

## Oregon-California Trails Association

April 3, 2007

Bureau of Land Management  
Pinedale Field Office  
432 East Mill Street  
Pinedale, WY 82941

Subject: OCTA Comments on Draft Pinedale SEIS, December 2006

Dear Sir or Madam:

The following comments and questions are forwarded on behalf of the Oregon-California Trails Association (OCTA).

Before addressing specific issues, I would like to emphasize that OCTA is not opposed per se to year-round drilling operations. When the scoping notice was published our response reflected that position, but we insisted on trail protection and that Section 106 procedures be followed. However, the SEIS has gone far beyond the year-round drilling issue to include larger well pads, more wells, increased disturbance areas and intrusions into the 0.25 mile Lander Trail buffer zone.

A primary concern is that the suggested alternatives are grossly inadequate. In fact, little is actually offered in the way of alternatives. It seems that the "no action alternative" is included only to meet the requirements of Federal law. No serious consideration is given to this alternative. In fact, it is stated in several places that "all alternatives" will have similar impacts. This is clearly not true since the "no action alternative" should not add impacts beyond those addressed in the EIS and ROD.

Also, it is difficult to understand why Alternative C was not selected since it provides at least a small degree of protection for wildlife with about the same opportunity for development. Wildlife matters are not OCTA's primary concern, but it suggests that the selection of Alternative B was pre-determined.

In general, we are disappointed with the tone of the document. It flaunts adverse impacts and presents little in the way of offsets. The Executive Summary states that the "BLM has determined that the Operator's proposal could cause significant adverse impacts to human and natural environments." In the details it is clear that the operative phase should be "will cause" rather than "could cause."

On page 4-54 it is stated that "Additional disturbance within the 0.25-mile Lander Trail buffer, Lander Trail SRMZ and Lander Trail viewshed are expected by each alternative ..." It is further stated that the disturbances are "substantial" and that it "would probably change the character of the Lander Trail's use and of the physical features within the trail's setting that contribute to its historical significance, a significant impact according to the criteria defined by 36 CFR 800.5." It seems reasonable to ask:

1. Why have not alternatives been developed and examined that will avoid these impacts?

— G-1 —  
— EG-7-1 —

C-1  
— EG-7-2 —

2. Will mitigation be required and what might it be? Again, we note that by definition Alternative A can not result in “additional disturbances” beyond those defined in the EIS and ROD. The reference to “each alternative” in this context is erroneous.

On page 4-53, Section 4.8 Cultural and Historic Resources, paragraph 4.8.1 it is stated that “There were no project scoping comments related to cultural and historic resources.” This is clearly in error as shown in Appendix B, page 2. The issues of viewshed and procedures were raised and should be addressed.

Finally, I am concerned about the relationship of this document to previous documents and agreements.

1. OCTA signed a programmatic agreement with the BLM, SHPO, NPS and developers in October 2004. Is there anything in the SEIS that changes terms of that agreement?
2. Are intrusions to the 0.25 mile buffer zone limited to pipeline and road crossings? Specifically, are there well pads, wells or other infrastructure intruding into the buffer zone?
3. Does Appendix C (Development Procedures for Wellfield Activities) supersede any of the BLM's best management practices as documented elsewhere or in any way reduce mitigation requirements?

The answers to these questions should be addressed directly in a revised SEIS.

At OCTA's March 1, 2007 board meeting, a resolution was unanimously approved suggesting that either the draft SEIS be withdrawn for revision due to its deeply flawed nature or that Alternative A be selected. While Alternative C is preferred to B, neither is acceptable without further protection for the trail and the viewshed.

We would be pleased to work with the BLM to develop a SEIS that meets the needs of the developers while protecting cultural resources.

Sincerely,

[Signed]

David J. Welch  
National Preservation Officer  
Oregon-California Trails Association

cc: Sara Needles, Tim Nowak (BLM), Fern Linton, Fred Linton, Frank Ellis, Randy Brown, Edna Kennell, Vern Gorzitze, Glenn Harrison, Lee Kreutzer (NPS)