Chapter 5

PUBLIC REVIEW AND RESPONSE

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CHAPTER 5

PUBLIC REVIEW AND COMMENTS

The Draft Environmental Impact Statement on the Book Cliffs Resource Management Plan was filed with the Environmental Protection Agency on June 1, 1984. The EPA published a notice of availability on June 15, 1984 which commenced the 90 day public comment period. Notices of the public hearing to allow the public to comment on the adequacy of the Draft EIS were announced by the U. S. Department of Interior (USDI) in the Federal Register on May 24 and August 2, 1984. News releases and newsletters were issued to alert local residents about the public hearings and the comment period for the Draft EIS. September 13, 1984 was established as the deadline for submission of written comments. A partial list of agencies, organizations,and individuals who received the Draft EIS and were invited to comment is included in this Final EIS. A complete list is available for public review at the Vernal District Office, 170 South 500 East.

The Vernal District Advisory Council held a meeting on July 25, 1984 to discuss the Draft EIS. Notice of this meeting was published in the Federal Register on June 19, 1984 and advertised in local electronic and printed media.

The public hearing was held at the Vernal District office on July 17, 1984. Copies of the complete hearing transcript are available for public review at the Vernal District Office.

All written comments and oral testimony from the public hearing have been reviewed for consideration in the Final EIS. Those comments which presented new data, questioned the facts or analysis presented, or raised questions or issues which directly related to the scope of the Draft EIS, have been given a response. Testimonies or letters which were general or indicated a preference for one or more of the alternatives, have been included in the public comment section of this document, but have not been given a response. Comments which were received too late for inclusion in the Final EIS will be given consideration in the decision making process.

PUBLIC COMMENT: ORAL & WRITTEN

Oral Comments

Eight persons commented at a public hearing held July 17, 1984 and convened for the purpose of receiving comments on the Draft Book Cliffs Resource Management Plan and EIS. Their names are listed below under "Oral Commentors at Public Meetings" Their comments and BLM's responses are displayed following the comment letters section.

Comment Letters

During and after the 90-day public comment period, BLM received 151 letters regarding the Draft RMP. One of the letters was a form letter, of which BLM received 120 copies with original signatures. For the sake of convenience, the form letter is only identified once in the list entitled "Comment Letters". The letters and BLM's responses are displayed following the index of comment letters.

ORAL COMMENTS AT PUBLIC MEETING

COMMENTORS:

Jon Hill	Ken Young
Dean Chew	Katherine A. Smith
Nick Theos	H. E. Graham
Meril Snow	Jim Tomlinson

COMMENT LETTERS

COMMENTOR/SIGNATURE	LETTER NO.
Benny Holmes	1
Celcius Energy Co. (Tripp)	2
Conoco, Inc. (Birdsall)	3
Bureau of Reclamation (Allen)	4
Chevron (Hughes)	5
Utah Division of State History (Dykman)	6
Cody Jenkins	7
Uintah Cattlemen's Assoc. (Gentry, plus 119 others)	8
Texaco-Denver (Stanton)	9
Shell Mining Co. (Mahaffy)	10
Tosco Corporation (Shay)	11
Wildlife Management Institute (Poole)	12
U.S. Nuclear Regulatory Commission (Vollmer)	13
E. Vaughn & Ervin Wilkins	14
Bureau of Mines (Jinks)	15
U.S. Geological Survey (Devine)	16
Sierra Club (Catlin & Scott)	17
Gary Sprouse Ranches	18
Meril G. Snow	19
Uintah County Commission (Merrill, Domgaard, Snow)	20
Aaron C. Woodward	21
Atlantic Richfield Co. (Briggs)	22
Utah Division of Wildlife Resources (Smith)	23
Department of the Air Force (Lammi)	24
Utah Nature Study Society (Hovingh)	25
Amoco Production Co. (Anderson)	26
Exxon Company, U.S.A. (Praetorius)	27
Mountain Fuel Resources, Inc. (Flaim)	28
U.S. Environmental Protection Agency (Hoffbuhr)	29
National Park Service, USDI (Strait)	30
Mobile Alternative Energy, Inc. (Higgins)	31
State of Utah, Office of the Governor (Governor Matheson)	32

There is a 30-day period provided for public protests on this Final EIS. If no protests are received, a formal Record of Decision will be issued following completion of the 30-day comment period.

ORAL COMMENTS & B.L.M. RESPONSES

comments

ORAL TESTIMONY COMMENTS

Comment 1: Jon Hill

"The justification for a 30 percent reduction in grazing is based on the assumption that these are the number that livestock operators prefer to run."

Comment 2: Jon Hill

"The years from 1975 to 1982 should not be used as the only criteria for setting stocking levels, as operators have been faced with severe drought, hard winters, and economic stress."

responses

RESPONSES

Response 1:

The grazing numbers presented in this document do not indicate a reduction or increase in livestock grazing preference. This document indicates a level of grazing use that would be monitored for the next five years. The permittees will be encouraged to participate in this monitoring process. As stated on pages 74 and 75 of the DEIS, reductions or increases in livestock grazing would only be implemented based upon the resource conditions as determined by monitoring. Adjustments would be made by mutual agreement or by BLM decision.

Each operator has been given the opportunity to review the proposed level of livestock use for their allotment(s). Where the average use figures would be too low to satisfy an operator's projected use, they were allowed to increase their use level up to active preference for the monitoring period.

Response 2:

The years of 1975-1982 were used to evaluate livestock average use. This period includes years prior to the drought of 1977. The average livestock use was based on an average of livestock use during three representative years during this period of time. It was assumed that this average number would be near

comments

Comment 3: Jon Hill

"On page 147 of the Draft EIS, it states that lower stocking levels may actually impose greater hardship on plants by overgrazing in localized areas, such as waterholes."

Comment 4: Jon Hill

"There were 38,867 AUMs allocated to wildlife, of which 22,891 are currently in nonuse. These figures show that these AUMs are available for wildlife; however, no consideration has been taken of suitability, including distance to water, etc. Range and water improvements are the things that need to be worked on, not stocking levels."

Comment 5: Jon Hill

"The land can be reclaimed and improved after mineral development. With a well-thought plan of management, wildlife and livestock would not be greatly affected, or could actually increase due to increased forage and accessibility."

responses

what the operator would run on his permit for the next five years.

Response 3:

This statement cannot be found on page 147. However, it is correct that reducing livestock numbers may not improve the ecological condition in localized areas such as waterholes, if the reduction does not change the season of use or sufficiently reduce the livestock numbers.

Response 4:

There are both range and water improvements proposed for livestock under all alternatives except the Current Management Alternative.

Response 5:

It is true that following reclamation of areas developed for minerals, forage produced could be equaled and, in the highly productive areas, forage could increase. However, if mineral development were to take place over a ten-year period, as assumed in the RMP, more forage would be taken out of production than would be reclaimed.

comments

Comment 6: Dean Chew

"Well, some people got put out of business and some of the rest of us acquired those permits and they were a little bit more than we could handle at the time, ... so it throwed our whole operation out of balance. I mean summer permits weren't cut as bad as the winter permits, so the winter permits throwed out of balance our summer, because we had more AUMs in the winter country ... Most of us that had those permits thought that we would be able to balance our operation out."

Comment 7: Dean Chew

"... because of droughty conditions, we got off the range and didn't go out on there, but maybe ten percent or something like that, and that puts it almost to zero for that particular year's use; ..., so we shouldn't be penalized for a droughty year."

Comment 8: Dean Chew

"I feel like there's impacts on the grazing people or on the public that are not in there that you guys probably want in there. In other words, such things as -- as the Mormon crickets, ... I didn't see that in there, or whether the coyotes take us over."

responses

Response 6:

If monitoring of livestock use shows that the range could accommodate more livestock, then more livestock would be allowed. A balance of forage with livestock, wildlife, and wild horses is desired. Each permittee was contacted prior to issuance of the final document and adjustments were made in the livestock use that would be monitored. The proposed plan reflects these changes.

Response 7:

Only three representative years during the eight-year time frame were used to calculate the average use. The drought year or years were not used as part of the representative three years.

Response 8:

The BLM recognizes that high populations of Mormon crickets and coyotes can adversely affect ranch operations through consumption of forage and predation of livestock. The BLM does not have authority to control of either of these species. Insect outbreaks are controlled by the Animal and Plant Health Inspection Service, U.S. Department of Agriculture and

comments

Comment 9: Dean Chew

"... there's a certain amount of impact on us because of the road (Highway 45) being there. That's not mentioned in this book anywhere that I found."

Comment 10: Nick Theos

"My comments are on renewable resources versus environmental consequences. Oil and gas drilling and mining, including roads, pipelines, ... will affect very few acres after reseeding, ... especially if your road was fenced, you wouldn't have any problem. In fact, it might be better after the disturbance. Therefore, no one long-term livestock grazing reductions should be anticipated for mining or drilling."

responses

coyotes are controlled by the Animal Damage Control Division of the U.S. Fish and Wildlife Service. The BLM is willing to allow treatments of these species; however, because BLM does not have decision authority for resolving these problems, they have not been included in the alternatives.

The text has been revised to reflect this concern.

Response 9:

The impacts of this highway construction project were discussed in a previous environmental assessment.

Response 10:

Refer to public hearing response number five.

comments

Comment 11: Nick Theos

"Number two. The livestock operators in this area some 20 years ago took a voluntary reduction of AUMs, and I think it averaged in this Bookcliff area over 15 percent for wildlife use. I feel that that was sufficient, especially when the suspension of nonuse was taken."

Comment 12: Nick Theos

"Distribution of wildlife is a problem. I don't think there's that many animals up there, but they congregate in certain areas. If you could get some of those game and fish guys to go out there and scatter them like we do our sheep and cattle, I don't think you would have a problem."

Comment 13:

"No reductions of livestock -- of domestic livestock for wild horse herds are necessary."

responses

Response 11:

Refer to public hearing response number one.

Response 12:

Your suggestion for wildlife management should be made to the Utah Division of Wildlife Resources. Where monitoring indicates competition for forage is resulting in over utilization, the BLM will consult with the permittee and the UDWR to resolve the problem.

Response 13:

The CFR 4730.3 states, "After determining the optimum number of such horses and burros to be maintained on an area, the authorized officer shall reserve adequate forage and satisfy other ecological requirements of such horses and burros and when necessary, adjust or exclude domestic livestock use accordingly."

comments

Comment 14: Meril Snow

"... I didn't understand ... page A5-7. It said: Reduce spring grazing by 222 AUMs to improve ecology condition.

The present grazing on that is only 135 AUMs in the spring. Maybe that is the use in the fall."

Comment 15: Meril Snow

"I don't know how you can maximize wild horse use and be in resource protection."

Comment 16: Meril Snow

"I didn't see in this statement that we have this problem on Blue Mountain, is the crickets and also I didn't see in the statement anything about the prairie dog. Both of these are very detrimental to range."

Comment 17: Ken Young

"To reduce, I think, would be very hard on us -- I should say the livestock producers -- if we was to go reduced and penalized for nonuse on these permits ..."

responses

Response 14:

The text has been corrected to read 136 AUMs of spring use.

Response 15:

Wild horses were included in the Resource Protection Alternative because they have intangible aesthetic values for some persons or groups rather than producing economic returns as was considered under the Commodity Production Alternative.

Response 16:

Refer to public hearing response number eight.

Response 17:

Refer to public hearing response number one.

Comment Letter 1

Dear Sir - 7-13-84

1.1 We do not need any more cuts in our grazing lease - I cannot run enough cows on our lease as it is.

If they cut our grazing to 30% most people will go broke - My grazing permit is in good shape -

Benny Holman
Vernal Utah
84078
5000 So - 500 E -

BLM Letter Response 1

1.1 The grazing numbers presented in this document do not indicate a reduction or increase in livestock grazing preference. This document indicates a level of grazing use that would be monitored for the next five years. The permittees will be encouraged to participate in this monitoring process. As stated on pages 74 and 75 of the DEIS, reductions or increases in livestock grazing would only be implemented based upon the resource conditions as determined by monitoring. Adjustments would be made by mutual agreement or by BLM decision.

Comment Letter 2

CELSIUS ENERGY COMPANY

79 SOUTH STATE STREET • P.O. BOX 11070 • SALT LAKE CITY, UTAH 84147 • PHONE (801) 530-2600

July 11, 1984

MR CURTIS TUCKER
BOOK CLIFFS RESOURCE MANAGEMENT
PLAN TEAM LEADER
BUREAU OF LAND MANAGEMENT
170 SOUTH 500 EAST
VERNAL UT 84078

RE: Comments on Draft Book Cliffs Resource Management Plan/Environmental Impact Statement

Dear Mr. Tucker:

Wexpro/Celsius Energy Company is actively involved in hydrocarbon exploration within the Book Cliffs Resource Area. Due to both structural and stratigraphic entrapment of hydrocarbons and numerous productive reservoirs, it is this company's belief that the entire Book Cliffs Resource Area has substantial hydrocarbon potential which should be developed to its fullest extent. This excellent potential has been proven by the extremely high success ratio present throughout the area. Marginal drilling economics in this region would be adverseiy impacted by the special stipulations outlined under the preferred Balanced Use Alternative.

Wexpro/Celsius Energy Company recommends the Commodity Production Alternative be implemented in the Book Cliffs Resource Area. This alternative will allow operators to develop the hydrocarbon potential of this area to its greatest extent and allow them to earn a fair return on their investment capital.

Thank you for your time and consideration in this matter.

Sincerely,

Carol N. Tripp

Carol N. Tripp
Geologist

ltr

BLM Letter Response 2

Thank you for your comments. Your views will be given consideration in making the final decision on the Resource Management Plan.

Comment Letter 3

E. Fred Birdsall
Public Lands Coordinator

Conoco Inc.
555 17th Street
Denver CO 80202
(303) 291 8123

July 17, 1984

Mr. Curtis Tucker, Team Leader
Bureau of Land Management
170 South 500 East
Vernal, UT 84078

Dear Mr. Tucker:

Re: Book Cliffs RA Draft RMP/EIS

This letter is in support of your preferred alternative #4 - Balanced Use.

I commend you on a thoughtfully written and well-documented draft RMP. I believe you have indeed attempted and achieved a balanced plan which fairly recognizes the general needs of all your land users. I particularly appreciated Tables 4-7 and 8, Acreage Conflicts Between Category Designations and Oil & Gas Favorability Areas. This was, to me, an excellent, graphic method for overview of the minerals conflicts, and nicely clarified by the oil and gas favorability maps of Chapter 3.

All told, a good job.

As you know, RMOGA has encouraged the use of the "matrix" process in determination of the likelihood of exploration under each alternative. Using the data on page 151 of the RMP, I rearranged and calculated as follows (in 000s of acres).

		Geologic Potential		
Alternative	Access Restrict	H	M	L
Current Situation	W/d	0	12	4
	NSO	6	21	5
	Spec.	27	159	0
	Std.	117	653	23
Resource Protection	W/d	3	5	0
	NSO	10	38	3
	Spec.	68	385	26
	Std.	69	417	3
Commodity Production	W/d	0	0	0
	NSO	0	3	0
	Spec.	4	29	2
	Std.	146	813	30

BLM Letter Response 3

Thank you for your comments. Your views will be given consideration in making the final decision on the Resource Management Plan.

Comment Letter 3

Mr. Curtis Tucker, Team Leader
Page 2
July 17, 1984

Balanced Use	W/d	0	0	0
	NSO	1	7	1
	Spec.	47	363	3
	Std.	102	475	28
Max	W/d	0	0	0
	NSO	0	0	0
	Spec.	0	0	0
	Std.	150	845	32

Using the matrix multipliers

0	0	0
3	2	1
6	4	2
9	6	3

I calculated indices of

	Index	%
Current Situation	5.70	90
Resource Protection	5.10	80
Commodity Production	6.26	99
Balanced Use	5.46	86
Maximum	6.34	100

I found this to be a personally useful exercise. In review of your tabulations 4-7 and my subsequent analysis, I do find the preferred alternative to be satisfactorily responsive to oil and gas issues.

Yours very truly,

E. Fred Birdsall

E. Fred Birdsall

bp

BLM Letter Response

Comment Letter 4

United States Department of the Interior

BUREAU OF RECLAMATION
UPPER COLORADO REGIONAL OFFICE
P.O. BOX 11568
SALT LAKE CITY, UTAH 84147

IN REPLY REFER TO: UC-150

120.1

JUL 18 1984

Memorandum

To. Mr. Curtis Tucker, Book Cliffs Resource Management Plan Team Leader, Bureau of Land Management, 170 South 500 East, Vernal, Utah 84078

From: Acting Regional Director
Bureau of Reclamation

Subject: Review of Draft Environmental Impact Statement on Book Cliffs Resource Management Plan (DES 84/30)

We have reviewed the subject Draft Environmental Impact Statement and concluded that implementation of any of the viable alternatives would not

4.1 impact any Bureau of Reclamation projects. It is our understanding that all the water required for development aspects would come from the White River where we have no direct involvement.

cc: Commissioner, Attention: WO-150

BLM Letter Response 4

4.1 This document assumes that water for oil shale development would be taken from the White River (page 145). If future development proposals involve possible water use from other sources, the Bureau of Reclamation will be consulted.

Comment Letter 5

Chevron

Chevron U.S.A. Inc.
700 South Colorado Blvd., P. O. Box 599, Denver, CO 80201

Richard T. Hughes
Staff Analyst
Legislative and Regulatory Affairs

July 24, 1984

Mr. Curtis Tucker
Bureau of Land Management
170 South 500 East
Vernal, UT 84078

Dear Mr. Tucker:

As an oil and gas producer, Chevron is interested in the approach BLM Resource Management Plans to take in considering the oil and gas resource. While there may be a number of ways to consider oil and gas in the planning process, we believe the most meaningful methods are those which first recognize the relative oil and gas potential and then consider that potential in making surface use decisions which might affect development of that potential.

5.1 The BLM Washington Office recently circulated to State Directors Program Specific Guidance for fluid mineral leasing input into RMPS (Information Bulletin 84-261 dated June 21, 1984). While we do not believe this is a perfect system, nor is any system likely to be perfect, this system does incorporate the concepts discussed above. Thus, we would encourage you to use this system in your final plan.

Sincerely,

RTH

RTH:md

BLM Letter Response 5

Thank you for your comment.

5.1 Although this document has not used the specific planning system mentioned (Washington Office Bulletin 84-261), it includes a similar system which considers oil and gas potential when making surface use decisions as is shown in Table 4-7. Other methodologies also exist for assessing oil and gas potential. See letter No. 3 from Conoco, Inc.

Comment Letter 6

Division of State History
(UTAH STATE HISTORICAL SOCIETY)

August 2, 1984

Curtis Tucker
Bureau of Land Management
170 South 500 East
P. O. Box F
Vernal, Utah 84087

RE: Book Cliffs Draft EIS

In Reply Refer To Case No. H137

Dear Mr. Tucker:

The Utah Preservation Office has received for consideration a copy of the draft environmental impact statement for the Book Cliffs Resource Management Plan. After review of the material, our office notes that cultural resources are not considered an area of controversy by the document itself, and therefore the material relating to cultural resources is extremely brief.

6.1 Our only comment that may be considered by the BLM is that there appears to be no management plan for cultural resources, if they do become a problem. For example, what kind of inventory is proposed in the affected areas, and if these areas are going to be fully surveyed with Class III surveys or Class II surveys. If it is not considered an area of controversy, we believe that there should be some consideration given to future planning for projects in the area.

Since no formal consultation request concerning eligibility, effect or mitigation as outlined by 36 CFR 800 was indicated by you, this letter represents a response for information concerning location of cultural resources. If you have any questions or concerns, please contact me at 533-7039.

Sincerely,

James L. Dykman
Cultural Resource Advisor
Office of State Historic
Preservation Officer

JLD:jrc:H137/0648V

BLM Letter Response 6

6.1 Refer to pages 75, 120, 124, 137 and 148 of the DEIS for discussion of cultural resources.

A management plan for cultural resources is not written unless an area, site, or property is identified in the BLM planning system as being important enough to warrant this action.

Antiquity laws, executive orders, and implementing regulations dictate that the BLM will inventory all proposed actions at a class III level unless it has been previously determined that such an inventory would be beyond a "rule of reason".

The area covered by the Book Cliffs Resource Management Plan has been sampled at a Class II level utilizing a predictive model that delineates "zones of sensitivity". These studies are: 1) The Red Wash, 2) Seep Ridge, 3) Oil Shale, and 4) Split Mountain studies. The studies have identified sets of environmental variables that identify locations which may produce archaeological materials. The BLM utilizes these variables to determine if an inventory is needed prior to the initiation of granting a license, application, etc., for a ground-disturbing project. In the low sensitivity zone, there are certain environmental settings which contain sites. If a project is proposed that will impact one of these areas, a clearance is needed. Cultural resources were not identified as an issue because of existing legislation which requires that cultural resources be considered in any application for land use where that use could conceivably impact an unknown property, site, or structure.

Large scale projects will require a cultural resources mitigation plan to be developed prior to initiation of ground-disturbing activities. It is recognized that some sites, structures, or properties may be destroyed or altered by development even with a mining plan. To alleviate such losses, a thorough inventory will be required which will cover the area of direct impact and a "reasonable" buffer zone. Section 106 procedures will be followed when it appears a site, structure, or property will be impacted.

Comment Letter 7.

UINTAH CATTLEMEN'S ASSOCIATION
Room 306 Uintah County Bldg.
VERNAL, UTAH 84078
August 14, 1984

Mr. Curtis Tucker
Bookcliff Resource Management Plan Team Leader
Bureau of Land Management
170 South 500 East
Vernal UT 84078

Dear Sir :

We would like to support the alternatives of commodity production and balanced use as written in the Environmental Impact Statement with the exception of the proposed reduction in grazing in the balanced use proposal.

7.1 The action taken by the BLM would reduce an operator's permit to the average AUMs of three representative years between 1974 and 1982. As we all know, these were not the best years for keeping our livestock numbers up to our permits, and should not be used as criteria for setting stocking levels.

The grazing reduction is not based on proper range management techniques, and therefore is unacceptable.

Thank you.

Sincerely,
Cody Jenkins
Cody Jenkins, President
Uintah Cattlemen's Assn.

CJ:dcl

BLM Letter Response 7

Thank you for your comment.

7.1 Refer to letter response 1.1.

The years of 1975-1982 were used to evaluate livestock average use. This period includes years prior to the drought of 1977. The average livestock use was based on an average of livestock use during three representative years during this period of time. It was assumed that this average number would be near what the operator would run on his permit for the next five years.

Comment Letter 8

UINTAH CATTLEMEN'S ASSOCIATION
Room 306 Uintah County Bldg.
VERNAL, UTAH 84078
August 13, 1984

Bureau of Land Management
170 South 500 East
Vernal UT 84078

Re: Reduction in Grazing

Attn:
Bookcliff Resource Management Plan Team Leader

Dear Sir:

As a Uintah Cattlemen's Association member, I would like to support the alternatives of commodity production and balanced use as written in the Environmental Impact Statement, with the exception of the proposed reduction in grazing in the balanced use proposal.

8.1 The grazing reduction is not based on proper range management teachniques and therefore is unacceptable.

Sincerely,

Allen Gentry

NOTE: This is a form letter. The District received a total of 120 of them, each bearing an original signature. A few of the signatures were very difficult to read, so please forgive any spelling errors in the list below. Besides Allen Gentry, we received a letter from the following 119 persons:

H Maughan Coulton	Phyllis Oberhansly	Norlene C Batty
Paul W McCoy	Mark Oberhansly	Ana R Batty
Joe Haslem	Ron Richens	Arden W Stewart
Neal Gawain Snow	Edward Colton	Frank Reynolds
Vaughn Wilkens	Craig Caldwell	Donna Rae Stewart
Wanda L Staley	Jim Caldwell	Vickie S Batty
Dorothy Rasmussen	Don M Walker	Morgan W Batty
Garth Horrocks	Leo Snow	A C Wilkerson
Owen Powell	Ed W Oscarson	Ira W Massey
Jimmy Caldwell	Bart Batty	Owen Nelson
Ralph Prescott	Julian A Massey	Bertha Wilkerson
Gene Nyberg	Joe Omar Batty	Edna Nelson
Bernard Oberhansly	Perry Mace	Dee Jenkins
Verona Prescott	D Linford Batty	Shirley Oldaker

BLM Letter Response

Thank you for your comment.

8.1 Refer to letter responses 1.1 and 7.1.

Comment Letter 8

Carl L Oldaker
Scott McCarrell
Rayma McCarrell
David Jenkins
Merle Jenkins
Thelma Morrill
Davis Morrill
Clara Jenkins
Velma Wilkens
Grant L Hacking
Boyd R Snow
Jack B Ruppe
Hayden C Harrison
Mildred B Hacking
James B Goodman
Lea H Goodman
John Haslem
Ronald Duncan
Mary Duncan
Floyd Massey
Geneva Massey
Jay Searle
Marilyn Hunting
Dale Snow
Ray Hunting
Janiel Gardner
Dorothy C Luck
Lance E Luck
Maurine Luck
Clifta Johnson
Shirley Ainge
Don Anderson
Loyal Cox
Odean Cox
Burt DeLambert
Ronald Dudley
M F Hamaker
Clark McKee
Ralph McKee
M Peterson
LaRue Pickup
Louis Rasmussen
Frank Reynolds
Ron Riechens
Glen Huber
Kenneth Huber
Joann Huber
Martin Huber
Dean Johnson
Orson Johnson
Jiggs Johnson
Clifta Johnson
Marvin Jackson
Brent Jackson
Lorn Ruppe
Joseph D Slaugh
Drew Christiansen
Ned Reynolds
Arthur Soderquist
Dwain Soderquist
Max Todd
Jim Tomlinson
Verlin Vincent
Scott Wall
Everett West
Jim Tomlinson
Troy Burton
Howard Gardner
Doris Burton
Delbert Horrocks
Verl Haslem
Katie Duncan
Hank Peltier Jr.
Ralph Walker
Pauline Walker
Laurence E Caldwell
John Jorgensen
Kenneth Jenning

BLM Letter Response

Comment Letter 9

PRODUCING DEPARTMENT
DENVER DIVISION

TEXACO
U.S.A.
A DIVISION OF TEXACO INC.
P. O. BOX 2100
DENVER, COLORADO 80201

August 22, 1984

BLM Planning Process
Book Cliffs Resource Area

Mr. Curtis Tucker, Team Leader
Bureau of Land Management
170 South 500 East
Vernal, Utah 84078

Dear Sir:

Attached is an Energy and Mineral Resources Evaluation covering the Bull Canyon (VT-080-417) and Winter Ridge (VT-080-730) Wilderness Study Areas. You will note that both areas have high potential for oil, gas and oil shale.

While there is no objection to tallying these evaluations with other evaluations to arrive at a consensus of mineral values, this specific evaluation should be treated as confidential and not released to the public.

Yours very truly,

RICHARD W. STANTON
Land Manager

By G. M. Barrow

GMB/jac
Enclosure

BLM Letter Response 9

Thank you for your comments. Your views will be given consideration in making the final decision on the Resource Management Plan.

Comment Letter 10

Shell Mining Company
P.O. Box 2906
Houston, TX 77252

SUBSIDIARY COMPANIES
R&F COAL COMPANY
TRITON COAL COMPANY
TURRIS COAL COMPANY

Jack L. Mahaffey
President

August 27, 1984

Mr. Curtis Tucker
RMP Team Leader
Bureau of Land Management
Book Cliffs Resource Area
170 South 500 East
Vernal, UT 84078

Dear Mr. Tucker:

SUBJECT: COMMENTS ON DRAFT RMP/EIS FOR BOOK CLIFFS RESOURCE AREA

Shell Mining Company believes that the Draft RMP/EIS for the Book Cliffs Resource Area has several positive aspects. We are particularly impressed with the following features of the Draft RMP/EIS:

- The excellent graphics and maps.
- The thorough discussion of all land management alternatives.

We are, however, concerned with some of the language and concepts contained within the Draft RMP/EIS. Our most serious concerns with the Draft RMP/EIS are as follows:

- The apparent restrictions on the ability of future federal lessees to select the most appropriate oil shale development method.
- The unnecessarily restrictive area from which industry would be able to nominate tracts for federal oil shale leasing.
- The apparent lack of flexibility to process future land exchange proposals.

Details on the three above-listed concerns are provided in an attachment to this letter.

We appreciate the opportunity to outline our concerns with the Draft RMP/EIS and we hope the ideas expressed in this letter will be useful to the BLM in developing the Final RMP/EIS for the Book Cliffs Resource Area.

If you have any questions regarding the concerns presented in this letter or its attachment, please call Mr. Kenny Schmidt at (713) 870-2840.

Sincerely,

Jack L. Mahaffey

KJS:CC

Attachment

BLM Letter Response

Comment Letter 10

ATTACHMENT

SHELL'S CONCERNS WITH DRAFT RMP/EIS
FOR BOOK CLIFFS RESOURCE AREA

10.1 *SHELL'S CONCERN: Apparent Restrictions on the Ability of Future Federal Lessees to Select the Most Appropriate Oil Shale Development Method*

In the Draft RMP/EIS, the BLM appears to be establishing a policy that would severely limit the ability of future lessees to choose the most appropriate technology, or mix of technologies, for developing the federal oil shale deposits of the Uinta Basin. Specifically, certain portions of the Draft RMP/EIS could easily be interpreted as proposing to:

a) Prohibit use of any oil shale technology other than underground mining/surface retorting in the central Uinta Basin.

b) Prohibit use of any oil shale technology other than true in-situ (in effect, just Geokinetic's LOFRECO process) along the southern rim of the Uinta Basin.

We strongly believe that the BLM should refrain from establishing any policy limiting the ability of a federal oil shale lessee to select, with BLM approval, the technology, or mix of technologies, that would be:

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10.1 The purpose of the RMP-EIS, in relation to oil shale development, was to provide suitable areas for the next round of oil shale leasing. In order to access the general types of impacts, it was necessary to anticipate the general type of technology that would be used. Underground room-and-pillar mining with surface retorting is proposed for the Tosco, Magic Circle, White River Shale, Paraho, and Quintanna oil shale projects. No other type of project has been proposed for the deeper oil shale deposits of the central Uinta Basin. This is the reason that this type of mining was anticipated for the purpose of environmental analysis.

The possibility exists that another type of known technology, such as modified in-situ (see page 141) or currently unknown technology, could be employed to develop the delineated tracts. Any environmentally accepatable technology could be employed as long as the impacts are within the scope of those predicted in the RMP-EIS.

The same philosophy would be true for the shallow oil shale deposits in the south central portion of the Uinta Basin. Although it is anticipated that an in-situ process similar to the goekinerics process would be used, other environmentally acceptable proposals would be considered.

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a) Most suited to the specific lease tract conditions.

b) Most responsive to the socioeconomic, environmental, and technological constraints existing at the time of lease tract development.

In light of the above, we suggest that BLM modify the "Oil Shale" discussions on pages 40, 53, 60, 161, 181 and 196 to clearly allow the use of any oil shale development technology that would be suited to site-specific conditions and represent a socially responsible use of the land and mineral resources of the lease tract. The figures on pages 44, 55, and 64 should also be changed to ensure that the RMP/EIS consistently provides future federal oil shale lessees with the ability to select appropriate development technologies.

SHELL'S CONCERN: *Unnecessarily Restrictive Area from Which Industry Would be Allowed to Nominate Tracts for Oil Shale Leasing.*

10.2 We believe that the process of delineating oil shale tracts for federal leasing would be adversely affected if any of the four alternatives presented in the Draft RMP/EIS were implemented. Specifically, implementation of any of the four alternatives (even the Commodity Production Alternative) would severely constrain the process of delineating oil shale tracts for leasing, since only a small portion of the potentially attractive oil shale lands in the Uinta Basin would be made available for leasing. Limiting the availability of lands for leasing would hamper industry's ability to nominate tracts that are responsive to the many factors (technological, economic, environmental, and socioeconomic) affecting the development of oil shale.

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10.2 Depending on the alternative, up to 98,000 acres could be delineated as priority management areas for future oil shale leasing. The alternative areas were delineated to provide suitable leasing areas for the next round of oil shale leasing. The intent was not to provide areas for multiple leasing efforts, although the designated areas may provide for this.

The areas were selected in locations with the highest quality oil shale deposits that had less than 2000 feet of overburden. This was based on the best available information and a formal call for Expressions of Interest in oil shale development. If there are additional areas that would be suitable for subsequent leasing efforts, a second call for Expressions of Interest should be responded to, so future planning efforts can react accordingly.

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Since the above-mentioned factors affecting oil shale development are likely to be constantly changing, the types of oil shale lands attractive to industry are also likely to be constantly changing. As such, BLM should not premise its Book Cliffs RMP on current guesses as to which federal oil shale lands in the Uinta Basin are most likely to be in demand for leasing in the 1990's and beyond. Rather, we believe the RMP should be used as an opportunity to make available for leasing all those federal oil shale lands that meet certain minimum resource criteria - such as the criteria used to formulate Figures 3-3 and 3-4 in the Draft RMP/EIS.

We are not advocating that all the federal oil shale lands of the Uinta Basin be offered in an actual lease sale or sales. However, we are suggesting that industry be given as large an area as possible from which to nominate tracts for leasing. The tract nomination and ranking process (probably administered by the Regional Oil Shale Team) should provide adequate opportunity for industry, state/local governments, and the public to provide input to the BLM as to the most appropriate tract or tracts for actual leasing.

10.3 The gray-shaded areas on Figures 3-3 and 3-4 of the Draft RMP/EIS appear to be the federal oil shale lands that should be made "available" for leasing. At a minimum, the thick oil shale strata of the Uinta Basin depocenter should be made available for leasing. Specifically, that portion of the KOSLA (shown on Figure 3-4 of the Draft RMP/EIS) that lies north of the White River and west of Utah State Highway 45 appears to contain:

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10.3 The delineated areas were located where overburden was less than 2000 feet. This assumption was based on the current central Uinta Basin projects which, with minor exceptions, are all located in areas with less than 2000 feet of overburden. To date, no other interest has been expressed in the deeper deposits. New technology may allow development of these deposits, and therefore these deposits could be delineated in subsequent land use planning efforts and associated leasing.

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- The thickest Mahogany Zone in the Uinta Basin.
- The highest in-place, shale oil resource per unit area in the Uinta Basin.

Because of the two above-mentioned attributes, we believe the Uinta Basin depocenter is a potentially attractive area for future oil shale leasing. Accordingly, we believe BLM should ensure that such potentially attractive oil shale lands are not precluded from the tract nomination and ranking process as a result of limitations established during the RMP process.

In conclusion, we suggest that BLM modify the Draft RMP/EIS to maximize the federal lands "available" for oil shale leasing. By providing more tract nomination possibilities, BLM would ensure that the most appropriate lands are actually offered for lease sale. The actual lease tract or tracts offered for sale should be determined through a site-specific tract nomination and ranking process, with adequate opportunity for public comment.

SHELL'S CONCERN: *Apparent Lack of Flexibility to Process Future Land Exchange Proposals.*

10.4 The "Land Tenure Adjustment" discussions on pages 168, 185, and 201 appear to leave BLM with little flexibility for handling exchange proposals that would involve lands not delineated for disposal in the Draft RMP/EIS. We suggest that the appropriate portions of the Draft RMP/EIS be modified to provide BLM with the flexibility to process any land exchange proposal that

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BLM Letter Response

10.4 The potential land disposals or exchanges and land acquisitions displayed in the various alternatives were delineated with the intent of providing better management of the public domain.

There is potential for land exchange proposals that would be initiated by an individual, government agency, or corporation that were not indicated within this document. These proposals would require planning amendments and site specific analysis.

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would be found to be in the public interest pursuant to the regulations of 43 CFR Part 2200. To address our suggestion, the Draft RMP/EIS could be modified to present the policies, procedures, and guidelines that would control the processing of future land exchange proposals involving lands in the Book Cliffs Resource Area.

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BLM Letter Response