

Bureau of Land Management  
2987 Prospector Drive  
Casper, Wyoming 82604

August 30, 2010

RE: The Wright Area Lease Applications Final Environmental Impact Statement

Dear Ms. Bucklin,

Thank you for the opportunity to comment on the Final Environmental Impact Statement for the Wright Area Coal Lease Applications.

As always I appreciate the tremendous amount of work that goes into the Environmental Impact Statements that are being prepared for coal leasing in the Powder River Basin of Northeast Wyoming, but **until formatting is changed as discussed below, the DEIS is so dense as to be almost useless to the public.**

Until the formatting of the EIS's is changed, then the BLM is not meeting the goal of informing the public of the environmental impacts of the proposed leasing. While the impacts may (or may not—who is to know...) be buried in the endless pages of text, they are not easily understood or reviewed by either the public or the decision maker and so the goal of the National Environmental Policy Act has not been achieved.

While the BLM staff has made some effort to reply to the expressed concerns, in general the comments just say, in so many words, "Thank you very much and now we will proceed with what we were doing,"—which is to lease several billion tons of federally owned coal to privately-owned coal companies, despite the numerous violations of law and regulation and the severe environmental impacts that will accompany any such leasing.

Very few of the comments made in my comment letter (and e-mails) of a year ago have been addressed in a significant fashion and I hereby incorporate my comment letter from last year. For example, Comment 31 from the BLM (page 27, Appendix I) merely states:

The information in your comment letter has been considered in the preparation of the EIS.

For example, this is the comment that was made in response to the submission of the Synthesis Report from the March 2009 gathering of climate scientists in Copenhagen, Denmark. (Submitted in Wright Area DEIS #10, Comment from Leslie Glustrom found in Appendix I of the FEIS; no page numbers are provided.) Stating, "The information in your comment letter has been considered..." is hardly an appropriate response to the extremely serious scientific conclusions that reflect decades of intense scientific research from hundreds of international climate scientists.

A list of key issues that need to be addressed in the Wright Area FEIS follows. With a more readable FEIS the list would undoubtedly be much longer.

1) **Readability:** The FEIS is still characterized by page after page of dense text with impacts (where they are actually discussed) buried deep in paragraphs which are buried deep in the hundreds of pages of text. Until the readability issue is addressed, it is impossible for BLM to fulfill its obligations under the National Environmental Policy Act. Burying impacts deep in a sea of text hardly qualifies as informing the public or policy makers. The 65 page Executive Summary is also page after page of dense text with impacts again very difficult to discern. A true Executive Summary would be under 10 pages long and would clearly identify significant impacts with bullet points or a numbered list. Additional details could then be provided in the body of the EIS.

2) **Use of the “Lease by Application” Process:** The coal leases being considered should not be leased under the “Lease by Application” procedures in 43 CFR s.3425 (which were intended for use in areas that are not coal producing regions) but rather under the fully competitive procedures found in 43 CFR ss. 3420-3422.

3) **Undocumented Claims on Solar Variability and Climate Change:** On page 4-131, the FEIS insists on maintaining the paragraph that begins, “Solar variability may play a role in global climate change....” As always, there is no reference given for this bit of internet propaganda. While it is true that solar variability plays a role in climate, it is well established that it is minor and in no way explains the warming of the planet that is well established and solidly attributed to emissions of greenhouse gases such as the CO<sub>2</sub> that results from the burning of coal. It has no place in a formal EIS. The science on the role of solar variability is clear and is well summarized in the IPCC (Intergovernmental Panel on Climate Change) reports (see e.g. Figure TS-5 in the IPCC Fourth Assessment Report available at [www.IPCC.ch](http://www.IPCC.ch) and the numerous scientific papers that the IPCC reports are based on.

4) **Incomplete Figure Legends:** Figures H-1 through H-5 (pages H-26 through H-30) in Volume II do not have the GE (for Golden Eagle) descriptor in the legend. Given the key biological and legal significance of eagle nests and roosting areas in the suitability criteria of 43 CFR s. 3461.5 this is a serious oversight.

5) **Failure to Acknowledge Suitability Criteria:** The discussion of raptors (On pages 3-207 through 3-212) fails to adequately discuss the constraints placed on coal leasing in the presence of bald and golden eagle nest and roost areas contained in 43 CFR s. 3461.5 and the coal leasing alternatives have not been modified to reflect the unsuitability criteria.

6) **Failure to Provide Mine-Specific Reclamation Information and Modify the EIS Accordingly:** Tables 4-2 and 4-3 (pages 4-11 and 4-12 in Volume 1) do not provide mine-specific reclamation details. While BLM does not regulate reclamation efforts, many of the statements in the FEIS assume that reclamation will be complete. This is highly unlikely given the slow pace of reclamation shown in Tables 4-2 and 4-3. The FEIS should be rewritten to provide mine-specific reclamation data and then modify the assessments of the EIS to reflect actual levels of reclamation that are likely to be achieved. To fail to do so is to fail in the fundamental duty under the National Environmental Policy Act to inform decision makers of likely consequences of the action. Assuming that thousands of acres will magically reclaim themselves hardly qualifies as the “hard look” required by NEPA.

7) **Uncertain CO2 Calculation Methodologies:** In Table 4-37 (page 4-138), it is unclear how the levels of CO2 emissions are calculated. Typically 1 ton of carbon will produce 3.66 tons of CO2. If PRB coal is 60% carbon, then each ton of coal will produce  $3.66 \times 0.6 = 2$  tons of CO2. The methodology used for Table 4-37 is not specified, so it is not clear how the projected CO2 emissions have been determined. A quick footnote can inform the reader without requiring additional extensive research to understand a very long and complicated document.

8) **Provide US Mercury Emissions—Not Global:** Section 4.2.14.5 considers mercury emissions in a global context. The issue of mercury emissions should be considered on a national, not global basis.

9) **Increased Surveys for Ute Ladies' Tresses:** Given the ability of Ute Ladies' Tresses to not flower for several years in a row, additional surveys in different months of each year and for approximately 5 years in a row are needed to assess the potential presence of Ute Ladies Tresses in the impacted areas.

10) **Need for Public Review of the Biological Opinion and Final Consultation with USFWS:** The FEIS states that Section 7 consultation with the United States Fish and Wildlife Services "will be completed before a decision is made..." (See e.g. page 13 in the Comment section of the FEIS.) This is inadequate. The public should have an opportunity to review and comment on the final Biological Opinion and the USFWS consultation before the lease decision is passed on to the deciding officer. There are many contentious issues (e.g. See Appendix G) for which final USFWS comments need to be seen before the public can write final comments.

11) **Need to Highlight Visibility Impacts:** Due to the clear direction in the Clean Air Act to reduce visibility impacts in Class I and Class II areas, the FEIS should clearly highlight the predictions shown in Table 4-13 (page 4-51) that the leasing of the coal will lead to reduced visibility in the long list of Class I and Class II areas that will be impacted by the coal leasing.

12) **Irretrievable Loss of Easily Accessible Coal:** It does not appear that the FEIS has discussed the fact that easily accessible coal is becoming scarce in this country. In the Powder River Basin, this has been documented by USGS 2008-1202 which was referred to in the e-mail "Wright Area DEIS # 3" from Ms. Glustrom found in Appendix I (no page numbers have been provided by the BLM in Appendix I). The significantly increasing overburden for the expansion tracts can be seen in Table 3-7, page 3-14. Given that the planet is not making any new coal on a time frame that matters, the decision to lease some of the last remaining relatively accessible coal supplies just to make electricity (when we have many other ways of making electricity in a cost-effective fashion) should be accompanied with a detailed assessment of inter-generational issues related to the irretrievable loss of resources. Reasonably accessible coal is truly an "irretrievable" resource. It does not appear that the FEIS even referred to USGS 2008-1202 (see the List of References in Section 6). Given that USGS 2008-1202 is an extensive analysis of the coal resources of the Gillette coal field in Wyoming where all of these leases are proposed to occur, this is a very serious oversight.

13) **Table of Contents and Page Numbers for the Comment Letters:** To facilitate review of the many comment letters that were submitted on the Wright Area DEIS, the BLM should provide a table of contents and page numbers for Appendix I where the letters are reproduced.

14) **Titles for Comments:** The readability would be greatly improved if the comments had titles so that someone skimming them could determine which comment is addressing which issue.

There are likely many more issues buried in this largely impenetrable FEIS, but until the BLM clearly highlights the impacts in easy to read bulleted lists, then neither decision makers nor the public will be well informed—which, of course, is the primary reason for preparing Environmental Impact Statements.

The failure to mention any particular issue or impact in this comment letter does not mean that the reader is not concerned—only that the time and patience for wading through the FEIS is very limited.

**BEFORE CLOSING I WANT TO EMPHASIZE HOW  
EXTREMELY DIFFICULT IT IS TO READ THE BLM COAL  
LEASING EIS'S—THERE ARE ENDLESS PAGES AND PAGES  
OF STULTIFYING TEXT WITH NO EFFORT MADE TO PULL  
OUT THE KEY ENVIRONMENTAL IMPACTS.**

**PLEASE, PLEASE, PLEASE DEVELOP A NEW FORMAT.  
THANK YOU.**

Sincerely,

Leslie Glustrom  
4492 Burr Place  
Boulder, CO 80303