1. PURPOSE AND NEED

1.1 INTRODUCTION AND REGIONAL SETTING

BP America Production Company (BP), representing itself and more than 20 others (collectively referred to as the "Operators") submitted a proposal to the U.S. Department of the Interior (USDI) Bureau of Land Management (BLM) Rawlins Field Office (RFO) to expand development of natural gas and condensate resources within two previously developed project areas described as the Continental Divide/Wamsutter II and Creston/Blue Gap project areas. The BLM has designated the new consolidated proposal the Continental Divide-Creston (CD-C) Natural Gas Development Project.

The proposed project combines two separate proposals submitted to the BLM:

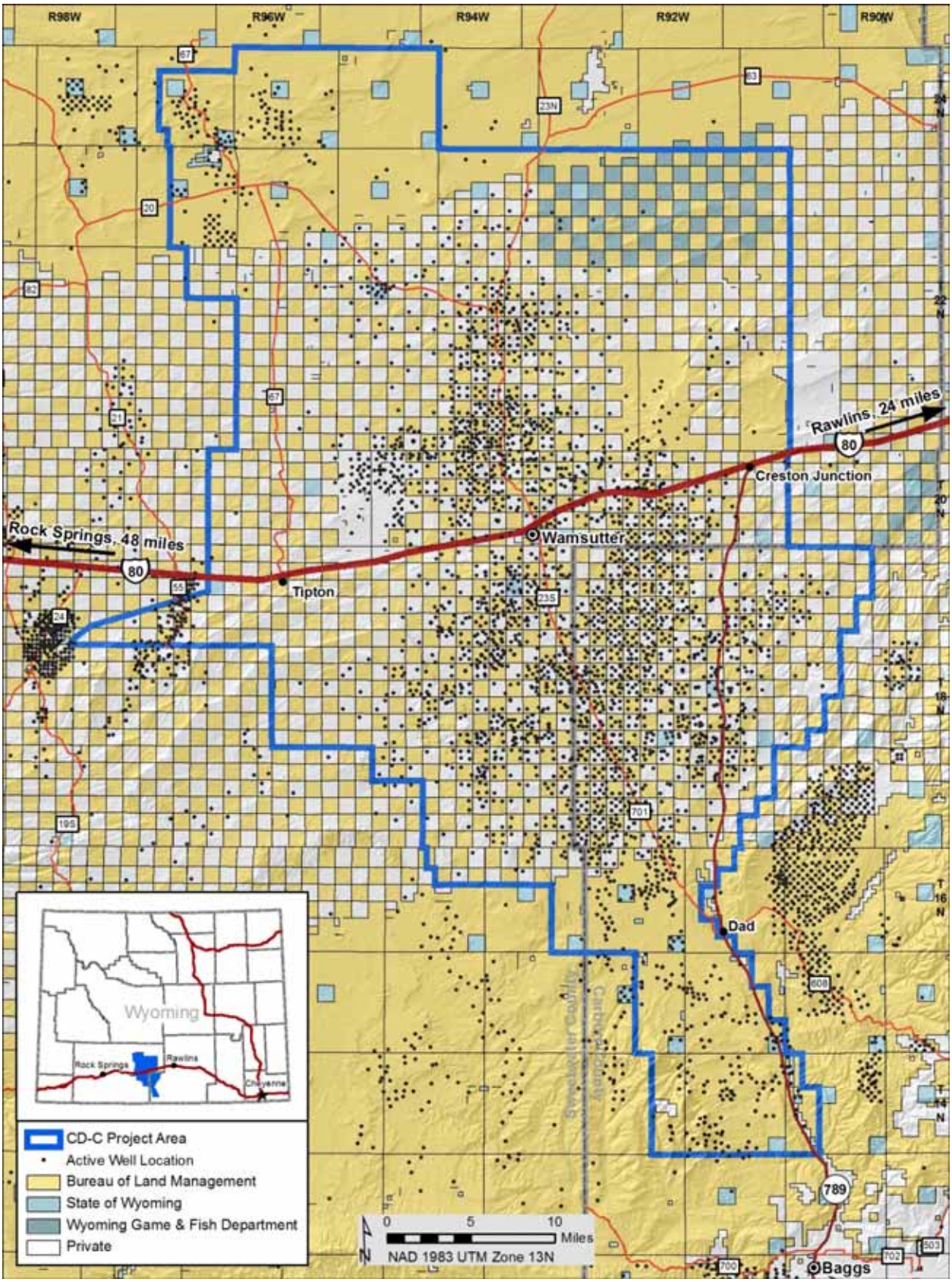
- In April 2005, the RFO received a proposal from Devon Energy Corporation and other federal leaseholders to drill up to 1,250 infill natural gas wells and associated facilities. A total of 275 natural gas wells had previously been approved for the area in the 1994 Record of Decision (ROD) for the earlier Creston/Blue Gap Environmental Impact Statement (EIS) (BLM 1994). The Devon proposal was initiated as the Creston/Blue Gap II Natural Gas Project.
- In November 2005, the RFO received a proposal from BP and other federal leaseholders to drill up to 7,700 additional wells and associated facilities within a portion of the previously approved Continental Divide/Wamsutter II natural gas project area. The May 2000 ROD for the Continental Divide/Wamsutter II Environmental Impact Statement had approved up to 3,000 wells (BLM 2000).

After reviewing both the Continental Divide and Creston/Blue Gap II proposals, and considering their concurrent timing, their proximity, and the similarity of the Proposed Actions, the BLM determined that the two projects should be combined into one infill project with up to 8,950 wells.

The BLM has prepared this draft Environmental Impact Statement (EIS) to analyze the effects of the project's proposed infill drilling and field development in compliance with the National Environmental Policy Act of 1969 (as amended) (NEPA) (42 United States Code [U.S.C.] 4321 *et seq.*) and the Council on Environmental Quality (CEQ) regulations. This EIS describes the direct, indirect, and cumulative impacts of existing and new development in the CD-C project area.

The project area consists of approximately 1.1 million acres (1,672 square miles, or mi^2) located in Townships 14 through 24 North, Ranges 91 through 98 West, Sixth Principal Meridian, Carbon and Sweetwater counties (**Map 1-1**). The eastern boundary of the CD-C project area is about 25 air miles west of the city of Rawlins; the western boundary is roughly 50 miles east of the city of Rock Springs. Interstate 80 (I-80) generally bisects the project area. The checkerboard[2] pattern of land ownership in the central portion of the project area is a result of early land grants from the federal government to the Union Pacific Railroad Company. The BLM, the State of Wyoming, and private owners issued the oil and gas leases covering these lands. The RFO manages BLM surface lands and the federal mineral estate in the project area. The BLM manages approximately 626,932 surface acres (58.6 percent), the State of Wyoming owns approximately 48,684 acres (4.5 percent), and private landowners own approximately 394,470 acres (36.9 percent), as shown in Map 1-1. The map also shows all natural gas development to date within and adjacent to the project area. **Table 1-1** describes both the surface and mineral ownership within the project area.

[2] The checkerboard refers to the generalized land ownership pattern, characterized by alternating private and public ownership of sections, 20 miles either side of the Union Pacific Railroad.



Map 1-1. Project boundary and existing natural gas development

No warranty is made by the BLM for use of the data for purposes not intended by the BLM.

Table 1-1. Estimated surface and mineral ownership in the CD-C project area

Ownership	Surface	% of Project Area	Mineral	% of Project Area
ACRES				
Federal	626,932	58.6	579,533	54.2
Wyoming	48,684	4.5	74,470	7.0
Fee	394,470	36.9	416,083	38.9
Total	1,070,086	100.0	1,070,086	100.0
SQUARE MILES				
Federal	980	58.6	905	54.2
Wyoming	76	4.5	116	7.0
Fee	616	36.9	650	38.9
Total	1,672	100.0	1,672	100.0

The State of Wyoming is a Cooperating Agency in this EIS, with active participation from many state agencies including the State Planning Office, Wyoming Game and Fish Department (WGFD), State Historic Preservation Office (SHPO), Wyoming Department of Environmental Quality (WDEQ), and Wyoming Department of Agriculture (WDA). Regional cooperating agencies include Sweetwater County, the Little Snake River Conservation District, and the Sweetwater County Conservation District.

1.2 OVERVIEW OF THE PROPOSED PROJECT

Based on current knowledge of natural gas reservoir characteristics (geology, flow from existing wells, anticipated recovery rates, and economics), the Operators propose drilling up to 8,950 infill natural gas wells, including up to 500 coalbed natural gas (CBNG) wells, in addition to the more than 4,400 wells already drilled in the project area (**Map 1-1**). The precise locations of these additional wells have not been identified at this time. The Operators anticipate drilling at well densities of up to one well per 40 acres. Wells may be drilled conventionally with a vertical well bore on a single pad, or with multiple directional bores from a single pad. The proposed project also includes construction and operation of ancillary facilities such as: roads; gas, water, and condensate-gathering pipelines; overhead and buried power lines; and separation, dehydration, metering, and fluid-storage facilities.

The total number of wells drilled would depend largely on variables outside of the Operators' control, such as production success, appropriate engineering technology, economic factors, commodity prices, availability of commodity markets, and lease stipulations and restrictions. The Proposed Action is explained in more detail in Chapter 2 and in **Appendix B, Plan of Development**. **Appendix B** includes details on project site planning, development, and operations including general plans and descriptions for transportation, reclamation, and hazardous materials management. Wyoming BLM standard operating procedures and practices currently used in all surface-disturbing activities throughout the Rawlins Field Office would be employed for this project (see **Appendix C, Best Management Practices and Conditions of Approval)**. Additional appendices containing information related to project scoping, operations and procedures, mitigation, and resource-specific issues include:

- Appendix A, Summary of Scoping Comments by Category
- Appendix D, Paleontological Resources Program Guidance
- Appendix E, Reclamation Guidance
- Appendix F, Water Resources Supplemental Data
- Appendix G, Energy by Design – Cooperative Mitigation Planning for the CD-C Gas Field
- Appendix H, Occurrence Potential of Wildlife in the CD-C project area
- Appendix I, Wildlife Inventory, Monitoring, and Protection Plan
- Appendix J, Cultural Resources Management
- Appendix K, Hazardous Materials Management Summary

Construction, development, production, and abandonment would comply with all applicable federal, state, and county laws, rules, and regulations (see **Section 1.7**). Best Management Practices committed to by the Operators on public lands include the design and construction of all new roads to a safe and appropriate standard to accommodate their intended use, painting of all new facilities a color that best allows the structures to blend in with the background, interim reclamation of well locations and access roads, and final reclamation and recontouring of all disturbed areas.

1.3 PREVIOUS AND EXISTING OIL AND GAS DEVELOPMENT IN THE AREA

The CD-C project lies in the center of a large area that has seen extensive natural gas exploration and development. **Map 1-2** shows the boundaries of the most recent natural gas projects. The Continental Divide project and then the Continental Divide/Wamsutter II project were two predecessors of the CD-C project, both with much greater area. The Creston/Blue Gap project was another predecessor. Four other projects lie adjacent to, or even within, the CD-C project area: Atlantic Rim to the east, Desolation Flats to the southwest, Table Rock at the center west, and Luman Rim at the northwest corner. Table Rock at and Luman Rim are two relatively small projects approved by the Rock Springs Field Office in the last two years. The other and much larger predecessor and neighboring projects are summarized in **Table 1-2**.

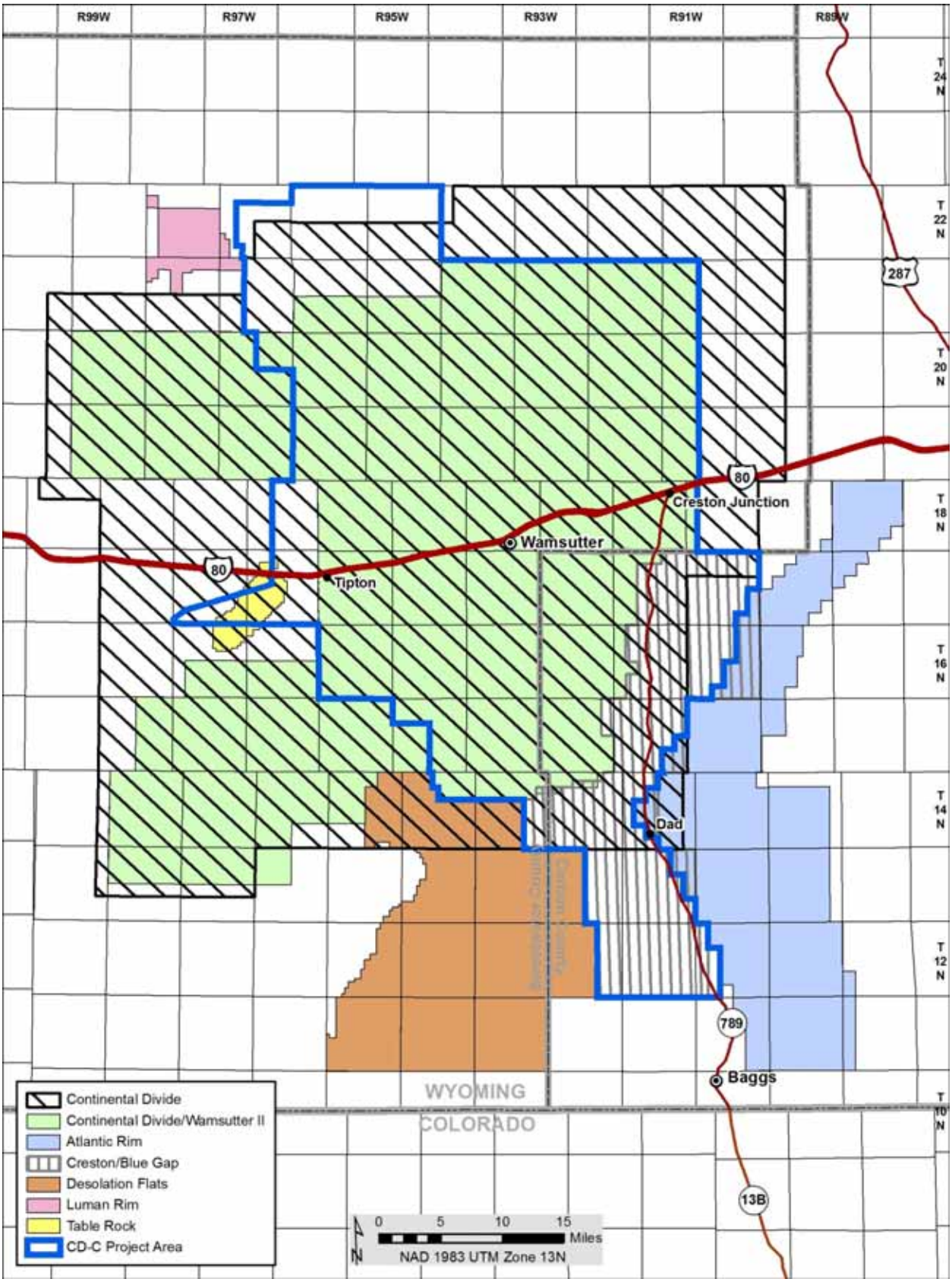
Table 1-2. Oil and gas development in and near the CD-C project area

Project	Date Approved	Drilling to be Complete	Project Acres	Project Wells
Creston/Blue Gap	1994	2014	207,746	275
Continental Divide/Wamsutter II	2000	2015	1,061,200	3,000
Atlantic Rim	2006	2026	270,080	2,000
Desolation Flats	2004	2018	233,542	385

Creston/Blue Gap Natural Gas Project. Natural gas development and production in the southeastern portion of the project area (**Map 1-2**) was analyzed and approved under the Creston/Blue Gap EIS and ROD (BLM 1994). The decision allowed a maximum of 275 wells on 250 locations on a 160-acre spacing pattern. This project is fully constructed and the CD-C Proposed Action includes infill development associated with the same project area.

Continental Divide/Wamsutter II Natural Gas Project (CDW2) . The CDW2 project comprised approximately 1,061,200 acres—531,400 acres of federal surface, 9,800 acres of state surface, and 520,000 acres of private surface (**Map 1-2**). The Proposed Action analyzed in the EIS included up to 3,000 wells at 3,000 well locations, with approximately 1,500 miles of new roads, 1,500 miles of new pipeline, five compressor stations, one gas-processing facility, 10 evaporation ponds, five disposal wells, and 50 water wells. The ROD (BLM 2000) approved up to 2,130 wells, with the remaining 870 wells (not more than 435 wells or well locations on federal lands and/or federal mineral estate) to be reviewed pending revision of the Rawlins Resource Management Plan (RMP). With the approval of the Rawlins RMP in 2008, the remaining wells were authorized. This project is fully constructed and the CD-C Proposed Action includes infill development associated with the same project area.

Desolation Flats Natural Gas Field Development Project. The EIS analyzed a proposal to conduct exploratory drilling and development of up to 385 wells and associated production and transmission facilities within the area known as Desolation Flats. The project area is approximately 233,542 acres, located within the BLM Rawlins and Rock Springs Field Offices, immediately to the southwest of the CD-C project area (**Map 1-2**). The 2004 ROD (BLM 2004) approved 385 wells at 361 locations. After an initial period of development, drilling activity has fallen off in recent years.



Map 1-2. Oil and gas development in and near the CD-C project area

No warranty is made by the BLM for use of the data for purposes not intended by the BLM.

Atlantic Rim Natural Gas Development Project. This project is located on the southeastern boundary of the CD-C project area, encompassing approximately 270,080 acres (**Map 1-2**). The 2006 ROD **(**BLM 2006a) called for drilling and development of approximately 1,800 CBNG wells and 200 conventional gas wells on state, private, and federal lands with a density of eight wells per 640 acres. Drilling is expected to occur for approximately 15 years. New wells are expected to have an operational life of 30 to 40 years. Associated facilities include access roads, gas and water collection pipelines, compressor stations, and electrical/power system development. After an initial period of development, drilling activity has fallen off in recent years.

1.4 PURPOSE AND NEED FOR THE ACTION

The Operators propose to develop, produce, and market natural gas and other fluid minerals from the CD-C project area that are needed to meet the national domestic energy demand. Under its authority to issue oil and gas leases and consistent with the Great Divide Resource Management Plan (RMP), updated and renamed in December 2008 as the Rawlins RMP (BLM 2008a), the RFO has leased federal minerals within the entire project area. The BLM oil and gas leasing program encourages development of domestic oil and gas reserves, consistent with the BLM's multiple-use mission.

The BLM's purpose and need is to determine the conditions under which the applicant's valid existing rights from federal oil and gas leases within the CD-C project area may be exercised in accordance with the BLM's multiple-use mandate, the Mineral Leasing Act (MLA) of 1920 as amended, the Federal Land Policy and Management Act of 1976 (FLPMA), and the Federal Onshore Oil and Gas Leasing Reform Act of 1987. The MLA, as amended, provides that exploration and development of domestic oil and gas is in the best interest of the United States. The intent of the MLA and its implementing regulations is to allow, and essentially encourage, lessees or potential lessees to explore for oil and gas or other mineral reserves on federally-administered lands.

The BLM is also directed by the FLPMA to manage public lands for multiple use including recreation, wildlife habitat, development of timber and forest products, livestock grazing, and energy and mineral production such as the CD-C proposal. The BLM must consider the proposal for exploratory actions and full-field development of natural gas resources within the CD-C project area in a manner that meets the multiple-use mandate of the agency and sustains the health and productivity of public lands for the use and enjoyment of present and future generations. The BLM will consider approval of the proposed drilling in a manner that reduces impacts on water and wildlife resources throughout the CD-C project area, consistent with the lease rights granted to the applicant.

1.5 DECISIONS TO BE MADE

As a result of the analysis presented in this EIS, the BLM will decide whether to allow, and under what conditions to allow, the development, operation, maintenance, and reclamation of expanded development on federal lands and the federal mineral estate within the project area. The BLM will determine what levels of impacts are approved, and what Conditions of Approval, Best Management Practices, mitigation, monitoring, and surveying would be required. The ROD associated with this EIS will not be the final review or the final approval for all actions associated with this project. The BLM must review and authorize each component of the project that involves the disturbance of federal lands on a site-specific basis. The methods normally used to evaluate and authorize surface-disturbing activities are an Application for Permit to Drill (APD), right-of-way grant, or Sundry Notice, with supporting environmental record of review, which would be required before any construction could occur. Evaluations at this level include site-specific analyses of proposed well locations, tiered to the broad-scale level analysis included in this EIS.

1.6 REGULATORY SETTING

This EIS incorporates key provisions of the FLPMA of 1976, which directs the BLM to manage public lands and their resource values to "best meet the present and future needs of the American people" (Section 103 [43 USC 1702]) and to coordinate resource management "without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or greatest unit output" (Section 103(c) [43 USC 1702]). The FLPMA also states that it is appropriate that some lands be used "for less than all of the resources" (Section 103 (c) [43 USC 1702]).

The BLM RFO is the lead agency for this EIS because the federal lands proposed for development are under its jurisdiction. The BLM has provided guidance, input, participation, and independent evaluation during EIS preparation. Previously listed federal and state agencies and local governments participated in the preparation of this EIS as cooperators. The BLM, in accordance with 40 Code of Federal Regulation (CFR) 1506.5(a) and (c), is in agreement with the information and analyses presented in this EIS and approves and takes responsibility for the scope and content of this document.

This EIS was prepared in accordance with NEPA, and CEQ regulations implementing NEPA (40 CFR 1500–1508), and is in compliance with all applicable regulations and laws subsequently passed, including: USDI requirements (Department Manual [DM] 516 [516 DM 1 through 6, 11]); Environmental Quality (U.S. Department of the Interior 2005); guidelines listed in the BLM National Environmental Policy Act Handbook H-1790-1 (BLM 2008c); Guidelines for Assessing and Documenting Cumulative Impacts (BLM 1994); CEQs Considering Cumulative Effects under the National Environmental Policy Act (Council on Environmental Quality 1997).

1.7 AUTHORIZATIONS AND PERMITS

This section describes the general federal, state and county permitting environment in which the CD-C natural gas development project will operate. **Table 1-3** contains a full listing of the pertinent federal, state and county authorizing actions and the agencies that administer them.

Oil and gas leases on federal mineral estate are issued by the BLM consistent with regulations regarding federal oil and gas leasing and operations (43 CFR, Parts 3100 and 3120, respectively). Stipulations may be added as terms of a lease when the lease is issued to reflect management guidance established in the Rawlins RMP.

Once a lease is issued, the leaseholder/operator must apply for and receive site-specific authorization(s) prior to drilling within the leasehold area. To meet required environmental obligations, the leaseholder/ operator must submit to the BLM an APD or its associated application for right-of-way so that the appropriate environmental review may be prepared. Environmental documents such as an Environmental Assessment, Categorical Exclusion, or the appropriate environmental record of review for APD or right-of-way authorizations often include site-specific Conditions of Approval that add further operational requirements.

Drilling of federal minerals is subject to the BLM's Onshore Oil and Gas Orders (43 CFR Subpart 3164 – Special Provisions). BLM Onshore Order Nos. 1 and 2 require an applicant to comply with the following conditions:

- Operations must result in the diligent development and efficient recovery of resources;
- All activities must comply with applicable federal, state, and local laws and regulations applicable to federal leases;
- All activities must include adequate safeguards to protect the environment;
- Disturbed lands must be properly reclaimed; and

- All activities must protect public health and safety.

Onshore Order No. 1 specifically states that lessees and operators are held fully accountable for their contractors' compliance with the requirements of the approved permit and/or plan (Part IV; March 7, 2007).

Pipeline and road rights-of-way on federal lands would be issued under the authority of the Mineral Leasing Act of 1920, as amended, or the FLPMA. Right-of-way grants authorizing construction of ancillary facilities, access roads, and pipelines would grant operators certain rights subject to the terms and conditions incorporated into the grant by the BLM.

Several Executive Orders (EOs) also affect implementation of the proposed project. These EOs, which are binding on all government agencies, place restrictions on government approval of construction activities and apply to wetlands, floodplain management, migratory birds, environmental justice, and invasive species.

The BLM must adhere to specific provisions regarding the draining of federal minerals from adjoining non-federal lands. These provisions are codified in 43 CFR 3100.2, which states that, upon determination that lands owned by the U.S. are being drained of oil or gas by wells drilled on adjacent lands, the BLM may execute agreements with the owners of adjacent lands whereby the U.S. and its lessees shall be compensated for such drainage. In addition, where lands in any lease are being drained of their oil and gas content by wells either on another federal lease, issued at a lower rate or royalty, or on non-federal lands, the lessee shall both drill and produce all wells necessary to protect the lease lands from drainage.

In lieu of drilling necessary wells, the lessee may, with the consent of the BLM, pay compensatory royalty. These provisions are also incorporated in the lease terms contained in all federal oil and gas leases (Form 3100-11). A list of the major permits, approvals, and authorized actions necessary to construct, operate, maintain, and abandon project facilities for the Continental Divide-Creston Natural Gas Development Project is provided in **Table 1-3**. Please note that this list is intended to provide an overview of the key regulatory requirements that would govern project implementation. Additional approvals, permits, and authorizing actions may be necessary.

Table 1-3. Federal, state, and county authorizing actions

AGENCY	NATURE OF ACTION
Federal Agencies	
Office of the President of the United States	Executive Orders • Protection and enhancement of the cultural environment (EO 11593) • Floodplain management (EO 11988) • Protection of wetlands (EO 11990) • Environmental justice (EO 12898) • Native American sacred sites (EO 13007) • Invasive species (EO 13112) • Protection of migratory birds (EO 13186) • Trails for America in the 21st century (EO 13195) • Preserve America (EO 13287) • Facilitation of Hunting Heritage and Wildlife Conservation (EO 13443)
Advisory Council on Historic Preservation	• National Historic Preservation Act of 1966, as amended (Regulations at 36 CFR Part 800, Protection of Historic Properties (amended August 5, 2004)
BLM (Rawlins Field Office)	• Approves APDs, Sundry Notices and reports on wells, production facilities, disposal of produced water, gas venting or flaring, and well plugging and abandonment for federal wells (MLA of 1920 [30 USC 181 *et seq.*]; 43 CFR 3162, Onshore Oil and Gas Orders No 1 and No 2, Approval of Operations) • Grants rights-of-way to operators for gas-field development actions on BLM surfaces outside of federal lease or unit boundaries, and to third-party applicants (i.e., non-unit operator or non-lease holder) both within and outside of the unit boundary (MLA of 1920, as amended [30 USC 185]; 43 CFR 2880; FLPMA [43 USC 1761–177 1]; 43 CFR 2800) • Reviews inventories of, and impacts to, cultural resources and antiquities affected by undertakings and consults with the State Historic Preservation Office and the Advisory Council on Historic Preservation as required by Wyoming State Protocol (Antiquities Act of 1906 [16 USC Section 431–433]; Archaeological Resources Protection Act of 1979 [16 USC Section 470aa–470ll]; Preservation of American Antiquities [43 CFR 3]; National Historic Preservation Act [NHPA[];Section 106 [36 CFR 60.4]) • Approves disposal of produced water from BLM/federal oil and gas wells (MLA of 1920 [30 USC 181 *et seq.*]; 43 CFR 3164; Onshore Oil and Gas Order No. 7) • Reviews impacts on federally listed or proposed-for-listing Threatened or Endangered species of fish, wildlife, and plants, and consults with U.S. Fish and Wildlife Service (Endangered Species Act of 1973, as amended *et seq.* [16 USC 1531]) • Grants Unit Area Agreements and subsequent actions relative to the unit
BLM Wyoming (Reservoir Management Group)	Administers drainage protection and protection of correlative rights on federal mineral estate
U.S. Army Corps of Engineers	Issues permit(s) for placement of dredged or fill material in, or excavation of, waters of the U.S. and their adjacent wetlands (Section 404 of the Clean Water Act of 1972 [40 CFR 122-123, 230])
U.S. Department of Energy	Regulates interstate pipeline product transportation (various sections of the USC and CFR)
U.S. Environmental Protection Agency	• Requires Spill Prevention, Control, and Countermeasure Plans (40 CRF 112) • Regulates hazardous wastes treatment, storage, and/or disposal (Resource Conservation and Recovery Act, 42 USC 6901)
Federal Agencies	
U.S. Fish and Wildlife Service	Reviews impacts on federally listed or proposed-for-listing Threatened or Endangered species of fish, wildlife, and plants; coordinates impacts to migratory birds (Fish and Wildlife Coordination Act, 16 USC Sec. 661 *et seq.*; Section 7 of the ESA of 1973, as amended [16 USC *et seq.*]; Bald Eagle Protection Act, as amended [16 USC 668–668dd]); Migratory Bird Treaty Act of 1898

Table 1-3. Federal, state, and county authorizing actions, *continued*

AGENCY	NATURE OF ACTION
U.S. Department of Transportation	Controls pipeline maintenance and operation (49CFR 191 and 192)
State of Wyoming	
Wyoming Department of Agriculture	Regulates weed and pest control by county agency (Wyoming Weed and Pest Control Act, Wyoming Statute WS 11-5-102)
Wyoming Board of Land Commissioners/Land and Investment Office	Approves oil and gas leases, rights-of-way for long-term or permanent off-lease/off-unit roads and pipelines, temporary use permits, and developments on state lands (WS 37-1-101 *et seq.*)
Wyoming Department of Environmental Quality (WDEQ), Water Quality Division	• Issues Wyoming Pollution Discharge Elimination System (WYPDES) permits for discharging wastewater and stormwater runoff (WDEQ Rules and Regulations, Chapter 18; Wyoming Environmental Quality Act, WS 35-11-301 through 35-11-311; Section 405 of the Clean Water Act, 40 CFR 122-124) • Provides administrative approval for discharge of hydrostatic test water (Wyoming Environmental Quality Act, WS 35-11-301 through 35-11-311) • Oversees conformance with all surface water standards, permits to construct, and permits to operate • Issues permits to construct settling ponds and wastewater systems including groundwater injection and disposal wells for non-oil and gas uses • Regulates off-lease disposal of drilling fluids from abandoned reserve pits (Wyoming Environmental Quality Act, WS 35-11-301 through 35-11-3111) • Grants small wastewater system permits, where applicable • Requires reporting of spills or releases of oil, hazardous substances and produced water
WDEQ, Air Quality Division	Issues New Source Review (NSR) permits to construct and operate all pollution emissions sources including compressor engines and portable diesel and gas generators (Clean Air Act; Wyoming Environmental Quality Act, WS 35-11-201 through 35-11-212)
Wyoming Department of Environmental Quality, Solid Waste Division	Issues construction fill permits and industrial waste facility permits for solid waste disposal during construction and operations (Wyoming Environmental Quality Act, WS 35-11-501 through 35-11-520)
Wyoming Department of Transportation (WYDOT)	Issues permits for oversize, overlength, and overweight loads (Chapters 17 and 20 of the Wyoming Highway Department Rules and Regulations)
Wyoming Oil and Gas Conservation Commission (WOGCC)	• Issues permits to use earthen pit (reserve pits) on nonfederal lands (WOGCC Regulations, Section III; Rule 305) • Authorizes flaring or venting of gas (WOGCC Regulations, Section III; Rule 326) • Issues permits for Class II underground injection wells (WOGCC Regulations, Section III; Rule 346) • Regulates well plugging and abandonment (40 CFR 146; 40 CFR 147.2551) • Issues permit to drill, deepen, or plug back as part of the APD process (WOGCC Regulations, Section III; Rule 315) • Regulates change in depletion plans, Wyoming Oil and Gas Act (WS 30-5-110) • Sets minimum safety standards for oil and gas activities (WOGCC Regulations (Rules 321-A, 327, and 328)

Table 1-3. Federal, state, and county authorizing actions, *continued*

AGENCY	NATURE OF ACTION
State of Wyoming	
Wyoming State Engineer's Office	• Issues permits to appropriate ground and surface water (WS 41-121 through 147 (Form UW-5) • Issues temporary water rights for construction permits to appropriate surface water (WS 41-201, Form SW-1)
Wyoming State Historic Preservation Office	Provides consultation concerning inventory of, and impacts to, cultural resources (Section106 of NHPA and Advisory Council Regulations, 36 CFR 800)
Carbon County	
	• Issues driveway access permits where new roads intersect with county roads • Prepares road use agreements and oversize trip permits when traffic on county roads exceeds established size and weight limits, or where the potential for excessive road damage exists • Issues construction and conditional use permits for all new structures • Administers zoning changes where applicable • Provides control of noxious weeds • Issues permits to bore or trench county roads or for any crossing or access off a county road
Sweetwater County	
	• Requires compliance with the International Fire Code (Wyoming State Statute 35-9-121) • Issues Construction/Use Permits to insure all structures and uses comply with the health, safety and welfare standards of the Sweetwater County Development Code. (Wyoming State Statute 18-5-201 et seq.) • Issues Conditional Use Permits to insure that uses such as man camps, storage of explosives, storage of radioactive material, temporary construction yards, gravel quarries, wastewater disposal facilities, solid waste disposal facilities, and similar uses comply with the health, safety, and welfare standards of the Sweetwater County Development Code. (Wyoming State Statute 18-5-201 et seq) • Approves zone changes as necessary to ensure that the proposed use of the land is coordinated with the Sweetwater County Zoning Map and Land Use Plan. (Wyoming State Statute 18-5-201) • Issues County Road permits and licenses including road access and road crossings. (Wyoming State Statute 24-3-101 et seq) • Requires coordination with the Sweetwater County Engineering Department regarding the movement of heavy equipment on county roads and the proper use and maintenance of said roads. (Wyoming State Statute 24-3-101 et seq) • Coordinates on natural resource issues in the context of the Sweetwater County Conservation District Land and Resource Use Plan and Policy
Sweetwater County Health Department	Issues small wastewater permits (Wyoming State Statute 35-11-101 et seq)
Local Emergency Planning Committee	Requires Hazardous Materials Inventory to ensure the storage of hazardous materials is properly coordinated with the emergency providers (Right to Know Act, EPCRA-42-116-101 et seq)
Sweetwater County Weed and Pest District	Provides control of noxious weeds (Wyoming Statute 1105-101 et seq)

1.8 CONFORMANCE WITH THE RAWLINS RESOURCE MANAGEMENT PLAN

The BLM issued its ROD for the Rawlins RMP in December, 2008. The Rawlins RMP provides direction for managing 3.5 million acres of BLM-administered public land and 4.5 million acres of BLM-administered federal mineral estate in Albany, Carbon, Laramie, and Sweetwater Counties, Wyoming, including the entire CD-C project area. The proposed CD-C development would be in conformance with the 2008 Rawlins RMP and the BLM decisions relating to the CD-C proposal will be in conformance with the RMP with one area of exception. Alternative B, Enhanced Resource Protection (**Section 2.2.3**) contains several provisions that, if included in the CD-C ROD, may require an RMP amendment. For example, the RMP requires "avoidance of surface-disturbing and disruptive activities within 500 feet of perennial waters, springs, wells and wetlands." For Muddy Creek and its tributaries that distance would be increased to 0.25 miles by Alternative B. If it is determined that this or other elements from Alternative B are to be included in the CD-C ROD, then the CD-C ROD would initiate the necessary RMP amendment procedures.

Two elements of the Rawlins RMP that affect public resource management within the CD-C project area may be revised before a ROD is issued on the CD-C project proposal: the management of visual resources and the management of greater sage-grouse habitat.

- The RFO's resolution of RMP protest issues required additional planning on visual resource management (VRM). On April 11, 2012, the RFO published a Notice of Intent to amend the RMP with regard to the VRM designations. Subsequent to the completion of the RMP, the RFO updated the visual resource inventory for the planning area and will use the update as a baseline for a revised designation of VRM classes. The potential effect of this revision on management of visual resources on public lands in the CD-C project area is described in **Section 4.11, Visual Resources**. Should the RMP amendment for VRM designations be completed before the CD-C EIS is completed, the CD-C ROD will reflect changes in VRM designations for the CD-C project area.
- On May 28, 2010, the BLM Wyoming State Office announced its intention to prepare RMP amendments to revise sage-grouse and sagebrush management for the Rawlins, Rock Springs, Kemmerer, Pinedale, Casper, and Newcastle RMPs. Amending the RMPs would provide consistency in applying the BLM Wyoming sage-grouse policy and also would assure consistency with the Wyoming Governor's Sage-Grouse Implementation Team's Core Population Area Strategy. Should the RMP amendment for sage-grouse management be completed before the CD-C EIS is completed, the CD-C Record of Decision (ROD) will reflect changes in management of greater sage-grouse called for by the RMP amendment.

Reasonably foreseeable development of oil and gas resources for the Rawlins Resource Area during the 20-year life of the RMP was estimated at 8,822 wells, resulting in gross surface disturbance of 57,819 acres and net surface disturbance of 15,472 acres including roads and pipelines. The number of wells drilled and the estimated disturbance acreage were included in the RMP for analysis purposes only. The estimates should not be construed as a cap or limit on the number of wells that could be drilled, or on the amount of surface disturbance resulting from the development of oil and gas resources within the resource area. No such constraints were intended and the RMP contains no decision that would cap drilling or disturbance.

1.9 PUBLIC PARTICIPATION

1.9.1 Scoping Process

Council on Environmental Quality (CEQ) regulations on implementing NEPA call for an early and open process to determine the scope and significance of issues to be addressed in the EIS (40 CFR Sec. 1501.7). One of the principal goals of this scoping process is to involve the public in the identification of issues, concerns, and potential impacts that may require detailed analysis in the EIS. The formal scoping

process for the Continental Divide-Creston EIS began with a Notice of Intent (NOI) to prepare an EIS on additional drilling in the Creston/Blue Gap natural gas field. (As described in **Section 1.2, Overview of the Proposed Project**, the Continental Divide-Creston EIS began as an EIS on just the Creston/Blue Gap area.) That NOI was published in the *Federal Register* on September 8, 2005, inviting the public to comment on a proposal for more extensive development in the Creston/Blue Gap II natural gas field. A public meeting was held in Rawlins on October 13, 2005. During the scoping period on the Creston/Blue Gap II Project, the BLM received 29 individual comment letters, faxes, and e-mails.

Very soon after the Creston/Blue Gap scoping process had been completed, BLM RFO received a proposal from BP America Production Company (BP), representing themselves and other leaseholders, to further develop lease holdings in the Continental Divide/Wamsutter II natural gas area. The BLM decided to combine this project with the Creston/Blue Gap project into a single EIS and initiated another scoping process for the newly named Continental Divide-Creston EIS. The BLM published a NOI for the larger Continental Divide-Creston project on March 3, 2006. A public meeting to discuss the project was held in Rawlins on April 6. In addition to the 29 comments received during the original scoping period, 21 comment letters, faxes, and e-mails were received for the combined Continental Divide-Creston Project. Most of the respondents were the same for both projects.

As part of the scoping process, the BLM invited other federal, state, and local government agencies to participate in the EIS process as cooperating agencies. The RFO hosted an "interested Agency" briefing in January 2006 to bring the project to the attention of locally interested state, federal and local agencies. The State of Wyoming, Sweetwater County, the Little Snake River Conservation District , and the Sweetwater County Conservation District requested and received Cooperating Agency status.

The issues and concerns identified during the process described above are described in more detail in **Appendix A**. Key issues and concerns are summarized below.

1.9.2 Key Issues and Concerns

All comments received during the scoping process were reviewed and analyzed. The BLM identified nine key or driving issues based primarily upon the potential quantity, intensity, or duration of an impact, and/or the degree of agency or public interest in the issue. The range of alternatives was developed in response to these key issues, and the potential impacts associated with these issues.

- **Air Quality**: Potential project and cumulative impacts on air quality, including air quality-related values (AQRV).

  Estimate potential changes in emissions brought about by the project, including nitrogen oxides (NO_x), particulate matter greater than 10 microns in diameter (PM_{10}), and ozone. Estimate project-generated ozone using state-of-the-art scientific methods. Impact analysis should include evaluation of regional haze and visibility effects on Category I airsheds. Modeling should address cumulative emissions in the project area and regionally, assuming reasonably foreseeable natural gas and other development.

- **Cultural resources:** Estimate the impact on the historic trails and transportation corridors in the project area.

  The Overland Trail, Cherokee Trail, UPRR, and Lincoln Highway pass through the project area. These trails have been inventoried and evaluated for eligibility to the National Register of Historic Places (NRHP), and appropriate mitigation will be developed that would preserve the setting which contributes to that eligibility.

- **Hydrology:** Degradation of water quality by project construction and drilling activities, issues related to disposal of CBM-produced water.

  The project may increase salt and sediment loads to and depletions from Colorado River watersheds. What will be the selenium content of produced water? It should be no higher than 2

micrograms per liter (μ/L) to protect fish, waterfowl, shorebirds, and other wildlife. No surface disposal of produced water should be allowed due to increased salt loading within the Colorado River basin.

- **Land Ownership:** The great majority of the project area is in the "Checkerboard," greatly complicating impact reduction through mitigation.

  A number of respondents noted that mitigation efforts on public land may not be imposed on nearby private lands, thus undermining the success of that mitigation. Examples cited included wildlife winter range, surface disturbance, traffic management, and non-native species.

- **Non-native, Invasive Plant Species:** Evaluate the current and projected presence of non-native, invasive species.

  Already-extensive development in the project area has resulted in increased infestation by invasive species. The regional drought has exacerbated this situation. To what extent will further development of the project area increase the problem and what measures can be taken to control and manage the spread of invasive species? To what extent is wildlife habitat and rangeland diminished by invasive species?

- **Range Resources:** Loss of livestock forage and project-associated hazardous conditions to area livestock/livestock operations.

  Respondents indicated concerns for livestock operations in the project area. Concerns were generally associated with: the direct loss of forage and the associated potential for a reduction in permitted livestock numbers; water quality impairment; movement restrictions; alterations due to pipeline trenches, roads, and fences; management problems associated with the inability to access two-track routes from project-developed crowned-and-ditched roads; and livestock hazards from vehicle collisions, drinking contaminated water from project pits, entrapment in pipeline trenches, and the increase in fugitive dust emissions potentially causing dust-induced pneumonia.

- **Special Status Species**: What are the T&E and sensitive wildlife species that could be impacted by the project, and what would be the extent of the effects?

  There are resident populations of greater sage-grouse and mountain plovers and other special status species. If black-footed ferret populations were found in the project area, would they be affected if prairie dog populations were reduced? Could downstream habitat of Colorado River Endangered fish populations be affected by soil sedimentation or water depletions? The EIS should include identification and mapping of important habitats, and measures to avoid or mitigate loss of those habitats.

- **Socioeconomics:** Define the impact of the project on traditional socioeconomic indicators and examine the question of technical vs. economic recoverability of the resource.

  Some respondents expressed concern over the effect of the project on local employment, infrastructure, and public finance. Additional concerns focused on the development of oil and gas resources leading to the destruction of other economic activity like recreation and second-home development. One respondent questioned the advisability of complete recovery of the natural gas resource.

- **Surface disturbance/reclamation:** The extent of existing and proposed surface disturbance and its effects on all resources in the project area.

  Many respondents identified the volume and distribution of surface disturbance as an issue for several resources in the project area—wildlife and wildlife habitat, cultural resources, soils and vegetation, and range resources. Directional drilling was frequently cited as a method to minimize surface impacts. Proper reclamation of disturbed lands is critical to minimizing impacts on all area resources and reclamation in arid environments, especially during periods of drought, is challenging and may require specialized methods.

- **Wildlife Habitat:** The project has the potential to further fragment wildlife habitat and seriously diminish the value of that habitat for many species.

  Previous development in the project area has created a network of roads that has already fragmented habitat. The Proposed Action would quadruple the number of wells and has the potential to greatly increase fragmentation through proliferation of access roads. What impact will this have on the wildlife species in the area, and in particular, pronghorn, mule deer, and elk. Examine the effects of natural gas production on winter range within the project area. The analysis should fully explore mitigation efforts to minimize habitat fragmentation and to offset losses created by fragmentation; mitigation measures could include limiting use to existing roads, closure of some existing roads, and traffic controls. The need and methodology for wildlife and habitat monitoring should be fully explored.