

**Bette Hagenstein**  
Post Office Box E  
Pinedale, WY 82941  
pbhagenstein@wyoming.com

30 August 2006

2006 AUG 30 PM 1:25

Bureau of Land Management  
Pinedale Field Office  
Post Office Box 768  
Pinedale, WY 82941

Re: QEP Stewart Point

I am a co-owner of our ranch and I have lived in this valley on the New Fork River for over 50 years. I have enjoyed a wonderful world of watching the riparian areas of our ranch thrive with wildlife over these years.

Birds have always been abundant and such a pleasure to watch. We have watched eagles during their nesting and watched baby eaglets grow into adolescents. Ospreys have recently arrived and we are currently watching a pair raise their fledgling. Our wetland mitigation ponds provide respite for the trumpeter swans en route to Yellowstone and we have watched Canada Geese and Snow Ivis nest not to mention the numerous types of ducks. I love to watch the migrational birds.

Near our home in the river bottom that is the watershed for the proposed drilling there are moose, mule deer, white tailed deer and antelope not to mention fox, coyote, and bobcats. I am extremely concerned that they will flee from the increasing noise, smell, light pollution and general chaos of this industrial zone that for MY lifetime was a crucial winter habitat for these animals. The BLM gets an F minus for destroying this beautiful plateau in their task of managing the land.

I feel as if that which I have worked so hard to establish over these years is being taken away from me and I would ask that you reconsider what your management strategies are including the social impacts that are integral to the land. You are destroying my viewshed, my peace and quiet that I sought so many years ago, and the animals that I cherish.

Please do not allow drilling on the Mesa Breaks and the Management Viewshed Area.

Most sincerely,



Bette Hagenstein

P.O. Box 684  
Pinedale, WY 82941  
tel: 367-3058

8 September 2006

Dennis Stenger, Field Office Manager  
BLM Pinedale Field Office  
P.O. Box 768  
Pinedale, WY 82941

Dear Mr. Stenger:

Having reviewed the information provided by BLM concerning the 5 Questar multi-well drilling pads in the Mesa Breaks and Sensitive Viewshed Management Areas (MAs) west of the County Shop, I would like to offer the following comments.

1) The PAPA ROD requires "additional public involvement" (pp. 29-30) for project development in these MAs, but does not specify how it is to be done. For the public to be "involved" in a meaningful way, however, basic information related to expected effects needs to be available. Some unanswered questions are:

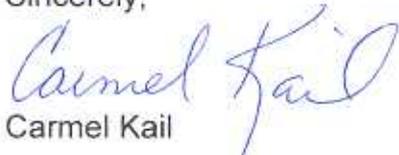
- Are the proposed pads 17 ac, or is the total cut/fill disturbance limited to 17 ac ?
- How will the area look from Highway 191? (basic visual simulation)
- Do the pad locations as proposed conform to the less-than-10% slope restriction required in these MAs ?
- Where are the access roads, and do they also avoid 10%-and-greater slopes?
- How much traffic is anticipated total ? During deer crucial winter range occupation?
- What is the specific purpose and need – how do the bottomholes relate to lease boundaries?
- Have alternatives directionally reaching these bottomholes from adjacent leases been given a hard look?
- Where are nearby existing pads ? Any other approved but not yet constructed pads ? Staked pads ?
- A maximum of 4 well pads / sq mi is permitted in Management Area 4. The MA is a sinuous band of land following topography and does not occur in clean square miles. How does BLM interpret this threshold boundary ?
- The ROD prescriptions for MA-2 are that "well pads... will avoid being placed" in this Management Area. Are the two pads proposed in this MA thus under evaluation as Exception requests ??

If you are going to proceed with processing these APDs, I recommend that you solicit comments from the public after we have been given enough information to really understand the proposal.

2) Given the limited information presented, it does not appear that the proposed pads are spaced as far apart as current directional drilling allows – several of the pads are only ca. one-half mile from each other. If any MAs in the PAPA warrant extraordinary directional drilling reaches, one would think that these two Management Areas are it.

Recognizing that only a few years ago directional drilling on the PAPA was considered 'infeasible', and that now directional reaches of a half-mile are not uncommon, I predict that directional reaches of a mile will be seen in the relatively near future. Given the potential environmental, visual and related public relations consequences of drilling in the Sensitive Viewshed and Mesa Breaks, I respectfully recommend that you and Questar shelve these projects for a few years.

Sincerely,

  
Carmel Kail

P. O. Box 684  
Pinedale, WY 82941

11 March 2011

Janet Bellis, Natural Resource Specialist  
BLM Pinedale Field Office  
1625 West Pine Street  
Pinedale, WY 82941

Dear Ms. Bellis,

With reference to BLM's proposed Stewart Point 7-28 well, as you know the recent scoping notice listed issues identified by public scoping of the previous proposal (big game crucial winter range and migration routes, visual impacts, air pollution, cultural resource values etc.).

I believe that all of these remain issues for your currently proposed undertaking as well.

The subject location still lies within the Mule Deer Sensitive Resource Management Zone and designated Crucial Winter Range (FSEIS p. 3-135), the site lies well within sage grouse lek-buffer nesting habitat (FSEIS p. 3-142), and the proposed construction area sits within the Sensitive Viewshed Sensitive Resource Management Zone (FSEIS p. 3-56). Air pollution is at excessive levels. BLM 'mitigations' to date for the mule deer, the sage grouse, and the air, are widely recognized as a failure.

Please consider the following questions as issues for address in your forthcoming Environmental Assessment of the proposal.

How many pads have been built / authorized within the PAPA to date ?

Given their placement, and then conversely identifying the undeveloped and scantily developed areas, how many pads would be needed to drill / develop the remainder at a density of one pad per 160 ac ? Is there danger of approving a 600 pad array which does not allow reasonably full field development -- because of overly dense placement of early pads. More specifically, would approval of the Stewart Point 7-28 pad potentially preclude full field development ?

The proposed Stewart Point 7-28 pad is subject to exception request and approval since the deadline for delineation well activity in DA-1 has passed (PAPA ROD p. 9). Was this pad announced at the annual planning meeting ? Did the Authorized Officer approve this exception request ? What agency guidance and decision-making criteria are considered when evaluating such exception requests ?

By way of comment, in the wake of your agency's recent certification of significant mule deer decline, proposal of this federal undertaking in a migration corridor appears untimely to say the least. Inasmuch as a FONSI is unlikely to pass the red-face test, initiation of EIS proceedings seems more appropriate. The project is both controversial and holds potential for significant impacts.

Thank you for the opportunity to comment.



Carmel Kail





Kathy  
Flanders/PFO/WY/BLM/DOI  
08/07/2006 08:43 AM

To: Jim.Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc  
Subject: Fw: QEP STEWART POINT

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ...treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/07/2006 08:42 AM -----



"Carol Smith"  
<carolanne@bresnan.net>  
08/05/2006 10:31 AM

To: <pinedale\_wymail@blm.gov>  
cc  
Subject: QEP STEWART POINT

I am very much opposed to further drilling, especially in the Stewart Point area as well as the Wyoming range and Green River valley, the habitat and migration routes are already under too much pressure. Wildlife is just too important to Wyoming to allow the continued destruction. Thank You, Mark A. Smith, Sinclair WY. 82334



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/09/2006 08:49 AM

To Max McCoy/PFO/WY/BLM/DOI@BLM, Jim  
Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc  
Subject Fw: QEP Stewart Point

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
--- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/09/2006 08:49 AM ---



DJ Duerr  
<duerr@centurytel.net>  
08/08/2006 12:23 PM

To pinedale\_wymail@blm.gov  
cc  
Subject QEP Stewart Point

August 7, 2006

Bureau of Land Management  
Pinedale, Wyoming 82941

I am submitting these comments on the Questar proposal to drill in the Stewart Point / Mesa Breaks area. For the record, I have completed considerable Ph.D. level study in geology and geochemistry at the University of Wyoming, with a focus on sedimentary basins. I also worked for one of Wyoming's most successful oil and gas research groups, which did involve research on the Jonah and PA fields.

Over the years, I have submitted comments to the BLM on other drilling proposals, in Jonah, the Pinedale Anticline, the Red Desert/Jack Morrow Hills, Vermillion Basin, and other parts of Wyoming. I have met with District Managers and gone to BLM meetings and discussed my concerns with BLM officials. Despite all those efforts, it its fair to say none of my concerns have been addressed by the agency.

BLM appears to go through the motions of soliciting public comment -- and conducting a superficial NEPA process -- simply to avoid getting sued, not to reach better decisions that address public concerns.

I have no doubt the current proposal to drill in the Mesa Breaks will be a similar sham process. Before comments have been received and before any study has been done, the BLM has already decided what the decision will be. Sadly, nothing I or anyone else says will have any influence -- except, of course, those who work for big oil corporations.

In any case, I will avail myself of the opportunity to express my

concerns. I am opposed to the proposed drilling in the Stewart Point and larger Mesa Breaks. The area is environmentally sensitive in numerous respects -- soils, wildlife, vegetation, visual quality, recreation, watershed. This is why BLM agreed previously to disallow drilling in the Mesa Breaks area.

Furthermore, with directional drilling technology, it is possible for Questar and other companies to access gas reserves below the Mesa Breaks without actually drilling in the Breaks. It will be more costly, but this is not sufficient grounds to grant the companies permission to drill in the Breaks. Questar and other major corporations are making billions of dollars from the gas they are extracting from the Jonah and PA fields -- they are getting these public resources at bargain basement prices.

The BLM should stop trying to maximize the profit margins of these wealthy private companies and start requiring them to use technologies that will better protect the public environment.

Even if there were gas deposits under parts of the Breaks that cannot be accessed using current directional drilling technology, given the rapid development in DD technology, it is reasonable that even these deposits will become accessible using DD in the next decade or two. The BLM should therefore defer any decision on drilling under the Breaks until 2030. Until then, there are plenty of deposits that can be accessed without posing the same kind of impacts.

I will just add one additional comment that I have made in previous comments: The BLM is acting irresponsibly by rushing the extraction of gas resources from the Jonah and PA fields. There is no shortage of natural gas in the United States right now. There is, however, a looming energy crisis. The value of natural gas will increase as oil supplies are depleted. In 30 years, natural gas will be much more valuable -- and much more in demand -- than it is now. Yet the BLM is authorizing development of the Jonah and PA fields at the maximum rate that will leave the fields largely depleted in 30 years -- just when these resources would be needed the most. If the BLM pursued a more conservative and sensible development strategy of allowing the gas resources to be extracted over 100-150 years instead of 30, this would better benefit the nation, it would avoid a hard boom and bust cycle in Sublette County, it would better conserve wildlife, soils, and scenic quality, and it would help the agency ensure development complies with air quality requirements. Sublette County and the nation as a whole would also end up netting a far greater financial return on the gas resources, and over a much longer period of time.

I am urging the BLM again -- as I have urged the agency in the past -- to pursue this kind of conservative development scenario. There is no good reason to drill the fields out under the current scenario (other than to maximize short-term profits of private corporations); there is every reason to act more conservatively.

Donald Duerr  
P.O. Box 1668  
Pinedale, WY 82941

August 26, 2006

Pinedale Field Office  
Bureau of Land Management  
432 East Mill Street  
Box 768  
Pinedale, WY 82941

Re: QEP Stewart Point

Attn: Jim Lucas

These are comments in response to scoping notices, such as in the Sublette Examiner August 24, 2006, and the field trip on August 16, 2006. Neither provides full detail of what is to be done at Stewart Point, nor is this a normal NEPA process for seeking public input.

1. At least one drilling site is proposed within MA-2, important mule deer winter range and a migration route for mule deer and pronghorn.

The 2000 ROD for the PAPA required additional environmental analysis before consideration of exceptions that would allow drilling in MA-2. In fact, 5 years of monitoring of mule deer responses to drilling on the Mesa (including in winter), reveals that this activity will likely displace mule deer from favored habitats and add to the negative impacts of development. What is being done to address these impacts and what mitigation measures are proposed to address these impacts?

2. The Questar All Year Drilling EA and subsequent Addendum did not allow drilling in MA-2. These two documents amended the 2000 ROD and are part of the decision record. Additionally, some of these locations are not identified as part of the 61 locations needed for Questar to complete developing their leases in the 2004 ROD.

An amendment in the form of an EIS should be completed if this action moves forward. No action/permitting of these locations should take place until that is complete.

3. This proposal appears to contradict statements made in briefings by industry a week ago that indicated that Questar would be moving south along the Anticline Crest if the ASU proposed for much more widespread all year drilling is approved in the Supplemental EIS under current consideration. Since winter drilling within MA-2 would occur in this proposed action at Stewart Point, why is this a separate action from the SEIS process for winter drilling?

4. On the field trip it was explained that wells drilled in the first ten years would be delineation wells, that winter drilling would occur after that delineation period, and that the MA-2 and other proposed sites would be active for 18-20 years. In the 2000 ROD, the expected time for future drilling was less than ten years. Since the duration of disturbance activity is important to the future of sage grouse and mule deer potential for eventual recovery after full exploration of the



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/10/2006 08:50 AM

To: Max McCoy/PFO/WY/BLM/DOI@BLM, Jim  
Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc

Subject: Fw: QEP Stewart Point

History: This message has been forwarded.

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/10/2006 08:49 AM -----



"Elaine Crumpley "  
<windriverE@wyoming.com>  
08/09/2006 10:01 AM

To: <pinedale\_wymail@blm.gov>  
cc

Subject: QEP Stewart Point

As a local resident and land owner just below the mesa, I am extremely concerned about the increase in drilling activities. ON a human level, out my bedroom window I now see 8 rigs blazing into the night. I remember when the BLM promised there would be no rigs on the flanks of the Mesa, in order to preserve the pristine view-shed. So much for that promise. This plan to further drill in the Mesa Breaks will put the final nail in the coffin for the mule deer population, something your agency also promised it would no disrupt. Sage grouse habitat, soil integrity, New Fork river will all go by the wayside, broken promises make broken land. Time to stop the greed that is driving this project. Think beyond the dollars, think beyond the moment. Do not allow this proposal for disaster to be implemented.

A concerned global citizen,  
Elaine Crumpley  
PO Box 1123  
Pinedale, WYoming 82941



"Ed Wadda"  
<ewadda@state.wy.us>  
08/30/2006 04:08 PM

To: pinedale\_wymail@blm.gov, "Ed Wadda"  
<ewadda@state.wy.us>, "Paige Smith"  
<PSMITH@state.wy.us>, iposey@wyo.com  
cc

Subject: QEP Stewart Point

I have recently been aware that Queststar is looking to drill another well at the Stewart Point area in Pinedale, Wyoming. I believe it is section-SP7-28, pad-1629. Queststar would like to drill delineation wells at this site. My understanding is that it is in close proximity to a Shoshone Burial Site, mound, butte. This well would be close to or inside the mile boundary marker. The site sits looking toward a river. I would like to make sure that the BLM and Queststar are consulting with the Eastern Shoshone Business Council, Shoshone cultural sites elders, and the Eastern Shoshone Liaison in this matter. My understanding is that Dave Volchek is working with the Eastern Shoshone tribe on a different site which includes teepee rings. I would like this particular proposed well site in Stewart Point to have the same Eastern Shoshone tribal consultation. It is my wish that the BLM and Queststar will work within the compliance of the State Historic Preservation Office guidelines in regards to oil production in the area of the burial ground site. If you would like to contact our Shoshone Cultural sites personnel Judge Richard Ferris he can be reached at 307-332-7094. If you have any further questions of my office I can be reached at 307-631-2298 and my email is ewadda@state.wy.us. I thank you for your time and cooperation.

Edward Wadda  
Eastern Shoshone Liaison with the Governor's Office



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/09/2006 08:44 AM

To: Max McCoy/PFO/WY/BLM/DOI@BLM, Jim  
Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc

Subject: Fw: QEP Stewart Point

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/09/2006 08:44 AM -----



"Freddie Botur"  
<vratislav@earthlink.net>  
08/08/2006 09:36 AM

To: <pinedale\_wymail@blm.gov>  
cc

Subject: QEP Stewart Point

The 2000 ROD allows no drilling in the Mesa Breaks where Questar wants to drill, an area of critical importance to mule deer in the winter, lying as it does on the (east) lee side of the Mesa, and providing thermal protection from the screeching winter winds. The appropriately-named Breaks is steep, on unstable soils, and fronts the New Fork River, the highway, and the town of Pinedale (the "sensitive view-shed"). In addition to further de-stabilizing the mule deer population, this proposal has the potential to negatively affect the first-class fisheries of the New Fork River by increasing sedimentation. Allowing drilling here would be a mistake. I urge you not to allow this proposal to be approved.

**FREDDIE BOTUR  
COTTONWOOD RANCHES  
BIG PINEY, WYOMING  
307.730.8000**



Linda F. Baker  
Upper Green River Valley Coalition  
P.O. Box 994  
Pinedale, WY 82941  
(P/F) 307-367-3670; (C) 307-231-1323  
linda@uppergreen.org

August 30, 2006

Jim Lucas, BLM Pinedale project coordinator  
DOI, Bureau of Land Management  
P.O. Box 768  
Pinedale, WY 82941

Re: QEP Stewart Point

Dear Mr. Lucas:

Thank you for the opportunity to comment on the *QEP Stewart Point* project proposal.

The Upper Green River Valley Coalition is a Sublette County-based conservation organization with over 350 local and seasonally-local members. The Upper Green River Valley Coalition advocates responsible, sustainable management of the wildlife, waters, and air quality of Wyoming's Upper Green, a vital portion of the Greater Yellowstone Ecosystem. We do not oppose natural gas development, but want to see it carefully controlled so that the Valley's abundant natural resources and local communities are not harmed. With rapidly escalating development now occurring, UGRVC challenges land managers, industry, and citizens to create and implement management plans that safeguard key wildlife habitats and movement corridors, while ensuring that any new development is done right.

These comments address Questar Stewart Point proposed wells 16-20, 4-21, 11-21, 7-28, and 6-29.

The Pinedale Anticline Record of Decision (PAPA ROD) identified the Mesa Breaks (MA 2) as possessing "highly sensitive wildlife habitat, soils, viewshed, and seasonal recreational use area[s]" where no new roads would be permitted. The PAPA ROD directs the BLM to "maintain the existing quality, suitability and habitat effectiveness of the Mesa Breaks deer crucial winter range" and "retain the existing character of the landscape and sensitive viewshed" (ROD, 29).

Qualified biologists within the Wyoming Game & Fish Dept., the independent scientific community, and the BLM have determined that this particular area provides important thermal cover and forage for wintering mule deer and is a unique habitat not found elsewhere within this particular crucial winter range.

Best available, operator-funded science has shown that there has been a precipitous and unacceptable decline in mule deer populations on the Mesa during the past four years.

Questar, Shell, Ultra and other oil and gas development companies operating on the Anticline have asserted and proven that directional drilling can be accomplished with up to a 5,000' offset to avoid sensitive habitats such as the Mesa Breaks. Shell indicated this in the initial proposal for a PAPA SEIS, and it has been done in many other oil and gas producing regions throughout the world.

The Pinedale Anticline Record of Decision mandates Adaptive Environmental Management (AEM) that guarantees "continuously modifying management practices in order to ... protect the environment" (ROD, C-1); and "a rapid response to unnecessary/undue environmental change" (ROD, C-2). In compliance with the direction of the ROD and AEM, the Wildlife Task Group and Pinedale Anticline Working Group have recommended to BLM that there be no additional loss of Mesa habitat useful to mule deer in winter or additional mule deer population decline.

In failing to appeal the PAPA ROD, Questar agreed to comply with the conditions of approval, which include modifying their drilling practices in order to protect natural resources, including wildlife and habitat. To now challenge the ROD approval and the findings of best scientific data which they themselves funded is both inappropriate and disingenuous at best.

While the ROD (at 29) indicates that "in the course of site-specific environmental analysis BLM determines that the consequential environmental impacts would be less within the Breaks than outside, permits may be issued in the Breaks", to our knowledge there are no BLM studies nor any publicly-available documentation showing that impacts would be less within the Breaks than outside them should drilling occur there. In fact, the scientific analysis that has been done in the course of the Sublette Mule Deer Study funded by Questar indicates just the opposite is true: that there are significant direct and indirect impacts to deer wintering adjacent to drilling rigs, well pads, and human disturbance.

Many of these same concerns apply to Questar's proposal to drill within the Sensitive Viewshed (MA 4). Additionally, the ROD requires mitigation efforts to "avoid the introduction of new, linear visual intrusions on the landscape", construct "production facilities ... placed away from the edge of the Mesa... to prevent the facilities from being silhouetted on the skyline", and construct "exterior lights [which will be] shrouded and directed onto the immediate facility area" (ROD, A-24).

In the six years since ROD approval, although the maximum number of wells permitted within MA 4 has not been exceeded, many of the promises to mitigate impacts in MA 4 made by BLM and noted above have not been kept.

The Pinedale Anticline Record of Decision is a legally-binding, decision document that represents a contract between the Bureau of Land Management and the American people, the owners of these public lands. It should be noted that private citizens did not appeal the Record of Decision, but believed that the BLM would keep its word and utilize Cooperative Conservation, Best Management Practices, and Adaptive Environmental Management to achieve the dual goals of natural resource conservation and production of natural gas. In the end, the operators were the only entities to appeal the ROD and truncate that cooperative, AEM process. Now Questar appears to propose that BLM change not only the legal requirements of the ROD, but the spirit of its unique goals.

The BLM must not reverse the important, progressive decisions made in the Pinedale Anticline ROD. The BLM must not ignore the best, scientific data it has available, nor the recommendations of the Pinedale Anticline Working Group. Best Management Practices must be used to the greatest extent possible, including extensive use of directional drilling to extract the natural gas resources on the Pinedale Anticline.

Adaptive Environmental Management must be used effectively to continually monitor and modify existing practices to reduce overall impacts to America's valuable, renewable and important natural resources. Questar must comply with the current conditions of approval as indicated by the ROD. Wildlife studies must continue to provide expert guidance and mitigation recommendations as indicated by extensive monitoring, and as promised in the ROD. They must not be ignored, nor their findings only partially noted. Finally, sensitive habitats and viewsheds must continue to function to protect our wildlife, recreational, soil, water and human resources.

For these reasons, we ask that you reject the QEP Stewart Point proposal to drill in the Mesa Breaks and Sensitive Viewsheds.

Thank you for consideration of these comments.

Sincerely,

/s/

Linda F. Baker

Community Organizer



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/09/2006 08:50 AM

To: Max McCoy/PFO/WY/BLM/DOI@BLM, Jim  
Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc

Subject: Fw: QEP Stewart Point

History: This message has been replied to.

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/09/2006 08:49 AM -----



Leila Bruno  
<leilabruno@earthlink.net>  
08/08/2006 07:15 PM

To: <pinedale\_wymail@blm.gov>  
cc

Subject: QEP Stewart Point

Pinedale Office of the BLM:

In 2003 and subsequent dates, i have visited the Mesa Breaks and Stewart Point areas adjacent to Pinedale. i am aware of the steep terrain, and i have studied the deer and antelope migration routes, which are now well established in the literature.

I am writing to urge your office NOT to approve any changes to the Pinedale Anticline Record of Decision, a document for which i submitted comments on the EIS.

Please demonstrate to us that the BLM does in fact have integrity in its public lands process. Our Wyoming communities are objecting to the extra-ordinary imbalance now taking place. Our citizens do not support out of balance development.

Again, i urge the BLM not to open up these areas to drilling.

Thank you for considering my comments. Please send me your response.

Leila Bruno  
POB 1735  
Laramie, WY 82073  
307-399-5869

23

----- Forwarded by Les Margo/PFO/WY/BLM/DOI on 09/05/2006 08:43 AM -----



"Sweet Sage  
Communications"  
<sweetsage@wyoming.com>  
08/30/2006 04:13 PM

To <pinedale\_wymail@blm.gov>  
cc  
Subject QEP Steward Point

Public comment for the QEP Stewart Point proposal:

To: Pinedale BLM Office

Jim Lucas  
BLM Pinedale Project coordinator

Dear Mr. Lucas and other BLM parties:

It seems entirely unreasonable to me as a longtime resident of Wyoming and a long-term small business owner here, that the Mesa Breaks area of the Pinedale Mesa should be available for even more sensitive public lands drilling. Please honor the public document, the 2000 ROD for this area, which does not permit drilling in this area because it is a view shed for our town and more crucially, winter range for the area's mule deer.

While it seems the BLM decisions of late are fully allowing as much drilling as the public will stomach, it seems completely imprudent that the BLM would allow further disruption of the region's mule deer winter habitat, and that action would be a complete abrogation of the multiple use of *our* public lands. The mule deer are not a commodity we are willing to bargain away, and the BLM is the public agency in charge of these crucial lands.

With an awful drought still upon us and even more rapid energy drilling than all the planning documents anticipated, it seems politically and practically wise for your office **not to allow** drilling in this sensitive public lands area.

Public lands are indeed, owned by the American public and for our multiple use. Ranchers and hunters traditionally using these areas are already being squeezed out of using the Mesa, it is difficult to move cattle among huge truck traffic, and it sort of kills the "hunt" when you are hunting among natural gas wells and drilling rigs now being spaced at 20-acre spacing.

It would be refreshing if the BLM made a balanced decision in this case and chose to protect our other very important public uses and area attributes; such as our unique and healthy, but threatened wildlife herds; instead of the predominant use of natural gas drilling.

Thank you for your consideration and responsible planning in this matter.

Lauren M. McKeever  
Pinedale resident

6

Leslie H. Rozier  
Post Office Box E  
9615 Highway #191  
Pinedale, WY 82941  
307-367-6463  
[lrozier@wyoming.com](mailto:lrozier@wyoming.com)

30 August 2006

Bureau of Land Management  
Post Office Box #768  
Pinedale, WY 82941

Re: QEP Stewart Point

Dear Sirs,

As always, I would ask that you turn your hearing aids ON and listen to your public's opinions. If the BLM is to make sound decisions, they need to understand the impact to those of us whose back yard is the Mesa. My living room window looks upon the New Fork River with the Mesa as it's backdrop and I am acutely aware of the impact of the BLM decisions that have been forced upon me. When I worked on the EIS proposals, I was very clear in the need to protect not just the viewshed but the watershed of this area. PLEASE do not allow drilling that will change forever the pristine waters of the New Fork River corridor and the landscape that supports and augments its wildlife.

I am OPPOSED to drilling for the following reasons:

- #1) The intermittent "fracing" that occurs on the Mesa is a constant invasion of my privacy as my house vibrates on its glacial bedrock as each well approaches completion. Because of the vibration, we have had to place a special filtration system on our drinking water to remove the sediment from this vibration. This follows the expensive relining of the well casing that was completed during the Ultra drilling west and south of our home.
- #2 As an individual who is on-call 24 hours a day and who is frequently up at night, the industrial noise has become an incredible nuisance. The light pollution has always been an issue for those of us living so close to the rigs but with the increasing number of working rigs, the 24 hour a day noise is now beyond acceptable. The roar from the industrial wasteland has finally superseded the once gentle gurgle of the New Fork River and now I have to have blinds in my bedroom to shut out what once was a beautiful night sky and wear ear plugs in order to sleep. This is UNACCEPTABLE.
- #3 As a child, we were not allowed to enter the Mesa's crucial winter habitat area on foot or on skis. It saddens me to see the vast devastation that has occurred in my lifetime in my backyard: the roads, the pipeline scars, the noise, the light and the haze. I have attached a photo taken this April that speaks loudly of what I refer to.
- #4 The impact to the community of Pinedale from the explosive growth that has accompanied the extractive industries has been significant. It has gone from a quaint quiet town to a plastic boomtown. The additional graffiti of drilling on the Mesa Breaks, its viewshed and water drainage systems will only devalue adjacent properties and expose the New Fork River corridor to ultimate destruction. Please stop and consider the consequences of a decision as profound as this.

PLEASE do not allow drilling in this Sensitive Viewshed Management Area or the Mesa Breaks.

H. Rozier

Leslie



11-A

Regina A Lester/PFO/WY/BLM/DOI  
03/14/2011 08:14 AM  
To  
Janet Bellis/PFO/WY/BLM/DOI@BLM  
cc

bcc

Subject  
Fw: Stewart Point 7-28

----- Forwarded by Regina A Lester/PFO/WY/BLM/DOI on 03/14/2011 08:14 AM  
-----

"Leslie Rozier" <lrozier@wyoming.com>  
03/11/2011 10:00 PM  
Please respond to  
<lrozier@wyoming.com>

To  
<wypfogen@blm.gov>  
cc

Subject  
Stewart Point 7-28

Dear BLM Representative,

As a landowner on the New Fork River across from the proposed QEP Mesa Breaks Proposed wells, I remain frustrated with your decision making.

#1) In 2006, you said there would be NO ADDITIONAL PADS in the sensitive viewshed. To me, no additional pads means no additional pads. Follow through on what you agreed to!

#2) Critical winter habitat? Migration Corridors? The large herd of mule deer who have been displaced into my backyard are starving this winter, those that have managed to stay alive traversing highway 191. Without their critical winter habitat, they have eaten my evergreen trees, aspen, cottonwoods, sage, shrubs and during these critical spring months, I anticipate most will join the ranks of the decimated population. Even the moose have been displaced ~ all of our residential moose have been killed on the highway this winter.

#3) Very few people live as close as I do to the Mesa Breaks. I can't begin to tell you how tired I am of the 24 hour a day noise, the roar of the engines, the clanking of the pipes, the whine and screech of the drilling process and when the fracing starts, my house vibrates to each of the intermittent blasts. My quality of life has significantly changed and what mitigation is there for that? I come home from the clinic at night after taking care of injured oilfield workers who don't want interventions

that create a "reportable injury" and then I go home, crawl into bed, worry about my patients as I reflect on the quality of health care I'm being made to provide to keep their companies "injury free" and then the blasts hit, rattling the windows, giving me no peace in my search for sleep.... it is nonstop until November (for how many more years?) yet just in time for the snow to fall as the air quality ingredients of NOX and VOCs create the chemistry for ozone. Need I say more?

#4) My management response? There is NO public in these comments and I feel as if I too "have declined below the population threshold." When are you going to be stewards of this landscape? PLEASE STOP DESTROYING THIS BEAUTIFUL COUNTRY and say NO!!!

Frustrated,

Leslie Rozier

Leslie H. Rozier  
Post Office Box E  
Pinedale, Wyoming 82941  
307.367.3323 Home  
307.231.9562 Blackberry  
lrozier@wyoming.com

Regina A Lester/PFO/WY/BLM/DOI  
03/14/2011 08:15 AM  
To  
Janet Bellis/PFO/WY/BLM/DOI@BLM  
cc

bcc

Subject  
Fw: Stewart Point 7-28

----- Forwarded by Regina A Lester/PFO/WY/BLM/DOI on 03/14/2011 08:15 AM  
-----

Pam Curry <pcurry@wyoming.com>  
03/12/2011 09:45 PM  
To  
wypfogen@blm.gov  
cc

Subject  
Stewart Point 7-28

Your own News Release spells out precisely and unambiguously the only scoping that matters:  
Mule deer populations have declined below the population threshold outlined in the 2008 ROD Wildlife Monitoring and Mitigation Matrix and a management response is required; as such, the protection of migration corridor connectivity to mule deer crucial winter range on the eastern portion of the Mesa is of primary concern.

It is of primary concern. And there's only one solution.  
No well pad at Stewart Point 7-28.  
No gas delineation wells

Haven't you permitted enough damage?  
It is shocking to think you would even consider this.

Pamela Curry

Paul C. Hagenstein  
Post Office Box E  
Pinedale, WY 82941  
[pbhagenstein@wyoming.com](mailto:pbhagenstein@wyoming.com)

30 August 2006

BLM Field Office  
Post Office Box # 768  
Pinedale, Wyoming 82941

Re: QEP Stewart Point

Dear Sirs,

According to the Record of Decision there was to be no drilling on the Mesa Breaks. During the recent tour, there were several seventeen acre pads proposed for that area and my question is what validity has the Record of Decision? A decision was made that needs to be honored.

Another concern is the drilling East and South of Stewart Point. The emissions from the drilling rigs settles onto the river bottom of the New Fork River and is very noticeable, visually and by sense of smell. I am very concerned about what is in the emissions that I can't see or smell. Adding more emissions should be avoided.

I have lived here for seventy nine years and when I look at the Wind River Mountains every morning I am saddened that I am unable to see them because of the haze ... in my home my name for this condition is 'A veil of tears'. How have we allowed this to happen to this beautiful valley? Please do not ignore that these changes need to be addressed before allowing for more drilling.

I sent a letter to the BLM on 29 October 2005 which I have attached. My thoughts in that letter are still the same but the conditions have gone from bad to worse.

Most sincerely,



Paul C. Hagenstein

2006 AUG 30 PM 1:25

Paul Hagenstein  
Post Office Box E  
Pinedale, WY 82941

29 October 2005

Pinedale Anticline Supplemental EIS  
Bureau of Land Management  
Pinedale Field Office  
Post Office Box 768  
Pinedale, WY 82941

Copy

Re: Scoping Notice Comments

As a private citizen I am writing yet another letter that I predict will land on deaf ears. As a volunteer donating many hours on the Pinedale Anticline Working Group (PAWG) I have been witness to too many directives on how I should speak and would like to submit the following comments:

Prior to the August 9<sup>th</sup> 2005 PAWG meeting, our group was informed by the BLM management that we were not to discuss the Anschutz, Shell and Ultra (ASU) proposal for winter drilling and it was removed from our agenda. At our October 25<sup>th</sup> 2005 meeting, the BLM reiterated it's prior stance. My understanding was that our job was to make suggestions to the BLM concerning new information related to the Pinedale Anticline project, and a winter drilling proposal was new. As a citizen of the USA, I am wondering what happened to my freedom of speech?

There was a stakeholder forum to discuss winter drilling by Anschutz, Shell and Ultra (ASU) and Questar at Rendezvous Pointe on October 12<sup>th</sup> 2005. There was a presentation by the operators, a presentation on pronghorn antelope and a presentation on sage grouse. Following the presentations, Mr. J. R. Justus opened up the meeting for a public question and answer period. After two or three questions, he promptly closed the period with many hands still raised, and with many unanswered questions from the audience. He directed the audience to the selected groups around the room and hence closed the public comment period, the vital public participation component, that of free speech. As a public meeting to discuss this proposal it seems to me that we, the public, should have been allowed to ask questions and hear industry responses.

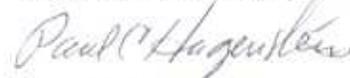
All of these public meetings, all of the scoping meetings, all of these scenarios are a devious smoke screen. The scenarios of the Pinedale Anticline Project Area (PAPA), development, monitoring, mitigations, areas of impact remind me of a nursery rhyme that I learned seventy plus years ago:

Humpty Dumpty sat on a wall,  
Humpty Dumpty had a great fall,  
All the King's horses and all the King's men,  
Couldn't put Humpty Dumpty back together again.

My backyard is the Humpty Dumpty that is being broken into little pieces to profit the oil and gas industry. We will be left with the problem of putting our landscape back together again. The BLM officials will be gone, retired or transferred to the next project. The oil and gas companies will be gone, having taken their profits with them and then having sold their wells to some front company that can't afford to reclaim them. We, the public have had no say in these so-called public meetings. Our voices have not been heard. There is no regard to the opinions of individuals in our community, development is happening without regard to our desire about future land use or development and our families are the ones who will be left here long after the dust settles.

There has been significant impact to my quality of life and this is only the start of the long term project. Winter drilling will only increase this impact, and it most certainly will be SIGNIFICANT. It is time to mitigate not continue monitoring.

A Concerned Citizen,



Paul C. Hagenstein

To: Bureau of Land Management – Pinedale Field Office

From: Philip A. and Patricia S. Washburn

PAW PSW 8/29/06

On August 16, 2006, we participated in a BLM-sponsored field trip intended to provide the perspectives necessary to provide input into the BLM's decision process regarding five drilling permit requests by Questar, Inc. (SP 4-21, SP 11-21, SP 7-28, SP 6-29, SP 16-20). It is our understanding that the Record of Decision dated 7-27-2000 (ROD) required that public input be invited for these particular sites. The following comments are submitted in response to this invitation. In each case, our comments are intended to relate to the initial 5-acre drilling permit requests. It is our understanding that expansion to the 17-acre pad size would require supplemental requests.

- 1) With regard to sites SP4-21 and SP11-21, we have no "incremental" objection to drilling pads, so long as Questar's commitment to clustered winter drilling is re-affirmed as part of the permitting process on these sites.

At the same time, we need to have clear evidence that there was compliance with the requirement for soliciting public input for the permits on the Shell and Ultra drilling sites in the Stewart's Point viewshed. This drilling activity has been far more intrusive than that which Questar is proposing for SP4-21 and SP11-21.

- 2) Drilling on SP7-28 would be an egregious violation of the spirit of the viewshed protection that was attempted in the ROD. The site is simply too close to the BLM land boundary and too visible from a wide area. There are also unresolved issues regarding raptor habitat protection and archaeological sites in close proximity to the proposed site.
- 3) Near-term (5 acre) drilling on site SP 16-20, as I understand it, is a viewshed issue and, if permitted, would be counted against the 28-pad limit. It is my understanding that a subsequent request to expand this pad into the Mesa Breaks area (as opposed to more severe surface disturbance outside the Mesa Breaks area), can be expected from Questar. Based on my understanding of the ROD provisions for the Mesa Breaks area, this would appear to be a reasonable request that should be evaluated with a positive inclination.
- 4) All aspects of the request to place a drilling pad, production equipment, and roads with excessive grades on site SP6-29 should be rejected. This site is located squarely with the Mesa Breaks area that was given special protections under the ROD. The MESA Breaks area of 7+ acres incredibly insignificant from a gas production standpoint and, at the same time, extraordinarily important as mule deer habitat. In my reading of the 2000 ROD provisions for the Mesa breaks, I can find no valid basis for consideration of an exception for this proposed site.

We understand that Questar's geologists and operations staff desire to have complete delineation data for their leases in order to plan for their extended

drilling activity. In a similar vein, we (and many others) would like to have complete protection for the wildlife being displaced by the Anticline drilling. While we accept the reality that complete wildlife protection is unattainable, it is, at the same time, perfectly reasonable to expect Questar to operate without the modest marginal reserve information that drilling on this protected site would provide.



"Paige Smith"  
<PSMITH@state.wy.us>  
08/30/2006 04:30 PM

To pinedale\_wymail@blm.gov  
cc

Subject Comments on Stewart Point, Questar Request for Drill Pads  
in Stewart Point Management Areas 2 and 4

A paper copy of my letter will be forth coming by mail. thanks.

Thank you for the opportunity to view the five proposed well pad locations in Stewart Point on August 16th and attend the meeting held yesterday to discuss alternative well pad locations.

This office understands that Questar must provide justification to the BLM in order to build pads directly within the Mesa Breaks (MA-2), rather than reaching potential down hole locations via directional drilling from pads located outside of this area. Given that MA-2 was specifically identified as an important area for mule deer in winter and a threshold of zero pads was established in the July 2000 Record of Decision, please give every consideration to minimizing impacts from summer drilling and year-round production activities in this area should the requested pad locations be approved. In addition, if these pads are approved for construction, will any limits be placed on further construction with the MA-2 delineated area?

In the event that consultation with the U.S. Fish and Wildlife Service or tribal representatives results in the need for alternate locations within MA-2 or MA-4 to be considered, we would welcome the opportunity to comment, as

appropriate.

Thank you for agreeing to establish an MOU with the state to facilitate coordination with appropriate state agencies in the assessment of impacts from drilling the proposed wells in the Stewart Point area.

Sincerely,

Paige Smith  
Natural Resources Policy Analyst  
Governor's Planning Office

Paige Smith  
Policy Analyst  
Governor's Planning Office  
Herschler Building  
125 W. 25th  
Cheyenne, WY 82002  
307-777-2859  
psmith@state.wy.us  
307-777-8586 - fax



## Office of the Governor

August 30, 2006

Mr. Dennis Stenger  
Bureau of Land Management  
Pinedale Field Office  
432 E. Mill Street  
P.O. Box 768  
Pinedale, WY 82941

RE: Questar Request for Drill Pads in Stewart Point Management Areas 2 and 4

Dear Mr. Stenger:

Thank you for the opportunity to view the five proposed well pad locations in Stewart Point on August 16<sup>th</sup> and attend the meeting held yesterday to discuss alternative well pad locations.

This office understands that Questar must provide justification to the BLM in order to build pads directly within the Mesa Breaks (MA-2), rather than reaching potential down hole locations via directional drilling from pads located outside of this area. Given that MA-2 was specifically identified as an important area for mule deer in winter and a threshold of zero pads was established in the July 2000 Record of Decision, please give every consideration to minimizing impacts from summer drilling and year-round production activities in this area should the requested pad locations be approved. In addition, if these pads are approved for construction, will any limits be placed on further construction with the MA-2 delineated area?

In the event that consultation with the U.S. Fish and Wildlife Service or tribal representatives results in the need for alternate locations within MA-2 or MA-4 to be considered, we would welcome the opportunity to comment, as appropriate.

Thank you for agreeing to establish an MOU with the state to facilitate coordination with appropriate state agencies in the assessment of impacts from drilling the proposed wells in the Stewart Point area.

Sincerely,

A handwritten signature in cursive script that reads "Paige Smith".

Paige Smith  
Natural Resources Policy Analyst  
Governor's Planning Office

2006 SEP 13 11:10:24



QEP Energy Company



Independence Plaza  
1050 17th Street, Suite 500  
Denver, CO 80265  
Tel: 303.672.6900  
Fax: 303.294.9632

March 9, 2011

Bureau of Land Management  
Pinedale Field Office  
P. O. Box 768  
Pinedale, WY 82941

ATTENTION: Janet Bellis  
Natural Resource Specialist, Physical Scientist

RE: QEP Energy Company Comments  
February 10, 2011 Stewart Point 7-28 Project Scoping Notice

Dear Ms. Bellis:

The following comments are submitted on behalf of QEP Energy Company (QEP) in response to the February 10, 2011 Stewart Point 7-28 (SP 7-28) Project Scoping Notice. QEP believes it is important to provide the Bureau of Land Management (BLM), Pinedale Field Office (PFO) with comments on this project because it is critical to development of QEP leases on the Pinedale Anticline.

QEP first proposed a well pad at this location in Section 28, Township 33 North, Range 109 West in 2001. Since that time, BLM has provided several opportunities for public review of the project. QEP has diligently worked with the BLM PFO to address all other resource concerns, including wildlife, cultural and visual. The currently proposed delineation well pad design and placement were recommended by the Authorized Officer (AO) of the BLM PFO in 2007 to:

- avoid impacts to important Native American locations - Native American and State Historic Preservation Office consultations have been implemented as has cultural resource site testing at the pad location;
- minimize visual resource impacts - a Visual Resource Protection Plan has been prepared and submitted; and
- minimize other adverse impacts to area resources.

The September 2008 *Record of Decision, Final Supplemental Environmental Impact Statement (SEIS) for the Pinedale Anticline Oil and Gas Exploration and Development Project (ROD)* designates the proposed SP 7-28 location as being within a "Core Development Area." Moreover, the November 2008 *Environmental Impact Statement for the Pinedale Resource*

Management Plan (RMP), which was signed subsequent to and which incorporates the SEIS ROD, identifies the location as being within a designated "Intensively Developed Field." Both documents analyzed the impacts of development of natural gas resources in Section 28 and both documents approved this section as being within a selected intense development area. As provided under the National Environmental Policy Act (NEPA), the Environmental Analysis (EA) for the SP 7-28 location should tier to analyses and decisions made in these two documents. APD-specific analysis of this pad location will reveal no significant effects beyond those previously considered and approved under the SEIS ROD and RMP.

QEP's delineation program was evaluated and approved under the SEIS ROD. QEP has subsequently provided the BLM PFO with information verifying the need to drill from this specific pad location in order to test the productive potential of QEP's leasehold in this area of the Anticline. QEP has met with the BLM PFO and discussed the potential problems and risks associated with drilling these wells from existing pads in the area. As a prudent operator, QEP cannot ignore the unnecessary safety risks associated with the anticipated high formation pressures and long directional drilling reaches which would be required to drill these wells from existing pads. A requirement to drill these wells from distant well pads would put QEP in the untenable position of sacrificing safety.

QEP has proposed drilling wells in this location since 2001 and again each year since the SEIS ROD was signed in 2008. On each occasion, the BLM has examined the impacts and selected the most favorable location and mitigations yet has declined to approve QEP's APDs when submitted with the agreed upon conditions.

Although BLM indicates in its public notice that the proposed project occurs within the Mesa Breaks, pursuant to the 2008 SEIS ROD, Section 2.8 no longer carries the Mesa Breaks designation, but rather is part of the DA-1 Core Development Area (See SEIS ROD Map 7). The public notice also states that data "confirms" the existence of a mule deer migration corridor at the SP 7-28 location. Since the inception of *Sublette Mule Deer Study (Phase II)* in 2001, mule deer data has been collected and recorded, revealing the importance of the Stewart Point area for use by wintering and migrating mule deer. This information was captured and has been analyzed in the SEIS ROD and in the RMP.

QEP is cognizant of the importance of this area to the mule deer as well as to other wildlife and resource values; therefore, the following mitigations have been included in the proposed SP 7-28 development plan:

- all development activity on this delineation pad, including reclamation, will occur outside of the big game crucial winter range season;
- the pad has been designed to minimize surface disturbance and visual impacts without imposing safety risks;



Regina A Lester/PFO/WY/BLM/DOI  
03/11/2011 08:45 AM  
To  
Janet Bellis/PFO/WY/BLM/DOI@BLM  
cc

bcc

Subject  
Fw: Stewart Point 7-28

----- Forwarded by Regina A Lester/PFO/WY/BLM/DOI on 03/11/2011 08:43 AM  
-----

Rita Donham <reet@wyomingaerophoto.com>  
03/10/2011 04:34 PM  
To  
wypfogen@blm.gov  
cc

Subject  
Stewart Point 7-28

Dear Pinedale BLM Officers,

The Stewart Point project should be suspended or permanently postponed due to the negative impact to the Mule Deer population. This impacted species will not be able to recover from the current industrial situation for many years, if at all. Restricting the Mule Deers' movement along the identified migration corridor will certainly be detrimental to the animals' survival. I am requesting that the Stewart Point 7-28 well site be off limits for the future, until these deer can recover in numbers. It's unknown how long that will take, but there are continuing studies by the BLM on the Mule Deer to determine their population. Please respond to the expensive and extensive studies on the Mule Deer by limiting what the gas industry does in Sublette County.

Another request is to stop issuing permits to drill until the air quality improves this time of year. Currently we have the worst documented air quality in the nation. This is the BLM's opportunity to help the people of Sublette County and the Nation, by stopping the air pollution from becoming worse, by not allowing yet another gas well to be drilled.

Can the winter drilling slow down or stop?  
In the beginning, the producers were not allowed to drill in the winter/spring time, because of the Mule Deer and Pronghorn populations. Now, the Ozone poisoning us is another major reason to not allow winter drilling.

Please do not permit another gas well project until the air quality improves.

We live north of Cora, WY and our air is terrible up here. It gives me a headache, sore eyes and bad taste in my mouth. It is toxic to all of us.

Sincerely,

Rita Donham  
Box 33, 187 Lone Pine Road  
Cora, WY 82925  
reet@wyomingaerophoto.com  
307-231-1326/307-360-3049

Regina A Lester/PFO/WY/BLM/DOI  
03/14/2011 08:15 AM  
To  
Janet Bellis/PFO/WY/BLM/DOI@BLM  
cc

bcc

Subject  
Fw: Stewart Point 7-28

----- Forwarded by Regina A Lester/PFO/WY/BLM/DOI on 03/14/2011 08:14 AM  
-----

"Rod Rozier" <wrozier@wyoming.com>  
03/11/2011 10:15 PM  
To  
<wypfogen@blm.gov>  
cc

Subject  
Stewart Point 7-28

Dear BLM Representative,

I understand QEP is proposing to construct well pad 7-28 in the Mesa Breaks of the PAPA and then drill the first two wells from this pad. As a resident below the proposed well pad and informed citizen I appreciate the opportunity to comment.

There are many reasons not to allow this proposal including the necessary disturbances to the sensitive landscape, the breaks themselves, its proximity to the New Fork River, and the obvious and well documented importance of this area for mule deer.

I do not think the negative impacts on wildlife have been adequately addressed for this proposal. Mule deer populations are below the threshold necessary to trigger a management response, and placing a location for multi hole drilling within a migration corridor does not seem consistent with a responsible management response.

Heavy construction equipment needed for drill pad creation and maintenance, drilling itself, production equipment, etc also will contribute to the project's continued violation of the Clean Air Act in a manner more significant than other locations. VOCs and engine exhausts will be injected into the river valley air shed during low wind and inversion periods thereby increasing the likelihood of ozone formation in the areas we least want it, along the private land, populated river bottom with the potential to drift up to Pinedale and its population. The air quality impact models need to predict these effects before an exception is

granted.

Drilling on the Mesa Breaks is bad idea and exceptions should not be granted.

Sincerely,  
Rod Rozier

Regina A Lester/PFO/WY/BLM/DOI  
03/11/2011 08:46 AM  
To  
Janet Bellis/PFO/WY/BLM/DOI@BLM  
cc

bcc

Subject  
Fw: Stewart Point 7-28

----- Forwarded by Regina A Lester/PFO/WY/BLM/DOI on 03/11/2011 08:45 AM  
-----

robertosandoval@verizon.net  
03/10/2011 04:40 PM  
To  
wypfogen@blm.gov  
cc

Subject  
Stewart Point 7-28

To: Janet Bellis

A well site put this close to a beautiful Native American sacred area will be a desecration, and it is morally wrong. Of course, we are opposed to this well construction, but we also have no hope that the

BLM will change its plans. It seems that, whatever the public concerns are, the BLM considers it just fine to follow, exactly, more and more destruction. The original ROD on the Mesa has been disregarded.

Winter drilling is allowed. Mule deer are becoming extinct. The landscape is ruined. Air and water quality are jeopardized. How could we have hope for saving a sacred site?

This is a quote from a book by Karen Armstrong, a person who writes about religion, "... - Today - the wanton destruction of the environment reveals a nihilistic ruthlessness at the heart of modern culture." THE BIBLE, published 2009.

Sylvia and Roberto Sandoval

Mocroft Ranch

Pinedale, Wyoming

Regina A Lester/PFO/WY/BLM/DOI  
03/11/2011 08:45 AM  
To  
Janet Bellis/PFO/WY/BLM/DOI@BLM  
cc

bcc

Subject  
Fw: Stewart Point 7-28

----- Forwarded by Regina A Lester/PFO/WY/BLM/DOI on 03/11/2011 08:45 AM  
-----

"Rollin Sparrowe" <rds@centurytel.net>  
03/09/2011 06:53 PM  
To  
<wypfogen@blm.gov>  
cc

Subject  
Stewart Point 7-28

March 9, 2010

Dear BLM:

The following comments are offered in response to the announcement of a proposal by QEP to drill two delineation wells in the breaks 4.5 miles South of Pinedale:

1) This proposal would further compromise mule deer use of the Mesa in winter as well as in migration, in a well documented crucial habitat. Ten years ago these deer used the top of the Mesa primarily and the breaks were secondary. For thousands of years this herd had survived the periodic severe winters in Western Wyoming by being able to move where they needed to on the Mesa and breaks to escape snows and winds. Development on top has driven deer into the breaks, a lesser quality winter range by itself, and more invasion of the breaks will disturb the same habitats the deer have had to retreat to to survive.

2) It further compromises the attempt to protect mule deer and other wildlife from disturbance that is the focus of the phased development approach authorized in the 2008 ROD. I previously submitted comments for the Theodore Roosevelt Conservation Partnership on the proposed ROD plan for phasing, on the basis that so many exceptions were being allowed such as delineation wells and delayed protections on some leases that deer would be adversely affected by the time any real benefit of phasing would be implemented.

3) The further reduced status of the deer herd-by the winter of 2009-2010-it is 40% further depleted in numbers since winter drilling was

authorized. This new status means that phasing and other mitigations in effect are not working. BLM should review the phasing approach as implemented and modify the mitigation steps to afford more protection, and certainly not allow new exceptions to drilling prohibitions in the breaks as an important move to help this herd. This would truly be adaptive management.

4) The rationale for modifying the phasing and other mitigations and not allowing this action is that this project is supposedly being managed under adaptive management. While I disagree with recent announcements that say they use adaptive management as the justification to change weak parts of the Wildlife Matrix, I submit that if the Matrix and the ROD can be changed for that purpose then further modifications to help mule deer are also appropriate.

5) A complete review of the phasing plan and mitigation priorities should be done before consideration is given to new relaxations of protection. Given the dire status of the deer herd in a severe winter, and the likelihood of further decline in deer numbers, no action to increase pressure on them should be approved at this time.

6) QEP has been granted numerous exceptions to increase drilling in critical habitat and at damaging times of year for wildlife. They were the first to be granted winter drilling and have given up the least in the deals made to liberalize drilling on the Mesa. It is time to say no to this proposal.

This proposal should not be approved based on the current problems with the deer herd alone. It is incompatible with the need to balance the needs of wildlife with development.

Rollin D. Sparrowe  
Certified Wildlife Biologist  
P.O. 415  
Daniel, Wyoming 83115  
307-859-8351  
Cell 307-231-9911  
rds@centurytel.net

"I recognize the right and duty of this generation to develop and use the natural resources...; but I do not recognize the right to waste them or to rob, by wasteful use, the generations that come after us."  
- Theodore Roosevelt, in Kansas, 31 August 1910

Regina A  
Lester/PFO/WY/BLM/DOI  
03/11/2011 08:46 AM

To Janet Bellis/PFO/WY/BLM/DOI@BLM  
cc  
bcc  
Subject Fw: Stewart Point 7-28

----- Forwarded by Regina A Lester/PFO/WY/BLM/DOI on 03/11/2011 08:45 AM -----



robertosandoval@verizon.net

03/10/2011 04:40 PM

To wypfogen@blm.gov  
cc  
Subject Stewart Point 7-28

*Call  
the  
deer*

To: Janet Bellis

A well site put this close to a beautiful Native American sacred area will be a desecration, and it is morally wrong. Of course, we are opposed to this well construction, but we also have no hope that the

BLM will change its plans. It seems that, whatever the public concerns are, the BLM considers it just fine to follow, exactly, more and more destruction. The original ROD on the Mesa has been disregarded.

Winter drilling is allowed. Mule deer are becoming extinct. The landscape is ruined. Air and water quality are jeopardized. How could we have hope for saving a sacred site?

This is a quote from a book by Karen Armstrong, a person who writes about religion, "... - Today - the wanton destruction of the environment reveals a nihilistic ruthlessness at the heart of modern

culture." THE BIBLE, published 2009.

Sylvia and Roberto Sandoval

Mocroft Ranch

Pinedale, Wyoming



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/07/2006 08:45 AM

To: Jim Lucas/PFO/WY/BLM/DOI@BLM  
cc:  
bcc:  
Subject: Fw: QEP Stewart Point

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/07/2006 08:43 AM -----



"Steve Belinda"  
<sbelinda@trcp.org>  
08/03/2006 11:08 AM

To: <pinedale\_wymail@blm.gov>  
cc:  
Subject: QEP Stewart Point

These wells should be deferred and included in the analysis for the PAPA SEIS.

~~~~~  
**Steven R. Belinda**  
**Energy Policy Initiative Manager**  
**Theodore Roosevelt Conservation Partnership**  
**PO Box 295**  
**Boulder, WY 82923**  
**307-537-3135**  
**307-231-3128 (cell)**  
**sbelinda@trcp.org**  
**www.trcp.org**

September 2, 2006

Bureau of Land Management  
Pinedale Wyoming 82941

Comment on Questar Application for Permit to Drill (APD) process for wells located in MA-2 and MA-4.

I am opposed to this proposal for the following reasons:

1. My home is located near this proposed drilling area. There are already 5 wells in this area, which I believe is classified as sensitive view shed. I do not understand why this is even being considered. The 2000 ROD was pretty specific about the location (or not locating) of wells in sensitive areas. Since then, it seems that this document has been forgotten about.

2. Water quantity and quality. My drinking water is from this aquifer I believe.

3. Noise Drilling in this area, especially in the winter will increase the noise.

4. Transportation Committee Plan as called for in the ROD 2000. Has this been reviewed or written? Also in MA-4 there is a stipulation of "no new roads".

5. Wildlife (ROD 2000 MA-2 .)

6. Safety

Even though there has not yet been any major accidents associated with the drilling in Sublette County, I am concerned about this. I find it a little unsettling. I think it is time that industry and the government take a look at how this is affecting residents. There should be more of a buffer to residential areas.

7. Surface disturbance on slopes greater than 10% should be avoided (ROD 2000 MA-4)

Thank you,

Susan Kramer  
Resident of home adjacent to this area.  
1 Meadow Lane  
Pinedale, Wyoming 82941



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/09/2006 08:43 AM

To: Max McCoy/PFO/WY/BLM/DOI@BLM, Jim  
Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc

Subject: Fw: QEP Stewart Point

History: This message has been forwarded.

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/09/2006 08:42 AM -----



sjnickel@goodyear.com

08/08/2006 07:37 AM

To: pinedale\_wymail@blm.gov  
cc

Subject: QEP Stewart Point

Stop this blind mineral rights leasing! You are benefiting only oil companies with your actions. Gale Norton is gone. Sure we need gas and oil, but stay away from Stewart Point and the Upper Green River Valley.

Scott Nickel

28 Aug 06  
Pinedale WY

Bill Lanning

Max McCoy

Jim Lucas

BLM

Pinedale WY

Ref. Questar's Proposed Well Sites on the Mesa

The five acre well sites: SP4-21, SP11-21, SP16-20, SP6-29 and SP7-28, proposed by Questar, would be destructive to the environment, the air, the wildlife and to the quality of life for humans.

A mistake was made in the original EIS when 28 well sites were allowed in the Mesa view shed. That many wells would completely ruin the Mesa landscape. Since the gas companies always manage to change and ignore EIS stipulations that don't suit them, the BLM should now do the same; consider the concerns of Sublette County citizens and reduce the number of wells permitted in the original EIS.

All of the well sites would be situated in critical and sensitive parts of the Mesa, but SP7-28 is the most damaging.

It is too close to Sage Grouse nests by the irrigation ditch on our ranch.

Gas wells would interfere with the migration of antelope.

There are always many antelopes on our ranch. How can the BLM condone the harm of so much wildlife?

Site SP7-28 would be practically on our meadow. The noise and pollution of gas wells would disturb people living on our ranch. And how do we know that Questar would not be draining gas from under our land?

Finally, and very disastrously SP7-28 would be too close to a Native American burial ground. We know that one mile is supposed to be far enough away from Native sacred places, but any decent person can see that a gas site at such a short distance would be a desecration. We wonder, would the BLM grant a gas company permission to put a well that close to the town cemetery?

We implore you to not permit site SP7-28.

Also, it has never seemed right that these well sites are always called Stewart Point this and that. The fur trader, William Drummond Stewart travelled to the Sublette County area with an artist, Alfred Jacob Miller, who painted the serene and lovely views that he saw here. It's a desecration in itself to name these ugly and landscape destroying gas

well sites after a person who appreciated the beauty of this land. The gas wells should instead be called "Oligarchy Heights" or "Devastated Plateau."

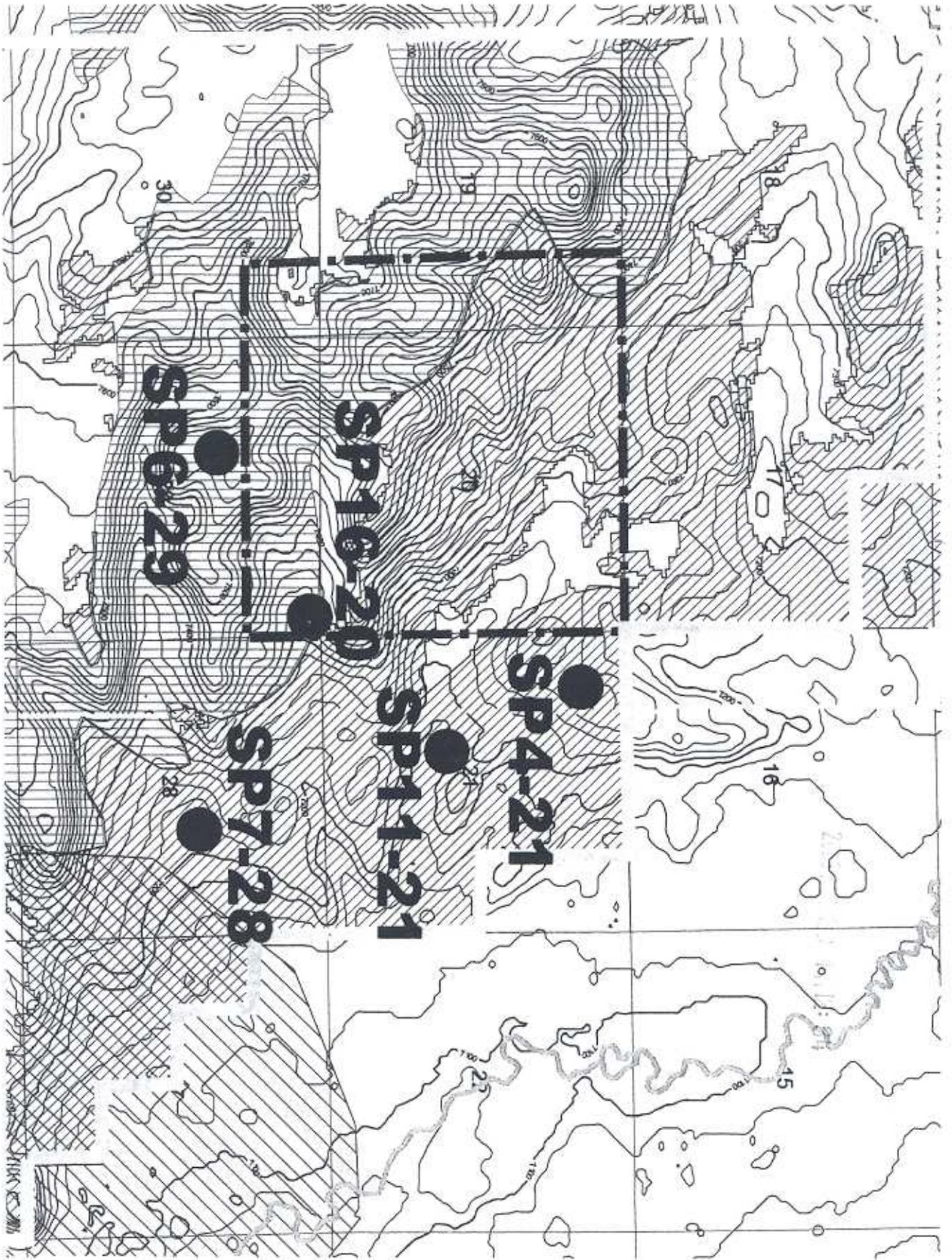
Sylvia Sandoval

Sylvia Mocroft Sandoval  
Mocroft Ranch  
Pinedale

Roberto Sandoval

Roberto Sandoval

2006/07/21 11:12:34





Kathy  
Flanders/PFO/WY/BLM/DOI  
08/17/2006 01:00 PM

To: Jim Lucas/PFO/WY/BLM/DOI@BLM, Max  
McCoy/PFO/WY/BLM/DOI@BLM  
cc  
bcc

Subject: Fw: Stewart Point

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/17/2006 01:00 PM -----



"Steve Yenke"  
<[wwdwkg@coffey.com](mailto:wwdwkg@coffey.com)>  
08/17/2006 09:42 AM

To: <[pinedale\\_wymail@blm.gov](mailto:pinedale_wymail@blm.gov)>  
cc

Subject: Stewart Point

Sirs:

I am against drilling in the mesa breaks and sensitive view shed areas. The landscape doesn't need more roads and well pads to propagate more weeds. Wildlife doesn't need any more destruction of habitat, noise, and traffic to contend with. The brown cloud hanging over the Green River Basin doesn't need more additions of noxious gasses from yet another drilling operation. Our nation doesn't need to produce electricity by burning natural gas when there are cleaner alternatives.

Steve Yenke  
Western Woodworking  
[wwdwkg@coffey.com](mailto:wwdwkg@coffey.com)  
<http://westernwood.hypermart.net>



Ty Huffman  
<ty\_huffman@yahoo.com>  
08/15/2006 07:16 PM

To pinedale\_wymail@blm.gov  
cc  
Subject Stewart Point

Dear BLM,

I am opposed to drilling in the Mesa Breaks. I thought the 2000 ROD said there would be no drilling there. I don't understand why the oil companies get pretty much whatever they want. There was to be no drilling in the winter in the beginning. True enough, they slow down, but there is oil company people out there all winter. I don't understand why we are decimating the sacred environment which sustains us. I am a lifer in Pinedale and I don't understand why so few people care about the environment. What will we have when it's gone? Junk. Go west of Big Pincy in the Deer Hills area which was destroyed in the early 80's. Now it looks like a sprawled out junk yard of oilfield garbage mile after mile.

I am all for multiple use but this is ridiculous. We have proven, as many said in the beginning, that the mule deer and sage grouse are going down the drain due to this development. And we do nothing about it, I contend nobody cares because they are all making a lot of money. I guess the BLM is not able to fight a good fight due to the money these companies have. I also realize the rich oil companies have a tremendous amount of political pull due to their huge bank rolls. It seems we should shoot all the remaining wildlife and turned the whole of southwest Wyoming into a big oilfield junkyard with roads everywhere, or give the oilfield companies a few more years and they'll do it for us.

I hope I have not belabored the point, do not drill in the Mesa Breaks or any National Forest areas!

Sincerely,  
Ty Huffman

---

Yahoo! Messenger with Voice. Make PC-to-Phone Calls to the US (and 30+ countries) for 2¢/min or less.

Public Participation

8-16-06

Notes, Questions, Comments

Stewart Point 4-21 proposed pad

Q1. Why doesn't Questar build a road across the State section?

A. Questar closed their road across the State section at BLMs request.

This road is still an option.

Q2. Can Questar use the "mat" drilling techniques?

A. Questar uses different drilling equipment than Encana and has a longer time frame and completion schedule.

Q3. How does Questar plan to avoid erosion while being in the drainage/gully?

A. If Questar moves out of the lowlands and gullies they will be higher into the visual impact area.

Q4. Is this a 5 acre action or 17?

A. 5 acres now, to be expanded to 17 later.

Q5. If Questar is planning on drilling in the consolidated areas, from south to north, why drill in the north now?

A. Questar needs a lot of information on the Stewart Point area to plan infrastructure and development.

Q6. How long will delineation last?

A. There will be 1 to 3 wells per pad per summer for an indefinite period of time.

Q7. Will exceptions be required?

A. No. These will be summer projects only.

Q8. Why drill these now and not later?

A. This is Questar's decision, to get the information now.

Q9. Will this project require additional mitigation?

A. That depends on various issues. We will do some cultural mitigation. There may be visual, biology, etc. We will have to see what comes out of the NEPA analysis.

Q10. Where do we stand with Storm water discharge? And is this info available to the public?

A. Questar has these plans and procedures in place and will have a site specific plan in place for every project. There is no system in place to make them available to the public.

Q11 In relation to wildlife migration, is there a plan to move any and all roads to minimize wildlife impacts?

A. That is a transportation planning issue and there is no plan to do so at present.

Q12. Will there be archacology(arch) clearances on roads.?

A. Yes. There is arch on all parts of every project.

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8-16-06

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A. That is a transportation planning issue and there is no plan to do so at present.

Q12. Will there be archacology(arch) clearances on roads.?

A. Yes. There is arch on all parts of every project.

Q1. How many acres?

A. This 5 acre project is staked. This will also be expanded to 17 acres at a later date.

Q2. What pits are needed?

A. Questar only needs a pit for cuttings and these are smaller as drilling adapts to new technology. Old pits are solidified as needed.

Q3. Is this a 17 acres project?

A yes

Q4. Are these access roads to be modified?

A. Only as needed.

Q5. What tanks are needed?

A. A number of tanks for completion. Only one blowdown tank will be needed per producing pad.

Q6. Will there be 17 acres disturbed at one time.

A. No. Reclamation will follow drilling as the project progresses. All the production facilities will be consolidated on the pad for reduced disturbance and visual impact.

Q7. With producing wells on this pad does Questar still need Delineation?

A yes

Q8. Where is the gas?

A. That is why they are drilling these wells.

Q9. What visual impacts.

A. The rig will be visible. The production facilities will be hidden.

Q9. What pipelines will be needed?

A. Delineation wells will dictate what new pipelines are needed.

Q10. This there enough pipelines now?

A. No

Q11. Is there public disclosure on produced volumes?

A. Yes

Q12. What is the difference between delineation and wildcat.?

A. Delineation fine tunes production areas. Wildcats are in areas of no known production.

Q13. The 932 wells were based on 10 acre spacing . Will there be 5 acres spacing?

A. The delineation wells will provide that information.

Q14 Will Questar come back at a later date and go deeper?

A. Delineation will provide that information.

Q15. Were delineation wells included in the 932 proposed wells?

A. Yes

SP 7-28

Q1. Is this an all or nothing project?

A. Yes. If wells are productive, pads will be expanded up to 17 acres and 30 wells.

Q2. Could Questar use "mat" drilling.

A. Believe it or not there is 28 feet of slope across this project.

Q3. Does BLM have intentions or ability to put these types of activities on a web page for public viewing?

A. Ask BLM Management.

Q4. Why two pads at this location?

A. Because of the down hole targets, two different parts of the project will be started at the same time.

Q5. Are there wildlife issues?

A. Yes. A raptor nest with an 825 foot buffer.

Q6. Arch issues?

A. Yes, one mile buffer around Ruby Butte.

Q7. After delineation which way do surface pads move?

A. The 17 acres shows the proposed project foot print.

Q8. Visually speaking how long will there be impacts?

A. The rigs will be the main impact. However, look across the valley at the county shop development and all those shiny, steel hay sheds, etc.

Q9. Is this project in the Breaks?

A. No. View shed.

SP 16-20

Q1. If this one is in the breaks, there is no reason to be here.

A. Actually the high side of the road is open to drilling. If Questar expands to the low side of the road, they will be in the breaks.

Q2. If there is no drilling in the breaks why are we looking at an exception.?

A. The PAPA Rod allows for drilling in the breaks if Questar can justify drilling.

Q3. If the SP 11-21 is in the view shed (and one can't see it) why is the SP16-20 not in the view shed?

A. The people who mapped the critical view shed for the NEPA document used digital data and evidently there was a flaw in the data or the contour intervals and the "shadowing" that must have occurred.

Q4. BLM should protect the breaks over the view shed.

A. Questar must justify development in the breaks.

Q5. Of the 3 potential pads in this area, Questar could use mats for some of them.

A. Ultimately Questar will be here for long periods of time and the mats are not as functional.

Q6. Are these delineation wells?

A. Yes

Q7 Will Questar be here in the winter?

A Yes, some day the South to North consolidated drilling will be here.

Q8. Can mats be used for delineation wells?

A. Possibly on some locations. Encana does not have multiple wells per pad. Encana has remote completions.

Q9 How many rigs will Questar have?

A. right now, 6 in the winter, more in the summer.

SP 6-29

Q1. Why do "we" call this the breaks?

A. A combination of wildlife habitat, slope and visual resources.

Q2. What does BLM think?

A. Questar must justify need for wells.

Q3. If the PAPA Rod said there was science available to justify these restrictions, what has changed to warrant the BLM to consider exceptions to that science.

A. Loopholes that were put in the NEPA document.

Q4. Why do we need delineation now?

A. Plan for future development.

Q5. If the breaks were special before, what has changed?

A. There was not enough information years ago to predict this amount of activity.

----- Forwarded by Les Margo/PFO/WY/BLM/DOI on 09/05/2006 08:43 AM -----



"Sweet Sage  
Communications"  
<sweetsage@wyoming.com>  
08/30/2006 04:13 PM

To <pinedale\_wymail@blm.gov>  
cc  
Subject QEP Steward Point

Public comment for the QEP Stewart Point proposal:

To: Pinedale BLM Office

Jim Lucas  
BLM Pinedale Project coordinator

Dear Mr. Lucas and other BLM parties:

It seems entirely unreasonable to me as a longtime resident of Wyoming and a long-term small business owner here, that the Mesa Breaks area of the Pinedale Mesa should be available for even more sensitive public lands drilling. Please honor the public document, the 2000 ROD for this area, which does not permit drilling in this area because it is a view shed for our town and more crucially, winter range for the area's mule deer.

While it seems the BLM decisions of late are fully allowing as much drilling as the public will stomach, it seems completely imprudent that the BLM would allow further disruption of the region's mule deer winter habitat, and that action would be a complete abrogation of the multiple use of *our* public lands. The mule deer are not a commodity we are willing to bargain away, and the BLM is the public agency in charge of these crucial lands.

With an awful drought still upon us and even more rapid energy drilling than all the planning documents anticipated, it seems politically and practically wise for your office **not to allow** drilling in this sensitive public lands area.

Public lands are indeed, owned by the American public and for our multiple use. Ranchers and hunters traditionally using these areas are already being squeezed out of using the Mesa, it is difficult to move cattle among huge truck traffic, and it sort of kills the "hunt" when you are hunting among natural gas wells and drilling rigs now being spaced at 20-acre spacing.

It would be refreshing if the BLM made a balanced decision in this case and chose to protect our other very important public uses and area attributes; such as our unique and healthy, but threatened wildlife herds; instead of the predominant use of natural gas drilling.

Thank you for your consideration and responsible planning in this matter.

Lauren M. McKeever  
Pinedale resident

6



"Ed Wadda"  
<ewadda@state.wy.us>  
08/30/2006 04:08 PM

To pinedale\_wymail@blm.gov, "Ed Wadda"  
<ewadda@state.wy.us>, "Paige Smith"  
<PSMITH@state.wy.us>, iposey@wyo.com  
cc

Subject QEP Stewart Point

I have recently been aware that Queststar is looking to drill another well at the Stewart Point area in Pinedale, Wyoming. I believe it is section-SP7-28, pad-1629. Queststar would like to drill delineation wells at this site. My understanding is that it is in close proximity to a Shoshone Burial Site, mound, butte. This well would be close to or inside the mile boundary marker. The site sits looking toward a river. I would like to make sure that the BLM and Queststar are consulting with the Eastern Shoshone Business Council, Shoshone cultural sites elders, and the Eastern Shoshone Liaison in this matter. My understanding is that Dave Volchek is working with the Eastern Shoshone tribe on a different site which includes teepee rings. I would like this particular proposed well site in Stewart Point to have the same Eastern Shoshone tribal consultation. It is my wish that the BLM and Queststar will work within the compliance of the State Historic Preservation Office guidelines in regards to oil production in the area of the burial ground site. If you would like to contact our Shoshone Cultural sites personnel Judge Richard Ferris he can be reached at 307-332-7094. If you have any further questions of my office I can be reached at 307-631-2298 and my email is ewadda@state.wy.us. I thank you for your time and cooperation.

Edward Wadda  
Eastern Shoshone Liaison with the Governor's Office

**William R. Rozier**  
9615 highway #191  
Pinedale, WY 82941  
[wrozier@wyoming.com](mailto:wrozier@wyoming.com)

30 August 2006

BLM Field Office  
Post Office Box #768  
Pinedale, WY 82941

Re: QEP Stewart Point

Dear S

Comments on the proposal to drill 30 wells within the Mesa Breaks in MA4 and MA2 follow:

Stipulations in the Pinedale Anticline Project ROD were included in an attempt to mitigate the negative impacts of project on the residents, wildlife and landscape of the area. Monitoring of these impacts coupled with an adaptive management model was supposed to be implemented to guide field decisions as the project moved forward. A synoptic analysis of the project area today, a few years into the project, shows the success, or lack thereof, of the mitigation goals.

As a quarter century resident of the New Fork River Corridor below the town of Pinedale I have observed the downward spiral of our sensitive landscape resultant from the rapid exploitation of the Mesa and continued exemptions of original stipulations given to industry from our land managers within the BLM. Whether it is an increase in hazy days in the summer or pollution trapping winter inversions in the tropospheric boundary layer, we are rapidly moving Pinedale's historically clean air toward that of major industrial cities. It is true that on windy days and just after frontal passages or precipitation events the air is clear. But it is also true that air quality is degrading during those other times. NOx emissions, cumulative from neighboring sources such as the Jonah, are presenting additional air chemistry compounds for smog events, including ozone, particulates and abundant aerosols.

Industry supported "monitoring" of wildlife population declines are showing the lack of effectiveness of mitigation measures on several fronts including sage grouse and deer; historic migration routes are almost closed. The social fabric of the community is changing with the influx of drugs, crime, and the need for services greatly exceeding the capacity of the county to adapt. Now comes another proposal for winter drilling in a sensitive viewshed and crucial winter wildlife range on unstable slopes above the New Fork River Corridor.

It seems that the decision makers within the BLM cannot make rational judgments but instead follow the single-minded goal of mineral extraction at all costs. I understand the pressures upon them to do so but remind them that they have a professional responsibility to manage our resources. Sublette County has more than done its share to supply energy needs to our nation and has already suffered severe short and long term or irreparable damages. It is time to slow down the unbridled expansion of mineral development. Our hydrocarbon resources will be there in the future for extraction and future extraction will hopefully be more responsibly conducted. Threats from developers that if this project is not allowed then they will react by causing greater negative impacts only exemplifies their short term views and lack of vesting within the landscape. It is your responsibility to assure that this does not happen.

It is time that you listen to the public opinion. PLEASE ~ No drilling on the this unique, highly valued watershed.

Rod Rozier

Leslie H. Rozier  
Post Office Box E  
9615 Highway #191  
Pinedale, WY 82941  
307-367-6463  
[lrozier@wyoming.com](mailto:lrozier@wyoming.com)

30 August 2006

Bureau of Land Management  
Post Office Box #768  
Pinedale, WY 82941

Re: QEP Stewart Point

Dear Sirs,

As always, I would ask that you turn your hearing aids ON and listen to your public's opinions. If the BLM is to make sound decisions, they need to understand the impact to those of us whose back yard is the Mesa. My living room window looks upon the New Fork River with the Mesa as it's backdrop and I am acutely aware of the impact of the BLM decisions that have been forced upon me. When I worked on the EIS proposals, I was very clear in the need to protect not just the viewshed but the watershed of this area. PLEASE do not allow drilling that will change forever the pristine waters of the New Fork River corridor and the landscape that supports and augments its wildlife.

I am OPPOSED to drilling for the following reasons:

#1) The intermittent "fracing" that occurs on the Mesa is a constant invasion of my privacy as my house vibrates on its glacial bedrock as each well approaches completion. Because of the vibration, we have had to place a special filtration system on our drinking water to remove the sediment from this vibration. This follows the expensive relining of the well casing that was completed during the Ultra drilling west and south of our home.

#2 As an individual who is on-call 24 hours a day and who is frequently up at night, the industrial noise has become an incredible nuisance. The light pollution has always been an issue for those of us living so close to the rigs but with the increasing number of working rigs, the 24 hour a day noise is now beyond acceptable. The roar from the industrial wasteland has finally superseded the once gentle gurgle of the New Fork River and now I have to have blinds in my bedroom to shut out what once was a beautiful night sky and wear ear plugs in order to sleep. This is UNACCEPTABLE.

#3 As a child, we were not allowed to enter the Mesa's crucial winter habitat area on foot or on skis. It saddens me to see the vast devastation that has occurred in my lifetime in my backyard: the roads, the pipeline scars, the noise, the light and the haze. I have attached a photo taken this April that speaks loudly of what I refer to.

#4 The impact to the community of Pinedale from the explosive growth that has accompanied the extractive industries has been significant. It has gone from a quaint quiet town to a plastic boomtown. The additional graffiti of drilling on the Mesa Breaks, its viewshed and water drainage systems will only devalue adjacent properties and expose the New Fork River corridor to ultimate destruction. Please stop and consider the consequences of a decision as profound as this.

PLEASE do not allow drilling in this Sensitive Viewshed Management Area or the Mesa Breaks.

H. Rozier

Leslie



Paige Smith  
<PSMITH@state.wy.us>  
08/30/2006 04:30 PM

To pinedale\_wymail@blm.gov  
cc

Subject Comments on Stewart Point, Questar Request for Drill Pads  
in Stewart Point Management Areas 2 and 4

A paper copy of my letter will be forth coming by mail. thanks.

Thank you for the opportunity to view the five proposed well pad locations in Stewart Point on August 16th and attend the meeting held yesterday to discuss alternative well pad locations.

This office understands that Questar must provide justification to the BLM in order to build pads directly within the Mesa Breaks (MA-2), rather than reaching potential down hole locations via directional drilling from pads located outside of this area. Given that MA-2 was specifically identified as an important area for mule deer in winter and a threshold of zero pads was established in the July 2000 Record of Decision, please give every consideration to minimizing impacts from summer drilling and year-round production activities in this area should the requested pad locations be approved. In addition, if these pads are approved for construction, will any limits be placed on further construction with the MA-2 delineated area?

In the event that consultation with the U.S. Fish and Wildlife Service or tribal representatives results in the need for alternate locations within MA-2 or MA-4 to be considered, we would welcome the opportunity to comment, as

appropriate.

Thank you for agreeing to establish an MOU with the state to facilitate coordination with appropriate state agencies in the assessment of impacts from drilling the proposed wells in the Stewart Point area.

Sincerely,

Paige Smith  
Natural Resources Policy Analyst  
Governor's Planning Office

Paige Smith  
Policy Analyst  
Governor's Planning Office  
Herschler Building  
125 W. 25th  
Cheyenne, WY 82002  
307-777-2859  
psmith@state.wy.us  
307-777-8586 - fax

## Mesa Breaks

To the BLM.

On any given day, making a trip down Paradise Road, you can see a haze over the area stretching into the town of Boulder, and see bellows of smoke coming from the generators that power the gas rigs.

My comment to my Wife was. "Those poor people living in Boulder. I wonder how many of them have breathing problems, COPD, Emphysema along with other health problems." These same energy companies will soon join Questars in drilling in the winter on the Pinedale Anticline. I am against any drilling on the Mesa Breaks not only for this reason, but for the wintering habitat of the wildlife (what's left) and the scenic viewshed. There needs to be a buffer zone between an industrial park and human habitat. Let's face it, what they are doing is just plain ugly and it will be scared forever with" undo and unnessary degradation." Those of us, that live here, should have a say in what happens to our environment. I have taken trips to proposed well sites and have tried to be involved in this planning. I know that the energy companies have leases in this area. They also knew when they leased these areas what the stipulations were before the leases were signed. I have been on the air quality task force and I know what is happening with our air quality. I also know under BLM stewardship it is not going to improve. Energy companies have absolutly no concern, and care not for the environment, the wildlife, the scenic beauty, the local people and the future of this area

after they are gone.

I have visited this location with the BLM three times, and have expressed my opinion three times. There are areas that should be set aside and left untouched as we had an agreement with the BLM from the beginning of the development. We, the locals, have respected this area and the wildlife, leaving it untouched in the winter to prevent hardship and stress on the wildlife. The words "monitor" or "monitoring" has opened the door to the loss of many of God's creatures, air and water quality. The BLM continues to move forward avoiding the information collected from the monitoring.

**"TOXIC" "ALLOWABLE" " EXCEPTION"**

"Toxic" means poison. "Allowable" means how many tons of this poison the BLM will allow the energy companies to pump into "OUR AIR" that we know of. " Exception" means a way to allow a foot in the door and never look back as energy moves forward destroying Wildlife, air Quality, water quality, scenic beauty, our health, and God's gifts. We have now put our home on the market for sale to save my wife's life from your allowed poisoning. We were to retire here and spend the rest of our lives enjoying God'd gifts

We raised our children here. They married locals and are now raising their children and grandchildren here in a poison environment. Please no more Exceptions!

" May God bless all of you, with the same love and consideration you have given his gifts."

  
**William Belveal**

**PO Box 1362**

**Pinedale, Wyoming**



15

7/14/2006

Paradise Road



16

7/14/2006

Paradise Road

August 26, 2006

Pinedale Field Office  
Bureau of Land Management  
432 East Mill Street  
Box 768  
Pinedale, WY 82941

Re: QEP Stewart Point

Attn: Jim Lucas

These are comments in response to scoping notices, such as in the Sublette Examiner August 24, 2006, and the field trip on August 16, 2006. Neither provides full detail of what is to be done at Stewart Point, nor is this a normal NEPA process for seeking public input.

1. At least one drilling site is proposed within MA-2, important mule deer winter range and a migration route for mule deer and pronghorn.

The 2000 ROD for the PAPA required additional environmental analysis before consideration of exceptions that would allow drilling in MA-2. In fact, 5 years of monitoring of mule deer responses to drilling on the Mesa (including in winter), reveals that this activity will likely displace mule deer from favored habitats and add to the negative impacts of development. What is being done to address these impacts and what mitigation measures are proposed to address these impacts?

2. The Questar All Year Drilling EA and subsequent Addendum did not allow drilling in MA-2. These two documents amended the 2000 ROD and are part of the decision record. Additionally, some of these locations are not identified as part of the 61 locations needed for Questar to complete developing their leases in the 2004 ROD.

An amendment in the form of an EIS should be completed if this action moves forward. No action/permitting of these locations should take place until that is complete.

3. This proposal appears to contradict statements made in briefings by industry a week ago that indicated that Questar would be moving south along the Anticline Crest if the ASU proposed for much more widespread all year drilling is approved in the Supplemental EIS under current consideration. Since winter drilling within MA-2 would occur in this proposed action at Stewart Point, why is this a separate action from the SEIS process for winter drilling?

4. On the field trip it was explained that wells drilled in the first ten years would be delineation wells, that winter drilling would occur after that delineation period, and that the MA-2 and other proposed sites would be active for 18-20 years. In the 2000 ROD, the expected time for future drilling was less than ten years. Since the duration of disturbance activity is important to the future of sage grouse and mule deer potential for eventual recovery after full exploration of the

field, this change is a significant departure from existing authority and should be analyzed in conjunction with the SEIS or in separate EIS for this resource.

5. This proposal continues an approach that provides few assurances that development will occur as described, such as happened on the first winter drilling "experiment" proposed by Questar. In that case:

- a) What was sold as very limited winter drilling became "all year drilling" without public comment, moving winter activity into reproductive periods for sage grouse without public review.
- b) The so-called experiment with two wells in winter turned out to have a five well counterpart on adjacent state-owned land that was not included in public dialog.
- c) Infrastructure presented originally as "a well head in the sage" turned out to include storage tanks, compressors, and pipelines that needed expansion.

In conclusion, we express great concern that this proposed action, based on the history of development so far with its omissions and exceptions, does not seem to follow existing decision requirements laid out in the 2000 ROD and later amended. Further, it appears to belong as a part of the SEIS analysis for all-year drilling. Certainly we conclude that if enacted by BLM it would continue a pattern of adverse effects on wildlife already under stress.

We recognize that the Stewart Point area will be eventually developed, but suggest that it would be better for wildlife if it were deferred as part of the SEIS process to allow wildlife use of sites off the Anticline crest until later in the development process. It seems like Questar is moving forward with proposals that are convenient to themselves and not in accord with previous decision documents, which is a risky endeavor. The BLM should decide how the development in this area is addressed, not the company.

Thank you for the opportunity to comment.

Dr. Rollin Sparrowe  
Theodore Roosevelt Conservation Partnership  
PO Box 415  
Daniel, WY 83115



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/07/2006 08:45 AM

To Jim Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc  
Subject Fw: QEP Stewart Point

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/07/2006 08:43 AM -----



"Steve Belinda"  
<[sbelinda@trcp.org](mailto:sbelinda@trcp.org)>  
08/03/2006 11:08 AM

To <[pinedale\\_wymail@blm.gov](mailto:pinedale_wymail@blm.gov)>  
cc  
Subject QEP Stewart Point

These wells should be deferred and included in the analysis for the PAPA SEIS.

---

**Steven R. Belinda**  
**Energy Policy Initiative Manager**  
**Theodore Roosevelt Conservation Partnership**  
**PO Box 295**  
**Boulder, WY 82923**  
**307-537-3135**  
**307-231-3128 (cell)**  
**[sbelinda@trcp.org](mailto:sbelinda@trcp.org)**  
**[www.trcp.org](http://www.trcp.org)**



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/07/2006 08:43 AM

To: Jim Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc

Subject: Fw: QEP STEWART POINT

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/07/2006 08:42 AM -----



"Carol Smith"  
<carolanne@bresnan.net>  
08/05/2006 10:31 AM

To: <pinedale\_wymail@blm.gov>  
cc

Subject: QEP STEWART POINT

I am very much opposed to further drilling, especially in the Stewart Point area as well as the Wyoming range and Green River valley, the habitat and migration routes are already under too much pressure, Wildlife is just too important to Wyoming to allow the continued destruction. Thank You, Mark A. Smith, Sinclair WY. 82334



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/09/2006 08:43 AM

To Max McCoy/PFO/WY/BLM/DOI@BLM, Jim  
Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc

Subject Fw: QEP Stewart Point

History: This message has been forwarded.

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
---- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/09/2006 08:42 AM ----



sjnickel@godyear.com

08/08/2006 07:37 AM

To pinedale\_wymail@blm.gov  
cc

Subject QEP Stewart Point

Stop this blind mineral rights leasing! You are benefiting only oil companies  
with your actions. Gale Norton is gone. Sure we need gas  
and oil, but stay away from Stewart Point and the Upper Green River Valley.

Scott Nickel



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/09/2006 08:44 AM

To Max McCoy/PFO/WY/BLM/DOI@BLM, Jim  
Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc  
Subject Fw: QEP Stewart Point

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/09/2006 08:44 AM -----



"Freddie Botur"  
<vratislav@earthlink.net>  
08/08/2006 09:36 AM

To <pinedale\_wymail@blm.gov>  
cc  
Subject QEP Stewart Point

The 2000 ROD allows no drilling in the Mesa Breaks where Questar wants to drill, an area of critical importance to mule deer in the winter, lying as it does on the (east) lee side of the Mesa, and providing thermal protection from the screeching winter winds. The appropriately-named Breaks is steep, on unstable soils, and fronts the New Fork River, the highway, and the town of Pinedale (the "sensitive view-shed"). In addition to further de-stabilizing the mule deer population, this proposal has the potential to negatively affect the first-class fisheries of the New Fork River by increasing sedimentation. Allowing drilling here would be a mistake. I urge you not to allow this proposal to be approved.

**FREDDIE BOTUR  
COTTONWOOD RANCHES  
BIG PINEY, WYOMING  
307.730.8000**



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/09/2006 08:50 AM

To Max McCoy/PFO/WY/BLM/DOI@BLM, Jim  
Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc:

Subject: Fw: QEP Stewart Point

History: This message has been replied to.

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/09/2006 08:49 AM -----



Leila Bruno  
<leilabruno@earthlink.net>  
08/08/2006 07:15 PM

To <pinedale\_wymail@blm.gov>  
cc

Subject: QEP Stewart Point

Pinedale Office of the BLM:

In 2003 and subsequent dates, i have visited the Mesa Breaks and Stewart Point areas adjacent to Pinedale. i am aware of the steep terrain, and i have studied the deer and antelope migration routes, which are now well established in the literature.

I am writing to urge your office NOT to approve any changes to the Pinedale Anticline Record of Decision, a document for which i submitted comments on the EIS.

Please demonstrate to us that the BLM does in fact have integrity in its public lands process. Our Wyoming communities are objecting to the extra-ordinary imbalance now taking place. Our citizens do not support out of balance development.

Again, i urge the BLM not to open up these areas to drilling.

Thank you for considering my comments. Please send me your response.

Leila Bruno  
POB 1735  
Laramie, WY 82073  
307-399-5869



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/10/2006 08:50 AM

To Max McCoy/PFO/WY/BLM/DOI@BLM, Jim  
Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc

Subject Fw: QEP Stewart Point

History: This message has been forwarded.

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ....treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/10/2006 08:49 AM -----



"Elaine Crumpley "  
<windriverE@wyoming.com>  
08/09/2006 10:01 AM

To <pinedale\_wymail@blm.gov>  
cc

Subject QEP Stewart Point

As a local resident and land owner just below the mesa, I am extremely concerned about the increase in drilling activities. ON a human level, out my bedroom window I now see 8 rigs blazing into the night. I remember when the BLM promised there would be no rigs on the flanks of the Mesa, in order to preserve the pristine view-shed. So much for that promise. This plan to further drill in the Mesa Breaks will put the final nail in the coffin for the mule deer population, something your agency also promised it would no disrupt. Sage grouse habitat, soil integrity, New Fork river will all go by the wayside, broken promises make broken land. Time to stop the greed that is driving this project. Think beyond the dollars, think beyond the moment. Do not allow this proposal for disaster to be implemented.

A concerned global citizen,  
Elaine Crumpley  
PO Box 1123  
Pinedale, WYoming 82941



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/17/2006 01:00 PM

To Jim Lucas/PFO/WY/BLM/DOI@BLM, Max  
McCoy/PFO/WY/BLM/DOI@BLM  
cc  
bcc  
Subject Fw: Stewart Point

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ...treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/17/2006 01:00 PM -----



"Steve Yenke"  
<[wwdwkg@coffey.com](mailto:wwdwkg@coffey.com)>  
08/17/2006 09:42 AM

To <[pinedale\\_wymail@blm.gov](mailto:pinedale_wymail@blm.gov)>  
cc  
Subject Stewart Point

Sirs:

I am against drilling in the mesa breaks and sensitive view shed areas. The landscape doesn't need more roads and well pads to propagate more weeds. Wildlife doesn't need any more destruction of habitat, noise, and traffic to contend with. The brown cloud hanging over the Green River Basin doesn't need more additions of noxious gasses from yet another drilling operation. Our nation doesn't need to produce electricity by burning natural gas when there are cleaner alternatives.

Steve Yenke  
Western Woodworking  
[wwdwkg@coffey.com](mailto:wwdwkg@coffey.com)  
<http://westernwood.hypermart.net>



Kathy  
Flanders/PFO/WY/BLM/DOI  
08/09/2006 08:49 AM

To Max McCoy/PFO/WY/BLM/DOI@BLM, Jim  
Lucas/PFO/WY/BLM/DOI@BLM  
cc  
bcc

Subject Fw: QEP Stewart Point

Kathy Flanders  
Office Automation Clerk  
Bureau of Land Management  
Pinedale Field Office  
Pinedale, Wyoming  
Tel: (307) 367-5303  
Fax: (307) 367-5329

"Treat this day as though your first, as though your last, just ...treat this day."  
----- Forwarded by Kathy Flanders/PFO/WY/BLM/DOI on 08/09/2006 08:49 AM -----



DJ Duerr  
<duerr@centurytel.net>  
08/08/2006 12:23 PM

To pinedale\_wymail@blm.gov  
cc

Subject QEP Stewart Point

August 7, 2006

Bureau of Land Management  
Pinedale, Wyoming 82941

I am submitting these comments on the Questar proposal to drill in the Stewart Point / Mesa Breaks area. For the record, I have completed considerable Ph.D. level study in geology and geochemistry at the University of Wyoming, with a focus on sedimentary basins. I also worked for one of Wyoming's most successful oil and gas research groups, which did involve research on the Jonah and PA fields.

Over the years, I have submitted comments to the BLM on other drilling proposals, in Jonah, the Pinedale Anticline, the Red Desert/Jack Morrow Hills, Vermillion Basin, and other parts of Wyoming. I have met with District Managers and gone to BLM meetings and discussed my concerns with BLM officials. Despite all those efforts, it its fair to say none of my concerns have been addressed by the agency.

BLM appears to go through the motions of soliciting public comment -- and conducting a superficial NEPA process -- simply to avoid getting sued, not to reach better decisions that address public concerns.

I have no doubt the current proposal to drill in the Mesa Breaks will be a similar sham process. Before comments have been received and before any study has been done, the BLM has already decided what the decision will be. Sadly, nothing I or anyone else says will have any influence -- except, of course, those who work for big oil corporations.

In any case, I will avail myself of the opportunity to express my

concerns. I am opposed to the proposed drilling in the Stewart Point and larger Mesa Breaks. The area is environmentally sensitive in numerous respects -- soils, wildlife, vegetation, visual quality, recreation, watershed. This is why BLM agreed previously to disallow drilling in the Mesa Breaks area.

Furthermore, with directional drilling technology, it is possible for Questar and other companies to access gas reserves below the Mesa Breaks without actually drilling in the Breaks. It will be more costly, but this is not sufficient grounds to grant the companies permission to drill in the Breaks. Questar and other major corporations are making billions of dollars from the gas they are extracting from the Jonah and PA fields -- they are getting these public resources at bargain basement prices.

The BLM should stop trying to maximize the profit margins of these wealthy private companies and start requiring them to use technologies that will better protect the public environment.

Even if there were gas deposits under parts of the Breaks that cannot be accessed using current directional drilling technology, given the rapid development in DD technology, it is reasonable that even these deposits will become accessible using DD in the next decade or two. The BLM should therefore defer any decision on drilling under the Breaks until 2030. Until then, there are plenty of deposits that can be accessed without posing the same kind of impacts.

I will just add one additional comment that I have made in previous comments: The BLM is acting irresponsibly by rushing the extraction of gas resources from the Jonah and PA fields. There is no shortage of natural gas in the United States right now. There is, however, a looming energy crisis. The value of natural gas will increase as oil supplies are depleted. In 30 years, natural gas will be much more valuable -- and much more in demand -- than it is now. Yet the BLM is authorizing development of the Jonah and PA fields at the maximum rate that will leave the fields largely depleted in 30 years -- just when these resources would be needed the most. If the BLM pursued a more conservative and sensible development strategy of allowing the gas resources to be extracted over 100-150 years instead of 30, this would better benefit the nation, it would avoid a hard boom and bust cycle in Sublette County, it would better conserve wildlife, soils, and scenic quality, and it would help the agency ensure development complies with air quality requirements. Sublette County and the nation as a whole would also end up netting a far greater financial return on the gas resources, and over a much longer period of time.

I am urging the BLM again -- as I have urged the agency in the past -- to pursue this kind of conservative development scenario. There is no good reason to drill the fields out under the current scenario (other than to maximize short-term profits of private corporations); there is every reason to act more conservatively.

Donald Duerr  
P.O. Box 1668  
Pinedale, WY 82941

28 Aug 06  
Pinedale WY

Bill Lanning

Max McCoy

Jim Lucas

BLM

Pinedale WY

Ref: Questar's Proposed Well Sites on the Mesa

The five acre well sites: SP4-21, SP11-21, SP16-20, SP6-29 and SP7-28, proposed by Questar, would be destructive to the environment, the air, the wildlife and to the quality of life for humans.

A mistake was made in the original EIS when 28 well sites were allowed in the Mesa view shed. That many wells would completely ruin the Mesa landscape. Since the gas companies always manage to change and ignore EIS stipulations that don't suit them, the BLM should now do the same; consider the concerns of Sublette County citizens and reduce the number of wells permitted in the original EIS.

All of the well sites would be situated in critical and sensitive parts of the Mesa, but SP7-28 is the most damaging.

It is too close to Sage Grouse nests by the irrigation ditch on our ranch.

Gas wells would interfere with the migration of antelope.

There are always many antelopes on our ranch. How can the BLM condone the harm of so much wildlife?

Site SP7-28 would be practically on our meadow. The noise and pollution of gas wells would disturb people living on our ranch. And how do we know that Questar would not be draining gas from under our land?

Finally, and very disastrously SP7-28 would be too close to a Native American burial ground. We know that one mile is supposed to be far enough away from Native sacred places, but any decent person can see that a gas site at such a short distance would be a desecration. We wonder, would the BLM grant a gas company permission to put a well that close to the town cemetery?

We implore you to not permit site SP7-28.

Also, it has never seemed right that these well sites are always called Stewart Point this and that. The fur trader, William Drummond Stewart travelled to the Sublette County area with an artist, Alfred Jacob Miller, who painted the serene and lovely views that he saw here. It's a desecration in itself to name these ugly and landscape destroying gas

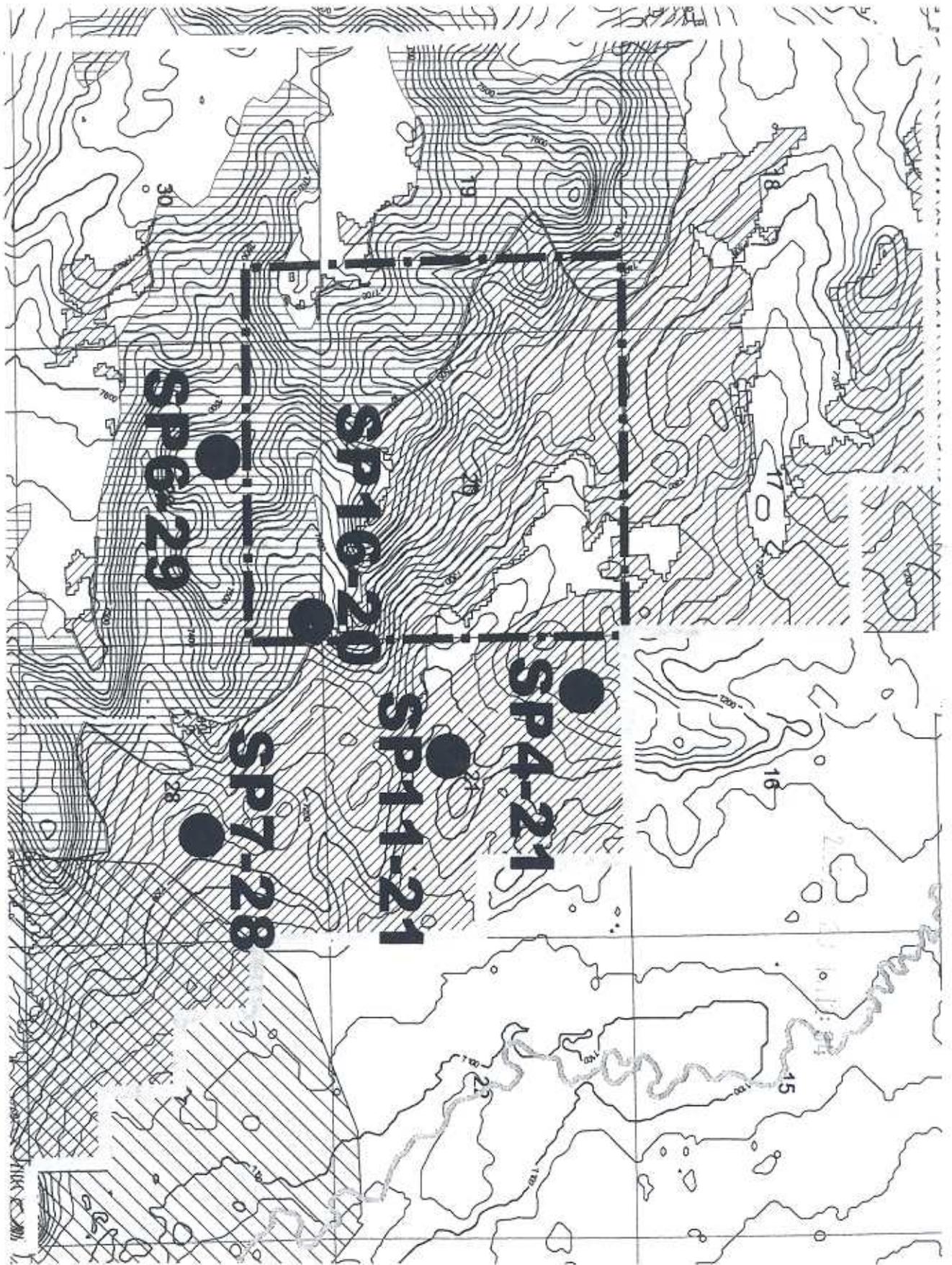
well sites after a person who appreciated the beauty of this land. The gas wells should instead be called "Oligarchy Heights" or "Devastated Plateau."

Sylvia Sandoval

Sylvia Moccroft Sandoval  
Moccroft Ranch  
Pinedate

Roberto Sandoval

Roberto Sandoval



Paul C. Hagenstein  
Post Office Box E  
Pinedale, WY 82941  
[pbhagenstein@wyoming.com](mailto:pbhagenstein@wyoming.com)

30 August 2006

BLM Field Office  
Post Office Box # 768  
Pinedale, Wyoming 82941

Re: QEP Stewart Point

Dear Sirs,

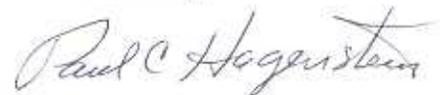
According to the Record of Decision there was to be no drilling on the Mesa Breaks. During the recent tour, there were several seventeen acre pads proposed for that area and my question is what validity has the Record of Decision? A decision was made that needs to be honored.

Another concern is the drilling East and South of Stewart Point. The emissions from the drilling rigs settles onto the river bottom of the New Fork River and is very noticeable, visually and by sense of smell. I am very concerned about what is in the emissions that I can't see or smell. Adding more emissions should be avoided.

I have lived here for seventy nine years and when I look at the Wind River Mountains every morning I am saddened that I am unable to see them because of the haze ... in my home my name for this condition is 'A veil of tears'. How have we allowed this to happen to this beautiful valley? Please do not ignore that these changes need to be addressed before allowing for more drilling.

I sent a letter to the BLM on 29 October 2005 which I have attached. My thoughts in that letter are still the same but the conditions have gone from bad to worse.

Most sincerely,



Paul C. Hagenstein

2006 AUG 30 PM 1:25

**Paul Hagenstein**  
Post Office Box E  
Pinedale, WY 82941

29 October 2005

Pinedale Anticline Supplemental EIS  
Bureau of Land Management  
Pinedale Field Office  
Post Office Box 768  
Pinedale, WY 82941

Copy

Re: Scoping Notice Comments

As a private citizen I am writing yet another letter that I predict will land on deaf ears. As a volunteer donating many hours on the Pinedale Anticline Working Group (PAWG) I have been witness to too many directives on how I should speak and would like to submit the following comments:

Prior to the August 9<sup>th</sup> 2005 PAWG meeting, our group was informed by the BLM management that we were not to discuss the Anschutz, Shell and Ultra (ASU) proposal for winter drilling and it was removed from our agenda. At our October 25<sup>th</sup> 2005 meeting, the BLM reiterated it's prior stance. My understanding was that our job was to make suggestions to the BLM concerning new information related to the Pinedale Anticline project, and a winter drilling proposal was new. As a citizen of the USA, I am wondering what happened to my freedom of speech?

There was a stakeholder forum to discuss winter drilling by Anschutz, Shell and Ultra (ASU) and Questar at Rendezvous Pointe on October 12<sup>th</sup> 2005. There was a presentation by the operators, a presentation on pronghorn antelope and a presentation on sage grouse. Following the presentations, Mr. J. R. Justus opened up the meeting for a public question and answer period. After two or three questions, he promptly closed the period with many hands still raised, and with many unanswered questions from the audience. He directed the audience to the selected groups around the room and hence closed the public comment period, the vital public participation component, that of free speech. As a public meeting to discuss this proposal it seems to me that we, the public, should have been allowed to ask questions and hear industry responses.

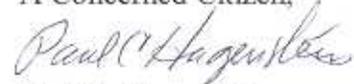
All of these public meetings, all of the scoping meetings, all of these scenarios are a devious smoke screen. The scenarios of the Pinedale Anticline Project Area (PAPA), development, monitoring, mitigations, areas of impact remind me of a nursery rhyme that I learned seventy plus years ago:

Humpty Dumpty sat on a wall,  
Humpty Dumpty had a great fall,  
All the King's horses and all the King's men,  
Couldn't put Humpty Dumpty back together again.

My backyard is the Humpty Dumpty that is being broken into little pieces to profit the oil and gas industry. We will be left with the problem of putting our landscape back together again. The BLM officials will be gone, retired or transferred to the next project. The oil and gas companies will be gone, having taken their profits with them and then having sold their wells to some front company that can't afford to reclaim them. We, the public have had no say in these so-called public meetings. Our voices have not been heard. There is no regard to the opinions of individuals in our community, development is happening without regard to our desire about future land use or development and our families are the ones who will be left here long after the dust settles.

There has been significant impact to my quality of life and this is only the start of the long term project. Winter drilling will only increase this impact, and it most certainly will be SIGNIFICANT. It is time to mitigate not continue monitoring.

A Concerned Citizen,



Paul C. Hagenstein

**Bette Hagenstein**  
Post Office Box E  
Pinedale, WY 82941  
pbhagenstein@wyoming.com

30 August 2006

2006 AUG 30 11:11:25

Bureau of Land Management  
Pinedale Field Office  
Post Office Box 768  
Pinedale, WY 82941

Re: QEP Stewart Point

I am a co-owner of our ranch and I have lived in this valley on the New Fork River for over 50 years. I have enjoyed a wonderful world of watching the riparian areas of our ranch thrive with wildlife over these years.

Birds have always been abundant and such a pleasure to watch. We have watched eagles during their nesting and watched baby eaglets grow into adolescents. Ospreys have recently arrived and we are currently watching a pair raise their fledgling. Our wetland mitigation ponds provide respite for the trumpeter swans en route to Yellowstone and we have watched Canada Geese and Snow Ivis nest not to mention the numerous types of ducks. I love to watch the migrational birds.

Near our home in the river bottom that is the watershed for the proposed drilling there are moose, mule deer, white tailed deer and antelope not to mention fox, coyote, and bobcats. I am extremely concerned that they will flee from the increasing noise, smell, light pollution and general chaos of this industrial zone that for MY lifetime was a crucial winter habitat for these animals. The BLM gets an F minus for destroying this beautiful plateau in their task of managing the land.

I feel as if that which I have worked so hard to establish over these years is being taken away from me and I would ask that you reconsider what your management strategies are including the social impacts that are integral to the land. You are destroying my viewshed, my peace and quiet that I sought so many years ago, and the animals that I cherish.

Please do not allow drilling on the Mesa Breaks and the Management Viewshed Area.

Most sincerely,



Bette Hagenstein

To: Bureau of Land Management – Pinedale Field Office

From: Philip A. and Patricia S. Washburn

PAW PSW 8/29/06

On August 16, 2006, we participated in a BLM-sponsored field trip intended to provide the perspectives necessary to provide input into the BLM's decision process regarding five drilling permit requests by Questar, Inc. (SP 4-21, SP 11-21, SP 7-28, SP 6-29, SP 16-20). It is our understanding that the Record of Decision dated 7-27-2000 (ROD) required that public input be invited for these particular sites. The following comments are submitted in response to this invitation. In each case, our comments are intended to relate to the initial 5-acre drilling permit requests. It is our understanding that expansion to the 17-acre pad size would require supplemental requests.

- 1) With regard to sites SP4-21 and SP11-21, we have no "incremental" objection to drilling pads, so long as Questar's commitment to clustered winter drilling is re-affirmed as part of the permitting process on these sites.

At the same time, we need to have clear evidence that there was compliance with the requirement for soliciting public input for the permits on the Shell and Ultra drilling sites in the Stewart's Point viewshed. This drilling activity has been far more intrusive than that which Questar is proposing for SP4-21 and SP11-21.

- 2) Drilling on SP7-28 would be an egregious violation of the spirit of the viewshed protection that was attempted in the ROD. The site is simply too close to the BLM land boundary and too visible from a wide area. There are also unresolved issues regarding raptor habitat protection and archaeological sites in close proximity to the proposed site.
- 3) Near-term (5 acre) drilling on site SP 16-20, as I understand it, is a viewshed issue and, if permitted, would be counted against the 28-pad limit. It is my understanding that a subsequent request to expand this pad into the Mesa Breaks area (as opposed to more severe surface disturbance outside the Mesa Breaks area), can be expected from Questar. Based on my understanding of the ROD provisions for the Mesa Breaks area, this would appear to be a reasonable request that should be evaluated with a positive inclination.
- 4) All aspects of the request to place a drilling pad, production equipment, and roads with excessive grades on site SP6-29 should be rejected. This site is located squarely with the Mesa Breaks area that was given special protections under the ROD. The MESA Breaks area of 7+ acres incredibly insignificant from a gas production standpoint and, at the same time, extraordinarily important as mule deer habitat. In my reading of the 2000 ROD provisions for the Mesa breaks, I can find no valid basis for consideration of an exception for this proposed site.

We understand that Questar's geologists and operations staff desire to have complete delineation data for their leases in order to plan for their extended

drilling activity. In a similar vein, we (and many others) would like to have complete protection for the wildlife being displaced by the Anticline drilling. While we accept the reality that complete wildlife protection is unattainable, it is, at the same time, perfectly reasonable to expect Questar to operate without the modest marginal reserve information that drilling on this protected site would provide.



**WYOMING  
OUTDOOR  
COUNCIL**

Utah Office, 444 East 800 North, Logan, UT 84321  
 ph. (435) 752-2111 fax (435) 753-7447  
 e-mail: [hpendery@pcu.net](mailto:hpendery@pcu.net)

*Bill L. BL*  
*Murray MG*  
*Tim TJE*  
*Jim L. Jim*

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August 3, 2006

Dennis Stenger,  
 Field Office Manager  
 BLM Pinedale Field Office  
 432 East Mill St.  
 P.O. Box 768  
 Pinedale, Wyoming 82941-0768

**Re: Environmental Analysis of Proposed Wells on the Pinedale Anticline**

Dear Mr. Stenger:

Between about July 15 and July 21, 2006 several Applications for Permit to Drill (APD) or Notices of Staking (NOS) were filed and posted in the Pinedale Field Office for the proposed drilling of oil and gas wells in the Pinedale Anticline Project Area. The wells that were proposed for drilling are:

| NOS/<br>APD | DATE<br>POSTED <sup>1</sup> | LEASE NO.  | LOCATION           | WELL NO.            | COMPANY<br>FILING             |
|-------------|-----------------------------|------------|--------------------|---------------------|-------------------------------|
| APD         | 7/21/06                     | WYW-015314 | Sec. 9 T30N R108W  | Warbonnet<br>11b-9D | Shell Rocky Mtn.<br>Prod. LLC |
| APD         | 7/21/06                     | WYW-015314 | Sec. 9 T30N R108W  | Warbonnet<br>12b-9D | Shell Rocky Mtn.<br>Prod. LLC |
| APD         | 7/21/06                     | WYW-015314 | Sec. 9 T30N R108W  | Warbonnet<br>13b-9D | Shell Rocky Mtn.<br>Prod. LLC |
| APD         | 7/21/06                     | WYW-015314 | Sec. 9 T30N R108W  | Warbonnet<br>13B-9D | Shell Rocky Mtn.<br>Prod. LLC |
| NOS         | 7/21/06                     | WYW-015315 | Sec. 7 T32N R109W  | Mesa 4C1-7          | Questar Expl. &<br>Prod.      |
| NOS         | 7/21/06                     | WYW-015317 | Sec. 7 T32N R109W  | Mesa 4A1-7          | Questar Expl. &<br>Prod.      |
| NOS         | 7/21/06                     | WYW-015317 | Sec. 21 T32N R109W | Mesa 2D1-21         | Questar Expl. &<br>Prod.      |
| NOS         | 7/21/06                     | WYW-015317 | Sec. 21 T32N R109W | Mesa 7A1-21         | Questar Expl. &               |

<sup>1</sup> Posted dates are approximate.

|     |         |           |                    |                          |                          |
|-----|---------|-----------|--------------------|--------------------------|--------------------------|
|     |         |           |                    |                          | Prod.                    |
| NOS | 7/21/06 | WYW-08593 | Sec. 20 T33N R109W | Stewart Point<br>13C3-20 | Wexpro Co.               |
| NOS | 7/21/06 | WYW-08593 | Sec. 20 T33N R109W | Stewart Point<br>2C3-20  | Wexpro Co.               |
| NOS | 7/21/06 | WYW-08592 | Sec. 20 T33N R109W | Stewart Point<br>4A3-28  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 20 T33N R109W | Stewart Point<br>5B3-28  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 20 T33N R109W | Stewart Point<br>15C3-17 | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 20 T33N R109W | Stewart Point<br>13B3-21 | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 21 T33N R109W | Stewart Point<br>3A3-21  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 21 T33N R109W | Stewart Point<br>4A3-21  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 21 T33N R109W | Stewart Point<br>4B3-21  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 21 T33N R109W | Stewart Point<br>10D3-21 | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 21 T33N R109W | Stewart Point<br>11C3-21 | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 21 T33N R109W | Stewart Point<br>14B3-21 | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 28 T33N R109W | Stewart Point<br>6D3-28  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 28 T33N R109W | Stewart Point<br>9B3-28  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 29 T33N R109W | Stewart Point<br>4B3-33  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 29 T33N R109W | Stewart Point<br>5D3-29  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 29 T33N R109W | Stewart Point<br>12C3-28 | Questar Expl. &<br>Prod. |

If these wells are drilled there are a number of environmental issues and potential problems that could result from the development. Drilling these wells could negatively affect soils and vegetation. Soils could erode from the area due to the action of water on the bare well pad and roads that are constructed. Soils could also be lost due to wind erosion. The loss of soil, particularly topsoil, will negatively effect overall ecological function and productivity on this site. Native vegetation will be destroyed by building the well pad and associated roads, and restoration of this vegetation on this site to its natural compositional and functional state will be difficult if not impossible in this arid environment that often has poor soils for plant growth. Changes in vegetation composition, structure, and ecological function on this site have many ramifications, including but not limited to the aesthetic

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appeal of the area and the ability to support wildlife. Exposed soils on this site may well be invaded by noxious or invasive weeds, which often take advantage of disturbed conditions to propagate themselves. Wildlife will be harmed by these wells, in particular the studies done by WEST, Inc. and Matt Holloran's Ph.D dissertation show that oil and gas development on the Pinedale Anticline is already severely affecting mule deer and greater sage grouse.<sup>2</sup> Moreover, these wells will contribute to habitat fragmentation in this area.<sup>3</sup> Migration routes could be negatively affected.<sup>4</sup> And if the pits used to contain drilling fluids on this site are not covered with netting, there will be severe impacts to many migratory birds and bats.<sup>5</sup> Archeological, paleontological, or cultural resources could be adversely affected, particularly along the Lander Trail. The proposed wells will mar the visual environment unless constructed in a way that eliminates or reduces visual impacts. Lighting associated with the wells or drill rigs could also harm the visual resource as well as be a threat to wildlife. Recreational use on this site and in this area, including hunting and recreational wildlife viewing, could be harmed or eliminated if these wells are constructed and make it impossible or highly undesirable to engage in these activities in the vicinity of these wells. Water resources, ground and surface, could be polluted with wastes from these oil and gas well developments, and these wastes could pollute drinking or irrigation water sources. Impacts on water resources are closely tied to the effects on soils; if erosion is increased, the likelihood of transport of pollutants, including sediments, to surface waters is also increased. Air quality will be negatively affected by this development.

The Bureau of Land Management (BLM) must seek to mitigate or eliminate all of these impacts, and a means to do that is to require the best management practices (BMPs) we have previously submitted to BLM and which are incorporated by reference below. Furthermore, below are several additional considerations we ask BLM to make in deciding whether to approve these wells or not.

#### 1. If Approval of the Wells is Pursued Via a Categorical Exclusion.

The BLM has increasingly begun to approve wells on the Pinedale Anticline via the categorical exclusions provided in section 390 of the Energy Policy Act of 2005 (EPAc). 42 U.S.C. § 15942. These categorical exclusions cannot apply on the Pinedale Anticline. The EPAc states that application of one of the categorical exclusions is subject to a "rebuttable presumption" of their applicability. 42 U.S.C. § 15942(a). BLM has already rebutted the applicability of these categorical exclusions. It has determined unequivocally that further National Environmental Policy Act (NEPA) analysis is required before APDs can be

<sup>2</sup> We request that these studies be explicitly considered by BLM in its analysis of whether to approve these wells. These studies are available at [http://www.west-inc.com/big\\_game\\_reports.php](http://www.west-inc.com/big_game_reports.php) and [http://www.voiceforthewild.org/SageGrouseStudy/Matt\\_Holloran\\_Version4.pdf](http://www.voiceforthewild.org/SageGrouseStudy/Matt_Holloran_Version4.pdf).

<sup>3</sup> See <http://www.wilderness.org/Library/Documents/upload/Energy-Footprint-Full-Report.pdf> and <http://www.wilderness.org/Library/Documents/upload/Pinedale-report-full.pdf>. We ask that these reports be considered in any analysis done to approve the wells under consideration here.

<sup>4</sup> See <http://www.wyomingoutdoorcouncil.org/programs/wildlife/index.php> and <http://www.wcs.org/international/northamerica/yellowstone/pronghornmigration>. We ask that this information be considered in any analysis done to approve the wells under consideration here.

<sup>5</sup> See <http://mountain-prairie.fws.gov/contaminants/contaminants1c.html> (noting that flagging does not work and that netting is the most effective way to deter protected migratory birds from using oil and gas waste pits)

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approved on the Pinedale Anticline. Pinedale Anticline Project Area (PAPA) Record of Decision (ROD) at 15, 25, 40. Thus, BLM has already conclusively determined that a categorical exclusion cannot apply. "Because the [PAPA] EIS does not address all resource concerns site-specifically, further environmental review is necessary before the final location, mitigation, and monitoring needs . . . can be determined." PAPA ROD at 40.

If, however, one of the five categorical exclusions established in the EAct is used to approve the above wells, we believe the BLM should consider the following. The EAct is explicit that its categorical exclusion provisions apply "if the activity is conducted pursuant to the Mineral Leasing Act for the purpose of exploration or development of oil and gas." 42 U.S.C. § 15942. Thus, if BLM invokes these categorical exclusions from NEPA compliance, it is also acknowledging that it must comply with the Mineral Leasing Act. 30 U.S.C. § 181 et seq.

Section 17(g) of the Mineral Leasing Act sets out important provisions that BLM must abide by in approving these wells. 30 U.S.C. § 226(g). "No permit to drill on an oil and gas lease . . . may be granted without the analysis and approval by the Secretary concerned of a plan of operations covering proposed surface-disturbing activities within the lease area." Id. (emphasis added). Prior to approving an APD, or NOS if that is the route used to initiate well approval, BLM must engage in an analysis of the surface-disturbing activities that would occur under the proposed plan of operations and "regulate" those surface disturbing activities as needed "in the interest of conservation of surface resources." Id.

We have reviewed a number of wells recently approved by BLM on the Pinedale Anticline pursuant to an EAct categorical exclusion, and it is not apparent to us that BLM is engaging in analysis of the proposed Surface Use Plan or Surface Conditions of Approval. This needs to be corrected relative to the wells under consideration here. In the standard form that BLM has begun to use to approve wells pursuant to an EAct categorical exclusion ("Decision on Action and Application for Categorical Exclusion for Activities Associated with Oil and Gas Development Section 390, Energy Policy Act of 2005," hereinafter, "**form**") there is no apparent analysis of the plan of operations with respect to the "surface-disturbing activities" that will occur in the lease area so as to allow regulation of activities as "required in the interest of conservation of surface resources." 30 U.S.C. § 226(g). Relative to the plan of operations, the **forms** that we have reviewed say this:

The proposal, as designed, is in conformance with all bureau standards and incorporates appropriate best management practices, required and designed mitigation measures determined to reduce the effects on the environment.

A surface use plan of operations describing all proposed surface activities has been reviewed and is approved pursuant to Section 17 of the Mineral Leasing Act, as amended.

This does not constitute an "analysis." It is unsupported assertion. With respect to the wells under consideration here, this oversight should be corrected. An analysis

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should be presented in the **form** of the surface disturbing activities and impacts described above, along with a demonstration that the activities are being regulated “in the interest of conservation of surface resources.”

While the **forms** that we have reviewed indicate that a wildlife biologist and cultural resource specialist were involved in reviewing the proposal to drill wells, there is no “analysis” of their findings that is presented. The simple checklists and unexplained maps do not constitute analysis and there is no analysis of the “recommended” mitigation measures. And of course, many “surface resources” are not considered at all by these specialists. Furthermore, the Revised Surface Use Plan and Conditions of Approval statements only provide listings of what will be required, there is no analysis of why they are required, if they are effective, or if more should be required in order to “regulate all surface-disturbing activities . . . in the interest of conservation of surface resources,” as required by the Mineral Leasing Act. 30 U.S.C. § 226(g).

In order to accomplish the “analysis” that is required by the Mineral Leasing Act to ensure that a plan of operations is in place to “regulate all surface-disturbing activities . . . in the interest of conservation of surface resources,” we believe the BLM should consider the alternative we have submitted a number of times previously to BLM regarding proposed wells on the Pinedale Anticline. As BLM knows, that alternative is composed of a number of options for management practices or steps that would prevent or reduce the above-noted environmental impacts that would or could result from this development. That is, it provides a number of provisions that should be subject to “analysis” so as to ensure BLM meets its duty to only approve a plan of operations that will conserve surface resources. In the interest of space we are not presenting this alternative explicitly with this letter because we have submitted this alternative to BLM many times in the past, but if BLM would like for us to present the details of that alternative to it again, we would be happy to do so.

In addition to requiring the above analysis, the Mineral Leasing Act, pursuant to which any categorical exclusion under the EPL Act would be pursued, also requires BLM to ensure the “complete and timely reclamation of the lease tract.” 30 U.S.C. 226(g) (emphasis added). We request that BLM document that this will indeed be the case if the provisions in the Revised Surface Use Plan are implemented. Moreover, the BLM should follow the detailed guidance on reclamation in its Gold Book, which is available at <http://www.blm.gov/bmp/gold%20book/FinalGoldBook%20-%202006%204th%20Edition.pdf>.

The provisions in the Revised Surface Use Plans (section 10) in the **forms** we have reviewed do not make it clear that the reclamation will be either complete or timely. For the requirement that “complete” reclamation be achieved, BLM should show that these practices will lead to restoration of the native plant community in terms of plant species composition, structure, and ecological function. This is what will be required for the reclamation to be “complete.” While an appropriate native seed mix appears to be prescribed, the use of that seed mix does not ensure that reclamation will be complete. Many of these species (such as sagebrush) are very difficult to establish with any reliability from seed, especially if the seeding occurs in an all-too-common drought year. It is likely that for the reclamation to be

both complete and timely at least two additional things will need to be prescribed: the use of containerized (i.e., already-started) stock (especially shrubs) coupled with the use of supplemental water (irrigation). Additionally, if the reclamation is to be complete in the sense of having the same ecological function as the original plant community, as required by the Gold Book, locally adapted genotypes of the plants will need to be used. Quite simply, unless there is assurance of restoration of native shrub communities there is no assurance of either complete or timely reclamation because these shrubs (especially sagebrush) are widely understood to be “keystone” species that affect and control the proper functioning of this entire ecological community.

With respect to complying with the requirement to ensure complete and timely reclamation, we direct BLM to item 7 in the alternative we have previously submitted to BLM on a number of occasions and which was mentioned above. BLM should ensure—and demonstrate through analysis—that presently posted bond amounts are sufficient to ensure that its obligation to ensure the “complete and timely reclamation of the lease tract” is met and make adjustments in bonding as necessary. In responding to this point in the past, BLM has claimed that it could ignore it because “bonding is a regulatory requirement, not a NEPA requirement and will not be specifically addressed in a NEPA document . . . .” See, e.g., EA Number WY-100-EA05-331 (Feb. 2, 2006) at unnumbered page 19. But the Mineral Leasing Act, which is the authority under which BLM is proceeding now pursuant to the specific language in the EPAct, specifically states that BLM “shall regulate all surface disturbing activities.” 30 U.S.C. § 226(g). So even if bonding, and decisions regarding whether to increase it or not, is regulatory in nature, that provides no excuse to not consider the potential need to increase bonds. The relevant question is whether the reclamation will be “complete and timely,” which BLM must ensure as necessary through the level of bonding or other financial arrangement. *Id.* Furthermore, whether reclamation bonding is sufficient or not—and thus in need of being increased—relates directly to a number of environmental concerns identified above, such as the level of soil erosion, water quality impacts, etc., so BLM must consider whether the level of bonding is sufficient in order to meet its obligation to regulate surface disturbing activities “in the interest of conservation of surface resources.” *Id.*

In addition, when invoking one of the EPAct categorical exclusions, BLM must nevertheless “apply appropriate mitigation and BMP’s to all permitted actions . . . .” IM 2005-247 at 2. The effect of this provision is clearly to require that the provisions in IM 2004-194 must continue to be adhered to. That IM requires that BLM “shall incorporate appropriate BMPs into proposed APDs . . . .” IM 2004-194 at 1. The previously submitted alternative referenced above should be considered as a source of BMPs potentially applicable to the wells under consideration here. Those BMPs have relevance to mitigating the impacts of the surface-disturbing activities under consideration here (that is, they in the “interest of conservation of surface resources”), the potential impacts of which were discussed in some detail above. Thus, BLM should follow the procedures outlined in IM 2004-194 to determine if a BMP will be applicable here or not. For example, it should consider their effectiveness, balance increased costs versus “the public and resource values,” and consider whether less restrictive mitigation might suffice. *Id.* at 2. BLM should consider new data (such as the studies referenced in the footnotes above), field research (*id.*), technological

advances, and market conditions (it is well known that the oil and gas operators on the Pinedale Anticline are making extraordinary profits and that the price of natural gas has generally been high). *Id.* at 3. These are the considerations BLM must make in deciding if these, and other, BMP should be required, and they define the level of “analysis” BLM must engage in to meet the Mineral Leasing Act analysis requirement.

Furthermore, there is no doubt that other BLM policy continues to have full applicability even if the requirement to comply with NEPA has been reduced if one of the EAct categorical exclusions apply. We believe BLM should give especially careful attention to the provisions in the Gold Book, available at <http://www.blm.gov/bmp/gold%20book/FinalGoldBook%20-%202006%204th%20Edition.pdf>. For example, the Gold Book recognizes that construction of “lower class roads” can meet access needs while better protecting the environment. Gold Book at 19. In fact, the Gold Book is replete with guidance on how to develop more “environmentally friendly” roads, including acknowledging that non-constructed (primitive) roads may be appropriate under some circumstances. *Id.* at 19-27. The Gold Book also contains a number of other provisions and considerations for protecting the environment that establish that the BMPs in the previously submitted alternative that we are asking also be considered here are reasonable and worthy of full consideration by the BLM. *See id.* at 39-41 (discussing, among other things, noise control and protection of visual resources). That the BMPs we have previously submitted must be fully analyzed by BLM is given special force when the provisions and direction in the Gold Book are considered together with the direction in IMs 2004-194 and 2005-247 and the specific command to engage in analysis of plans of operations in the “interest of conservation of surface resources” established by the Minerals Leasing Act.

Finally, IM 2005-247 requires BLM to present a “narrative” presenting the rationale as to why the proposed well fits into one of the EAct categorical exclusions. The IM goes on to discuss in detail the requirements that apply to application of each of the categorical exclusions. We request that BLM’s narrative that it presents in the **form** demonstrate that the requirements for application of the relevant categorical exclusion have been met. For example, if the categorical exclusion provided at 42 U.S.C. § 15942(b)(1) is invoked, the narrative must demonstrate that the “readily visible” level of unreclaimed surface disturbance does not exceed 150 acres. Various other requirements must be met, depending on the categorical exclusion that is being invoked.

## 2. **Approval of the Wells Should Not Be Pursued Via a Documentation of NEPA Adequacy.**

In addition to providing standards for application of the EAct section 390 categorical exclusions, IM 2005-247 also provides direction on the use of documentations of land use plan conformance and NEPA adequacy, also known as DNAs. It does this by referencing IM 2001-062. Thus, IM 2001-062 must be considered if a DNA approach is used to approve any of the wells under consideration here.

IM 2001-062 (hereinafter, “DNA IM”) states that in order to use a DNA BLM must “establish an administrative record that documents clearly that you took a “hard look” at

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whether new circumstances, new information, or environmental impacts not previously anticipated or analyzed warrant new analysis or supplementation of existing NEPA documents and whether the impact analysis supports the proposed action.” DNA IM at 1 (emphasis added).<sup>6</sup> “The age of the documents reviewed may indicate that information or circumstances have changed significantly.” *Id.* at 2. The PAPA EIS is now six years old. The review of the factors specified in the attachment to the DNA IM must be done through an interdisciplinary process. *Id.*

The “Guidelines for Using the DNA Worksheet and Evaluating the NEPA Adequacy Criteria” form that is included with the attachment to the DNA IM establishes additional requirements that must be met. BLM must explain how existing documents analyzed the proposed action, including citation to page numbers. BLM must explain how the alternatives in underlying NEPA documents that are relied on constitute appropriate alternatives, “and if so, how.” BLM must “[i]dentify how current issues and concerns were addressed with the range of alternatives in existing NEPA documents.” (emphasis added). The Guidelines form gives special attention to how BLM must treat the significance of new information and circumstances. Among other things, it must consider new standards or goals, changes in resource conditions, changes in local plans and policies, land use designations, and changes in relevant statutes, case law or regulations. With respect to the methodologies used in previous NEPA documents, BLM must determine if “valid new technologies and methodologies exist (e.g., air quality modeling), [and if so] explain why it continues to be reasonable to rely on the method previously used.” With respect to direct and indirect impacts, the Guidelines form requires that BLM must

Explain how the direct and indirect impacts of the proposed action are analyzed in the existing NEPA documents, and would, or would not, differ from those identified in the existing NEPA document. Consider the effect new information or circumstances may have on the environmental impacts predicted in the existing NEPA document. Consider whether the documents sufficiently analyze site-specific impacts related to the current proposed action.

BLM must make a special effort to determine if public involvement in the past NEPA process is still in compliance with NEPA public involvement requirements “in light of current conditions, information, issues, and controversies.”

If the DNA route is chosen by BLM, at a minimum it must ensure that all of these requirements are met and that “NEPA adequacy” is in fact documented as prescribed in the DNA IM, and IM 2005-247. However, for the reasons that follow, we believe that the use of a DNA is inappropriate under the circumstances here.

<sup>6</sup> The attachment to the DNA IM reemphasizes these needs, stating under item 3 that BLM must be able to “reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action[.]” (emphasis added). The same is true with respect to cumulative impacts. See DNA IM, attachment, item 6.

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The enactment of EAct itself represents a significant change in the relevant statutes. For example, section 366 of EAct imposes tight timelines for processing APDs; the framework for environmental analysis has changed. BLM has initiated a supplemental environmental impact statement (EIS) for the Pinedale Anticline field, a fact that shows existing NEPA analysis in light of current circumstances and conditions is not sufficient. Moreover, as was noted above, BLM has long been on record recognizing the existing PAPA EIS is insufficient NEPA analysis standing alone because it "does not address all resource concerns." PAPA ROD at 40. The President has issued his national energy policy, along with several companion Executive Orders, including requirements to expedite energy-related projects, provide a statement of energy effects of projects, and to engage in "cooperative conservation," all of which represent changed "standards and goals for managing resources." The reports cited above by Matt Holloran and WEST, Inc. provide significantly new information regarding environmental impacts of energy development on the Pinedale Anticline on sage grouse and mule deer. It is widely recognized that the Pinedale Anticline EIS air quality analysis is outdated, at least with respect to nitrous oxide impacts, and the Jonah Infill EIS does not rectify these deficiencies because it did not even address the air quality impacts of the Pinedale Anticline project except at the "early project development stage," and it is not clear it made any attempt to consider the several thousand well Pinedale Anticline project infill. Furthermore, the method of ozone analysis in these documents (the Scheffe method) is woefully out of date. For all of these reasons, approval of the wells under consideration here via a DNA would not be in accordance with IM 2001-062 and IM 2005-247, and thus the DNA mechanism cannot be used here.

### 3. If Approval of the Wells is Pursued Via an Environmental Assessment.

The last option for approving the wells under consideration here appears to be consideration of these wells within a NEPA environmental assessment (EA) or perhaps an EIS. If this route is used, we request that the alternative that we have previously submitted and which has been mentioned several times above be fully considered as an alternative in the EA.<sup>7</sup> Again, if BLM has any question regarding this alternative or what it provides for, please contact us and we would be happy to resubmit the alternative again, although BLM should have literally dozens of copies of this alternative available because it has been submitted to BLM at least 34 times in the last two years. We request, however, that the alternative be considered in light of the additional information presented in this letter, such as the description of the environmental impacts these wells will have that was presented above, impacts which the alternative is specifically intended to eliminate or mitigate.

When we have submitted this alternative in the past, BLM has nominally considered it in the EAs it has prepared. See, e.g., EA Number WY-100-EA05-331. In those EAs, BLM

<sup>7</sup> The PAPA EIS makes many provisions that relate to the provisions in the previously submitted alternative. For example, the PAPA ROD provides that directional drilling ("pad drilling") will be utilized in many cases, especially in management areas 1, 5, 6, 7, and 8. PAPA ROD at 5-6, 29-33. We request that BLM fully consider all provisions in the PAPA ROD in determining whether the BMPs in the previously submitted alternative will be used or not. The provisions in the PAPA ROD run the gamut of provisions made in the previously submitted alternative, ranging from regulation of road construction, to noise control, to limitations on lighting, and many other issues of relevance. It is clear that under the PAPA ROD, the BMPs in the previously submitted alternative are highly reasonable, and are often required.

has responded to the provision in the alternative asking that BLM require the BMPs in the alternative to the "maximum extent possible" by claiming that an oil and gas lease gives a lessee a "RIGHT" to develop the lease. *Id.* at unnumbered page 23-24. BLM then goes on to discuss the other provisions at 43 C.F.R. § 3101.1-2, but BLM's basic claim is that it has very limited, or no, ability to impose requirements on a lessee. *Id.*

We ask that BLM also consider the question of what requirements it can impose in light of the provisions in BLM's lease form, which, we believe, are applicable to the leases under consideration here. Under section 6 of the lease form, the lessee "shall take reasonable measures deemed necessary by the lessor to accomplish the intent of this section," which is to "minimize[] adverse impacts to the land, air, and water, to cultural, biological, visual, and other resources, and to other land uses or users." Those reasonable measures include modifying the siting, design or timing of operations, and specification of interim and final reclamation measures, but BLM's options specifically "are not limited" to these specified measures.<sup>8</sup> Furthermore, section 7 of the standard lease form allows BLM to "deny approval" of operations if impacts would differ from the norm, and section 4 provides that "[l]essor reserves the right to specify rates of development and production in the public interest . . . ." See *National Wildlife Federation*, 169 IBLA 146, 164 (June 13, 2006) (recognizing section 4 allows BLM to regulate the pace of development and rate of production). BLM must consider what its authority is, and thus how the term "maximum extent possible" should be interpreted, in light of these specific lease terms, and not just according to the general provisions at 43 C.F.R. § 3101.1-2.<sup>9</sup> These specific lease terms (i.e., the contract BLM has bound itself to) are just as applicable, and just as binding, as the general-purpose regulatory provisions which BLM has claimed limit its authority.<sup>10</sup>

Moreover, BLM has also argued that the provision in the previously-submitted alternative relating to using "reasonable profit" as a standard by which to measure the reasonableness of the BMPs need not be considered because it "is not a NEPA issue." This is nothing but assertion with no basis provided for this claim. Whether these BMPs will or will not be applied is certainly relevant to the environmental impacts that will result from this action, and thus the basis for including them or not including them as requirements for drilling has a great deal of relevance to environmental impacts, which is certainly "a NEPA issue." But it is not our intent to debate this issue with BLM. If BLM chooses to reject the imminently reasonable (even conservative) basis for decision-making we have put forth (whether a reasonable profit can still be achieved), so be it: BLM can provide its own basis

<sup>8</sup> 43 C.F.R. § 3101.1-2 makes the same provision and also includes the "but are not limited to" clause that makes it clear BLM is not limited to only these "reasonable measures."

<sup>9</sup> We also note that 43 C.F.R. § 3101.1-2 provides that the defined, but not exclusive, reasonable measures (not relocating operations by more than 200 meters, not moving operations off of the leasehold, or prohibiting new surface disturbing operations for a period exceeding 60 days per lease year) define provisions that "[a]t a minimum" are consistent with lease rights. Thus, these reasonable measure provisions do not set a ceiling that BLM cannot exceed; they set a floor of presumptive reasonableness, a floor that BLM can exceed if it provides a rationale explanation, including the need to comply with the "intent" of section 6 of the lease (minimization of adverse environmental impacts) and section 226(g) of the Mineral Leasing Act ("conservation of surface resources").

<sup>10</sup> It also bears reemphasis that the "unnecessary or undue degradation" prohibition at 43 U.S.C. § 1732(b) is clearly a "restriction[ ] deriving from [a] specific, nondiscretionary statute[ ]", 43 C.F.R. § 3101.1-2, so BLM's claims or implication that there is an unlimited "RIGHT" to develop a lease had no legal basis.

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for decision-making; its own basis for whether a BMP will or will not be required. But it certainly must provide an articulated basis for its decision-making, an articulated basis (that is reasonable) for accepting or rejecting a BMP. See generally IM 2004-194 (providing considerations BLM must engage in when deciding whether to require a BMP or not).

Last, if the EA route is pursued here, we ask that BLM abide by the requirements in Lynn Canal Conservation, Inc., 167 IBLA 136 (2005) (Lynn Canal I). There, BLM's governing Interior Board of Land Appeals held that an EA was legally inadequate due to "BLM's failure to provide notice of the availability of the draft EA to the general public, including interested and affected members of the public and organizations and allow a period for comment, or alternatively to provide notice of the EA and proposed pending decision with time to provide written comments . . ." 167 IBLA at 145. To abide by this decision, which is legally binding on BLM, we ask that BLM provide us with an opportunity to comment on any draft EA(s) prepared for the wells under consideration here, or alternatively that it provide notice of the EA when it is prepared along with the proposed pending decision, and allow sufficient time to comment on that. Even under Lynn Canal Conservation, Inc., 169 IBLA 1 (April 20, 2006) (Lynn Canal II), BLM must provide some opportunity for public involvement in the NEPA process, and we request that it do so (these comments are submitted due to our initiative, not any opportunity for public involvement that BLM has provided).

Thank you for considering these comments, and we look forward to continued participation in the decision-making regarding these wells.

Sincerely,



Bruce Pendery,  
Program Director  
And on Behalf of:

Peter Aengst,  
The Wilderness Society

Suzanne Lewis,  
Biodiversity Conservation Alliance

Lloyd Dorsey,  
Greater Yellowstone Coalition

2005 11 17 7:11:07



Ty Huffman  
<ty\_huffman@yahoo.com>  
08/15/2006 07:16 PM

To: pinedale\_wymail@blm.gov  
cc:  
Subject: Stewart Point

Dear BLM,

I am opposed to drilling in the Mesa Breaks. I thought the 2000 ROD said there would be no drilling there. I don't understand why the oil companies get pretty much whatever they want. There was to be no drilling in the winter in the beginning. True enough, they slow down, but there is oil company people out there all winter. I don't understand why we are decimating the sacred environment which sustains us. I am a lifer in Pinedale and I don't understand why so few people care about the environment. What will we have when it's gone? Junk. Go west of Big Piney in the Deer Hills area which was destroyed in the early 80's. Now it looks like a sprawled out junk yard of oilfield garbage mile after mile.

I am all for multiple use but this is ridiculous. We have proven, as many said in the beginning, that the mule deer and sage grouse are going down the drain due to this development. And we do nothing about it, I contend nobody cares because they are all making a lot of money. I guess the BLM is not able to fight a good fight due to the money these companies have. I also realize the rich oil companies have a tremendous amount of political pull due to their huge bank rolls. It seems we should shoot all the remaining wildlife and turned the whole of southwest Wyoming into a big oilfield junkyard with roads everywhere, or give the oilfield companies a few more years and they'll do it for us.

I hope I have not belabored the point, do not drill in the Mesa Breaks or any National Forest areas!

Sincerely,  
Ty Huffman

---

Yahoo! Messenger with Voice. [Make PC-to-Phone Calls](#) to the US (and 30+ countries) for 2¢/min or less.

September 2, 2006

Bureau of Land Management  
Pinedale Wyoming 82941

Comment on Questar Application for Permit to Drill (APD) process for wells located in MA-2 and MA-4.

I am opposed to this proposal for the following reasons:

1. My home is located near this proposed drilling area. There are already 5 wells in this area, which I believe is classified as sensitive view shed. I do not understand why this is even being considered. The 2000 ROD was pretty specific about the location (or not locating) of wells in sensitive areas. Since then, it seems that this document has been forgotten about.

2. Water quantity and quality. My drinking water is from this aquifer I believe.

3. Noise. Drilling in this area, especially in the winter will increase the noise.

4. Transportation Committee Plan as called for in the ROD 2000. Has this been reviewed or written? Also in MA-4 there is a stipulation of "no new roads".

5. Wildlife (ROD 2000 MA-2.)

6. Safety

Even though there has not yet been any major accidents associated with the drilling in Sublette County, I am concerned about this. I find it a little unsettling. I think it is time that industry and the government take a look at how this is affecting residents. There should be more of a buffer to residential areas.

7. Surface disturbance on slopes greater than 10% should be avoided (ROD 2000 MA-4)

Thank you,

Susan Kramer  
Resident of home adjacent to this area.  
1 Meadow Lane  
Pinedale, Wyoming 82941



Linda F. Baker  
Upper Green River Valley Coalition  
P.O. Box 994  
Pinedale, WY 82941  
(P/F) 307-367-3670; (C) 307-231-1323  
linda@uppergreen.org

August 30, 2006

Jim Lucas, BLM Pinedale project coordinator  
DOI, Bureau of Land Management  
P.O. Box 768  
Pinedale, WY 82941

Re: QEP Stewart Point

Dear Mr. Lucas:

Thank you for the opportunity to comment on the *QEP Stewart Point* project proposal.

The Upper Green River Valley Coalition is a Sublette County-based conservation organization with over 350 local and seasonally-local members. The Upper Green River Valley Coalition advocates responsible, sustainable management of the wildlife, waters, and air quality of Wyoming's Upper Green, a vital portion of the Greater Yellowstone Ecosystem. We do not oppose natural gas development, but want to see it carefully controlled so that the Valley's abundant natural resources and local communities are not harmed. With rapidly escalating development now occurring, UGRVC challenges land managers, industry, and citizens to create and implement management plans that safeguard key wildlife habitats and movement corridors, while ensuring that any new development is done right.

These comments address Questar Stewart Point proposed wells 16-20, 4-21, 11-21, 7-28, and 6-29.

The Pinedale Anticline Record of Decision (PAPA ROD) identified the Mesa Breaks (MA 2) as possessing "highly sensitive wildlife habitat, soils, viewshed, and seasonal recreational use area[s]" where no new roads would be permitted. The PAPA ROD directs the BLM to "maintain the existing quality, suitability and habitat effectiveness of the Mesa Breaks deer crucial winter range" and "retain the existing character of the landscape and sensitive viewshed" (ROD, 29).

Qualified biologists within the Wyoming Game & Fish Dept., the independent scientific community, and the BLM have determined that this particular area provides important thermal cover and forage for wintering mule deer and is a unique habitat not found elsewhere within this particular crucial winter range.

Best available, operator-funded science has shown that there has been a precipitous and unacceptable decline in mule deer populations on the Mesa during the past four years.

Questar, Shell, Ultra and other oil and gas development companies operating on the Anticline have asserted and proven that directional drilling can be accomplished with up to a 5,000' offset to avoid sensitive habitats such as the Mesa Breaks. Shell indicated this in the initial proposal for a PAPA SEIS, and it has been done in many other oil and gas producing regions throughout the world.

The Pinedale Anticline Record of Decision mandates Adaptive Environmental Management (AEM) that guarantees "continuously modifying management practices in order to ... protect the environment" (ROD, C-1); and "a rapid response to unnecessary/undue environmental change" (ROD, C-2). In compliance with the direction of the ROD and AEM, the Wildlife Task Group and Pinedale Anticline Working Group have recommended to BLM that there be no additional loss of Mesa habitat useful to mule deer in winter or additional mule deer population decline.

In failing to appeal the PAPA ROD, Questar agreed to comply with the conditions of approval, which include modifying their drilling practices in order to protect natural resources, including wildlife and habitat. To now challenge the ROD approval and the findings of best scientific data which they themselves funded is both inappropriate and disingenuous at best.

While the ROD (at 29) indicates that "in the course of site-specific environmental analysis BLM determines that the consequential environmental impacts would be less within the Breaks than outside, permits may be issued in the Breaks", to our knowledge there are no BLM studies nor any publicly-available documentation showing that impacts would be less within the Breaks than outside them should drilling occur there. In fact, the scientific analysis that has been done in the course of the Sublette Mule Deer Study funded by Questar indicates just the opposite is true: that there are significant direct and indirect impacts to deer wintering adjacent to drilling rigs, well pads, and human disturbance.

Many of these same concerns apply to Questar's proposal to drill within the Sensitive Viewshed (MA 4). Additionally, the ROD requires mitigation efforts to "avoid the introduction of new, linear visual intrusions on the landscape", construct "production facilities ... placed away from the edge of the Mesa... to prevent the facilities from being silhouetted on the skyline", and construct "exterior lights [which will be] shrouded and directed onto the immediate facility area" (ROD, A-24).

In the six years since ROD approval, although the maximum number of wells permitted within MA 4 has not been exceeded, many of the promises to mitigate impacts in MA 4 made by BLM and noted above have not been kept.

The Pinedale Anticline Record of Decision is a legally-binding, decision document that represents a contract between the Bureau of Land Management and the American people, the owners of these public lands. It should be noted that private citizens did not appeal the Record of Decision, but believed that the BLM would keep its word and utilize Cooperative Conservation, Best Management Practices, and Adaptive Environmental Management to achieve the dual goals of natural resource conservation and production of natural gas. In the end, the operators were the only entities to appeal the ROD and truncate that cooperative, AEM process. Now Questar appears to propose that BLM change not only the legal requirements of the ROD, but the spirit of its unique goals.

The BLM must not reverse the important, progressive decisions made in the Pinedale Anticline ROD. The BLM must not ignore the best, scientific data it has available, nor the recommendations of the Pinedale Anticline Working Group. Best Management Practices must be used to the greatest extent possible, including extensive use of directional drilling to extract the natural gas resources on the Pinedale Anticline.

Adaptive Environmental Management must be used effectively to continually monitor and modify existing practices to reduce overall impacts to America's valuable, renewable and important natural resources. Questar must comply with the current conditions of approval as indicated by the ROD. Wildlife studies must continue to provide expert guidance and mitigation recommendations as indicated by extensive monitoring, and as promised in the ROD. They must not be ignored, nor their findings only partially noted. Finally, sensitive habitats and viewsheds must continue to function to protect our wildlife, recreational, soil, water and human resources.

For these reasons, we ask that you reject the QEP Stewart Point proposal to drill in the Mesa Breaks and Sensitive Viewsheds.

Thank you for consideration of these comments.

Sincerely,

/s/

Linda F. Baker  
Community Organizer

## Mesa Breaks

To the BLM.

On any given day, making a trip down Paradise Road, you can see a haze over the area stretching into the town of Boulder, and see bellows of smoke coming from the generators that power the gas rigs.

My comment to my Wife was. "Those poor people living in Boulder. I wonder how many of them have breathing problems, COPD, Emphysema along with other health problems." These same energy companies will soon join Questars in drilling in the winter on the Pinedale Anticline. I am against any drilling on the Mesa Breaks not only for this reason, but for the wintering habitat of the wildlife (what's left) and the scenic viewshed. There needs to be a buffer zone between an industrial park and human habitat. Let's face it, what they are doing is just plain ugly and it will be scared forever with" undo and unnecessary degradation." Those of us, that live here, should have a say in what happens to our environment. I have taken trips to proposed well sites and have tried to be involved in this planning. I know that the energy companies have leases in this area. They also knew when they leased these areas what the stipulations were before the leases were signed. I have been on the air quality task force and I know what is happening with our air quality. I also know under BLM stewardship it is not going to improve. Energy companies have absolutely no concern, and care not for the environment, the wildlife, the scenic beauty, the local people and the future of this area

after they are gone.

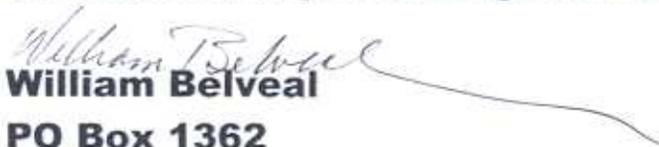
I have visited this location with the BLM three times, and have expressed my opinion three times. There are areas that should be set aside and left untouched as we had an agreement with the BLM from the beginning of the development. We, the locals, have respected this area and the wildlife, leaving it untouched in the winter to prevent hardship and stress on the wildlife. The words "monitor" or "monitoring" has opened the door to the loss of many of God's creatures, air and water quality. The BLM continues to move forward avoiding the information collected from the monitoring.

**"TOXIC" "ALLOWABLE" " EXCEPTION"**

"Toxic" means poison. "Allowable" means how many tons of this poison the BLM will allow the energy companies to pump into "OUR AIR" that we know of. " Exception" means a way to allow a foot in the door and never look back as energy moves forward destroying Wildlife, air Quality, water quality, scenic beauty, our health, and God's gifts. We have now put our home on the market for sale to save my wife's life from your allowed poisoning. We were to retire here and spend the rest of our lives enjoying God'd gifts

We raised our children here. They married locals and are now raising their children and grandchildren here in a poison environment. Please no more Exceptions!

" May God bless all of you, with the same love and consideration you have given his gifts."

  
**William Belveal**

**PO Box 1362**

**Pinedale, Wyoming**



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7/14/2006

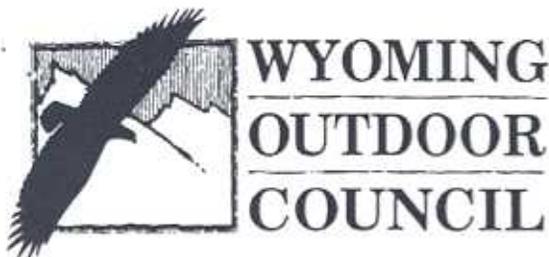
Paradise Road



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7/14/2006

Paradise Road



**WYOMING  
OUTDOOR  
COUNCIL**

Utah Office, 444 East 800 North, Logan, UT 84321  
 ph. (435) 752-2111 fax (435) 753-7447  
 e-mail: [hpendery@pcu.net](mailto:hpendery@pcu.net)

*Handwritten notes:*  
 EHS  
 Bill L. BL  
 Merry MG  
 Tim TJ  
 Jim L. Jim

August 3, 2006

2006 7 11 11:06

Dennis Stenger,  
 Field Office Manager  
 BLM Pinedale Field Office  
 432 East Mill St.  
 P.O. Box 768  
 Pinedale, Wyoming 82941-0768

**Re: Environmental Analysis of Proposed Wells on the Pinedale Anticline**

Dear Mr. Stenger:

Between about July 15 and July 21, 2006 several Applications for Permit to Drill (APD) or Notices of Staking (NOS) were filed and posted in the Pinedale Field Office for the proposed drilling of oil and gas wells in the Pinedale Anticline Project Area. The wells that were proposed for drilling are:

| NOS<br>APD | DATE<br>POSTED <sup>1</sup> | LEASE NO.  | LOCATION           | WELL NO.            | COMPANY<br>FILING             |
|------------|-----------------------------|------------|--------------------|---------------------|-------------------------------|
| APD        | 7/21/06                     | WYW-015314 | Sec. 9 T30N R108W  | Warbonnet<br>11b-9D | Shell Rocky Mtn.<br>Prod. LLC |
| APD        | 7/21/06                     | WYW-015314 | Sec. 9 T30N R108W  | Warbonnet<br>12b-9D | Shell Rocky Mtn.<br>Prod. LLC |
| APD        | 7/21/06                     | WYW-015314 | Sec. 9 T30N R108W  | Warbonnet<br>13b-9D | Shell Rocky Mtn.<br>Prod. LLC |
| APD        | 7/21/06                     | WYW-015314 | Sec. 9 T30N R108W  | Warbonnet<br>13B-9D | Shell Rocky Mtn.<br>Prod. LLC |
| NOS        | 7/21/06                     | WYW-015315 | Sec. 7 T32N R109W  | Mesa 4C1-7          | Questar Expl. &<br>Prod.      |
| NOS        | 7/21/06                     | WYW-015317 | Sec. 7 T32N R109W  | Mesa 4A1-7          | Questar Expl. &<br>Prod.      |
| NOS        | 7/21/06                     | WYW-015317 | Sec. 21 T32N R109W | Mesa 2D1-21         | Questar Expl. &<br>Prod.      |
| NOS        | 7/21/06                     | WYW-015317 | Sec. 21 T32N R109W | Mesa 7A1-21         | Questar Expl. &               |

<sup>1</sup> Posted dates are approximate.

|     |         |           |                    |                          |                          |
|-----|---------|-----------|--------------------|--------------------------|--------------------------|
|     |         |           |                    |                          | Prod.                    |
| NOS | 7/21/06 | WYW-08593 | Sec. 20 T33N R109W | Stewart Point<br>13C3-20 | Wexpro Co.               |
| NOS | 7/21/06 | WYW-08593 | Sec. 20 T33N R109W | Stewart Point<br>2C3-20  | Wexpro Co.               |
| NOS | 7/21/06 | WYW-08592 | Sec. 20 T33N R109W | Stewart Point<br>4A3-28  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 20 T33N R109W | Stewart Point<br>5B3-28  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 20 T33N R109W | Stewart Point<br>15C3-17 | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 20 T33N R109W | Stewart Point<br>13B3-21 | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 21 T33N R109W | Stewart Point<br>3A3-21  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 21 T33N R109W | Stewart Point<br>4A3-21  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 21 T33N R109W | Stewart Point<br>4B3-21  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 21 T33N R109W | Stewart Point<br>10D3-21 | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08593 | Sec. 21 T33N R109W | Stewart Point<br>11C3-21 | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 21 T33N R109W | Stewart Point<br>14B3-21 | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 28 T33N R109W | Stewart Point<br>6D3-28  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 28 T33N R109W | Stewart Point<br>9B3-28  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 29 T33N R109W | Stewart Point<br>4B3-33  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 29 T33N R109W | Stewart Point<br>5D3-29  | Questar Expl. &<br>Prod. |
| NOS | 7/21/06 | WYW-08592 | Sec. 29 T33N R109W | Stewart Point<br>12C3-28 | Questar Expl. &<br>Prod. |

If these wells are drilled there are a number of environmental issues and potential problems that could result from the development. Drilling these wells could negatively affect soils and vegetation. Soils could erode from the area due to the action of water on the bare well pad and roads that are constructed. Soils could also be lost due to wind erosion. The loss of soil, particularly topsoil, will negatively effect overall ecological function and productivity on this site. Native vegetation will be destroyed by building the well pad and associated roads, and restoration of this vegetation on this site to its natural compositional and functional state will be difficult if not impossible in this arid environment that often has poor soils for plant growth. Changes in vegetation composition, structure, and ecological function on this site have many ramifications, including but not limited to the aesthetic

2015-07-07 11:07

appeal of the area and the ability to support wildlife. Exposed soils on this site may well be invaded by noxious or invasive weeds, which often take advantage of disturbed conditions to propagate themselves. Wildlife will be harmed by these wells, in particular the studies done by WEST, Inc. and Matt Holloran's Ph.D dissertation show that oil and gas development on the Pinedale Anticline is already severely affecting mule deer and greater sage grouse.<sup>2</sup> Moreover, these wells will contribute to habitat fragmentation in this area.<sup>3</sup> Migration routes could be negatively affected.<sup>4</sup> And if the pits used to contain drilling fluids on this site are not covered with netting, there will be severe impacts to many migratory birds and bats.<sup>5</sup> Archeological, paleontological, or cultural resources could be adversely affected, particularly along the Lander Trail. The proposed wells will mar the visual environment unless constructed in a way that eliminates or reduces visual impacts. Lighting associated with the wells or drill rigs could also harm the visual resource as well as be a threat to wildlife. Recreational use on this site and in this area, including hunting and recreational wildlife viewing, could be harmed or eliminated if these wells are constructed and make it impossible or highly undesirable to engage in these activities in the vicinity of these wells. Water resources, ground and surface, could be polluted with wastes from these oil and gas well developments, and these wastes could pollute drinking or irrigation water sources. Impacts on water resources are closely tied to the effects on soils; if erosion is increased, the likelihood of transport of pollutants, including sediments, to surface waters is also increased. Air quality will be negatively affected by this development.

The Bureau of Land Management (BLM) must seek to mitigate or eliminate all of these impacts, and a means to do that is to require the best management practices (BMPs) we have previously submitted to BLM and which are incorporated by reference below. Furthermore, below are several additional considerations we ask BLM to make in deciding whether to approve these wells or not.

#### **1. If Approval of the Wells is Pursued Via a Categorical Exclusion.**

The BLM has increasingly begun to approve wells on the Pinedale Anticline via the categorical exclusions provided in section 390 of the Energy Policy Act of 2005 (EPAc). 42 U.S.C. § 15942. These categorical exclusions cannot apply on the Pinedale Anticline. The EPAc states that application of one of the categorical exclusions is subject to a "rebuttable presumption" of their applicability. 42 U.S.C. § 15942(a). BLM has already rebutted the applicability of these categorical exclusions. It has determined unequivocally that further National Environmental Policy Act (NEPA) analysis is required before APDs can be

<sup>2</sup> We request that these studies be explicitly considered by BLM in its analysis of whether to approve these wells. These studies are available at [http://www.west-inc.com/big\\_game\\_reports.php](http://www.west-inc.com/big_game_reports.php) and [http://www.voiceforthewild.org/SageGrouseStudy/Matt\\_Holloran\\_Version4.pdf](http://www.voiceforthewild.org/SageGrouseStudy/Matt_Holloran_Version4.pdf).

<sup>3</sup> See <http://www.wilderness.org/Library/Documents/upload/Energy-Footprint-Full-Report.pdf> and <http://www.wilderness.org/Library/Documents/upload/Pinedale-report-full.pdf>. We ask that these reports be considered in any analysis done to approve the wells under consideration here.

<sup>4</sup> See <http://www.wyomingoutdoorcouncil.org/programs/wildlife/index.php> and <http://www.wcs.org/international/northamerica/yellowstone/pronghornmigration>. We ask that this information be considered in any analysis done to approve the wells under consideration here.

<sup>5</sup> See <http://mountain-prairie.fws.gov/contaminants/contaminants1c.html> (noting that flagging does not work and that netting is the most effective way to deter protected migratory birds from using oil and gas waste pits)

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approved on the Pinedale Anticline. Pinedale Anticline Project Area (PAPA) Record of Decision (ROD) at 15, 25, 40. Thus, BLM has already conclusively determined that a categorical exclusion cannot apply. "Because the [PAPA] EIS does not address all resource concerns site-specifically, further environmental review is necessary before the final location, mitigation, and monitoring needs . . . can be determined." PAPA ROD at 40.

If, however, one of the five categorical exclusions established in the EPO Act is used to approve the above wells, we believe the BLM should consider the following. The EPO Act is explicit that its categorical exclusion provisions apply "if the activity is conducted pursuant to the Mineral Leasing Act for the purpose of exploration or development of oil and gas." 42 U.S.C. § 15942. Thus, if BLM invokes these categorical exclusions from NEPA compliance, it is also acknowledging that it must comply with the Mineral Leasing Act. 30 U.S.C. § 181 et seq.

Section 17(g) of the Mineral Leasing Act sets out important provisions that BLM must abide by in approving these wells. 30 U.S.C. § 226(g). "No permit to drill on an oil and gas lease . . . may be granted without the analysis and approval by the Secretary concerned of a plan of operations covering proposed surface-disturbing activities within the lease area." *Id.* (emphasis added). Prior to approving an APD, or NOS if that is the route used to initiate well approval, BLM must engage in an analysis of the surface-disturbing activities that would occur under the proposed plan of operations and "regulate" those surface disturbing activities as needed "in the interest of conservation of surface resources." *Id.*

We have reviewed a number of wells recently approved by BLM on the Pinedale Anticline pursuant to an EPO Act categorical exclusion, and it is not apparent to us that BLM is engaging in analysis of the proposed Surface Use Plan or Surface Conditions of Approval. This needs to be corrected relative to the wells under consideration here. In the standard form that BLM has begun to use to approve wells pursuant to an EPO Act categorical exclusion ("Decision on Action and Application for Categorical Exclusion for Activities Associated with Oil and Gas Development Section 390, Energy Policy Act of 2005," hereinafter, "**form**") there is no apparent analysis of the plan of operations with respect to the "surface-disturbing activities" that will occur in the lease area so as to allow regulation of activities as "required in the interest of conservation of surface resources." 30 U.S.C. § 226(g). Relative to the plan of operations, the **forms** that we have reviewed say this:

The proposal, as designed, is in conformance with all bureau standards and incorporates appropriate best management practices, required and designed mitigation measures determined to reduce the effects on the environment.

A surface use plan of operations describing all proposed surface activities has been reviewed and is approved pursuant to Section 17 of the Mineral Leasing Act, as amended.

This does not constitute an "analysis." It is unsupported assertion. With respect to the wells under consideration here, this oversight should be corrected. An analysis

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should be presented in the **form** of the surface disturbing activities and impacts described above, along with a demonstration that the activities are being regulated "in the interest of conservation of surface resources."

While the **forms** that we have reviewed indicate that a wildlife biologist and cultural resource specialist were involved in reviewing the proposal to drill wells, there is no "analysis" of their findings that is presented. The simple checklists and unexplained maps do not constitute analysis and there is no analysis of the "recommended" mitigation measures. And of course, many "surface resources" are not considered at all by these specialists. Furthermore, the Revised Surface Use Plan and Conditions of Approval statements only provide listings of what will be required, there is no analysis of why they are required, if they are effective, or if more should be required in order to "regulate all surface-disturbing activities . . . in the interest of conservation of surface resources," as required by the Mineral Leasing Act. 30 U.S.C. § 226(g).

In order to accomplish the "analysis" that is required by the Mineral Leasing Act to ensure that a plan of operations is in place to "regulate all surface-disturbing activities . . . in the interest of conservation of surface resources," we believe the BLM should consider the alternative we have submitted a number of times previously to BLM regarding proposed wells on the Pinedale Anticline. As BLM knows, that alternative is composed of a number of options for management practices or steps that would prevent or reduce the above-noted environmental impacts that would or could result from this development. That is, it provides a number of provisions that should be subject to "analysis" so as to ensure BLM meets its duty to only approve a plan of operations that will conserve surface resources. In the interest of space we are not presenting this alternative explicitly with this letter because we have submitted this alternative to BLM many times in the past, but if BLM would like for us to present the details of that alternative to it again, we would be happy to do so.

In addition to requiring the above analysis, the Mineral Leasing Act, pursuant to which any categorical exclusion under the EPA Act would be pursued, also requires BLM to ensure the "complete and timely reclamation of the lease tract." 30 U.S.C. 226(g) (emphasis added). We request that BLM document that this will indeed be the case if the provisions in the Revised Surface Use Plan are implemented. Moreover, the BLM should follow the detailed guidance on reclamation in its Gold Book, which is available at <http://www.blm.gov/bmp/gold%20book/FinalGoldBook%20-%202006%204th%20Edition.pdf>.

The provisions in the Revised Surface Use Plans (section 10) in the **forms** we have reviewed do not make it clear that the reclamation will be either complete or timely. For the requirement that "complete" reclamation be achieved, BLM should show that these practices will lead to restoration of the native plant community in terms of plant species composition, structure, and ecological function. This is what will be required for the reclamation to be "complete." While an appropriate native seed mix appears to be prescribed, the use of that seed mix does not ensure that reclamation will be complete. Many of these species (such as sagebrush) are very difficult to establish with any reliability from seed, especially if the seeding occurs in an all-too-common drought year. It is likely that for the reclamation to be

both complete and timely at least two additional things will need to be prescribed: the use of containerized (i.e., already-started) stock (especially shrubs) coupled with the use of supplemental water (irrigation). Additionally, if the reclamation is to be complete in the sense of having the same ecological function as the original plant community, as required by the Gold Book, locally adapted genotypes of the plants will need to be used. Quite simply, unless there is assurance of restoration of native shrub communities there is no assurance of either complete or timely reclamation because these shrubs (especially sagebrush) are widely understood to be “keystone” species that affect and control the proper functioning of this entire ecological community.

With respect to complying with the requirement to ensure complete and timely reclamation, we direct BLM to item 7 in the alternative we have previously submitted to BLM on a number of occasions and which was mentioned above. BLM should ensure—and demonstrate through analysis—that presently posted bond amounts are sufficient to ensure that its obligation to ensure the “complete and timely reclamation of the lease tract” is met and make adjustments in bonding as necessary. In responding to this point in the past, BLM has claimed that it could ignore it because “bonding is a regulatory requirement, not a NEPA requirement and will not be specifically addressed in a NEPA document . . . .” See, e.g., EA Number WY-100-EA05-331 (Feb. 2, 2006) at unnumbered page 19. But the Mineral Leasing Act, which is the authority under which BLM is proceeding now pursuant to the specific language in the EAct, specifically states that BLM “shall regulate all surface disturbing activities.” 30 U.S.C. § 226(g). So even if bonding, and decisions regarding whether to increase it or not, is regulatory in nature, that provides no excuse to not consider the potential need to increase bonds. The relevant question is whether the reclamation will be “complete and timely,” which BLM must ensure as necessary through the level of bonding or other financial arrangement. *Id.* Furthermore, whether reclamation bonding is sufficient or not—and thus in need of being increased—relates directly to a number of environmental concerns identified above, such as the level of soil erosion, water quality impacts, etc., so BLM must consider whether the level of bonding is sufficient in order to meet its obligation to regulate surface disturbing activities “in the interest of conservation of surface resources.” *Id.*

In addition, when invoking one of the EAct categorical exclusions, BLM must nevertheless “apply appropriate mitigation and BMP’s to all permitted actions . . . .” IM 2005-247 at 2. The effect of this provision is clearly to require that the provisions in IM 2004-194 must continue to be adhered to. That IM requires that BLM “shall incorporate appropriate BMPs into proposed APDs . . . .” IM 2004-194 at 1. The previously submitted alternative referenced above should be considered as a source of BMPs potentially applicable to the wells under consideration here. Those BMPs have relevance to mitigating the impacts of the surface-disturbing activities under consideration here (that is, they in the “interest of conservation of surface resources”), the potential impacts of which were discussed in some detail above. Thus, BLM should follow the procedures outlined in IM 2004-194 to determine if a BMP will be applicable here or not. For example, it should consider their effectiveness, balance increased costs versus “the public and resource values,” and consider whether less restrictive mitigation might suffice. *Id.* at 2. BLM should consider new data (such as the studies referenced in the footnotes above), field research (*id.*), technological

advances, and market conditions (it is well known that the oil and gas operators on the Pinedale Anticline are making extraordinary profits and that the price of natural gas has generally been high). *Id.* at 3. These are the considerations BLM must make in deciding if these, and other, BMP should be required, and they define the level of “analysis” BLM must engage in to meet the Mineral Leasing Act analysis requirement.

Furthermore, there is no doubt that other BLM policy continues to have full applicability even if the requirement to comply with NEPA has been reduced if one of the EAct categorical exclusions apply. We believe BLM should give especially careful attention to the provisions in the Gold Book, available at <http://www.blm.gov/bmp/gold%20book/FinalGoldBook%20-%202006%204th%20Edition.pdf>. For example, the Gold Book recognizes that construction of “lower class roads” can meet access needs while better protecting the environment. Gold Book at 19. In fact, the Gold Book is replete with guidance on how to develop more “environmentally friendly” roads, including acknowledging that non-constructed (primitive) roads may be appropriate under some circumstances. *Id.* at 19-27. The Gold Book also contains a number of other provisions and considerations for protecting the environment that establish that the BMPs in the previously submitted alternative that we are asking also be considered here are reasonable and worthy of full consideration by the BLM. *See id.* at 39-41 (discussing, among other things, noise control and protection of visual resources). That the BMPs we have previously submitted must be fully analyzed by BLM is given special force when the provisions and direction in the Gold Book are considered together with the direction in IMs 2004-194 and 2005-247 and the specific command to engage in analysis of plans of operations in the “interest of conservation of surface resources” established by the Minerals Leasing Act.

Finally, IM 2005-247 requires BLM to present a “narrative” presenting the rationale as to why the proposed well fits into one of the EAct categorical exclusions. The IM goes on to discuss in detail the requirements that apply to application of each of the categorical exclusions. We request that BLM’s narrative that it presents in the **form** demonstrate that the requirements for application of the relevant categorical exclusion have been met. For example, if the categorical exclusion provided at 42 U.S.C. § 15942(b)(1) is invoked, the narrative must demonstrate that the “readily visible” level of unreclaimed surface disturbance does not exceed 150 acres. Various other requirements must be met, depending on the categorical exclusion that is being invoked.

## 2. **Approval of the Wells Should Not Be Pursued Via a Documentation of NEPA Adequacy.**

In addition to providing standards for application of the EAct section 390 categorical exclusions, IM 2005-247 also provides direction on the use of documentations of land use plan conformance and NEPA adequacy, also known as DNAs. It does this by referencing IM 2001-062. Thus, IM 2001-062 must be considered if a DNA approach is used to approve any of the wells under consideration here.

IM 2001-062 (hereinafter, “DNA IM”) states that in order to use a DNA BLM must “establish an administrative record that documents clearly that you took a “hard look” at

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whether new circumstances, new information, or environmental impacts not previously anticipated or analyzed warrant new analysis or supplementation of existing NEPA documents and whether the impact analysis supports the proposed action.” DNA IM at 1 (emphasis added).<sup>6</sup> “The age of the documents reviewed may indicate that information or circumstances have changed significantly.” *Id.* at 2. The PAPA EIS is now six years old. The review of the factors specified in the attachment to the DNA IM must be done through an interdisciplinary process. *Id.*

The “Guidelines for Using the DNA Worksheet and Evaluating the NEPA Adequacy Criteria” form that is included with the attachment to the DNA IM establishes additional requirements that must be met. BLM must explain how existing documents analyzed the proposed action, including citation to page numbers. BLM must explain how the alternatives in underlying NEPA documents that are relied on constitute appropriate alternatives, “and if so, how.” BLM must “[i]dentify how current issues and concerns were addressed with the range of alternatives in existing NEPA documents.” (emphasis added). The Guidelines form gives special attention to how BLM must treat the significance of new information and circumstances. Among other things, it must consider new standards or goals, changes in resource conditions, changes in local plans and policies, land use designations, and changes in relevant statutes, case law or regulations. With respect to the methodologies used in previous NEPA documents, BLM must determine if “valid new technologies and methodologies exist (e.g., air quality modeling), [and if so] explain why it continues to be reasonable to rely on the method previously used.” With respect to direct and indirect impacts, the Guidelines form requires that BLM must

Explain how the direct and indirect impacts of the proposed action are analyzed in the existing NEPA documents, and would, or would not, differ from those identified in the existing NEPA document. Consider the effect new information or circumstances may have on the environmental impacts predicted in the existing NEPA document. Consider whether the documents sufficiently analyze site-specific impacts related to the current proposed action.

BLM must make a special effort to determine if public involvement in the past NEPA process is still in compliance with NEPA public involvement requirements “in light of current conditions, information, issues, and controversies.”

If the DNA route is chosen by BLM, at a minimum it must ensure that all of these requirements are met and that “NEPA adequacy” is in fact documented as prescribed in the DNA IM, and IM 2005-247. However, for the reasons that follow, we believe that the use of a DNA is inappropriate under the circumstances here.

<sup>6</sup> The attachment to the DNA IM reemphasizes these needs, stating under item 3 that BLM must be able to “reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action[.]” (emphasis added). The same is true with respect to cumulative impacts. See DNA IM, attachment, item 6.

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The enactment of EPAct itself represents a significant change in the relevant statutes. For example, section 366 of EPAct imposes tight timelines for processing APDs; the framework for environmental analysis has changed. BLM has initiated a supplemental environmental impact statement (EIS) for the Pinedale Anticline field, a fact that shows existing NEPA analysis in light of current circumstances and conditions is not sufficient. Moreover, as was noted above, BLM has long been on record recognizing the existing PAPA EIS is insufficient NEPA analysis standing alone because it "does not address all resource concerns." PAPA ROD at 40. The President has issued his national energy policy, along with several companion Executive Orders, including requirements to expedite energy-related projects, provide a statement of energy effects of projects, and to engage in "cooperative conservation," all of which represent changed "standards and goals for managing resources." The reports cited above by Matt Holloran and WEST, Inc. provide significantly new information regarding environmental impacts of energy development on the Pinedale Anticline on sage grouse and mule deer. It is widely recognized that the Pinedale Anticline EIS air quality analysis is outdated, at least with respect to nitrous oxide impacts, and the Jonah Infill EIS does not rectify these deficiencies because it did not even address the air quality impacts of the Pinedale Anticline project except at the "early project development stage," and it is not clear it made any attempt to consider the several thousand well Pinedale Anticline project infill. Furthermore, the method of ozone analysis in these documents (the Scheffe method) is woefully out of date. For all of these reasons, approval of the wells under consideration here via a DNA would not be in accordance with IM 2001-062 and IM 2005-247, and thus the DNA mechanism cannot be used here.

### 3. If Approval of the Wells is Pursued Via an Environmental Assessment.

The last option for approving the wells under consideration here appears to be consideration of these wells within a NEPA environmental assessment (EA) or perhaps an EIS. If this route is used, we request that the alternative that we have previously submitted and which has been mentioned several times above be fully considered as an alternative in the EA.<sup>7</sup> Again, if BLM has any question regarding this alternative or what it provides for, please contact us and we would be happy to resubmit the alternative again, although BLM should have literally dozens of copies of this alternative available because it has been submitted to BLM at least 34 times in the last two years. We request, however, that the alternative be considered in light of the additional information presented in this letter, such as the description of the environmental impacts these wells will have that was presented above, impacts which the alternative is specifically intended to eliminate or mitigate.

When we have submitted this alternative in the past, BLM has nominally considered it in the EAs it has prepared. See, e.g., EA Number WY-100-EA05-331. In those EAs, BLM

<sup>7</sup> The PAPA EIS makes many provisions that relate to the provisions in the previously submitted alternative. For example, the PAPA ROD provides that directional drilling ("pad drilling") will be utilized in many cases, especially in management areas 1, 5, 6, 7, and 8. PAPA ROD at 5-6, 29-33. We request that BLM fully consider all provisions in the PAPA ROD in determining whether the BMPs in the previously submitted alternative will be used or not. The provisions in the PAPA ROD run the gamut of provisions made in the previously submitted alternative, ranging from regulation of road construction, to noise control, to limitations on lighting, and many other issues of relevance. It is clear that under the PAPA ROD, the BMPs in the previously submitted alternative are highly reasonable, and are often required.

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has responded to the provision in the alternative asking that BLM require the BMPs in the alternative to the “maximum extent possible” by claiming that an oil and gas lease gives a lessee a “RIGHT” to develop the lease. *Id.* at unnumbered page 23-24. BLM then goes on to discuss the other provisions at 43 C.F.R. § 3101.1-2, but BLM’s basic claim is that it has very limited, or no, ability to impose requirements on a lessee. *Id.*

We ask that BLM also consider the question of what requirements it can impose in light of the provisions in BLM’s lease form, which, we believe, are applicable to the leases under consideration here. Under section 6 of the lease form, the lessee “shall take reasonable measures deemed necessary by the lessor to accomplish the intent of this section,” which is to “minimize[] adverse impacts to the land, air, and water, to cultural, biological, visual, and other resources, and to other land uses or users.” Those reasonable measures include modifying the siting, design or timing of operations, and specification of interim and final reclamation measures, but BLM’s options specifically “are not limited” to these specified measures.<sup>8</sup> Furthermore, section 7 of the standard lease form allows BLM to “deny approval” of operations if impacts would differ from the norm, and section 4 provides that “[l]essor reserves the right to specify rates of development and production in the public interest . . . .” See *National Wildlife Federation*, 169 IBLA 146, 164 (June 13, 2006) (recognizing section 4 allows BLM to regulate the pace of development and rate of production). BLM must consider what its authority is, and thus how the term “maximum extent possible” should be interpreted, in light of these specific lease terms, and not just according to the general provisions at 43 C.F.R. § 3101.1-2.<sup>9</sup> These specific lease terms (i.e., the contract BLM has bound itself to) are just as applicable, and just as binding, as the general-purpose regulatory provisions which BLM has claimed limit its authority.<sup>10</sup>

Moreover, BLM has also argued that the provision in the previously-submitted alternative relating to using “reasonable profit” as a standard by which to measure the reasonableness of the BMPs need not be considered because it “is not a NEPA issue.” This is nothing but assertion with no basis provided for this claim. Whether these BMPs will or will not be applied is certainly relevant to the environmental impacts that will result from this action, and thus the basis for including them or not including them as requirements for drilling has a great deal of relevance to environmental impacts, which is certainly “a NEPA issue.” But it is not our intent to debate this issue with BLM. If BLM chooses to reject the imminently reasonable (even conservative) basis for decision-making we have put forth (whether a reasonable profit can still be achieved), so be it: BLM can provide its own basis

<sup>8</sup> 43 C.F.R. § 3101.1-2 makes the same provision and also includes the “but are not limited to” clause that makes it clear BLM is not limited to only these “reasonable measures.”

<sup>9</sup> We also note that 43 C.F.R. § 3101.1-2 provides that the defined, but not exclusive, reasonable measures (not relocating operations by more than 200 meters, not moving operations off of the leasehold, or prohibiting new surface disturbing operations for a period exceeding 60 days per lease year) define provisions that “[a] a minimum” are consistent with lease rights. Thus, these reasonable measure provisions do not set a ceiling that BLM cannot exceed; they set a floor of presumptive reasonableness, a floor that BLM can exceed if it provides a rationale explanation, including the need to comply with the “intent” of section 6 of the lease (minimization of adverse environmental impacts) and section 226(g) of the Mineral Leasing Act (“conservation of surface resources”).

<sup>10</sup> It also bears reemphasis that the “unnecessary or undue degradation” prohibition at 43 U.S.C. § 1732(b) is clearly a “restriction[] deriving from [a] specific, nondiscretionary statute[]”, 43 C.F.R. § 3101.1-2, so BLM’s claims or implication that there is an unlimited “RIGHT” to develop a lease had no legal basis.

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for decision-making; its own basis for whether a BMP will or will not be required. But it certainly must provide an articulated basis for its decision-making, an articulated basis (that is reasonable) for accepting or rejecting a BMP. See generally IM 2004-194 (providing considerations BLM must engage in when deciding whether to require a BMP or not).

Last, if the EA route is pursued here, we ask that BLM abide by the requirements in Lynn Canal Conservation, Inc., 167 IBLA 136 (2005) (Lynn Canal I). There, BLM's governing Interior Board of Land Appeals held that an EA was legally inadequate due to "BLM's failure to provide notice of the availability of the draft EA to the general public, including interested and affected members of the public and organizations and allow a period for comment, or alternatively to provide notice of the EA and proposed pending decision with time to provide written comments . . . ." 167 IBLA at 145. To abide by this decision, which is legally binding on BLM, we ask that BLM provide us with an opportunity to comment on any draft EA(s) prepared for the wells under consideration here, or alternatively that it provide notice of the EA when it is prepared along with the proposed pending decision, and allow sufficient time to comment on that. Even under Lynn Canal Conservation, Inc., 169 IBLA 1 (April 20, 2006) (Lynn Canal II), BLM must provide some opportunity for public involvement in the NEPA process, and we request that it do so (these comments are submitted due to our initiative, not any opportunity for public involvement that BLM has provided).

Thank you for considering these comments, and we look forward to continued participation in the decision-making regarding these wells.

Sincerely,



Bruce Pendery,  
Program Director  
And on Behalf of:

Peter Aengst,  
The Wilderness Society

Suzanne Lewis,  
Biodiversity Conservation Alliance

Lloyd Dorsey,  
Greater Yellowstone Coalition

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William R. Rozier  
9615 highway #191  
Pinedale, WY 82941  
[wrozier@wyoming.com](mailto:wrozier@wyoming.com)

30 August 2006

BLM Field Office  
Post Office Box #768  
Pinedale, WY 82941

Re: QEP Stewart Point

Dear S

Comments on the proposal to drill 30 wells within the Mesa Breaks in MA4 and MA2 follow:

Stipulations in the Pinedale Anticline Project ROD were included in an attempt to mitigate the negative impacts of project on the residents, wildlife and landscape of the area. Monitoring of these impacts coupled with an adaptive management model was supposed to be implemented to guide field decisions as the project moved forward. A synoptic analysis of the project area today, a few years into the project, shows the success, or lack thereof, of the mitigation goals.

As a quarter century resident of the New Fork River Corridor below the town of Pinedale I have observed the downward spiral of our sensitive landscape resultant from the rapid exploitation of the Mesa and continued exemptions of original stipulations given to industry from our land managers within the BLM. Whether it is an increase in hazy days in the summer or pollution trapping winter inversions in the tropospheric boundary layer, we are rapidly moving Pinedale's historically clean air toward that of major industrial cities. It is true that on windy days and just after frontal passages or precipitation events the air is clear. But it is also true that air quality is degrading during those other times. NOx emissions, cumulative from neighboring sources such as the Jonah, are presenting additional air chemistry compounds for smog events, including ozone, particulates and abundant aerosols.

Industry supported "monitoring" of wildlife population declines are showing the lack of effectiveness of mitigation measures on several fronts including sage grouse and deer; historic migration routes are almost closed. The social fabric of the community is changing with the influx of drugs, crime, and the need for services greatly exceeding the capacity of the county to adapt. Now comes another proposal for winter drilling in a sensitive viewshed and crucial winter wildlife range on unstable slopes above the New Fork River Corridor.

It seems that the decision makers within the BLM cannot make rational judgments but instead follow the single-minded goal of mineral extraction at all costs. I understand the pressures upon them to do so but remind them that they have a professional responsibility to manage our resources. Sublette County has more than done its share to supply energy needs to our nation and has already suffered severe short and long term or irreparable damages. It is time to slow down the unbridled expansion of mineral development. Our hydrocarbon resources will be there in the future for extraction and future extraction will hopefully be more responsibly conducted. Threats from developers that if this project is not allowed then they will react by causing greater negative impacts only exemplifies their short term views and lack of vesting within the landscape. It is your responsibility to assure that this does not happen.

It is time that you listen to the public opinion, PLEASE ~ No drilling on the this unique, highly valued watershed.

Rod Rozier