

June 18, 2007

Pinedale RMP/EIS
Attn: Kellie Roadifer
Bureau of Land Management, Pinedale Field Office
P.O. Box 768
Pinedale, WY. 82941

Dear Kellie:

Attached are the Town of Pinedale comments for consideration during the development of the final Environmental Impact Statement for the Pinedale Resource Management Plan for the Pinedale Field Office of the BLM. These comments pertain to the Draft Environmental Impact Statement for the Pinedale Resource Management Plan, dated February 2007.

We can be reached at the Pinedale Town Hall. Thank you for your careful consideration of our comments, we look forward to continue working with the BLM as the final EIS is prepared.

Sincerely,

Lauren McKeever
for the Mayor and Council
Town of Pinedale

The Town of Pinedale is submitting these comments concerning the Draft Environmental Impact Statement for the Resource Management Plan for the Pinedale Field Office. Public comments are due June 18, 2007.

Summary

The Resource Management Plan (RMP) for the greater Pinedale area foretells of extraordinary natural gas development and extraordinary wealth being derived from the public lands surrounding Pinedale. With the BLM's conservative estimate of deriving more than 60 billion dollars of profit/revenue from minerals activities, in Resource Management Area; the Town of Pinedale, as the largest single town in Sublette County, the county that holds the primary natural gas fields for the Pinedale Field Office; asks that the BLM more carefully consider the enormous social and economic impacts that their RMP, and all other land-use policy document decisions are having on Pinedale today, and will for the years to come, as outlined in the RMP.

During a June 1, 2007, meeting with the following public officials present: Town of Pinedale Mayor, Steve Smith, Pinedale Councilmen Chris House and David Hohl, Lyn Shanaghy, field representative for U.S. Senator Michael Enzi; Pati Smith, field representative for U.S. Senator Craig Thomas; Bonnie Cannon, field representative for U.S. Congresswoman Barbara Cubin; Sublette County Commissioner Joel Bousman, State BLM Director Bob Bennett, and staff from the Wyoming Governor's office, the Pinedale Mayor's office and Director Bennett's offices (both state BLM and the Pinedale Field Office);

Sublette County and Town of Pinedale officials were told by the Director Bennett and members of his staff, that the BLM is under no legal obligation to mitigate the dramatic impacts their land-use policy decisions, such as policy in the RMP, are having on our community.

Town officials at the Town of Pinedale would strongly disagree. The purpose of the Draft Environmental Impact Statement (DEIS) is clearly stated:

... to determine the potential for significant impact of the "federal action" on the "human environment." The Council on Environmental Quality (CEQ) regulations for implementing the National Environmental Policy Act (NEPA) of 1969 states that the "human environment" shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment (40 Code of Federal Regulations [CFR] §1508.14). The "federal action" is the Bureau of Land Management's (BLM) selection of a resource management plan (RMP) on which future land use actions will be based. (p 4-1)

The preferred alternative (Alternative 4) proposes to make one million acres available for oil and gas leasing and development (p. 2-20) resulting in significant effects to the economy of the affected region. The DEIS includes only a brief outline of the assumptions used for the IMPLAN analysis in Appendix 26.

In chapter 4, the BLM recognizes that economic impacts will "likely occur" to employment and income, tax revenues, demand for housing and government services as well as the social fabric of communities, yet fails to provide detailed information. To fully disclose the economic effects and gain an appreciation for mitigation needs, a more comprehensive treatment is necessary.

Full disclosure should include:

- Changes in population over the planning horizon,
- Changes in demographics including age and ethnicity,
- Employment by sector,
- Income by sector,
- Average earnings by sector,
- Tax revenue by municipal, state and federal jurisdictions,
- Direct, indirect and induced effects by sector, including multipliers,
- Increased housing needs for owned and rental units,
- Demand for recreation,
- Demand for forest resources,
- Anticipated trends in crime
- Infrastructure requirements according to population,
 - Current utilities (water, sewage, power, gas, communications, etc.)
 - Increased demand for utilities,
 - Transportation corridors (current and future demand),
 - Social services: current and future demand [such as, domestic abuse service organizations, (Sublette County Sexual Assault and Family Violence Task Force), schools, police, fire, medical, etc.].

The DEIS only briefly describes qualitative effects and does not discuss the mitigation of negative effects.

Additionally, while the BLM asserts that their legal mandate is for *effects quite literally, on the public lands that they have jurisdiction over only*, it is known, and acknowledged in their Resource Management Plan draft, that there will be impacts to the RMP area's population.

Also promised during the aforementioned 6/1/07 meeting between Town and County officials and the BLM State Director, that the BLM will permit the Town (and county) to submit further information (after 6/18/07) pertinent to the RMP as the DEIS is being edited into the final EIS.

Many direct affects to the established communities and people of Sublette County, with Pinedale will come directly as a result of the BLM's allowance of a certain number of natural gas wells to be drilled, during a certain period of time.

Socio-economic effects-the pace of development

Obviously, these factors will determine the pace of natural gas and or other mineral development and activities on the 1.2 million acres for which the Pinedale Field Office is responsible for, much of which is within close proximity (in some cases within 1 mile of town borders). The pace of any mineral's activity is partly determined by market forces and industry responding to those influences.

However, the speed of the development is also controlled by the BLM, as the federal agency given legal authority over these public lands. The BLM approves the Applications for the Permit to Drill (APDs). This action alone provides approval for specific wells in certain areas, and stipulates the conditions to be met for the permit for drilling to be issued.

The RMP outlines BLM policy for the use of grazing on these lands, off-road vehicle use, energy development, recreational uses and a multitude of other uses on these public lands as required by the BLM's multiple use legal mandate.

As the stewards of these public lands, because legal permits must be issued before any energy company starts to drill any sort of natural gas or oil well, or other minerals extraction, **the BLM by legal authority, has great control over the uses and conditions of uses on these public BLM lands.**

We believe that the draft RMP/EIS does not meet the standards for clarity and a reasonable assessment of foreseeable socioeconomic effects. The analysis is too generalized, focuses on the perceived "economic benefits" of energy resource development while inadequately addressing the costs, economic and otherwise, to local governments, service providers and communities faced with the challenges associated with rapid growth and development and the subsequent adjustments to post-development contractions. The apparent foundation for the latter seems to be the premise that RMP is intended to cover the next 15-to-20 years.

We contend that the NEPA requires assessment of long-term impacts of an RMP and the land use decisions to be made during its life even when such effects extend beyond the expected life. We also believe that the RMP/EIS should reflect a high degree of internal consistency with the site-specific analyses for the Jonah Infill and Pinedale Anticline.

While those statements acknowledge that impacts will occur, they fall short of capturing the magnitude, intensity and severity of impacts as required by NEPA. It overlooks issues such as the potential jurisdictional and timing mismatch between impacts on demands for services and revenue accrual, and challenges faced by service providers, such as recruiting and retaining

employees to expand services. Furthermore, the discussion treats the seasonality of energy

related development as a “mitigating” factor rather than a dimension of the development that imposes particular challenges for local businesses, governments and service providers.

Because of the dramatic changes that the RMP outlines, for instance, a 73% population increase over the 10-year period (2005-2015), and a population of more than triple (equaling a population of 17,000) of today’s population, by the year 2020, in addition to the roughly 6% population growth the county has already rapidly sustained.

Town of Pinedale officials ask for the following considerations with all future energy or industrial development as overseen by the Pinedale Field Office:

Protecting Economic Diversity and Stability

We agree with Sublette County comments that the tone of the RMP suggests that any oil and gas resources not developed during the life of this plan somehow become lost or irrecoverable. In fact, future revisions of the RMP could facilitate such recovery. **One result of this perspective is to value near-term recovery over long-term recovery, thereby diminishing the potential contributions of energy resource development to long-term economic sustainability of our communities.**

The change to our economic diversity is a social and economic affect of BLM land-use documents. Town of Pinedale officials support long term, sustainable activity which would better protect economic diversity for our region. Economic diversity which, since the energy “boom” increased its pace in 2002, has suffered.

Contrary to the claims of the BLM that year-round drilling (specifically the Pinedale Anticline) would help stabilize the workforce and other economic factors for Pinedale—the town has **not** reaped the benefits of this year-round drilling. Town officials have **not** seen improved stability in our workforce, but have seen the opposite, with local workers harder to find for area businesses, and other non-energy businesses, suffering as a result. Other social and economic impacts that we have witnessed are a significant increase in local crime, real-estate values increasing so fast that housing has become unaffordable to many workers, creating a strain on community services, as noted on page 4-128 of the RMP.

“Stakeholder groups” noted in the analysis for Alternative 4 (Preferred Alternative) need to be expanded to be accurate. Ranchers, sportsmen, and younger residents are being directly displaced as a direct result of energy activities. Lands will be unavailable for grazing as a result of some intensive natural gas development on some allotments, hunting grounds, (for instance in the Jonah field) are no longer available for hunting because of gas drilling activity there, and younger residents cannot afford any real estate to make their home here.

We ask that the RMP require the following:

- 1.) That the BLM require **Best Management Practices** by all industry operators. These practices should improve and change over the time period of this RMP. Town officials would expect the BLM, in exchange for allowing such extensive energy development, would require the safest, most environmentally sound, socially prudent practices by these operators.
- 2.) **Directional drilling as the standard practice** for energy drilling the area being planned in this RMP. We have been told by industry experts that directional drilling is standard practice in other countries and is economically possible, especially in environmentally-sensitive areas, as is the case in much of the RMP area.
- 3.) We ask that the RMP specifically outline an **Adaptive Environmental Management system or something similar**, for addressing unforeseen effects from the activities of increased energy activities.
- 4.) The **best possible mitigation practices and policies** to address the impacts of the activities the BLM is permitting through this RMP.
- 5.) **A slower pace of energy development for the RMP area**, to allow Pinedale and fellow Sublette County communities to adequately respond to the impacts that we are already struggling with. We urge the BLM to slow down, or at least more evenly pace energy development to allow affected towns, such as Pinedale, to adequately plan for infrastructure capacities, increased traffic, to allow market forces to increase the amount of housing available, allow our school systems to plan for a greater population and the myriad of other effects to our community from a rapid population influx.

By slowing down, or staging development, our community would be better able to handle the socioeconomic impacts that we have been struggling with for several years now. By phasing-in development, the pace would be slowed down to a more manageable level, allowing for better social and economic responses by our community. One way to phase development is to not allow development in new areas until already developed areas are fully reclaimed.

It is obvious from the most current information gathered by other organizations, that there are serious and substantial social and economic impacts to Sublette County and namely, our population centers, our towns, because of the current “boom” in natural gas development.

Since the BLM is the agency overseeing and guiding the vast majority of the industrial development in our area, it is the responsibility of the BLM to mitigate some of these social and economic affects, since controlling the pace of industry’s development is out of the control of the Town of Pinedale and other Sublette County towns.

The RMP establishes long-range direction and guidance for land use and management across the Pinedale region. As such, the impact analysis supported by the alternatives is relatively general,

with the expectation that it will be supplemented by more detailed analysis for site/project-specific actions. **Nonetheless, the NEPA analysis for an RMP must describe the alternatives in sufficient detail and clarity to allow the public and reviewers to understand the alternatives, and then provide a reasonable assessment and discussion of reasonably foreseeable impacts associated with the alternatives.**

The Pinedale DEIS presents four alternatives under which 19 issues and resource conditions are examined. These include effects to the biophysical environment (air quality, soil, vegetation, minerals, fire regime, and water); the management environment (forestry, livestock, cultural and visual resources, recreation, special areas and wilderness); and the socio-economic environment (economic effects). **The purpose of the DEIS is clearly stated:**

... to determine the potential for significant impact of the "federal action" on the "human environment." The Council on Environmental Quality (CEQ) regulations for implementing the National Environmental Policy Act (NEPA) of 1969 states that the "human environment" shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment (40 Code of Federal Regulations [CFR] §1508.14). The "federal action" is the Bureau of Land Management's (BLM) selection of a resource management plan (RMP) on which future land use actions will be based. (p 4-1)

The BLM also notes the legal importance of examining **cumulative effects** as part of the analysis:

The impacts on the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or nonfederal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR §1508.7). (p 4-233)

We believe that the NEPA process to date has been hindered through deficiencies in the scoping process. Additionally, social and economic impacts, particularly cumulative impacts, have not been adequately analyzed and/or disclosed. **As we continue to work towards a Record of Decision (ROD), we request that these issues be rectified and that the decision criteria that the BLM proposes to use in selecting an Alternative be available for review and comment.**

The DEIS is an incomplete document due to the lack of long term trend socioeconomic characterization and analysis. There are clearly some adverse socioeconomic impacts resulting from energy development on public lands under the BLM authority. As NEPA defines EISs as

disclosure documents, these impacts must be fully examined and reported in the FEIS. Without having socioeconomic impacts as a planning issue it is impossible to carry out the intent of NEPA.

(RMP SECTION 4.0) CUMULATIVE IMPACTS

Cumulative impacts are among the most difficult and complex assessment(s) required in a NEPA document, and have become a focus for court challenges (Smith 2005). We believe the DEIS is vulnerable for two reasons: (1) Social and Economic issues were not listed as a major “planning issue” (p. 1-6), and (2) The trends and cycles of energy development that has occurred periodically within the planning area did not appear in the DEIS.

The DEIS states (p.4-234) that “not all issues identified for direct or indirect impact assessment in this RMP Draft EIS are analyzed for cumulative effects.” This section goes on to qualify the lack of cumulative effect analysis incorrectly stating that, “cumulative effects are commonly examined at a more qualitative and less detailed level than are direct and indirect effects.”

Based on NEPA requirements, and standard cost benefit analysis practice (see Boardman et al. 1996), it is evident that the DEIS is inadequate in its economic analysis. Standard cost benefit analysis seeks to estimate positive and negative effects resulting from a proposed action, and in particular, the magnitude of effects. To accomplish this, effects must be identified and the relationship between effects must be disclosed (cumulative effects). This information can then be used to estimate the value of outcomes and mitigation techniques (Hahn et al. 1996). Furthermore, NEPA requires disclosure of the effects to the human environment including health and welfare, community concerns and safety.

DIRECT IMPACTS TO THE TOWN OF PINEDALE FROM ANY OF THE RMP ALTERNATIVES:

The Town of Pinedale needs to address the following impacts, many of which are a direct result of the rapid population influx and energy industry-related uses in our town:

I. The Town has identified roughly **\$25 million in infrastructure impacts** needing to be addressed.

1. The Town of Pinedale needs to upgrade a 50-year old sewer and water line system. The greatest pressure on this system comes at a time of year with of high water and when we have the greatest influx of natural gas drilling workers, estimated at 2,000 workers, by Jeffrey Jacquet, analyst for the Sublette Community Partnership.

Estimated costs to replace these aging lines equal nearly \$9 million. While Sublette County currently receives the bulk of mineral tax monies, the Town of Pinedale, by current state law, does not. The Town is dependent on our county and state governments to fund projects such as these. To date these crucial projects have not yet received funding, although Town officials began pursuing funding for these projects several years ago.

2. We are planning for an estimated cost of \$6.5 million to adequately pave all of Pinedale's streets, many of which are more than 40 years old, and are being degraded at an increasing rate because very heavy (over the legal weight limit) industrial gas-field truck traffic using our town roads for access to the natural gas fields.

3. Drinking water supply. Required EPA updates for Pinedale's municipal drinking water system equal \$3 million. If current population stresses continue as noted in the RMP, upgrading our wastewater facility would equal \$2 million.

4. Other infrastructure costs \$4.5 million: to adequately meet growing planning and zoning needs; expansion for the Pinedale Airport, which is being used for company aircraft directly servicing energy companies; for costs affiliated with increased caseloads for our municipal court and additional law enforcement services.

Impacts on Quality of Life

The section of the RMP noted on page 4-129 cites, "Some stakeholder groups such as conservationists, non-motorized recreational groups and other wildlife protection groups would likely perceive a decreased quality of life as a result of well drilling and field development." This statement is too narrow in scope to be correct. **As noted earlier in the same RMP, a survey done several years ago by Rice University noted that the majority of Pinedale residents believed there would be a decrease in the quality of life, from full field rapid energy development.**

Pinedale area residents, from other small business owners (such as tourism-related businesses, restaurant, convenience store owners, ranchers and others) have directly suffered from the loss of potential employees as our workforce is increasingly squeezed because of the energy boom.

Additionally, Pinedale has noticed the direct impact of the following services largely because of the impacts from rapid field development: inadequate number of auto mechanics, fewer restaurants open (than when the boom began several years ago), rapidly escalating real-estate prices (which has discouraged new workers from relocating here), dramatic impacts to our school system (usually last-minute enrollments and an increased need for remedial services), increasing substance abuse problems, (without an increase in social-services) and an increased strain on our modest medical services, to name just a few examples.

It's interesting and somewhat discouraging to read on p. 4-129 that while the BLM's RMP acknowledges a probable 181% increase in crime to be expected from 2006 - 2020, there is absolutely no mitigation required nor planned to address this direct impact to our community.

TRAFFIC

Traffic impacts as a direct result of BLM-approved energy development are one of the Town of Pinedale's top public safety concerns. Between 2001 and 2005, industrial-sized trucks increased by 50 percent on U.S. Highway 191 at Pinedale's southern border. That is an increase from 240 large trucks per day to 360 per day. Assuming the same growth rate, this past year, 2006, had 380 large trucks entering Pinedale (pop. 2,000) daily from the southern border (Sublette Community Partnership).

The Town of Pinedale needs to maintain our main road –Pine Street, also known as U.S. Highway 191– as a safe and pedestrian-friendly byway. Rapid gas field development, as we have experienced in Pinedale, brings with it greatly increased industrial and other truck traffic driving through Pinedale, as the aforementioned studies note.

Pinedale town planners need more time to address these traffic increases to adequately protect our pedestrians, which include many children who live just off of Pine Street and cross Pine Street enroute to school. Town of Pinedale officials are currently working to improve public safety in our town, considering the great increase in traffic. Industrial traffic traveling to the natural gas fields in the RMP area; drive directly through the small Town of Pinedale, including heavy gas field traffic constantly on Tyler Street, an important residential street where our county courthouse, newspaper, park and library are located. It is the worst place imaginable for oversized industrial traffic to be traveling through.

While town officials have sought solutions, including vehicle weight limits for the road, a workable solution has not been found and BLM-approved field traffic, continually drives through residential areas of Pinedale. In fact, the Wyoming Department of Transportation has increased its highway patrol presence in the Pinedale area, to identify the increasing number of illegally-weighted trucks that are degrading area roads faster than the usual rate of wear and tear.

Traffic impacts to surrounding communities in the RMP region need to be specifically addressed in the RMP.

The Town of Pinedale requests that BLM policy managers *consider very carefully all traffic impacts to the Town of Pinedale with enormous growth of the energy industry in our immediate area.* As we are working to address these traffic impacts, it is requiring *years* to adequately address these changes, since our main street is also a state highway. Slowed down gas field development will give Town officials more time to implement greater safety standards for our town's main roads. Without slowing down the pace of development, the Town of Pinedale is left to deal with the boom town impacts before we can implement the proper changes.

HISTORIC TRAILS PROTECTION

With so many historic trails crossing the RMP area, the Town supports adequate protection for these nationally-recognized historic sites. We support Alternative 3's protection for these trails. (As noted on pg. 2-160), especially since these trails are an important part of our area's culture, history and tourism businesses.

With roughly 70% of the RMP area already leased for oil and gas development, the Town asks that the BLM provide maximum protections for other non-energy uses, since protecting these other land uses will help keep these other uses viable, and help protect our community's economic diversity.

WATER

We support the most stringent water protections to protect not only nationally valuable waterways (New Fork and the Green rivers, among others), but to protect our aquifer, supplying water to the wells in our area, especially during current drought conditions. We support Alternative 4 restrictions on surface discharge with limited use of produced water if it is monitored by the DEQ and safe for other land uses. **It is noted on p. 4-113, that pollutants would be introduced into aquifers. This is not acceptable.**

Since illegal levels of carcinogenic chemicals were recently discovered in RMP area wells in the Pinedale area (3 wells) and another 82 wells were found to be tainted at lower levels, with all of these tested wells being one mile from a natural gas well, **we ask for the most stringent measures to be included in the RMP for water aquifer protections. Once the aquifer is polluted, a myriad of problems, from serious generational health problems, to high economic costs are among the impacts. We ask the BLM to make water protection a top priority for the RMP area.**

We have included a letter from our Town Engineer commenting further on this topic and several other concerns.

Town of Pinedale



Office of the Town Engineer
Eugene D. Ninnie, P.E.

To: Town of Pinedale
Assistant to the Mayor
P.O. Box 709
210 W. Pine Street
Pinedale, WY 82941
Attn: Lauren McKeever

FOR BLM RMP DRAFT EIS, FEB. 2007

From: Eugene D. Ninnie, P.E.
Town Engineer

RE: BLM Environmental Impact Statement for the Pinedale Resource Management Plan – Review and Comment

This office is in receipt of the following documents from your office in regard to the above:

1. **Environmental Impact Statement for the Pinedale Resource Management Plan Volume 1 of 2**
2. **Environmental Impact Statement for the Pinedale Resource Management Plan Volume 2 of 2**

Based on this offices review, the following is offered as comment:

Prohibition of weight limit (trucks) on Tyler Avenue. The width on Tyler Avenue, the street cross-section (pavement and sub base depth) and bridges (structure) are limited to a smaller axle weight than what is currently being imparted on the road. Developing additional cross-section on the road with strengthening the bridges and changing them (width) would not be feasible due to the limited ROW from close proximity of private properties for such expansion. There or alternate routes for these trucks must be implemented. **A comprehensive plan of existing network of roads and proposed road should be incorporated within the EIS.** In addition an emergency action plan should also be put into the EIS for emergency situations when trucks overturn and spill their cargo (waste products), fuel oil etc to properly manage and contain such environmental contamination. The plan should detail contaminated soil removal new soil introduction and restoration of vegetative matter.

What means of groundwater monitoring in and around the sites, where the lagoons are located have been implemented? With the mention of monitoring Wells, Monitoring Wells should be installed from recommendations from a hydro geologist to properly monitor groundwater movement and chemical levels. These should be installed near riparian and residential areas within recommended and specified distances, to properly maintain a proper scientific examination and monitoring of the gas drilling operations. These monitoring Wells shall be tested on a weekly and monthly basis. This would provide a proper view of a contamination situation of one should occur to provide data to implement control and management of any deleterious material from the fracing

and drilling operations as well as accidental lagoon breaching.

An emergency action plan must be drafted, formulated and put into the EIS to contain and manage any breaching at the lagoons as well as drilling operations, should monitoring wells indicate the presence and movement of contamination.

Reviewing and monitoring of the test data should be done by the WYDEQ and EPA.

Who tests and monitors the soil under the lagoon once the lagoons have been abandoned? If the soils are found contaminated an emergency action plan would be put into the EIS to manage such events. A lagoon abandonment plan should be incorporated with the EIS to properly manage the abandonment and legal closure of such areas. The closure plan must list the chain of custody of the contaminated soil and the disposal areas for such soil. The closure plan should outline the verification that clean soil conditions exist and who signs off on it.

Page 2—113 Section 2.5.5 indicates performance-based mitigations to implement adaptive management principles... However, performance based mitigation must be monitored at all times and properly inspected to make sure that threshold limits outlined in the performance parameters are adhered to and never exceeded. The EIS should have detailed plan on how the performance based mitigation would occur, who monitors it, what are the performance parameters for all categories of environmental impacts(Soil erosion, vegetation reclamation, etc), what are the kinds of reporting that would be done for each category. The EIS should indicate who does the performance based inspection and monitoring, an independent consultant or does the BLM do this. If the BLM does such monitoring and inspection is the BLM prepared to properly implement the proper amount of personnel and management structure on the size and scale of the current proposal to do this?

The various impacts to air quality, water quality, environmental quality, and wildlife the EIS uses current data to state that the current conditions and have not been exceeded by a certain percentage, but have these numbers appear that they have not been extrapolated out to the current proposal of over 3000 plus Wells. The EIS should provide extrapolation data of the current proposal to obtain a picture of the scale of impact that 3000 plus wells will do. With the current proposal, the environmental conditions of air and water quality should be properly modeled using computer software done by an outside private consulting firm who has experience at modeling ground water and air quality using current data and extrapolating the data to model future impacts and conditions. The modeling will help establish the true impacts more closely and address them at this time rather than take a wait-and-see and manage it and mitigate when it happens. For example, if one had a breach, in any one of the lagoons, how the plume and groundwater conditions would behave and if such an event happened, what kind of emergency action plan can be implemented to contain and mitigate the breach. Air monitoring can also be examined over a regional area to examine the effects of the dynamics of weather, drilling and particulate matter from the current proposal.

With air and groundwater contamination there is not too much one can do after the fact, and is nothing more than crisis management after that point. An emergency action plan should be put into the EIS to outline, if such an event occurred, and how it would be managed properly. Example events would be breaches in the lagoon, contamination of groundwater from groundwater monitoring Wells indicate the presence of deleterious chemicals from the drilling and Fracing operations.

Section 3.3.2 cultural resource subregion indicates the *Jonah subregion also contains an extensive archaeological district characterized by a unique concentration of late prehistoric. Material and it appears to have good potential to contain intact Paleo-Indian components.* While this statement indicates their presence. There is no plan of action that outlines what happens when these archeological and pre-historic items are encountered at one of the sites. The EIS should address and what are the protocol procedures and plan of action that will be implemented to preserve and glean this information from these sites when they are encountered. This would also go for any prehistoric archaeological sites prehistoric native Indian burial sites rock art sites etc.

Page 3 -- 31 on vegetation treatments the question remains there should be a vegetation reclamation plan that is implemented for a typical well site. How it will be implemented, what species of vegetation, the amount of vegetation density that will be re-established, etc. There must be a detailed plan that allows a site developer to

follow and the BLM to enforce, in accordance with approved outlined rules regulations on vegetative reclamation and soil reclamation, to restore the local environmental conditions in and around the site after development.

Recent site visits by this office have indicated that there is a lack of proper erosion control and vegetative reclamation or a cohesive plan that is consistent from site to site. This office, from observation, believes that there is a lack of enforcement or planning or both that can be consistently followed through to minimize impacts. Some sites appear they have not been properly reclaimed or done at all.

The above-mentioned plan should also address specific environmental area such as riparian and river bottom areas which are unique local ecological areas that are different than open range land areas that must have a separate and distinct plan to themselves to address similar impacts of erosion control soil management and vegetative reestablishment.

With regard to the forestry section is unclear whether timber will be harvested under this current proposal. The forestry section 3.4 speaks of statements and facts of current conditions and harvests rather than the impacts of the plan on those harvests. The EIS should outline what federal harvesting guidelines should be adhered to if and when subject well sites are developed within those areas. Development in those well sites in forest areas have much more of an impact on the environment than open range lands, due to do the close proximity and interaction of running water, riparian areas, groundwater and wildlife habitat.

Section 3.7.2 structure and tectonics does not expand upon the impacts of cracking and chemical injection in and around fault zones which may increase geologic earthquake activity due to the reduction of friction along fault zones from these chemicals and well activities.

Page 3 -- 87 limitations on specific activities (last paragraph) indicates many soils within the planning area have limiting features that make reclamation and revegetation difficult. Have those areas been identified and have they been worked into a comprehensive plan as mentioned above. The EIS should develop and expand upon special reclamation and revegetation plans for those difficult areas and what site specific actions reclamations and revegetation items are necessary to successfully reclaim and revegetate those areas. The EIS should identify and delineate, so disturbance and encroachment are eliminated. What kind of Delineation fencing flagging or other, etc. Delineation of these areas would also help in reducing and eliminating contact with OHV usage, trucks, drilling operations etc where their disturbance on critical soil areas can cause severe degradation loss of vegetation and alteration of the visual landscape therefore these areas should be properly delineated also who enforces that these areas remain untrammelled.

In section 3.1 for visual resources. The EIS should expand upon view sheds and their identification, whereby upon removal drilling rigs the permanent infrastructure is painted and camouflaged with neutral natural colors indigenous to the area so their presence can be visually camouflaged from distances to reduce the view shed impacts. Such as digital camouflage patterns that can be developed from digital photographs from surrounding areas near the well sites and incorporated into the paint pattern that would be specific for that site

Section 3.15 watershed in water quality service to groundwater it is stated " the section focuses primarily on service watersheds because these are the components of the hydrologic cycle most vulnerable to management choices. Groundwater has remained largely undeveloped in the planning area and is less likely to be affected by surface management decisions although impacts may occur through oil and gas drilling activities."

This office disagrees with the focus on watersheds only.. Watersheds to contribute the rivers and streams which drain the land. Rivers and stream are the low points where ground water naturally migrates to via elevational differentials. Therefore groundwater and surface waters all end up contribute to the same focal point, rivers and streams. The rivers and streams being an important valuable resource for wildlife, cattle, agricultural and human activities are influenced by the groundwater.

Section 3.15 (continued...) Moreover drinking water from wells, in between the river/stream/low points and the gas well (point of contamination), connected to groundwater sources are also affected by the flow of groundwater and will eventually be under the influence of the plume created by possible contamination. The penetration of these deep gas Wells through the aquifer and the injection of proprietary chemicals mixes with the groundwater. This groundwater flows toward the low points of local rivers and streams near the gas well. Monitoring and plans as previously mentioned should be detailed in the EIS. The statement of “ impacts may occur though oil and gas drilling activities” hints of the BLM pre-knowledge of possible contamination and therefore all the more recent that detailed plans and monitoring should be outlined and detailed in the EIS.

AIR QUALITY

As the largest community in Sublette County, the Town remains concerned about further degradation to our air quality. If the RMP does not provide for stringent air quality protections (which the draft EIS doesn't), and our county's air quality is found in violation of the Clean Air Act, it could affect other development (non-energy type of development) in the town. We understand from air quality experts that the county is very close to exceeding NAAQS for Ozone. If Sublette County is declared in non-attainment for Ozone, it could restrict our ability to grow through development activities and provide services to our residents.

Because air quality has a direct affect on public health, we ask that the BLM meet all the analysis required under the National Environmental Policy Act and the Federal Land Policy Management Act.

We ask also that the BLM acknowledge and address the already existing and predicted air pollution impacts in the Pinedale RMP area. The BLM also must analyze the **cumulative** affects of RMP development in our area. The BLM also should make plans to protect and restore air quality degradation that has already occurred.

WILDLIFE AND FISH HABITAT

Since the majority of available lands have already been leased and with big game species already showing population declines, we support protections noted in Alternative 3 for wildlife/big game protection restrictions (as noted on p. 2-162). We ask for stringent protections on the area's fish habitat, since this habitat affects fish populations and this affects other businesses (for example, outfitters, recreational users and real-estate values).

LANDS AND REALTY

Please see joint letter included with our comments, from the Sublette County Board of County Commissioners and Pinedale Mayor's office, requesting lands within 2 miles of Pinedale **not** be leased so that future growth would not be inhibited.

VISUAL RESOURCES MANAGEMENT

Because much of the Visual Resources Management directly affects the community of Pinedale, we support the most stringent VRM restrictions on energy and other industrial development, particularly with lands within visual sight of Pinedale and residential areas.

It appears that with all of the alternatives, oil and gas drilling would be permitted within one to two miles of Pinedale's town borders. We are concerned that the Preferred Alternative (Alternative 4, map 2-30) has only a VRM Class III the second least restrictive for this category for lands immediately surrounding the town.

Alternative 3 (map 2-3) offers the most protection for Pinedale's views to not become industrialized, but even that alternative allows drilling right next to town. **The Town of Pinedale asks that there not be leasing within a two-mile area of town borders, to not only preserve the town's character—a direct influence on our economic life— but drilling within such close proximity could adversely affect public health and well-being.**

We do not support the industrialization of the views of the Pinedale area. This would have a direct (and costly) detrimental economic impact on many of the other businesses and real-estate values of Pinedale.

SPECIAL MANAGEMENT AREAS

We support the special management area as noted for Alternative 3, on map 2-26. **Because of the enormity of the impacts to the entire Resource Management Plan area, we ask for some lands not to be leased to preserve non-energy values that we directly benefit from in Pinedale.**

We support ACECs listed in Alt. 3 and Alternative 4, and that maximum acreages be set aside for: the Wind River Front, CCC Ponds, Trapper's Point, New Fork Potholes, Beaver Creek, Upper Green River areas.

Unincorporated municipalities or zoned rural subdivisions.

Particularly since mineral potential is low in most of these areas, and 70 % of the RMP area is already leased, **there should be no leasing in unincorporated municipalities or zoned rural subdivisions.** Doing so would cause serious health and welfare problems for our community, already struggling to stabilize from current boom impacts.

-end-