

Uranium Watch

76 South Main Street, # 7 | P.O. Box 344
Moab, Utah 84532
435-259-9450

December 17, 2012

via facsimile

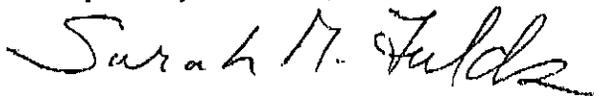
Juan Palma
State Director
Utah State Office
Bureau of Land Management
PO Box 45155
Salt Lake City, Utah 84145-0155
facsimile: 801/539-4297, 4013

RE: Protest: February 2013 Competitive Oil and Gas Lease Sale, noticed November 16, 2012.

Dear Mr. Palma:

Enclosed please find for your consideration the following timely Protest of the February 2013 Competitive Oil and Gas Lease Sale, Moab Field Office, Grand and San Juan Counties, Utah. The Environmental Assessment, DOI-BLM-UT-Y010-2012-0190-EA, was issued on November 16, 2012.

Respectfully submitted,



Sarah M. Fields
Program Director

Enclosure: As stated

PROTEST

**FEBRUARY 2013 COMPETITIVE OIL AND GAS LEASE SALE
PARCEL UT0213-019**

**Moab Field Office, Grand and San Juan Counties, Utah
Environmental Assessment (DOI-BLM-UT-Y010-2012-0190-EA)
(November 16, 2012)**

**Uranium Watch
PO Box 344
Moab, Utah 84532**

December 17, 2012

INTRODUCTION

1. Uranium Watch submits the following Protest of Parcel UT0213-019, February 2013 Competitive Oil and Gas Lease Sale, Moab Field Office, Grand and San Juan Counties, Utah.¹ The Environmental Assessment (EA), DOI-BLM-UT-Y010-2012-0190-EA, was issued on November 16, 2012.

2. BLM Parcel Description:

Parcel UT0213-019 occurs within a portion of section 35 of T. 28 S., R. 24 E. in San Juan County and totals 440 acres. The parcel is approximately 1 mile northeast of the town of La Sal along HW 46. The topography of the parcel is steep wooded hillsides, starting into the foothills of the La Sal Mountains, with more gradual terrain in the eastern third of the parcel. Soils are moderately deep with some rock outcrops in the steeper drainages. Vegetation consists of thick pinyon-juniper woodland. Access to the parcel is possible via existing San Juan County roads. Additional routes would need to be constructed to planned drill pad sites within the parcel itself. A portion of this parcel is underlain by the Beaver Shaft Mine, which is a uranium mine that is part of the La Sal Mines Complex.²

PROTESTING PARTY'S INTEREST

3. Uranium Watch (UW) is a 501(C)(3) not-for-profit organization located in Moab, Utah.

UW works to educate and advocate for protection of public health and the environment from past, current, and future impacts of uranium mining, uranium milling, and other impacts of the nuclear fuel cycle. UW work is focused primarily in Southeast Utah.

UW members (including the Program Director) live, work, recreate, travel, visit, conduct research, and otherwise take part in activities in the La Sal and Lisbon Valley

¹ http://www.blm.gov/pgdata/etc/medialib/blm/ut/lands_and_minerals/oil_and_gas/february_20130.Par.29742.File.dat/NoticeOfSale.pdf

² Environmental Assessment DOI-BLM-UT-Y010-2012-0190-EA, February 2013 Competitive Oil and Gas Lease Sale, November 2012

areas of San Juan County. This is the area where many of the lease parcels subject to the February 2013 Competitive Oil and Gas Lease Sale are located. Further, UW members live, work, and recreate in areas of Grand County that will be impacted by the February 2013 Competitive Oil and Gas Lease Sale.

4. Sarah M. Fields, UW's Program Director, is authorized to submit this protest on behalf of UW and its members.

STATEMENT OF REASONS

5. UW requests that Parcel UT0213-019 be withdrawn from the 2013 Lease Sale for the following reasons.
6. Parcel UT0213-119 is near the town of La Sal and close to the La Sal Elementary School, La Sal Post Office, La Sal Store, residences, farm land, grazing lands, cattle feed lots, surface and groundwater resources, and other areas of human activity. All of the adverse environmental impacts from oil and gas well development and well production on this parcel would have unacceptable impacts to this small community. Section 4.2.1.1. of the Environmental Assessment (EA) evaluates the environmental impacts to air quality, but does not include an evaluation to the air quality of the La Sal community (including cumulative impacts) from development and production of Parcel UT0213-119. The fugitive dust, noise, production emissions, traffic, construction, pipelines, and other aspects of the development and production would have unique adverse impacts on La Sal. These impacts have not been adequately identified and analyzed in the EA.

7. Parcel UT0213-119 has the potential to adversely impact the quality of surface and groundwater in the La Sal area. In the southern part of the parcel is the Beaver Shaft Uranium Mine waste rock pile. A short distance to the south of the waste rock dump is an irrigation ditch and associated riparian vegetation. The BLM failed to characterize and consider the impacts to this and other nearby irrigation ditches and stock watering ponds in the vicinity of Parcel UT0213-119. The BLM failed to provide an assessment of the impacts to individual culinary and agricultural water wells that would be impacted by drilling and production in Parcel UT0213-119.
8. Parcel UT0213-119 is at the base of the La Sal Mountains. Any oil and gas development and production activities will likely be very visible and dramatically impact the view of the La Sal Mountains from Hyw. 46 and the surrounding area. The attached photograph shows the Beaver Shaft waste rock dump and the Parcel UT0213-119 location, with the mountains in the background. *See Exhibit A.*³ Valuable visual resources will be adversely affected, and it is unlikely that they can be adequately mitigated. Other mining and industrial development projects in the La Sal area are clearly visible. Land clearance and other aspects of industrial operations cannot be prettied up so that it looks like the natural landscape. The EA's discussion of Visual Resource Management does not address the uniqueness of Parcel UT0213-119's location and inevitable adverse and unacceptable impact on the view of the La Sal Mountains should it be developed.

³ Photograph, Sarah M. Fields, November 14, 2010.

9. Presence of an active underground uranium mine operation in Parcel UT0213-119:

The EA made no mention of an ongoing National Environmental Policy Act (NEPA) process that will evaluate the environmental impacts of the La Sal Mines Complex, a uranium mine complex that includes the Beaver Shaft waste rock dump is located in UT0213-119. The Moab Field Office is in the process of finalizing the EA for the La Sal Mines Complex (Pandora Mine, La Sal Mine, Snowball Mine, and Beaver Shaft Mine).⁴ UW and others submitted extensive comments on the scope of the EA and on the draft EA. The draft La Sal Mines Complex EA did not include an assessment of the direct and indirect impacts (including cumulative impacts) of oil and gas exploration and production activities adjacent to the Beaver Shaft (private land) and Beaver Shaft waste rock dump and radon ventilation boreholes (BLM land). Impacts from oil and gas drilling and production activities in Parcel UT0213-119 would have to be considered in the La Sal Mines Complex EA, which has yet to be released. These impacts include impacts to the underground mine workings, health and safety of the mine workers, hydrogeology, geologic stability, sources of water for the mine operation, electrical systems, air quality, ventilation boreholes, groundwater, long-term stability of waste rock dumps, air quality, wildlife, transportation routes, air quality, and cumulative impacts. Rather than identifying and evaluating the numerous and significant the impacts of Parcel UT0213-119 oil and gas development and production on the underground mining operation, the BLM notified the lessee/operator that all or portions of the lease are underlain by active underground uranium mine workings for

⁴ http://www.blm.gov/ut/st/en/info/newsroom/2011/january/denison_mines_plan.html

the La Sal Mines Complex and any oil and gas exploration and development activities would have to be coordinated with the mine operator. Therefore, the BLM circumvented the requirement to take a hard look at the cumulative impacts of both operations and the impacts of one operation on the other.

10. At the very least, the BLM should defer the lease sale of Parcel UT0213-119 until the La Sal Mines EA is completed.

11. Contrary to the statement in the EA regarding Parcel UT0213-119 (quoted above at 2), it does not appear that "access to the parcel is possible via existing San Juan County roads." The road from Hwy. 46 north to the parcel area near the Beaver Shaft Mine does not appear to be a San Juan County road. This short road (going north just past the La Sal store) is often gated and has a sign indicating that it is not open to the public. If it were a County road, it would be maintained by the County open to the public. Therefore, there will be new impacts for access roads to the site, which were not taken into consideration.

12. Parcel UT0213-119 is isolated from other 2 February 2013 Competitive Oil & Gas Lease Sale parcels and would likely require infrastructure that would present unique problems and issues, since the parcel is so close to human habitation and activities and the topography is complex. These unique problems and issues were not assessed by the BLM.

13. There is a long history of difficulties associated with the reestablishment of vegetation in the La Sal Mountain area. An aerial view of Parcel UT0213-119 and the La Sal area shows the impacts from the removal of vegetation from uranium exploration drilling. Decades later, there appear to be roads winding this way and that over the

forested landscape; but, they are not roads; they are the result of the mechanical clearance of vegetation that has occurred over half a century. The cleared areas show that any revegetation of the area after oil and gas development and production will take many decades, if not hundreds of years, to return to pre-mining conditions. Therefore, the well pads, roads, and other development activities that demand the removal of trees will create visual and other impacts that will remain long into the future.

14. In sum, the development of Parcel UT0213-119 will create unnecessary and undue degradation of the environment and adverse impacts to the land, air, water, biological, and visual elements of the environment, as well as impacts to other land uses and users. Those impacts were not adequately identified and considered by the BLM. The BLM failed to take the required hard look at the impacts of oil and gas development and operation for this parcel. Further, the BLM has not shown that those impacts can and will be sufficiently minimized and mitigated.

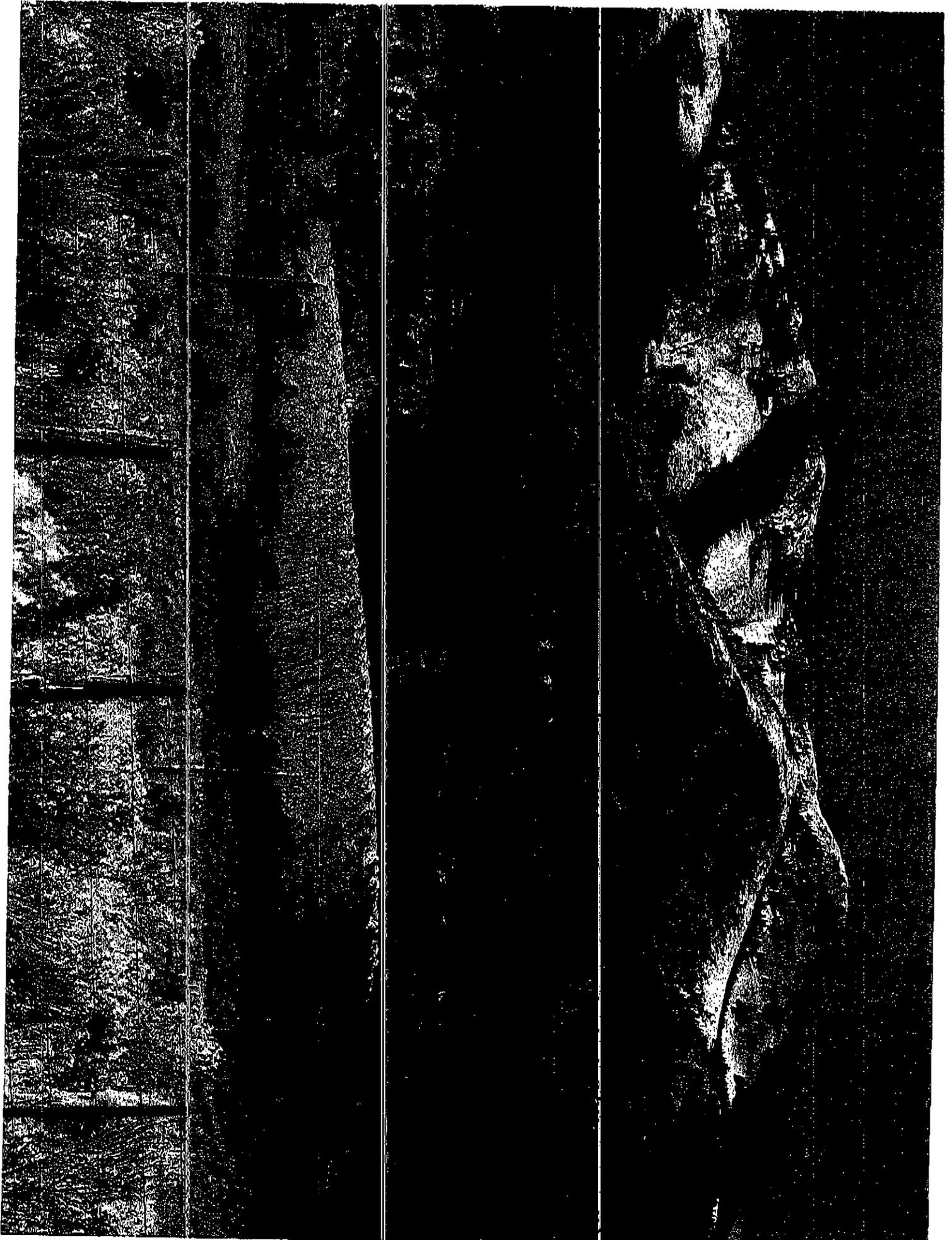
Sarah M. Fields
Program Director

EXHIBIT A

**Beaver Shaft Waste Rock Dump, Parcel UT0213-119,
and La Sal Mountains**

La Sal, San Juan County, Utah

Sarah M. Fields



**COPY CENTRAL
SERVICES**



Doing it Right...on Time!

1400 Shattuck Ave
Berkeley, CA 94709
510-849-2561 (tel)
510-548-0313 (fax)

ShattuckRose@CopyCentral.com

High Quality Copies:
Black & White or Color

Large Format Prints:
up to 36" by any length

Print From Disk or CD:
Black & White or Color

Send Files Electronically

Full Bindery Service

Hard Cover "Book" Binding

High Volume Scanning

Mounting & Laminating

Durable Vinyl Banners

Volume Discounts

Business Accounts Available

VISIT US AT

www.CopyCentral.com

To: Juan Palma Director BLM Fax # 801-539-4237
4013
From: S Fields, Uranium Watch Phone _____
Pages (including this sheet) 11 Date: 12-17-12
CC _____ Fax # _____

Urgent For Review Please Reply Please Comment Please Recycle

Comments: