

April 28, 2006



By Fax

Gene Terland
 Acting Utah State Director
 Bureau of Land Management
 P.O. Box 45155
 Salt Lake City, UT 84145-0155
 Fax: (801) 539-4230

Re: Notice of Competitive Lease Sale Oil and Gas - Utah Parcels (0506) - 002, 004, 005, 006, 007, 008, 009, and 010

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Dear Director Terland:

Trout Unlimited is the largest non-profit organization dedicated to preserving and restoring North America's trout and salmon fisheries and their watersheds. Trout Unlimited has over 150,000 members, including roughly 2,400 in Utah.

Under 43 CFR 3120.1-3, Trout Unlimited respectfully protests any of the above referenced leases that encompass parts of the Saleratus Creek watershed, Otter Creek watershed, and Laketown Creek watershed. We are concerned that proposed leases along or around these watersheds will damage habitat and impair the coldwater fisheries there. The leasing of these parcels would convey a right to explore for and develop gas and/or oil reserves to the lessee that, when exercised, could impact the water quality necessary for the survival of coldwater fisheries. Our specific concerns are:

- Surface disturbances resulting from gas and oil development activities such as road building, well pad and pipeline construction can result in increased runoff and erosion. This increased runoff and erosion increases water temperature, reduces dissolved oxygen, and contributes additional sediment that impedes natural reproduction and causes declines of the macro invertebrates that trout feed on.
- Further analysis of the impact of energy development on fish, wildlife and water resources is necessary prior to granting leases. Given the proximity of coldwater fisheries located on or contiguous to these parcels, impacts from reasonably

foreseeable development on the freshwater aquifer and related streams need to be analyzed prior to granting leases.

- Additionally, the BLM should provide assurances, supported by adequate hydraulic and hydrological data, that contaminants will not be transported from the freshwater aquifer to surface water. Proceeding to issue leases without adequate information to assess this risk threatens the area's important coldwater fisheries. Baseline water quality and fisheries population data as well as monitoring plans need to be in place before the BLM issues leases that grant exploration and development rights

Lease Parcel UT-002 includes a portion of Laketown Creek. This watershed has a population of reintroduced Bonneville cutthroat trout that the state considers a conservation population. Conservation populations such as the one in Laketown Creek are in place to help prevent the Bonneville cutthroat trout (BCT) from further decline that could lead to Endangered Species Act listing. Because of the sensitive nature of this species in Laketown Creek, TU protests the inclusion of parcel UT-002 in the upcoming lease sale. If this parcel is offered for sale, stipulations should be applied that are consistent with the 2001 USFWS Status Review Bonneville Cutthroat Trout, specifically recommendation number 4 for the Bear Lake Geographic Unit which states "Land management agencies (USFS and BLM) should regulate activity in upper watersheds to maintain good riparian conditions in upper portions of the streams, including implementation of land-use activities that are conducive to good water quality and healthy stream conditions." (p.39, USFWS Status Review Bonneville Cutthroat Trout, Oct. 2001) If lease parcel UT-002 is not withdrawn from the lease sale, Trout Unlimited recommends that a no surface occupancy or disturbance stipulation be applied within 500 ft of perennial and or intermittent streams on the lease.

Lease Parcels 004 and 005 are in the Otter Creek watershed. This stream historically supported a robust population of Bonneville cutthroat trout. Spot surveys conducted by Utah Division of Wildlife resources in 2003 documented the presence of sculpins, brown trout, and brook trout, but it is likely that the creek still supports a remnant population of Bonneville cutthroat trout and it could be the location of a Bonneville cutthroat trout restoration project in the future. Gas and oil activities on these parcels could impact the existing coldwater fishery and compromise restoration efforts. Because of the potential for this stream to contribute to the continued restoration of Bonneville cutthroat trout and the existing coldwater fishery, TU protests the inclusion of these parcels. If parcels 004 and 005 are offered for sale, no surface occupancy or disturbance stipulation should be applied within 500 ft of perennial and intermittent streams.

Lease Parcels 006,007,008,009, and 010 are in the Saleratus Creek watershed which is a coldwater fishery and is potential habitat for migratory Bear River Bonneville cutthroat trout. We object to the inclusion of these parcels in the May 16th lease sale. However, if they are offered, a no surface occupancy or disturbance stipulation should be applied within 500 ft of perennial and intermittent streams. Moreover, Saleratus Creek and its

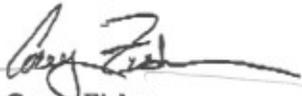
tributaries from its confluence with Woodruff Creek to the headwaters is listed in Utah's 2004 303 (d) List of Impaired Waters as only partially supporting a 3A - Coldwater Aquatic Life beneficial use class due to low dissolved oxygen levels. This is an important consideration that should be taken into account when considering the offering of gas and oil lease parcels in the Saleratus Creek watershed as increased sedimentation caused surface disturbing gas and oil activities could further impair this watershed.

In addition to site-specific impacts to the above mentioned fisheries, the cumulative down-stream impacts to the Bear River should be analyzed prior to leasing to ensure that the rights conveyed through leasing, when exercised, will not compromise water quality and in turn the health of migratory Bear River Bonneville cutthroat trout. Utah's 2004 303 (d) List of Impaired Waters includes the Bear River, listed as only partially supporting a 3A - Coldwater Aquatic Life beneficial use class due to low dissolved oxygen levels. This impairment could be exasperated by increased sedimentation caused by surface-disturbing gas and oil activities on these leases. As with Saleratus Creek, this is an important consideration that should be taken into account when considering the offering of gas and oil lease parcels in the Bear River watershed.

Trout Unlimited supports responsible energy development. However, we recognize that, in keeping with the multiple use of our public lands, and a balanced approach to resource use, there are some places that should not be subject to energy development. We strongly urge the BLM to reconsider selling the above referenced lease parcels that abut or have the potential to negatively impact coldwater fisheries, especially those that are important for continued Bonneville cutthroat restoration.

Thank you for your consideration of our concerns.

Sincerely,



Corey Fisher
Energy Field Coordinator
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