology	28	Geologist - Drilling Issues
Dennis Willis	BS Range Science	28	Recreation Planner - Traffic, Visitor Use, and Visual Resources
EIS Environmental & Engineering Consulting, Helper, Utah			
Melvin A. Coonrod	MS Silviculture	25	Co-Project Manager and Coordinator
Katie J. Nash	BS Biology (pending)	4	TESS Specialist - Co-Project Manager and Coordinator
Dee Ann Kennick	Secretarial Certificate	30	Editing
Rick Richey	AAS Drafting and Design Graphics	5	Drafting
Tom Paluso	MS Civil/Environmental Engineering	24	Engineering
Dave Basinger	BS Botany	9	Vegetation
Dan Larsen	MS Soils	40	Soils
Ellsworth and Associates, landscape architects, inc.			
John C. Ellsworth, ASLA	MLA Landscape Architecture	25	Visual Resources
Kristofor L. Kvarfordt, ASLA	BLA Landscape Architecture	3.5	Visual Resources
TRC Mariah Associates Inc., Laramie, Wyoming			
Roger Schoumacher	MS Fisheries	42	EA Preparation
Jan Hart	MS Rangeland Ecology and Watershed Management	15	TESS and Migratory Birds
Tamara Keefe	BS Wildlife Biology	5	Drafting
Genial DeCastro	BS Business Administration	18	Document Production
Susan Connell	BS Business and Technology	13	Air Quality
Uintah Engineering and Land Surveying, Vernal, Utah			
Tracy Henline	Certificate of Completion in Civil Drafting and Design	15	GIS and Mapping