

SDSBT
(Stop Drilling-Save the Bridger-Teton)
P.O. Box 121
Bondurant, Wyoming, 82922
sdsbt@wyoming.com

Sent electronically and via the US Postal Service

**Comments to the US Forest Service on the Draft Environmental Impact Statement
for the Proposed Eagle Prospect Exploratory Wells Project**

Executive Summary

The following is a summary of SDSBT comments, reactions and overall responses to the Draft Environmental Impact Statement (DEIS) prepared for the Bridger-Teton National Forest (BTNF) on the proposed Eagle Prospect exploratory wells. After an in-depth review of the document, SDSBT recommends that a new draft EIS be prepared from scratch; in other words a complete redo is called for.

In addition, because there is a clear intent to develop a new gas development zone from Daniel/Merna north through the South Rim Unit and possibly further into the Upper Hoback Basin and the heart of the Wyoming Range, we want a separate Programmatic EIS to be done covering the entire region from Daniel north to the Sublette County border.

The experienced professionals who support SDSBT have put forth their best efforts to meet what we expected to be the scientific and technical challenges that this document would present. It was indeed a challenge, but not for the reasons we anticipated. Because the DEIS is so poorly executed, it has required us to adopt a complete remedial approach. Thus many of our comments are far more extensive than the related draft section of the DEIS. In other words, the DEIS raises far more questions than it answers; this is not a good sign in a DEIS. It is as though every line and paragraph requires attention because the document is so inept. We conclude with the harsh but accurate statement that the DEIS is scientifically and intellectually bankrupt.

It should be quite illuminating for those who must pay attention to these comments to see how little the preparers (which include 21 members of the BTNF, 2 members of the BLM, 21 consultants, and consultation with 8 federal agencies, 12 state agencies, 2 counties, 2 Native American Tribes and PXP) actually know about the area proposed for drilling and the requirements to be met under NEPA for evaluating drilling in the BTNF. However, they did know enough to “selectively” rely on BTNF and Pinedale RMP old plans for guidance and certain Desired Future Conditions (DFC), but only to the extent that they support the PXP proposal. Otherwise the Draft omits, for example, the requirement to show wildlife benefits inherent in Desired Future Conditions zones #10 and #12. That kind of behavior is known as “cherry picking”, i.e. selectively choosing those components of B-T guidance or plan requirements that fit the PXP proposal and

omitting those that don't. It is not an overstatement to say that SDSBT considers this behavior professionally unacceptable.

We are very concerned that the two public agencies with the responsibility to manage vast tracts of public lands for multiple use, the BLM and the BTNF, have demonstrated an insular and by some measures suspect relationship with the companies whose interests this DEIS puts ahead of the lands they manage, and that they have allowed such unprofessional work to be distributed for public consumption. We have particular concerns, in this case, that the BTNF would issue such a poor document that deliberately omits critical and available information that would, had it been included, lead to at least a broader if not a completely different set of alternatives to be evaluated and arguably a different preferred alternative.

Both this Executive Summary and the full SDSBT Report are organized into sections that topically correspond to the sections of the DEIS. The major areas: wildlife and fisheries, air, water, road and regulatory compliance with NEPA (especially regarding the human environment) are covered in detail, and we have added additional recommendations that will put the narrow slice of land known as the Eagle Prospect into a larger context.

In the "Purpose and Need for Action" section, the DEIS discusses how the proposal relates to the Forest Service Plan and the Pinedale Resource Management Plan. We emphasize these Plans are both nearly 20 years old, and both are in revision and updating processes right now. SDSBT wants no action taken on the proposed Eagle Prospect until both of these plans are fully updated and revised, in full accord with the NEPA process.

The DEIS states that Alternatives not considered were deemed to be not practical or feasible from a technical standpoint, and not based on "common sense". Given the absence of a full range of analyzed alternatives in the document, we believe that some alternatives should have been either examined more closely before ruling them out, and others developed, notably related to various stages of full field development, that should have been analyzed fully. As just one example, helicopter logging is under consideration now for use in fire mitigation on nearby BLM lands. If it is under practical consideration by the BLM using public tax dollars for this purpose, then we believe that it also be considered as an alternative to road building in the DEIS. The use of helicopters cannot be cavalierly considered too expensive, given the potential profits to a company with the confidence PXP has publicly expressed for full field development of the Eagle Prospect and nearby areas. Such costs are "opportunity costs", and industry is used to spending for such purposes. PXP just spent about \$800 million on a Colorado gas field deal; this is a clear indication that the use of helicopters should not be quickly ruled out as too costly for what is at stake here in Wyoming. In SDSBT's view, the "cost" to wildlife from the proposed road that bisects a critical corridor linking the Greater Yellowstone Ecosystem to the prized Wyoming Range, for example, far exceeds probable helicopter costs. Such judgments clearly depend on whose costs we are talking about!

Other access routes were eliminated for various reasons; SDSBT's detailed road analysis suggests some of these should not have been so quickly eliminated from review. It is

clear to SDSBT that some of the alternatives not considered were eliminated for the convenience of either the DEIS team and/or the Operator, and that other meaningful alternatives should and could have been developed.

The DEIS, then, by neglecting to develop an appropriate range of truly meaningful alternatives, has in a sense determined that there are only limited opportunities to explore this area. Logically, if gas exploration cannot be reconciled in this specific location with other values due to the limitations on surface occupancy, this is evidence that the same limiting conditions would prevail during production--thus constraining the field if gas were found. But this would limit “the full and fair return to the public for resources in the public domain”, the underlying principal in law for the mineral rights in the first place. If we know by virtue of this DEIS that limitations exist and will continue to exist, then the right to drill should be revoked with the “no action alternative” as a preferred option and the area taken out of play permanently. But this is not where the logic leads in the DEIS. SDSBT’s water analysis also concludes that gas field production may be limited by water. Under such circumstances, the project is ill conceived from the start. The approach taken in the DEIS, coupled with other factors we present in our comments, supports the conclusion that this is the wrong place for a gas field.

The original proposal made by Mountain Petroleum in 2004 and Alternatives B and C offered in the 2007 DEIS place the access road and well pad site in basically the same locations. The DEIS fails to uncover, present and delineate the deleterious impacts that this proposal presents for the ecological functioning of the Rim wildlife corridor, the link between the Greater Yellowstone Ecosystem and the southern part of the Wyoming Range. When finally taken into account in the subsequent DEIS that we recommend be undertaken, facts such as this one and others would provide the foundation to conclude that the “no action alternative” is the reasonable choice for the preferred alternative.

To speak plainly, if that wildlife corridor is severed, SDSBT forecasts over time there will be a reduction in major wildlife in the southern Wyoming Range. It is not by accident that hunters and anglers object to drilling in the Eagle Prospect. They know first hand the role the Rim Corridor plays in recreational use of the Wyoming Range. Wildlife biologists call it a connectivity corridor essential to ecosystem functioning. Those who hunt and fish want the wildlife to be bountiful. It is not possible to have bountiful wildlife without the corridor. That alone is an important reason to conclude this is the wrong place to conduct energy exploration and production. There are many others.

Our specific comments on the proposed new roads have 4 main components:

- 1) Technical elements of the proposed construction / lack of road alternatives
- 2) Road density and its relationship to the BTNF 1990 Forest Plan Desired Future Conditions (DFCs)
- 3) Road construction in a designated Roadless Area
- 4) Miscellaneous roadway issues

In summary, the proposed road access alternative will have a greater effect on unstable slopes, sensitive soils, and watersheds than other alternatives that were not analyzed in

detail, and far more impacts than the no action alternative coupled with the complete removal of these leases from potential exploration. More alternatives for access to the site should have been presented as part of the DEIS, but were not. In fact, no other roadway access alternatives were analyzed in detail.

An explanation of how “no adverse and some beneficial effects on wildlife” will be met if the application to drill is approved is omitted. Methodologically, the traffic density calculations are flawed. Calculations cannot just use the roadway length, but must accommodate for the extra disturbance that is necessary to accommodate the industrial traffic, which is NOT equivalent to the standard forest service roadways that are intended for recreational use. According to the DEIS, there are currently 10.9 miles of existing roadways in the project area. The addition of 2.3 miles of roadway is a 21% increase in roads. The new DEIS needs to specifically address how disturbance of 95 acres affects this density calculation for the specific management areas.

Perhaps most important on the road issue, the proposal to construct 2+ miles of new road, plus a well pad, in a federally designated roadless area should not move forward without significant study proving that no other access alternatives are appropriate.

The new DEIS should include a traffic impact study, prepared by a qualified traffic engineer, using realistic traffic projections. This type of study is quite commonly required. Anyone familiar with drilling operations knows there are a myriad of suppliers and sub-contractors that deliver products and equipment to the site on a regular basis, in addition to the traffic caused by Operator himself. In addition, there will be significant traffic generated by construction operations. We believe the Wyoming Game and Fish Department has conducted traffic counts in the Jonah Field that will provide (in fact should already have provided) further guidance.

SDSBT believes that if a road is built sufficient to meet the full industrial requirements, not only would the cost of this road insure its permanency, but based on the road construction initiative, more than the lean analysis of 3 temporary exploratory wells should have been projected. A permanent road warrants a full field development analysis. Otherwise, the option to helicopter equipment and supplies (clearly a temporary investment) should not have been eliminated as an option for full consideration. In the DEIS analysis options have been eliminated based on costs. If the environment is to be put at risk, then the risk associated with exploration in an untested area needs to be commensurate with the other values at stake.

In addition there are a whole host of technical issues regarding the Design Criteria included in Appendix D that need scrutiny and change, including the existing roads, the construction and reconstruction of access roads, location and type of water supply, sewage disposal facilities, well site layout... particularly the lack of discussion concerning the treatment and disposition of hundreds of gallons of contaminated waters that would accumulate against the berm after snowmelt and/or cloud bursts. Also there is no mention of the common practice of sand bedding beneath the pit liner for hazardous containment. Pit dry-out periods stipulate no planned maintenance, or cover to assure

safety, and thus pose a risk to wildlife, waterfowl, and livestock . Procedurally the use of hazardous materials including lubricating oils, fuels and the like in close proximity to wetlands is likely to be violated with deleterious impacts of untold dimension.

The new road construction is in the DFC # 10 and the well pad location is in DFC # 12. DFC # 10 is described as: Areas managed for some resource development while having no adverse and some beneficial effects on wildlife. DFC #12 is described as: Areas managed for high-quality wildlife habitat, escape cover, and dispersed recreation. As stated in the DEIS, page 1-11: “Forest plan management direction is to achieve the DFC established for an area.” New roads will definitely not help achieve either DFC, as our detailed Report shows.

Our evaluation concludes the DEIS also fails to relate the environmental effects of the Alternatives to the key ecological function of the Hoback Rim. In other words, the effect upon the most important natural process that occurs within the Project Area is not accurately evaluated. This is crucial because the Project Area affects up to 50 percent of the functional habitat of the Rim (see Figure 1 in our full report). The greatest negative impact will be created by the proposed access road with industrial traffic bisecting the southwest to northeast oriented, timbered Rim along the “River Basin Boundary” depicted in Figure 3-2 of the DEIS.

Ecologically, the Hoback Rim is a narrow corridor with steep, foothills terrain with timbered security cover that functions as a narrow habitat bridge between the Gros Ventre Mountains and Green River Basin over to the northeastern regions of the Wyoming Range. The location, terrain, vegetative cover, and diversity of the Rim create a crucial, ecologically essential connecting corridor. This corridor of forest cover and largely inaccessible terrain is a bridge across a swath of open country that runs from the south-central portion of the Greater Yellowstone Ecosystem (GYE), with its complete compliment of biological diversity, to the less diverse southern leg of the GYE, the Wyoming Range. As a result, degrading the connectivity and continuity of the existing habitat features of the Rim affects a far larger area for several of the obligate, sensitive, and secretive species evaluated in the DEIS. As a result, the Wyoming Range cannot recover and/or maintain its natural biodiversity as part of the GYE without the viability of unfragmented habitat and the intact ecological connectivity of the Rim. The road/gathering line focus in Alternatives B and C divert attention away from this much larger issue as well as other weak components of the DEIS.

As written, the DEIS is overwhelmingly a road construction/gathering line project; it is nowhere close to a credible analysis of the environmental impact analysis called for by NEPA and CEQ guidelines. We find it remarkable and depressing that the BTNF would indeed find it reasonable to ignore the “inventoried roadless designation” of the area where the proposed road is to be built. Also we challenge the technique of using USFS jargon to upgrade several miles of “dirt roads” (as the FS roads are designated on the BTNF official map) by naming them as Forest Service Development Roads to make them sound more like roads upgradeable for heavy industrial traffic than the dirt two-tracks that they really are.

As has been already discussed above, the methodology for assessing the impact of the new road system on wildlife is flawed. In our opinion, it is misleading to say that the impacts on transitional, migratory, and calving grounds to be solved by stipulations on the drill pad and how the road is to be built. However, warnings about wildlife impacts despite stipulations seem to be regularly ignored in Sublette County gas field development, until one day 46% of the mule deer herd is gone! The effect on ecological connectivity and population viability on mule deer, lynx, and many other forest species is inadequately addressed in this DEIS as it has been in some previous EIS work that has proven flawed, but used here anyway. We repeat, as we will throughout our comments, that this is yet another major flaw.

“Drilling in the upper B-T” is not simply a matter of a new road system, 3 wells from 1 pad and a temporary pipeline line, as stated in the DEIS. Rather, we point out, that from the beginning in 2004, from the original industry drilling proposal and the BLM approval of the drilling plan and the Unit, to the comments of the PXP President, who apparently is so confident of the success of this venture that he has expressed his intent publicly to develop a “nice little Jonah Field right in the middle of the Forest.”, the project design has not been significantly altered. The PXP President envisages a broad full field. The USFS should take him at his word, and conduct the next DEIS for the Eagle Project, as well as a regional Programmatic EIS, accordingly. The decision on original plan, the Unit, the site location, the well pad, etc. was made without the benefit of environmental analysis, without the benefit of the BTNF’s own plan guidance, and without public input or scrutiny. As we have pointed out a number of times, BLM couldn’t even accurately count the number of homes already in the Unit. SDSBT and others were counting on the USFS DEIS process to remedy the past deficiencies and blunders, and do it right in the DEIS. In this we have been sorely disappointed. The fact that the proposal has remained basically intact throughout this DEIS process suggests the analysis is designed to fit, perpetuate, and sanction the goal of the original proposal. The narrow proposal specifically for the South Rim Unit has not evolved since 2004, but the larger intent has evolved and become all too clear to those who value the Upper Hoback Basin and the lands to its south and east. The fixed road access then becomes important as an obvious anchor for the subsequent 2005-07 BLM lease sales. With alternate access routes left unexamined in the DEIS, we can only conclude that opening a whole new area is the reason other access alternatives were ignored. It appears that the goal is a necklace of Jonah Fields stretching from Daniel through Merna into the Upper Hoback Basin—and how much farther we can only speculate.

The intent to spread gas development north from the Daniel/Merna area has been expressed in the BLM 2004 decision process. What is clear is that the BLM and the companies have mapped a “development zone” on private and public lands from Daniel/Merna north. Also, the agencies apparently since 2004 have, with no transparency, no public input, and no current environmental data, inappropriately established a framework for a “go”: our mind is made up, don’t confuse us with any on-the-ground facts from any source at all.

The thinly-veiled effort is, to our mind, designed to extend the producing zone continuously from the south county fields by staking this project site, and then backfilling the geography with new lease offerings from Daniel/Merna to this site. This sets the stage for a new industrial corridor all along the proposed road. The larger “prospect” is evident to us, and should be recognized and analyzed in the Programmatic EIS we call for.

Retaining a narrow project “scope” and consciously ignoring both its own longer term implications as well as the much larger project “intent” defined just above is an abuse of discretion; SDSBT also sees it as intentional for the purpose of USFS concluding there are minimal impacts in the current DEIS process. But the DEIS has that wrong too, as our comments show. There are significant impacts associated with drilling here; they simply have been ignored in the faulty analysis.

Distortion by omission defies the intent of NEPA and the sound scientific analysis that the process requires. It also presents a suspect and strategic intent to potentially claim in the future that the scope of this DEIS already covers the area from Daniel/Merna north and thus “categorical exemptions” could be potentially applied, providing no entry point for any further environmental analysis, no matter how egregious the impacts from the earliest stages of exploration and development, and depriving the public from being able to comment on further development in this entire region. SDSBT finds this unacceptable and a further reason to demand that another draft EIS be prepared specifically for the Eagle Prospect.

The intent of the industry and our federal agencies is becoming clearer because a series of deliberate documentable actions. We generally examine not just what is said but what is done, or not done, as the case may be. Right now, having analyzed what has been said in the DEIS is terribly disappointing. Many agency officials and elected officials have urged us to stay with the NEPA process, which we have been doing and will continue to do. But to see the poor quality of work product that just resulted from the process does not, at this point, give us any positive sense that the process, unless changed, will do anything really useful for anybody except the companies. There will be a direct transfer of wealth from the current ranchers and other property owners out of their pockets into the company coffers, with a little bit staying behind in government budgets—and not even the budgets of the agencies with land management responsibilities. This is wrong.

SDSBT contends the NEPA process must be applied to the larger framework so that the impacts on both the whole ecosystem and the existing human environment of the Upper Hoback Basin can be taken into account. The process is being abused under current circumstances and as a direct result the temporary product, the DEIS, compromised in a way that cannot be fixed by tinkering and turning it into an FEIS. It does nothing but give real estate and minerals to the industry, and we fear damage to the agencies as well, and thus we must stand in strong opposition in this case.

We conclude that the agencies have gone too far in ignoring their obligations and flaunting environmental law and process.

Furthermore, the Draft basically ignores the fact that there are live people, including children and the elderly, living year around within the Unit as well as immediately adjacent to it and in the Upper Hoback Basin. Air quality for the Upper Hoback Basin is quantitatively undocumented, though clearly excellent (pardon the pun) and the potential effects from the proposal, from production resulting from the proposal, and for expanded development, specifically including but not limited to ozone and photochemical smog, require that human health effects are assessed. We want to see experts at the USEPA be explicitly included in the preparation of both the specifications for the needed air monitoring program as well as the modeling of the impact of both the proposed project and full field development. In that regard, we note that neither the USEPA nor the WYDEQ air pollution experts were on the Interdisciplinary Team (listed on page 5-1). The nature of the “consultation” with both these agencies (page 5-2) was not described in any detail at all regarding air pollution. Our air pollution experts and advisors have major questions about the air pollution consequences and public health affects in the basin-mountain environment. No monitoring of the air quality in the Hoback Basin has ever been undertaken, thus there is no baseline air quality data from which to measure degradation. To infer from the Jonah Field, a flat non-mountainous environment, is incorrect.

In addition, the full impacts of this area potentially coming online, including what SDSBT evaluates as an underestimate of the air quality impacts from truck trips and road construction, flaring over a five year period initially and then another 25 years when concurrently more than 4400 new wells are proposed 40-60 miles to the south, will together result in increased ozone, and other air pollution contaminants, some of which will be potentially trapped in a mountain-basin environment and others dispersed into the prevailing weather and air dispersion patterns. These pollutants will locally affect soils, vegetation, and the nutritional quality of food supply for wildlife in the Hoback Basin and because some of the area is riparian (US Waters under the direction of Army Corp of Engineers), as vegetation is affected, soil erosion can result and that in turn affects steam conditions and the irreplaceable genetic pool for cutthroat trout found in these streams.

The Draft “waives its arms” at the water issues. It attributes characteristics to the Hoback Basin from other hydrogeological information to the north and the south, miles and even tens of miles away. No study of either the surface water or aquifer systems in the Hoback Basin exists. The hydrogeology of the Hoback Basin is unknown in the technical and scientific literature, yet there is no plan outlined in the DEIS to learn in advance, only to move the project ahead before knowledge and data about the underlying aquifer(s) and both ground water and surface water quality and quantity are known. The generalized estimate for water use may be fairly accurate in stating the minimum amount needed, but much harder to estimate in deep drilling situations, and the specific identification of how and where additional water sources are coming from is fuzzy other than the one well. The DEIS states that site specific groundwater data for the project area and vicinity are “limited”, then more accurately in the groundwater section it appears that the site-specific groundwater information for the 23,260 acre area is non-existent. In addition information used to draw conclusions about specific groundwater characteristics includes locations as

far as 60 miles away. These are inappropriately considered as in the “vicinity” of the study area.

SDSBT expert hydrogeologists have advised that “if this project is expanded to production levels, water impacts would be much greater than the exploratory project. The need for additional information on aquifer hydrology and function of the area, as well as disposal of production liquids would be absolutely necessary and may limit gas well construction activities.” In the DEIS section on water use there is a discussion of proposed and projected groundwater withdrawals during the 5 year duration of the project. There is no quantitative analysis of the natural aquifer recharge quantities and the impact of the maximum proposed cumulative withdrawal on the aquifer storage. In other words, if aquifer mining were to occur there would likely be a decline in groundwater reserves available for current and future higher and more beneficial uses.

SDSBT wants an immediate hydrogeological study of the aquifer system undertaken first, before a decision is made or the APD approved. No decision on the proposed wells should be undertaken until both the aquifer study and results of the well monitoring program including baseline data of existing conditions are made available. PXP must be responsible for funding a study of the underlying aquifer(s) in the Unit area prior to exploration, and for a monitoring plan for residential wells. This hydrogeological study should either be accompanied by or immediately followed by a comprehensive evaluation of the surface water sources in the Unit and the immediate vicinity, and the relationship between near surface aquifers and surface water resources.

If the proposed drilling goes forward, we recommend that a water-monitoring plan be implemented before any exploration takes place, and SDSBT will if necessary offer one including laboratory testing as defined in Title 40, 1-15 Code of Federal Regulations, Part 136 or Standard Methods for Examination of Water and Wastewaters and for specialized parameters chosen because of their general prevalence in other contaminated well waters. If water quality parameters in the aquifer change greatly specifically during after drilling, that would indicate possible aquifer contamination.

The Draft presents water quality data from the Wasatch, Fort Union and Mesa Verde formations as possible consumptive and non-consumptive water sources. Water from these formations all requires treatment before surface discharge due to high sodium, chlorides and total dissolved solids. (Because of the lack of a basin-wide study, it is of course not clear that these are the water bearing formations of relevance.) Also, surface water quality from USGS gauging stations as near as possible to the project site were given but the dynamic nature of the streams suggests that actual baseline water quality data from the project site would be necessary if used water is to be discharged into streams. Each of these considerations is shortchanged in the DEIS. The DEIS presumes that no residential wells will be affected, but in fact no analyses of existing ground water and surface water has been undertaken to support that claim.

No study of the impact on soils and sediments was undertaken for the DEIS, yet it is clear that if the number of diesel truck trips (for example) is underestimated so that we cannot

determine the impacts on air quality and water, it is likely that these impacts have been badly understated.

The workforce impact is inadequately described. Housing requirements in “local surrounding communities” are underestimated, and security as proposed, one guard in an on-site trailer, is a joke. Housing is a major problem in the Pinedale area, and the Hoback Basin has no motel housing sufficient and adequate for this workforce. Turning sensitive lands into a trailer parks, i.e., the use of “management trailers” as a housing alternative, is not an acceptable option either, and that option is not even discussed and eliminated as an alternative to motel housing in local communities that we already know does not exist. The use of contract labor by PXP suggests an itinerant workforce brought into a bucolic residential and ranching community, transported onto sensitive lands to which they neither owe respect nor allegiance. The problems associated with growing meth labs, drug sales and use and the workforce in Sublette County are ignored. Many would like to sweep these issues under the rug, but those of us on the ground know they are real and are documented in Sherriff’s office records. The impacts on community are ignored. As a minor point, a workforce armed with fishing rods could also produce an immediate deleterious impact on the fish population as well. If they were armed with rifles, even though they are not supposed to have them, there could be other impacts. As noted elsewhere, there would, at least in the early stages of exploration, be abundant wildlife in the area, perhaps too much of a temptation for the workforce to ignore.

The impact on many private homes, lands and wells including in the operating unit and just outside, in the community of Hoback Ranches, for example, is essentially disregarded. Instead of recognizing the lands under private management and how they positively affect the sustainability of the BTNF and recognizing a pristine boundary community, the DEIS all but ignores the community, and the impacts it faces.

Gas development has brought socio-economic displacement to Pinedale. Home values in Pinedale are dropping as the new housing starts meet the demand for lower income housing. Overall this drops housing values for all county properties. Retail and service companies, the small traditional employers, are closing due to workforce displacement. It is forecast that Pinedale will be significantly altered from the high value recreational community it once was. Thus all the northern county communities, including Bondurant, the Upper Hoback River ranches, Hoback Ranches, and Hoback Estates will likely suffer a loss in property values simply as a function of countywide devaluation.

If gas development spreads beyond the Eagle Prospect, it will compound the loss in value. These are real dollars that the companies siphon from the pockets of homeowners. Asset transfer hurts private land owners three times: first the government transfers the mineral rights underneath lands, to those who have paid in many cases less for the subsurface mineral rights than the surface owners paid to purchase the surface rights, then through surface disturbance or competing demands for water, for example, they destroy the property values of the built environment, and finally as a result of the infrastructure required for mineral exploitation, the surface disturbance destroys the wild areas, the first and foremost reason Forest boundary properties have been inhabited in the first place.

None of these issues and more are dealt with in the DEIS. The depersonalization of the process is an unacceptable oversight.

The process as is currently managed by the BLM/BTNF excludes affected citizen/property owners and relegates them to a category called “split estate lands” and property owners with “no standing” and no rights. This is not only incorrect, but not smart! Noise, visual and other disturbance related to road development and rig operation is inadequately evaluated. In the mountain and basin environment sound carries and bounces. It is expected that a well field in the Unit area would be heard not only in residential communities but potentially basin wide under various conditions.

Overall, we evaluate the DEIS document as fundamentally flawed for these and other reasons. Our full Report follows as a separate document.

April 24, 2007.