Private Individuals or Industry Letters

Overland Pass Pipeline Company LLC
Comments for the Overland Pass Natural Gas Liquids Pipeline Draft Environmental Impact Statement
BLM/WY/PL-07/012+5101, AS-06-01095

	Section	Page	Paragraph	Revised Information/Comment
	Executive Summary			
P1-1	General	General	General	This document discusses a construction start timeframe of August 2007. The newly revised start date of October 1, 2007 (with an in-service date by the second quarter of 2008) is not apparent to the public in this document. Subsequently, OPP believes that several construction methods would need to be implemented from its Winter Construction Plan (submitted March 2006) to complete construction of the project in a time sensitive manner. Issues related to topsoiling and other requirements in this document will require further discussion with the agencies in order for the project to remain in compliance with environmental conditions and minimize the need for variance from agreed upon mitigation. **Note: there are multiple sections within the DEIS that will need an updated schedule**
P1-2	Abstract	General	General	The DEIS refers to 3 pump stations being part of the Proposed Action throughout the text. However, in some sections the Wakeeney pump station is identified as a "future pump station" and not in other sections. In table 4.11-1, it is not identified at all. For consistency Overland Pass recommends that the Wakeeney Pump Station is identified as a "potential future pump station" throughout the entire FEIS.
P1-3	ES	ES-3	4	In Overland Pass's Sensitive Species Survey Plan (submitted August 2006), which was approved by the land management agencies, surveys for occupied raptor nests within one mile of the edge of the proposed construction right-of-way will be conducted on federal and non-federal lands; winter roost surveys for bald eagles will also be conducted.
P1-4	ES	ES-5	3	325-650 workers to construct ….; should be about 300 each for Spreads, 1, 2 and 3, and about 200 for Spreads 4 and 5 (1,300 – 1,500 total) – Table 4.11-1, Pg 2-30). Also applies to page 4.11-1, paragraph 3 and 4; page 4.11-2, paragraph 4; page 4.8-3, paragraph 6; and page 4.11-7, 8, paragraph 4.
P1-5	ES	ES-12	3	The first paragraph under "Water Resources" should acknowledge that surface water may also be used for hydrostatic testing, but this is a non-consumptive use and should not have cumulative impacts.

P1-1 Comment noted. The schedule has been revised from Overland Pass' proposed schedule to reflect a more realistic construction schedule based on the NEPA process.

P1-2 The WaKeeney pump station will be referenced as a future pump station in all locations.

P1-3 Text has been modified for clarification.

P1-4 Text has been modified to reflect updated information.

P1-5 Text has been modified for clarification.

Letter P1 Continued

Responses to Letter P1

	Section	Page	Paragraph	Revised Information/Comment
	1.0 Purpose and Need			
P1-6	1.1	1-3	1	Please clarify whether or not the BLM intends grant terms and conditions to apply to lands outside of the BLM's jurisdiction, including non-federal public lands.
P1-7	1.4.3	1-6	5	The second sentence of the firth paragraph should be changed to read as follows: NAGPRA would apply if burials or objects of cultural patrimony are affected **on Federal lands** by the Proposed Action.
P1-8	1.4.5	1-7	3,4	The regulations require preparation of the baseline assessment plan, integrity management plan, and a manual of written procedures for conducting normal operations and maintenance activities and for handling abnormal operations emergencies. The regulations require Overland Pass to keep these plans and procedures current through Overland Pass' review. The USDOT regulations do not indicate USDOT review, approval or authorization is required for these plans and procedures.
P1-9	1.5	1-7	5	NWP 3 is not applicable to this project. In Overland Pass' communication with the COE, NWP 14 was not considered by Overland Pass (or the COE) for authorizing this project.
P1-10	1.6	1-10	1	Due to the language in Section 1.6 of the DEIS and the way the conditions (i.e. GEO-1) are written, Overland Pass requests BLM clarify in the FEIS which stipulations BLM can impose upon Overland Pass on private lands, if any. Overland Pass understands that BLM has decided it is responsible for NEPA and other review of the entire project or undertaking before it decides whether or not to issue a Right-of-Way Grant. What authority do the land management agencies, BLM and USFS, have to influence or direct Overland Pass' pipeline construction and operation activities outside of BLM and USFS lands?
P1-11	1.8	1-12	4	Burrowing owl and swift fox are listed as "threatened and endangered" species. They are BLM/USFS sensitive species, but not threatened and endangered species per the USFWS.
	2.0 Alternatives Including The Proposed Action			
P1-12	2.2.1	2-2	1	The number of check valves has been reduced. Please revise valve numbers throughout document, including page 2-17, paragraph 5; page 2-2, paragraph 6; and page 4.4-8, paragraph 4 (Overland Pass will provide a table with new check valve information).
P1-13	2.2.1.1	2-2	5	It is not a federal requirement to have "slightly thicker walled pipe would be used at aboveground facilities." (Please correct).

P1-6 As stated in Section 1.4.1 of the Final EIS, in order to obtain a ROW grant and Temporary Use Authorization from BLM, Overland Pass would be subject to terms of use that are specific to BLM and USFS lands. Absent specific statutory authority, however, BLM cannot require Overland Pass to comply with additional mitigation measures and use restrictions on private lands.

P1-7 Text has been modified as requested.

P1-8 According to the USDOT (Frequently Asked Question 2.10; website: http://primis.phmsa.dot.gov/iim/faqs.htm), PHMSA Pipeline Safety will inspect the operator's Integrity Management Program.

P1-9 Text has been modified as requested.

P1-10 See response to comment P1-6.

P1-11 This sentence has been revised to include sensitive species.

P1-12 Text has been revised to document Overland Pass' revised valve locations.

P1-13 Text has been modified for clarification.

Letter P1 Continued

Responses to Letter P1

	Section	Page	Paragraph	Revised Information/Comment
P1-14	2.2.1.1	2-8	3	*Please change the sentence*: (The Opal Meter Station would be adjacent to the Williams Opal Plant (RP 0.0) and would require a 930-foot 12-inch-diameter lateral on Williams' property to interconnect the Opal Plant mainline piping with the Overland Pass mainline.) *To the following sentence:* (Williams will install a lateral on their property to connect to the Overland Pass mainline at RP 0.0. Approximately 600 feet downstream of RP 0.0, the Opal Meter Station will connect to the Overland Pass mainline with a short lateral).
P1-15	2.2.1.1	2-8	3	*Please change the sentence*: (Bushton's Meter Station would be located on ONEOK's Bushton Plant property (RP 717.5) and would require a 340-foot 12-inch-diameter lateral to deliver to the Bushton Plant.) *To the following sentence:* (Bushton's Meter Station would be located on ONEOK's Bushton Plant property (RP 717.5). A flange located on the outlet of the meter skid will be the end of Overland Pass mainline piping at Bushton. ONEOK will install a lateral on their property from the flange on the outlet of the meter skid into their plant to deliver product to their fractionator).
P1-16	2.2.1.2	2-16	(Access Roads) 1 & 2	OPP requests that BLM add its description of "maintenance" to the discussion of access road use (see Traffic and Transportation Management plan", page 14, submitted August 2006), as it provides clearer definition for the reader regarding OPP's planned use of public roads.
P1-17	2.2.1.3	2-18	1	49CFR192, Transportation of Natural Gas and Other Gas by Pipeline is incorrect. 49CFR Part 195, Transportation of Hazardous Liquids by Pipeline and ASME Standard B31.4, are the only codes regulating natural gas liquids pipelines. The reference to Part 192 is numerous (p 2-22, paragraphs 3 and 8, p. 2-29, paragraph 2), although Part 195 is also properly referenced (p 2-29, 5.2-10, G-2).
P1-18	2.2.1.3	2-21	(Pipe Stringing…) 4	Regarding this statement, "Twenty-foot-wide gaps in the strung pipe string and topsoil piles would be left at least every 0.5 mile and at major game crossing trails, or livestock watering trails that intersect the trench line", Overland Pass is concerned that this could be read to mean that this is expected on non-federal lands. Overland Pass requests this sentence be modified to establish 0.5 mile gap jurisdiction on federal lands only.
P1-19	2.2.1.3	2-22	3	Class locations are not used for liquids pipelines. The hydrostatic test must equal 125% of the MOP of the pipeline. Please correct the statement "pressurizing the section to a pressure commensurate with MOP and class location …"
P1-20	2.2.1.3	2-23	(Special Construct…) 2	DEIS states that each boring at highways, roads, and railroads is expected to take 2 to 10 days. Each bore will be unique and could take longer due to unforeseen circumstances (weather, redrilling, failure, etc.).
P1-21	2.2.1.3	2-23	Steep Terrain	To clarify, Overland Pass may use up to 25' of extra ROW in these areas.

P1-14 The lateral lengths and other details provided have been verified by Overland Pass to be accurate as stated. Text has remained unchanged.

P1-15 The lateral lengths and other details provided have been verified by Overland Pass to be accurate as stated. Text remains unchanged.

P1-16 Text has been modified for clarification.

P1-17 Text has been modified throughout document as requested.

P1-18 See response to comment P1-6. Text has been modified for clarification.

P1-19 Text has been modified as requested.

P1-20 In the EIS, the BLM is disclosing a reasonable timeframe for these crossings based on BLM experience. The BLM recognizes that site-specific conditions and weather may influence the actual duration of construction. Text remains unchanged.

P1-21 Text has been modified to clarify the need for extra ROW width.

Letter P1 Continued

Responses to Letter P1

	Section	Page	Paragraph	Revised Information/Comment
P1-22	2.2.1.3	2-24	2	Overland Pass has evaluated each stream crossing and determined that HDD is appropriate at the South Platte River and five other, minor waterway crossings.
P1-23	2.2.1.3	2-30	3	Meter station peak work force would be 20 workers. Pump station peak work force would be 28 workers.
P1-24	2.2.1.3	2-32	Post-Approval Variance...	The Compliance Monitoring and Post-Approval Variance subsections should clarify that BLM and USFS would inspect and review within their jurisdiction, on federally-owned lands.
	3.0 Affected Environment			
	Climate and Air Quality			
P1-25	3.2.1.5	3.2-2	2	Add the following after 189 HAPs and before comma: (currently 187 HAPs).
P1-26	3.2.1.10	3.2-4	Table 3.2-1	Effective December 17, 2006, EPA made the following revisions to the NAAQS for PM; therefore, update as follows (on separate columns): PM10 – Annual – Revoked – Revoked (or take this line out) PM2.5 – 24-hour – 35 µg/m3 – 35 µg/m3 (changed from 65)
	Soils			
P1-27	3.4.1	NA	NA	MLRA discussions are provided but not mileposted and related to county, state, or project. There is no way to separate minor MLRA components from major MLRA components. The discussion of MLRAs is a significant portion of the soils affected environment section, yet MLRAs cannot be related to the spatial features of the route.
	Water Resources			
P1-28	3.5.1.1	3.5-1	3	Overland Pass' field reconnaissance found no playas present within the proposed project. We recommend a change of language throughout the document from playa to dry lake bed. Playa implies that there may be sensitive and special plant communities.
P1-29	3.5.1.1	3.5-1	4	Class 4 water should include a reference to Agriculture, Industry, and Wildlife as per the WDEQ Rules and Regs.
P1-30	3.5.1.1	3.5-1	6	Recent correspondence (03/02/2007) from the Wyoming DEQ has confirmed that Green River is classified as 2AB at the OPP crossing. Overland Pass will provide a copy of the correspondence record.

P1-22 Text has been modified for clarification.

P1-23 Table has been revised to incorporate updated information as provided by Overland Pass.

P1-24 The BLM does not have the authority to enforce stipulations on non-federal lands; consequently BLM environmental inspectors will only monitor construction on federal lands.

P1-25 Text has been modified as requested.

P1-26 Table has been updated as requested.

P1-27 MLRA discussions are referred to, and separated out by, states as they are in the USDA Hdb. 296.

P1-28 The text has been modified to refer to these locations as dry lakes.

P1-29 Text has been modified as requested.

P1-30 Text has been modified as requested.

Letter P1 Continued

Responses to Letter P1

	Section	Page	Paragraph	Revised Information/Comment
P1-31	3.5.1.2	3.5-15	Springs	In March 2007, for the Army Corps of Engineers' Nationwide Permit preconstruction notification, a desktop review located 7 potential springs or seeps in the project area. Three of these were estimated to be within 100 feet of the pipeline at approximate mileposts 8.5, 293.43, and 299.62. Overland Pass followed up with additional field surveys and determined that the springs at MP 8.5 and 293.43 were seeps. The spring at MP 299.62 was approximately 25 feet south of the centerline, and did not have a defined channel (one of the COE's criteria for a spring). After discussions with the U.S. Army Corps of Engineers, Omaha District- Wyoming Regulatory Office, this source was determined to be a seep, but due to its proximity to the construction area, voluntary mitigation would be implemented as follows: excavation and sidecasting will be restricted to the north side of the trenchline, and since the travel lane for construction equipment is to the south of the trenchline, matting would be used over the spring/seep (See attached phone log 04/10/2007). Comment also applies to page 4.5-14, paragraph 3.
	Wildlife, Aquatic Resources, and Special Status Species			
P1-32	3.7.1.2	3.7-5	5	There are only 66 perennial streams crossed by the project in Wyoming.
P1-33	3.7.1.2	3.7-5	5	In table 3.7-4, we do not cross One-mile Creek, so there are only 20 streams crossed by the project that have game fish species.
P1-34	3.7.1.2	3.7-5	5	OPP does not cross Tenmile Creek (high quality trout water).
P1-35	3.7.1.2	3.7-6	Table 3.7-4	The following is based on phone logs and conversations with appropriate state agencies (see EIR table 4.2.1-3 for references). Blacks Fork River: add brown trout Remove Onemile Creek altogether- is not crossed by OPP. Chief Creek: Add: rainbow trout. Plum Creek (listed twice in wrong counties): should be listed in Ellsworth County with 7 crossings. Big Creek: Add bluegill. Cow Creek: Add bluegill.
P1-36	3.7.1.2	3.7-9	1	South Pawnee Creek should not be included in list of perennial streams with warmwater fisheries; it is an intermittent stream.
P1-37	3.7.1.2	3.7-9	1	North Sterling Creek should be included as a Class 1 water.
P1-38	3.7.1.2	3.7-9	1	There are only 6 dry lake beds in Colorado, there were no playas or ponds found during field surveys.
P1-39	3.7.1.2	3.7-9	4	The proposed pipeline route would cross 1 perennial stream in Kansas.

P1-31 Text has been modified to incorporate updated information.

P1-32 Text has been modified to reflect updated information.

P1-33 Onemile Creek has been deleted from Table 3.7-4. Text has been revised to 20 streams with game fish in Wyoming based on updated information.

P1-34 Text has been modified to reflect updated information.

P1-35 All revisions have been made as requested except adding brown trout for the Blacks Fork River. WGFD indicated that trout do not occur in sections of the river near the two crossings.

P1-36 Text has been modified to reflect updated information.

P1-37 Text has been modified to reflect updated information.

P1-38 Text has been modified to reference these waterbodies as dry lakes.

P1-39 Updated information provided by NRG on May 25, 2007, indicated that eight perennial streams with game fisheries would be crossed in Kansas. One perennial stream, Plum Creek in Rice County, was deleted from Table 3.7-4.

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Responses to Letter P1

	Section	Page	Paragraph	Revised Information/Comment
P1-40	3.7.1.3	3.7-10	2	The Spotted frog referenced in Appendix G (Rana pretiosa) is not found in WY, CO, or KS. This is a species found in OR, WA, CA, and BC-Canada (NatureServe reference). Should this be Rana luteiventris which is found in Wyoming? If the Spotted Frog is removed from the list as the species given is not found in the project area, there would be 149 special status species, with 95 occurring within immediate vicinity of the project. This comment also applies to page 3.7-12, paragraph 1.
P1-41	3.7.1.3	3.7-10	3-5	Please identify in this section specifically which species (by common name) are Federally listed in each state.
P1-42	3.7.1.3	3.7-11	6	Kansas Department of Parks and Wildlife was consulted regarding fisheries on April 16, 2007 (Overland Pass will provide a copy of the phone log and table) and within the project area, brassy minnows are found in the Arikaree River, Republican Rivers, including the South Fork Republican River. They have not been found in the Smokey Hill River near the project area.
P1-43	3.7.1.3	3.7-12	3	Please discuss Colorado with respect to sensitive plants. The text should describe the sensitive plant communities in the project area in Colorado, if any.
	Land Use, Recreation, and Aesthetics			
P1-44	3.8.1.1	3.8-1	(Colorado) 1	The DEIS states that state lands crossed in Colorado are owned or managed by Colorado Division of Wildlife (CDOW) or the Colorado State Land Board. There are no CDOW lands crossed by the Overland Pass pipeline route or its associated facilities.
P1-45	3.8.1.1	3.8-3	1	The structures identified in Table 3.8.2 and Table 4.8-1 on page 4.8-7 may not be occupied.
	Cultural Resources			
P1-46	3.9.1.3	3.9-2	1	The definition of the APE and survey corridor for the Overland Pass project should be presented prior to the discussion of the survey results for each state. The APE for the project consists of the 75 foot-wide-construction corridor and associated ATWS, the ancillary facility sites (pipe yards, contractor yards etc), and the project access roads. The survey corridor for the pipeline corridor measured 300 feet in width, the survey corridor for access roads measured 100 feet in width, and the survey corridor for the ancillary facilities (pipe yards, contractor yards etc.) encompassed the entire area of these facilities.
P1-47	3.9.1.3	3.9-5	8	The first sentence of the eighth paragraph should read: In January and February 2006, a **Phase I** Class I files search of the proposed project area was conducted through the Kansas State Historical Society (KSHS).

P1-40 The species has been revised to *Rana luteiventris*.

P1-41 Text has been modified as requested.

P1-42 Revision has been made except Arikaree River was not added to occurrence in Kansas because this stream is only crossed in Colorado.

P1-43 Text has been modified to include sensitive plant communities in all states crossed by the project.

P1-44 Text has been modified to remove reference to CDOW.

P1-45 Text under each state in this section (last bullet; developed land) notes that no occupied residences occur within 50 feet of proposed construction.

P1-46 The definition of APE under Section 106 is provided in Section 4.9.1. Project-specific definition of APE is not warranted.

P1-47 "Phase I Class I files search," as stated in the comment, is incorrect terminology. However, the text has been changed to "Phase I files search."

Letter P1 Continued

Responses to Letter P1

	Section	Page	Paragraph	Revised Information/Comment
	Native American Consultation			
P1-48	3.10.1	3.10-1	5	This section should specify that NAGPRA pertains to the excavation or removal of human remains from Federal or tribal lands.
	Social and Economic Conditions			
P1-49	3.11.1.1	3.11-2	Table 3.11-2	Arrowhead Springs is 1.5 miles from OPPL's proposed route. Arrowhead Springs was 0.5 miles from the formerly proposed route.
	4.0 Environmental Consequences			
	Climate and Air Quality			
P1-50	4.2.1	4.2-1	2	Change the following sentence "by mid 2006" to "beginning June 1, 2006."
	Geology and Geologic Hazards			
P1-51	4.3.1.1	4.3-2	2	The DEIS states that blasting could adversely affect nearby springs. There are no springs located near potential blasting areas.
	Soils			
P1-52	4.4.1	4.4-7	4	Overland Pass would not attempt to maintain water flow during construction. Overland Pass has negotiated compensation for damages, as appropriate.
	Water Resources			
P1-53	4.5.1.1	4.51	4	The site specific drawings do not address the amount of time required for installation, an explanation for the size requirements of ATWS's, or discussion of special mitigation for contaminated sediments.
P1-54	4.5.1.1	4.5-2	2	Overland Pass also prepared the Soil Stabilization and Restoration Plan and the Stream Crossing and Wetland Protection Plan. Both plans describe best management practices that minimize impacts to surface waters.
P1-55	4.5.1.1	4.5-2	3	Overland Pass has agreed to the following setbacks on non-federally managed land, all equipment is parked overnight and/or fueled at least 100 feet from a waterbody or in an upland area at least 100 feet from a wetland boundary; 200 feet from private water wells; and 400 feet from public water supply wells. And on federally-managed land, all equipment is parked overnight and/or fueled at least 500 feet from a waterbody or water wells or in an upland area at least 500 feet from a wetland boundary. These restrictions are based on the edge of a wetland or waterbody, not on a riparian area.

P1-48 Text has been modified as requested.

P1-49 Based on the latest information from Overland Pass, the community of Arrowhead Springs is 0.8 mile from the centerline. Text has been modified accordingly.

P1-50 Text has been modified as requested.

P1-51 Text has been modified for clarification.

P1-52 Text has been modified as requested.

P1-53 Bulleted text has been removed as noted to accurately reflect data in the site-specific plans.

P1-54 Based on correspondence with Overland Pass on February 17, 2007, these plans have been incorporated into the *Construction, Reclamation, and Revegetation Plan* and no longer exist as separate plans. Reference has been made to the BMPs contained in the *Construction, Reclamation, and Revegetation Plan*.

P1-55 Text and set-back requirements based on riparian areas rather than wetlands on federally managed lands reflects the BLM Resource Management Plan (RMP) definition and compliance with their RMPs. Text has been expanded to clarify Overland Pass' agreement regarding private lands, but the requirement regarding riparian areas on federally managed lands remains unchanged.

Letter P1 Continued

Responses to Letter P1

	Section	Page	Paragraph	Revised Information/Comment
P1-56	4.5.1.1	4.5-3	1, 2	Please note that the HDD recommendations at the Blacks Fork and Hams Fork rivers were considered and HDD is not proposed at these river crossings. Feasibility of using the HDD method at the North Platte River crossing was investigated and determined not feasible at this location. The aforementioned waterbody crossings were subject to US Army Corps of Engineers review and approval. The conditions in the Nationwide Permit received from the Corps of Engineers include: • exposed slopes and stream banks must be stabilized immediately upon completion of the utility line crossing, • appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, • affected areas must be returned to pre-construction elevations and revegetated, as appropriate, • stream bank vegetation should be protected except where its removal is absolutely necessary, and • period and timing of construction should be adjusted as necessary to minimize conflicts with fish migration and spawning. Overland Pass has developed site-specific crossing plans for each of these waterbodies that take into consideration our consultations with appropriate state and federal agencies.
P1-57	4.5.1.1	4.5-3	3	The Wyoming Game & Fish Department has noted the flannelmouth sucker population is not located near the pipeline crossing, but instead is located near the town of Bitter Creek, which is approximately 0.6 miles north northwest of the proposed pipeline crossing of Bitter Creek (RP 108). The short-term increase in turbidity due to construction and restoration at the crossing is will not necessarily result in any significant degradation of water quality or loss of beneficial uses in the vicinity of the pipeline or in the water a half mile away.
P1-58	4.5.1.1	4.5-3	4	There is one HDD at the South Platte River (2 crossings) and 5 HDD at other, minor waterway crossings in Colorado.
P1-59	4.5.1.1	4.5-3	5	In the event an HDD is not successful at the South Platte River crossing, an open cut contingency plan has been prepared. The open-cut contingency plan was submitted to the BLM and U.S. Army Corps of Engineers.
P1-60	4.5.1.1	4.5-3	6	Overland Pass's Stream Crossing and Wetland Protection Plan clarifies: on non-federally-managed land, all equipment is parked overnight and/or fueled at least 100 feet from a waterbody or in an upland area at least 100 feet from a wetland boundary; 200 feet from private water wells; and 400 feet from public water supply wells. And on federally-managed land, all equipment is parked overnight and/or fueled at least 500 feet from a waterbody or water wells or in an upland area at least 500 feet from a wetland boundary.
P1-61	4.5.1.1	4.5-7	1	Dust control water will be obtained from municipal water wells, not surface water sources. Updated table of construction water sources was submitted to BLM on April 18, 2007. This also applies to page 4.7-19, paragraph 4. Overland Pass will provide a copy of the document and table.

P1-56 Text has been modified to reflect USACE permit conditions.

P1-57 Text has been modified to reflect location of the flannelmouth sucker population 0.6 mile north northwest of the proposed pipeline crossing of Bitter Creek and the potential impact discussion has been modified for the revised location.

P1-58 Text has been modified as requested.

P1-59 Text has been modified as requested.

P1-60 Refer to responses to comments P1-54 and P1-55.

P1-61 Text and tables have been modified to reflect the updated data.

Letter P1 Continued

	Section	Page	Paragraph	Revised Information/Comment
P1-62	4.5.1.1	4.5-8	Table 4.5-2	Overland Pass provided updated water source information to BLM on April 18, 2007.
P1-63	4.5.1.2	4.5-13	5	Up to 69.5 acre-feet of water will be used for dust control from municipal water wells.
P1-64	4.5.1.3	4.5-16	3	In Overland Pass' March 2007 Pre-Construction Notification to the U.S. Army Corps of Engineers, Overland Pass calculated that ATWS would affect approximately 9.8 acres of wetlands.
	Vegetation			
P1-65	4.6.1.1	4.6-5	4	Wetlands will reclaim within 3 years (as stated in paragraph 3 and the conclusion on the same page), not 10 years as stated in paragraph 4.
	Wildlife, Aquatic Resources, Special Status Species			
P1-66	4.7.1.2	4.7-7	2	The site specific drawing shows a top of trench width (including gravel road with flume pipes) of no more than 50 feet. Overland Pass estimated the disturbance area, based on sediment types, to be 34 feet in soft clay or sand; or 27 feet in dense clay or silt.
P1-67	4.7.1.2	4.7-7	3	Please refer to our comment regarding WATER-1 in the Additional Mitigation section of this comment table.
	4.7.1.2	4.7-7	6	The only riparian area on BLM land is at MP 195.5 (based on a 20% or greater dominance of woody vegetation that has facultative wetland indicator status. Facultative (FAC) wetland indicator status plants are those with a similar likelihood of occurring in both wetlands and non-wetlands).
P1-69	4.7.1.2	4.7-7	7	Revised construction timing windows based on revised construction start date and recent (April 2007) consultations with state agencies: (Overland Pass will provide a copy of the phone logs). Comment also applies to page 4.7-19, paragraphs 2 and 3. • Colorado region 3 warmwater fisheries – October 1 through April 1 • Green River – after October 15 • Hams Fork and Blacks Fork Rivers and Bitter Creek – after October 1 (sensitive fish species will not be spawning at crossing location during winter months • South Platte River – August 1 through November 30 (for open cut); • Chief Creek (MP 474.0) in-stream construction should occur between March 16 and September 14; and • North Fork Republican River (MP 477.27) in-stream construction should occur between July 16 and September 14.

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P1-62 Refer to response to comment P1-61.

P1-63 This is the groundwater section; the original water use plan did not draw substantially on groundwater for dust control (9.5 ac-ft; Table 4.5-2). However, this text has been revised to assess the revised plan for construction water sources that has since been received.

P1-64 The 59.0 acres in paragraph 3 refers to acres affected by construction and operation of the entire project, not just additional work space.

P1-65 The 10 years referenced in paragraph 4 refers to the length of time that may be necessary for all sensitive plant communities to fully return to pre-disturbance conditions; this is intended to include more than just wetlands. The 3 years in paragraph 3 refers to the reclamation period expected specifically for wetlands. Text has been modified for clarification.

P1-66 The surface area disturbance has been revised using a maximum width of 34 feet.

P1-67 Text to WATER-1 has been modified to clarify the intent and application of this measure.

P1-68 Text in Section 3.6 has been modified to include a list of the riparian areas on federal land as provided by the BLM based on their definition of riparian areas. Text at this location remains unchanged.

P1-69 Information submitted by Overland Pass on May 25, 2007, provided revised construction timing windows for Chief Creek, North Fork Republican River, and 19 trout streams in Wyoming. This information has been used in combination with this comment to update the impact discussion in the EIS.

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Responses to Letter P1

	Section	Page	Paragraph	Revised Information/Comment
P1-70	4.7.1.2	4.7-8	1	Recent correspondence (Overland Pass will provide a copy of the 04/05/07 phone log) with Wyoming Game and Fish also indicates that a later construction time (October into November) would not result in significant affects upon kokanee salmon or brown trout.
P1-71	4.7.1.2	4.7-8	4	Regarding the use of flumes at the Laramie River: Since the riverbed is nearly 100 feet across, it is not possible for bridge construction and crossing. If the river is flowing at the time crossing, Overland Pass can use the flume crossing method, as described in its CMR Plan.
P1-72	4.7.1.2	4.7-8	4	Overland Pass' plans indicate that the Hams Fork, Blacks Fork and Green River will all have flume pipes to allow waterflow and fish movement. Fish movement would be minimally impacted. Flume pipes are placed at a depth relative to low flow levels, to ensure water is always flowing during construction.
P1-73	4.7.1.2	4.7-9	2	Dust control will not impact surface waters, as all sources are municipal wells. The sole source for water to conduct the HDD will be the South Platte - North Sterling Ditch.
P1-74	4.7.1.2	4.7-9	2	**Hydrostatic testing** would use surface water from: Green River Basin 18.3 acre-feet; North Platte River Basin 28.5 acre-feet; South Platte River Basin 18.1 acre-feet; **HDD** would use surface water from: South Platte River Basin 10.6 acre-feet.
P1-75	4.7.1.3	4.7-12	Table 4.7-2	The Spotted frog referenced in Appendix G (Rana pretiosa) is not found in WY, CO or KS, this is a species found in OR, WA, and CA, and BC-Canada (NatureServe reference). Should this be Rana luteiventris which is found in Wyoming? If the Spotted Frog is removed from the list as the species given is not found in the project area, there would be 149 special status species, of which 95 occur within the immediate vicinity of the project.
	Land Use and Aesthetics			
P1-76	4.8.1.1	4.8-2	3	The DEIS states that federal revegetation standards would not be enforced on private lands, so long term impacts on rangeland could occur. While Overland Pass realizes that federal jurisdiction does not apply to private lands, Overland Pass is committed to restoration of lands affected by the proposed project consistent with its Plan and Procedures to ensure the longevity and safe operation of the pipeline while maintaining the previous land use.
P1-77	4.8.1.4	4.8-9	(Conclusion) 1	Based on SOIL-4, the offset from an existing pipeline would be reduced to 30 feet on the PNG. This narrow offset from existing lines on PNG lands makes construction increasingly difficult through this area and also raises safety concerns. Overland Pass cannot verify that the existing Southern Star pipe is centrally located in its permanent right-of-way. Overland Pass requests that the offset be adjusted to 58 feet, as currently proposed.

P1-70 Comment noted. Based on our discussions with WGFD, there are still impact issues with construction in October and November. Construction from October 16 through November 20 would minimize effects on kokanee salmon. The text remains unchanged.

P1-71 Text states that the flume crossing method will be used for the Laramie River. Text remains unchanged.

P1-72 The discussion of potential effects of construction on fish movement in the Blacks Fork and Hams Fork rivers refers to the post-construction period when scouring could affect movement through the crossing during low flow. This discussion is based on past problems that have occurred at these crossing locations.

P1-73 Dust control water from wells still needs to be identified in this section.

P1-74 Text and relevant tables have been revised to reflect updated information from the hydrostatic test plan.

P1-75 The species has been revised to *Rana luteiventris*.

P1-76 Text has been revised to make note of this commitment.

P1-77 Text has been modified as PNG requested. PNG will allow a 50-foot offset if Overland Pass will re-seed the south half of the Southern Star ROW to improve conditions.

Letter P1 Continued

Responses to Letter P1

	Section	Page	Paragraph	Revised Information/Comment
	Cultural Resources			
P1-78	4.9.1	4.9-1	5	The definition of the APE for the Overland Pass project should be included in the last paragraph of page 4.9-1. The APE for the project consists of the 75 foot-wide-construction corridor and associated ATWS, the ancillary facility sites (pipe yards, contractor yards etc), and the project access roads.
	Social and Economic Conditions			
P1-79	4.11.1.1	4.11-1	2	Meter station peak work force would be 20 workers. Pump station peak work force would be 28 workers.
P1-80	4.11.1.3	4.11-6	Analysis	Overland Pass has re-calculated the annual estimated property tax revenue. In total, the annual estimated property tax revenue would be $8.4 million. Broken down by state, the annual estimated property tax revenue in Wyoming is $2.2 million, in Colorado is $2.6 million, and in Kansas is $3.6 million.
	Public Safety			
P1-81	4.12.1.1	4.12-4	4	Overland Pass suggests adding language to the second sentence, as follows: While the probability of an accident is low, there is the potential for a fire if an accident resulted in a release of NGL from the pipeline.
	5.0 Cumulative			
P1-82	5.1	5.1-5	Chart	Big game window is not shown correctly. Big game windows should be marked at approximately RP 14-47, 89-102, 182-210, 223-234, 243-261, 321-339, and 358-360.
	Soils			
P1-83	5.2.3.2	5.2-3	4	Table 5.2-1; Row 4; Column 2 for the Green River says: “No parallel utilities within 500 feet of proposed crossing.” This is incorrect. Overland Pass Pipeline route is parallel to Enterprise Pipeline (formerly MAPCO/MAPL), which is located approximately 100 feet upstream of the proposed Overland Pass pipeline crossing.
	Water Resources			
P1-84	5.2.4.1	5.2-5	5	OPP agrees to incorporate woody vegetation into the restoration of the banks of the Medicine Bow River crossing during the restoration and stabilization phase of construction.

P1-78 Refer to response to comment P1-46.

P1-79 Text has been modified to reflect updated information from Overland Pass.

P1-80 Text has been modified as requested.

P1-81 Text has been modified to incorporate this comment.

P1-82 Figure has been modified as requested.

P1-83 Text has been modified as requested.

P1-84 Text has been modified to reflect Overland Pass’ commitment to incorporate woody vegetation to stabilize Medicine Bow River streambanks.

Letter P1 Continued

Responses to Letter P1

	Section	Page	Paragraph	Revised Information/Comment
	Wildlife, Aquatic Resources, Special Status Species			
P1-85	5.2.6.3	5.2-7	Bald Eagle	The Bald Eagle Winter Roost Survey submitted to the BLM on February 14, 2007 includes a bald eagle nest found at the South Platte River at Mile Post 413.2. A map of the nest location, as well as a memo describing the location, buffer restrictions and actions OPP will do to reduce disturbances to bald eagles were submitted to the BLM on March 9, 2007.
P1-86	5.2.6.3	5.2-7	Black-footed...	Due to the revised project schedule, operations will now begin in October 2007 and end in March-May 2008. OPP's Sensitive Species Survey Plan (submitted March 2006) follows survey guidelines developed by the FWS for mountain plovers. Since construction may continue into the April 10 - July 10 biological construction constraint window for mountain plovers, 2008 surveys will be conducted May 1 - June 15. Recent correspondence with the PNG (Overland Pass will provide a copy of the phone log) determined that burrowing owl surveys will not be needed in 2007, because the owls will not be in the area during the new winter construction period. A follow-up burrowing owl survey will be necessary if construction is not completed by March 15, 2008.
	Socioeconomics			
P1-87	5.2.9	5.2-9	4	The DEIS assumes approximately 1 mile of pipeline construction completed each day. Overland Pass plans to complete 1 mile of pipeline construction per day, per spread.
	Appendices			
	Appendix B			
P1-88		7	1	Kemmerer field office requires trench plugs and gaps spaced at 0.25-mile intervals. OPPL would like 0.5 miles for speedier construction and proposes consulting the Eis during construction to determine the appropriate spacing based on site-specific conditions.
P1-89		13	3	“anchored with tackifier on slopes exceeding 20%” This has not proven successful on other projects. May require more discussion with agencies.
P1-90		16	6	Section 4.4.2 of Appendix B [Construction, Reclamation, and Revegetation Plan] in the DEIS incorrectly states that “The horizontal directional drill (HDD) method will be used to cross the Green and South Platte Rivers.” The Green River cannot be HDD and will be open cut. Therefore, this sentence should be modified to say "The horizontal direction drill (HDD) method will be used to cross the South Platte River."
P1-91		25	1	Six inches of clearance is not correct. OPPL will maintain 18 inches of clearance.

P1-85 Text has been modified as requested.

P1-86 Comment noted. Thank you for this information.

P1-87 Text has been modified for clarification.

P1-88 This plan was provided by Overland Pass and could not be modified for incorporation into the document. The most recent draft of this plan, as provided by Overland Pass, has been included in the Final EIS. Additionally, refer to Appendix A, Table A-1, for further clarification of applicant-committed mitigation measures agreed upon in further discussions with the BLM and USFS.

P1-89 Refer to response to comment P1-88.

P1-90 This plan was provided by Overland Pass and could not be modified for incorporation into the document. The most recent draft of this plan as provided by Overland Pass has been included in the Final EIS. Additionally, relevant text sections have been modified according to the revised plan.

P1-91 Refer to response to comment P1-90.

	Section	Page	Paragraph	Revised Information/Comment
	Appendix C			
P1-92		1	2	OPPL has determined that water for hydrotesting will be taken from Oneok's Bushton, Kansas well water system. It is fresh water and will not be returned to Bushton but properly disposed of on upland Sections, at the end of each test section. (This is a change by OPPL.) (Applies to page 5, paragraph 4; 6, figure 2-1; 20, 3)
P1-93		6	Fig. 2-1	Oneok well water system (storage pond is incorrect.
P1-94		7	1	…withdrawal rate of between 1,000 and 3,000 gpm (Applies to page 12, paragraph 1; 14, 2; 16, 4; 18, 3)
P1-95		10	2	The Rawlins BLM office has recently revised its RMP to state that the goal of weed control is to maintain a 0 threshold for weed occurrences along new rights-of-way. Overland Pass is committed to make a good faith effort.
P1-96		15	5	Required pressure of 1,800 psig is incorrect, it is 1,969 psig.
	Appendix F			
P1-97		F-12	NA	MP 412.6, 414.8. 416.0, 416.2, and 416.9 are all to be HDD construction, not open cut.
	Appendix I			
P1-98		I-1 to I-26	NA	The resource tables contained in Appendix I need to be revised. The data in the tables was based on the information that was available at the time the tables were prepared. These tables should be revised so that they contain the most current cultural resources data on the project. OPP will file the revised table with BLM in May of 2007.

P1-92 Refer to response to comment P1-90.

P1-93 Refer to response to comment P1-90.

P1-94 Refer to response to comment P1-90.

P1-95 Refer to response to comment P1-90.

P1-96 Refer to response to comment P1-90.

P1-97 Overland Pass has provided revised tables, which have been incorporated into Appendix H of the Final EIS.

P1-98 The tables have been updated for incorporation into Appendix K of the Final EIS.

Mitigation Measures:

	Resource	Recommended Mitigation	Revised Information/Comment
	4.0 Additional Mitigation		
	Geology and Geologic Hazards		
P1-99		**GEO-1**: Overland Pass shall conduct studies prior to construction to determine if subsidence is occurring or if potential subsidence could occur along the proposed pipeline route. If subsidence has occurred or has the strong potential to occur, Overland Pass shall use appropriate design standards and ground monitoring devices to assure pipeline integrity.	Overland Pass has no objection to monitoring potential subsidence of the pipeline during construction and operation, but based on the "low" and "very unlikely" occurrence of subsidence, does not feel that studies prior to construction are warranted. Overland Pass thereby requests the removal of additional mitigation GEO-1 and the request on page 4.3-5, fifth paragraph, for further study of the area from RP 675 to RP 749.

P1-99 GEO-1 has been modified to state that potential subsidence areas would be monitored during construction and operation. Recommendation for pre-construction studies has been deleted. Mitigation has been retained but modified.

	Resource	Recommended Mitigation	Revised Information/Comment
P1-100	Paleontology	**PALEO-1**: On federal lands, paleontological monitoring shall occur in areas where future maintenance activities require trenching or excavation in areas that would be wider than the original trench.	The DEIS states that "on federal lands, paleo monitoring shall occur in areas where future maintenance activities require trenching or excavation in areas that would be wider than the original trench. While reopening the trench for maintenance activities is not anticipated to occur for at least 30 years, Overland Pass has no objections to paleontological monitoring on federal lands at specific areas most likely to produce fossils, namely Condition 1 and Condition 2-type areas identified and documented in the Paleontological Field Survey Results Along the Overland Pass Pipeline Project in Southern Wyoming, Northern Colorado, and Northwestern Kansas (Uinta Paleontological Associates, Inc., 2006).
	Soils		
P1-101		**SOIL-1**: On the PNG, to minimize topsoil erosion, hydrologic impacts, and potential impacts to range and wildlife, Overland Pass shall limit the time that a trench would remain open to 1 mile of open trench at the end of each construction day.	Adhering to mile one of open trench across PNG lands will significantly slow the progress of construction. As discussed above, OPP is of the opinion that the revised project schedule (October 1 start date) will result in primary reliance on its Winter Construction Plan rather than the majority of agreed upon mitigation measures found in its CMR Plan. Also, construction sequencing will create a "bottleneck" effect which could result in 70 days of additional construction time, as opposed to the projected 73 days of construction using a normal construction sequence. Furthermore, weather or site conditions could significantly increase the number of variance requests OPP would need to solicit from the PNG in order to appropriately mitigate unforeseen winter construction issues such as big game range exemptions and frozen soil/water conditions.
P1-102		**SOIL-2**: On the PNG, if topsoil losses are noted due to wind erosion by the EI of PNG inspector, Overland Pass shall apply a Polyacrylamide (PAM) tackifier within 24 hours to the topsoil spoil pile. The tackifier shall be a liquid formulation having PAM as the primary active ingredient, and shall be available as a prepackaged product. The PAM shall be a linear, anionic copolymer, which is safe to humans, wildlife, and fisheries. Studies conducted by the USDA/Agricultural Research Service (ARS) demonstrated that soil stabilization was optimized by using very high molecular weight (12 to 15 mg/mole), highly anionic (greater than 20 percent hydrolysis) PAM. Magnesium chloride shall not be used on the PNG.	Accepted as written. However, if OPP does not obtain relief from the one mile per day of open trench across the PNG, this condition will be essentially null. It is likely that excavated topsoil will only remain stored at the edge of the right-of-way for one to three days before replacement. However, the duration of construction from clearing and graded through restoration and stabilization will likely be determined by weather conditions. OPP requests that language be drafted to indicate that no tackifiers will be used and spoil piles will be left no longer than 3 days from trenching to backfill. In other locations, tackifiers would be considered at the direction of the EI or PNG inspector where excessive wind erosion is observed.

P1-100 Paleontological monitoring shall occur in Condition 1 and 2 areas on federal lands only. Applicant committed to evaluating future maintenance activities in Condition 1 and 2 areas for paleontological resources prior to surface disturbance (Appendix A, Table A-1).

P1-101 The PNG has agreed to 2 miles of open trench with trench plugs at 0.25- to 0.5-mile intervals. This mitigation has been modified accordingly and included as an applicant-committed mitigation measure (Appendix A, Table A-1).

P1-102 Refer to response to comment P1-101. Additionally, the PNG requests language remain in the document regarding the use of tackifiers if necessary (Appendix A, Table A-1).

	Resource	Recommended Mitigation	Revised Information/Comment
P1-103		**SOIL-3**: On federal lands, Overland Pass shall consult with the applicable federal agency on roads that require maintenance or reclamation during or after construction. Two-track roads found to be disturbed by construction activities would be reclaimed, at the agencies discretion, by decompacting soils, constructing permanent erosion control (such as drivable water bars), and reseeding the entire roadbed. The two-track shall be allowed to reestablish through normal traffic patterns and use.	Accepted as written.
P1-104		**SOIL-4**: On the PNG, Overland Pass shall offset their pipeline 30 feet from the existing, adjacent pipeline.	OPP understands that the issue of offsetting its pipe 30 feet from the existing line (versus 58 feet, as proposed, which is the basis for our easement agreement and Construction Alignment Sheets) has never been resolved. OPP wishes to reiterate its position that a 30 foot offset from the existing, active line presents a safety issue. This distance will require OPP's construction equipment to traverse very closely to the existing line. Since that pipeline (Southern Star Natural Gas Line) was built in the 1970's, no existing "as built" alignment sheets are available for OPP's reference. Therefore, OPP cannot verify that the Southern Star pipe in centrally located within its permanent 50-foot easement across the PNG or adjacent, private land tracts (which are interspersed with federal lands). Furthermore, ATWS, as currently proposed by OPP, will need to be modified (i.e. increased in size) to accommodate narrower working areas along the mainline corridor. OPP believes that the intent of this stipulation may not be effective as more vegetation and topsoil disturbance may occur (concentrated in large, square areas rather than narrow, linear areas) utilizing this approach than if workspace layout were accepted by the agency, as proposed.
P1-105		**SOIL-5**: On lands managed by the BLM and the ANF, full ROW topsoil stripping shall occur to a depth of 6 inches. On the PNG, the full dept of the topsoil horizon shall be removed from the trenchline only.	Accepted as written. However, if winter or excessively wet conditions are encountered during construction and rutting (3-inches on the PNG) becomes problematic, OPP will request a variance from PNG's stipulation that topsoil removal occur over the trenchline only.
P1-106		**SOIL-6**: On the PNG, pocking shall not be used. At the time of final slope recontouring, Overland Pass shall install photodegradable or biodegradable erosion control fabric that is non-toxic to vegetation or germination of seed, and non-toxic or injurious to humans or wildlife, on waterbody banks and slopes over 10 percent. Overland Pass shall anchor the erosion control fabric in accordance with the manufacturer's specifications.	Accepted as written.

P1-103 Comment noted. This mitigation measure has been included as an applicant-committed mitigation measure (Appendix A, Table A-1).

P1-104 Text for this mitigation has been modified as requested by PNG to allow a 50-foot offset if Overland Pass reseeds the south half of the Southern Star ROW to improve existing conditions. This mitigation measure with modification has been included as an applicant-committed mitigation measure (Appendix A, Table A-1).

P1-105 Refer to response to comment P1-103.

P1-106 Refer to response to comment P1-103.

	Resource	Recommended Mitigation	Revised Information/Comment
P1-107		**SOIL-7**: In areas where topsoil has not been removed, rutting from construction activities shall not exceed 4 inches on all federal lands, with the exception of the PNG where the rutting restriction is 3 inches. If rutting exceeds these depths, it shall be considered excessive and operations halted until conditions are dry. If conditions do not improve, Overland Pass shall consult with the applicable federal agencies to determine if alternate topsoil removal techniques may be employed to alleviate rutting concern.	In some instances, wet conditions may clear up quickly allowing for construction activities to resume. However, is it less likely that winter conditions which may cause excessive rutting will clear up given the timing of construction? Therefore, OPP requests that its EIs begin discussions regarding alternate topsoiling methods with CMs within 24 hours of these situations, rather than waiting for conditions to clear up in an effort to keep construction activities moving.
P1-108		**SOIL-8**: Prior to preparation of the final POD, Overland Pass shall consult with the federal land management agencies to obtain detailed soil inventory information that will be used to fine-tune the proponents site-specific reclamation and revegetation plans. Site-specific changes and mitigation measures shall be incorporated by RP into the Construction, Reclamation, and Revegetation Plan. The changes shall be incorporated directly into the text of the final POD or made an addendum to the final POD for the project.	OPP is committed to meeting with agency Soil Specialists during the summer of 2007 to fine tune its proposed seed mixes on federal land as amend, as appropriate, in its Plan of Development.
P1-109		**SOIL-9**: On the PNG, the entire length of the working side of the ROW shall be ripped to the depth of compaction using the required compaction reduction tool, equipped with winged shanks (Figure 4.4-3).	Accepted as written.
P1-110		**SOIL-10**: On the PNG, certified weed-free straw or hay mulch shall be crimped in at a rate of 1.5 tons/acre.	Accepted as written.
P1-111		**SOIL-11**: Overland Pass would test for compaction at regular intervals no less than every 0.25 mile on the working side of the ROW. Where the soil has a 15 percent increase in bulk density from the average undisturbed density, mitigate for compaction by ripping to the depth of compaction with a ripper or subsoiler.	Accepted as written.

P1-107 At the request of the federal agencies, this mitigation remains unchanged and appears as SOIL-1 in the Final EIS. Overland Pass may request a variance from federal agencies within 24 hours for alternate topsoiling methods if necessary.

P1-108 At the request of the federal agencies, this mitigation remains unchanged and appears as SOIL-2 in the Final EIS.

P1-109 Refer to response to comment P1-103.

P1-110 Refer to response to comment P1-103.

P1-111 Refer to response to comment P1-103.

	Resource	Recommended Mitigation	Revised Information/Comment
	Water Resources		
P1-112	Surface Water	**WATER-1**: To minimize impacts, all waterbodies (regardless of size and flow) and wetlands on federal lands shall have an approved crossing structure consisting of either a temporary culvert, rock fill, or equipment bridge. One pass of clearing equipment and equipment for installation of a bridge shall be allowed across the waterbody or wetland.	The requirement to bridge, mat, or fill all waterbodies and wetlands on federal lands, regardless of the condition of the waterbody or wetland, is onerous. Overland Pass does not agree that hauling in fill to create roads across wetlands is needed. Industry best management practices have been proposed. OPP believes that its Stream Crossing and Wetland Protection Plan and POD provide sufficient protections for the banks of waterbodies. For example, Overland Pass proposes that waterbodies greater than 30 feet wide and are flowing, or contain standing water at the time of construction will have an appropriate crossing structure for construction equipment. Temporary culverts, rock fills, or equipment bridges could be used.
P1-113		**WATER-2**: Power washing of equipment with water shall be required after equipment crosses perennial streams to avoid transfer of whirling disease, parasites, or nuisance organisms.	Since OPP has agreed to bring equipment onto each of its construction spreads clean (as related to weed control), and install wash stations at the state lines, OPP is of the opinion that this effort will minimize the possibility of transfer of disease and nuisance organisms. Correspondence with the Wyoming Game and Fish Department (see provided phone log 08/07/2006) determined that although not many streams crossed by the pipeline were likely to be infected by whirling disease, not all streams have been tested. Additional consultation is required to determine which perennial streams will need this mitigation. OPP will provide the BLM a list of streams flagged for whirling disease following further consultation. Wyoming Game and Fish stated that if the disease is not present in the streams crossed by the project, than OPP will only be required to ensure that equipment is chlorine washed before bringing it to the construction site. WGFD stated that if a perennial stream has tested positive for whirling disease, than OPP will be required to power wash equipment with chlorine and remove all mud and debris after coming into contact with the infected water. OPP asks that the BLM confirm WGFD's claim that chlorine water discharge is allowed in upland areas if the water will not return to a riparian area or a waterbody. OPP also requests BLM consider the effectiveness of compressed air and manually removing vectors such as vegetation and soil from equipment.
P1-114		**WATER-3**: No chemical or biological additives shall be allowed during hydrostatic testing unless approved by the appropriate agency responsible for the NPDES permit.	Accepted as written.

P1-112 WATER-1 has been modified to clarify intent and application of this measure. Mitigation has been retained but modified.

P1-113 WATER-2 has been modified to address winter construction issues and concerns from the BLM and other agencies. Mitigation has been retained but modified.

P1-114 Refer to response to comment P1-103.

	Resource	Recommended Mitigation	Revised Information/Comment
P1-115		**WATER-4**: When water is withdrawn from surface water sources (e.g., for dust control or hydrostatic testing), Overland Pass shall utilize a filter with a mesh size screen that would prevent entrainment and impingement of aquatic organisms.	Overland Pass requests BLM revise this condition to reflect the proposed, realistic mitigation. In response to BLM's concern that water intakes will impinge or entrain aquatic organisms, Overland Pass proposes to use a mesh screen size of 1/2 inch to 1 inch mesh, while maintaining adequate flow to the water pumps and an approximate cross-screen flow velocity of 1000gpm or 3000gpm depending on river flow at time of use. OPP would also like to clarify that it does not intend to use surface waters for dust control.
P1-116		**WATER-5**: Although the playas and ponds to be crossed have no perceptible flow, Overland Pass shall use construction techniques applicable for flowing waterbodies when playas and ponds are crossed.	Construction will not encounter this situation. OPP did not identify any playas or ponds that would be crossed by the OPP project.
P1-117		**WATER-6**: During wet ditch crossings, streambed spoil shall be removed and subsequently restored to retain the natural bed materials of the streambed. Under no circumstances shall foreign substrate materials (e.g., introduced gravel) be used to back-fill a channel crossing, unless they are native to the immediate locale and mimic the natural bed material. This practice shall apply to both perennial, intermittent, and ephemeral channels on federal lands.	Accepted as written.
P1-118		**WATER 7**: On federal land, Overland Pass shall reduce the total construction ROW width to 60 feet in riparian and wetland areas.	OPP would like to reiterate its objection to a reduction of workspace to 60 feet through wetland and/or riparian areas. Please refer to data responses 59 and 325 (08/31/06) which address why the right-of-way can not be narrowed in these areas. To reduce the construction right-of-way to 60 feet wide increases the likelihood that the trench width will become too wide relative to the construction ROW for equipment and personnel to work safely around the trench. There is a minimum amount of space needed for the trench, adjacent spoil storage and adjacent construction equipment travel and working space. If the right-of-way width were to be reduced to 60 feet wide, it would require additional ATWS's at the wetland boundaries for spoil storage.

P1-115 The USFWS comment letter (refer to comment F1-11) recommended a mesh size of 3/32 inch for streams with salmonid fry and 0.25-inch mesh for streams with larger salmonids. The recommendation for other streams was "appropriate mesh size for the aquatic organisms that are present." The paper entitled Freshwater Intake End-of-Pipe Fish Screen Guideline (Canada Department of Fisheries and Oceans 1995) has been sent to Overland Pass as guidance in designing the intake system for hydrostatic testing. Mitigation has been retained but modified and appears as WATER-3 in the Final EIS.

P1-116 These playas and/or ponds refer to what Overland Pass identified as lakes. Upon further investigation, these appear to be dry lake beds or stock ponds rather than lakes with active perennial inflow and outflow of water. Text has been modified throughout the document to refer to these as dry lakes. This mitigation has been modified for better clarity and appears as WATER-4 in the Final EIS.

P1-117 Refer to response to comment P1-103.

P1-118 Refer to response to comment F2-14. Mitigation has been retained as written and appears as WATER-5 in the Final EIS.

Resource	Recommended Mitigation	Revised Information/Comment
P1-119	**WATER 8**: Overland Pass shall consult with appropriate state and federal agencies (USFWS and others) before discharging hydrostatic test waters directly into surface waterbodies. Agency recommendations shall be implemented prior to such direct discharges, which as Overland Pass proposes, would be made to the waterbody of origin where the surface water was withdrawn. Test water that is not discharged directly to surface waterbodies shall be discharged onto stable upland locations near the point of withdrawal, or sprayed on level or nearly level croplands as irrigation water. Irrigation water applications shall be done in coordination with landowners as proposed. Stable upland areas shall have slopes less than 10 percent, be minimally susceptible to sheet and rill erosion by having suitable soil and abundant vegetation, and be large enough to provide adequate infiltration while avoiding concentrated flow on land surfaces. Such areas shall be at least 200 feet away from active gullies or other channels. Hydrostatic test water shall not be disposed of via wells or other means of groundwater injection.	Accepted as written.

P1-119 Refer to response to comment P1-103.

Resource	Recommended Mitigation	Revised Information/Comment
P1-120	**WATER-9**: Prior to construction of the proposed open cut crossing at the Green River, Overland Pass shall further investigate the channel materials and flood hydrology conditions at the crossing location. Subsequently, the site-specific crossing plan shall be modified to ensure sufficient pipeline burial and crossing stability with regard to the anticipated total scour depth under conditions of the 100-year, 24-hour flood on the local-area watershed (between the crossing site and Fontenelle Reservoir) plus a corresponding flow release from Fontenelle Reservoir. The pool elevation at Flaming Gorge Reservoir may be approximated for appropriate seasonal conditions to account for the effects of reservoir backwater on flow conditions at the proposed crossing reach. Overland Pass shall use accepted methods and equations to estimate the anticipated scour depth and necessary factors of safety. Overland Pass shall then review its current proposed site-specific crossing plan for the Green River, and in coordination with the USFS, USFWS, and other agencies as appropriate, plan and implement any modifications necessary to: a. Reasonably ensure that the pipeline would not be exposed during the design flood event, either through sufficient burial depth, selection and placement of well-graded backfill, or a combination of control methods; b. Minimize erosion, turbidity, and sedimentation during and after construction; c. Minimally obstruct fish passage during and after construction. d. Reclaim the site (and all adjacent disturbed areas), such that: 1) The channel bed and banks are stabilized using appropriate materials and construction techniques; 2) Recreational aesthetics are maintained or improved; and 3) All debris and spoils are disposed of appropriately.	Overland Pass has consulted the USFS regarding the previously-completed scour analysis and crossing plans. OPP has satisfied requirements for scour analysis from the USFS. Overland Pass will provide a copy of letter from USFS to Overland Pass (04/19/2007). OPP has agreed to implement the requested ATWS construction methods recommended in the letter.

P1-120 Text in the document has been revised to indicate the completed scour analysis and approval from the USFS along with agreement to implement ATW construction methods at the Green River. WATER-9 has been eliminated as a mitigation measure.

	Resource	Recommended Mitigation	Revised Information/Comment
P1-121	Groundwater	**GW-1**: Groundwater pumped and discharged aboveground for construction purposes shall meet agricultural water quality standards in the respective states and/or districts where it is discharged.	Accepted as written.
P1-122		**GW-2**: When groundwater is observed during construction (e.g., sites requiring dewatering due to groundwater, saturated wetlands), permanent trench breakers shall be installed to prevent unintentional transport of groundwater by the pipeline trench.	Accepted as written.
P1-123		**GW-3**: Overland Pass shall conduct additional field surveys prior to construction to ascertain the existence and location of any flowing wells within 500 feet of the construction ROW. If any flowing well occurs within this distance of the ROW, their general hydrogeologic setting shall be further investigated, the need for porous trench backfill shall be implemented as necessary to avoid the obstruction of groundwater flow to the well.	Additional "flowing well" surveys have not been previously agreed upon. Desktop reviews and surveys have been conducted already for wells and springs. On August 28, 2006, OPP provided a comprehensive table of water wells to BLM which document all existing water wells within 500 feet of the proposed pipe centerline. Additionally, OPP consulted each affected landowner regarding water well locations (existing or planned) during the pipe routing phase of the project
P1-124		**GW-4**: If a pipeline rupture occurs within 500 feet of a groundwater supply source (well or spring), Overland Pass shall immediately notify the owner of the source, and shall comply with any mitigation and/or monitoring provisions reached through agreements with the source owner and appropriate regulatory agencies.	Accepted as written.
	Floodplains, Wetlands and Riparian Areas		
P1-125	Wetlands and Riparian Areas	Mitigation measures GW-1, GW-2, VEG-1, and WATER-7 describe mitigation measures to minimize impacts to riparian areas and wetlands.	Accepted as written except for WATER-7. Please see our response to WATER-7.

P1-121 Refer to response to comment P1-103.

P1-122 Refer to response to comment P1-103.

P1-123 Text has been modified accordingly. GW-3 has been eliminated as a mitigation measure.

P1-124 Refer to response to comment P1-103.

P1-125 Refer to responses to comments F2-14 and P1-118.

	Resource	Recommended Mitigation	Revised Information/Comment
P1-126	Vegetation	**VEG-1**: To minimize impacts to waterbodies, wetlands, and riparian areas, Overland Pass shall set back TWAs a minimum distance of 50 feet from the edge of waterbodies, wetlands, or riparian areas, whichever distance would provide the greatest protection. The distance shall be measured from the water bank of the waterbody, the margin of a wetland, and the exterior edge of a riparian area. In addition, erosion and sediment control measures, including but not limited to, silt fence, straw bales, berms, water bars, and mulching shall be installed around each TWA to prevent soil movement into the nearby sensitive area. Riparian areas form a transition between permanently saturated wetlands and upland areas and are typically associated with waterbodies (see Glossary).	In its CMR Plan, OPP proposes to construct through riparian areas utilizing the same techniques and mitigation measures as it will employ for wetlands. Although the requirement to place TWS 50 feet from the exterior edge of a riparian area would likely result in a request for more TWS, OPP would be willing to adopt these measures when crossing riparian areas on federal lands. WEST identified one riparian area on BLM land at MP 195.5 (based on 20% dominance of woody vegetation that is FAC or greater criteria). But it was not run by BLM who did not give us a clear definition of what they considered a riparian area. Overland Pass has agreed to 50 foot setbacks from wetlands on federal lands. On federally-managed lands, Overland Pass will locate all extra workspace areas (such as staging areas and additional spoil storage areas) at least 50 feet away from water's edge of perennial and intermittent waterbodies that are flowing at the time of construction. On non-federally-managed lands, Overland Pass will locate all extra workspace areas at least 10 feet away from the water's edge of perennial and intermittent waterbodies that are flowing at the time of construction, unless site-specific conditions require further setback. On non-federally-managed land, all equipment is parked overnight and/or fueled at least 100 feet from a waterbody or in an upland area at least 100 feet from a wetland boundary; 200 feet from private water wells; and 400 feet from public water supply wells. And on federally-managed land, all equipment is parked overnight and/or fueled at least 500 feet from a waterbody or water wells or in an upland area at least 500 feet from a wetland boundary.
P1-127	Noxious Weeds and Invasive Species	**VEG-2:** Only certified weed-free straw bales shall be used to construct sediment control devices or used mulch applications. Hay bales shall not be used for mulching or erosion control, except as approved as on the PNG (see also SOIL-10).	Accepted as written.
P1-128		**VEG-3:** Seed mixes shall be tested for viability to ensure that desirable seed viability exceeds 95 percent. Seed mixes shall have a certified content that contains 0 percent noxious weeds.	Accepted as written.
P1-129		**VEG-4:** Overland Pass shall continue to monitor and control invasive plant species and noxious weeds along the ROW for the life of the project.	As stated in its Weed Control Plan (see page 10), OPP is committed to making a good faith effort in monitoring and controlling invasive plant species and noxious weeds along the right-of-way for the life of the project.

P1-126 Refer to responses to comments F2-14, P1-68, and P1-118. Mitigation measure VEG-1 has been retained as written.

P1-127 Comment noted. Based on further discussions between Overland Pass, the BLM, and the USFS, this mitigation measure has been further modified and included as an applicant-committed measure (Appendix A, Table A-1).

P1-128 Refer to response to comment P1-103.

P1-129 The BLM feels that this commitment needs to be better defined. Mitigation remains unchanged and appears as VEG-2 in the Final EIS.

	Resource	Recommended Mitigation	Revised Information/Comment
	Wildlife, Aquatic Resources, Special Status Species		
P1-130	Wildlife	**WILD-1**: The duration a trench is open shall be limited to 10 days from RP 0 to RP 110 on federal land administered by the BLM Kemmerer and Rock Springs field offices.	"The duration a trench is open shall be limited to 10 days from RP0 to RP110 on Federal Land…" As similarly stated for SOIL-1, this condition has the potential to double the length of construction from 73 days to 143 assuming slower progress due to winter conditions (October 1 start). Furthermore, progress could slow up to 40% of Overland Pass' anticipated construction pacing adding 40 to 50 million dollars to the overall construction budget which would ultimately get passed on to the consumers. Adding three months to the schedule could delay revegetation activities and cause sedimentation problems. Overland Pass would like to take this opportunity to point out that while shorter projects in southwestern Wyoming are required to employ this limitation, they often do not gear up for higher efficiency construction schedule due to shorter distances. Moreover, the Overland Pass Project will require a trench that is half as deep and wide as that which was required for the Entrega Project. Overland Pass requests that agency CMs and Overland's EIs work in concert during construction to determine areas where wildlife migration through the project area may require open trench limitations, if any.
P1-131		**WILD-2**: The pipeline and pipeline trench shall be inspected on a regular basis during construction and immediately prior to backfilling to identify entrapped animals. Wildlife found in trenches during construction shall be coaxed to the nearest ramp and either be encouraged to exit the trench, removed by hand, or trapped (if other methods are unsuccessful). If any animal in the trench is determined to be a special status species, only authorized individuals shall be allowed to remove it from the trench.	Accepted as written. Please clarify that the "authorized individual" is the Resource Monitor authorized by Overland Pass.
P1-132		**WILD-3:** If construction occurs during migratory bird breeding seasons, Overland Pass shall consult with the BLM and the USFWS and prepare a plan to mitigate construction impacts to nesting migratory birds.	Accepted as written.

P1-130 At the request of the federal agencies, mitigation WILD-1 remains unchanged. In areas with large amounts of rock where trenching will take longer and may include blasting, Overland Pass may request variances from this mitigation measure on a case-by-case basis.

P1-131 Text has been modified as requested. Refer to response to comment P1-103.

P1-132 Refer to response to comment P1-103.

	Resource	Recommended Mitigation	Revised Information/Comment
P1-133		**WILD-4**: Overland Pass shall consult with the USFWS and BLM to develop mitigation measures to avoid or minimize blasting impacts on nesting birds. Prior to blasting, a report specifying the specific or locations (by RP) where blasting would occur, known raptor and other migratory bird nest locations within the general vicinity of the blasting, and mitigation measures that would be implemented to minimize impacts on nesting birds shall be filed with the BLM for approval.	Accepted as written.
P1-134		**WILD-5:** Overland Pass shall implement a mandatory employee education program for all construction personnel to minimize wildlife impacts and vehicle collisions during project construction.	Accepted as written.
P1-135		**WILD-6:** Overland Pass shall comply with the spatial and timing buffers for raptors identified in the applicant-committed measures with the exception of lands administered by the PNG where the timing restriction component would extend from February 1-July 31.	Overland Pass' consultations with the PNG indicate that the PNG's restrictions begin March 1 and end June 30.
P1-136	Aquatic Resources	**WILD-7**: The Green River crossing shall be constructed between October 16 and November 20, which would minimize impacts to the spawning movement of kokanee salmon (first run fish).	The Green River shall be constructed between October 16 and November 20… This timing mandate may be impossible if the permit is delayed beyond October 1, 2007.
P1-137	Special Status Species	**SSS-1**: If crossing of suitable habitat for Prebles meadow jumping mouse occurs during the breeding season (June or July), captured adults shall be released at the trap site and followed to attempt to determine if they have young in a nest. If a nest is located within the ROW, a decision shall be made to move the ROW and avoid the nest or delay the crossing until late July when the young should be mobile and able to be trapped and moved from the immediate area.	Consultations with the FWS determined appropriate mitigation measures for preble's meadow jumping mouse would include having a biologist walk in front of equipment in suitable habitat, until vegetation was removed and silt fence installed to avoid impacts to individuals (also see CMP mitigation measures identified in the other column) . Having to move the right-of-way or rerouting the pipeline route during active construction is not a feasible option. This implies or will require trapping. For Entrega it was a clearing effort (biologists walking ahead of equipment until vegetation was removed and silt fence installed, per the Biological Opinion). If construction is done in these areas within the timeframes identified, this will be problematic.

P1-133 Refer to response to comment P1-103.

P1-134 Refer to response to comment P1-103.

P1-135 The PNG has agreed that March 1 to June 30 is adequate. WILD-6 has been eliminated as a mitigation measure.

P1-136 This mitigation measure has been modified to better define the construction window. Mitigation has been retained but modified and appears as WILD-2 in the Final EIS.

P1-137 Refer to response to comment P1-103. Text has been modified to read: "If a nest is located within the ROW, a decision shall be made whether to move the centerline or entire ROW..."

	Resource	Recommended Mitigation	Revised Information/Comment
P1-138		**SSS-2**: In suitable habitat for Prebles meadow jumping mouse, the width of the ROW shall be reduced to 60 feet.	These restrictions will slow construction and raise safety issues for large equipment working and passing on narrow right-of-way. Overland Pass would not accept this proposed mitigation. Overland Pass' proposed mitigation is borrowed from the mitigation plans for a recent pipeline construction project and was acceptable to the BLM and USFWS for that project.
P1-139		**SSS-3**: The ROW width shall be reduced to 60 feet within 2 miles of identified sage grouse leks.	These restrictions will slow construction and raise safety issues for large equipment working and passing on narrow right-of-way. The biological benefit would be negligible. Overland Pass would not accept this proposed mitigation. Overland Pass' proposed mitigation is borrowed from the mitigation plans for a recent pipeline construction project and was acceptable to the BLM and USFWS for that project.
P1-140		**SSS-4**: Construction and maintenance shall not occur within 2 miles of a sage grouse lek from March 1 through July 15, between the hours of 8 p.m. to 8 a.m. from RP 42.9 to RP 110.4 on lands administered by the BLM Rock Springs Field Office.	Accepted as written.
P1-141		**SSS-5**: Construction and maintenance shall not occur within 656 feet of identified mountain plover concentration areas between April 1 and June 30.	Accepted as written.
P1-142		**SSS-6**: If an active mountain plover nest is observed, planned development activities shall be delayed at least 37 days from the date the nest is observed or 1 week post hatching.	See comments for SSS-5.Given the revised construction start schedule (October 1), Overland Pass does not anticipate this condition affecting the project.

P1-138 Refer to response to comment P1-103.

P1-139 SSS-3 has been eliminated as a mitigation measure.

P1-140 Refer to response to comment P1-103. Locations have been modified to include all federal land.

P1-141 Refer to response to comment P1-103. Dates have been modified at the request of the BLM.

P1-142 Language from SSS-6 has been added to the applicant-committed mitigation measure and SSS-6 has been eliminated as a mitigation measure.

	Resource	Recommended Mitigation	Revised Information/Comment
P1-143		**SSS-7**: In midget faded rattlesnake habitat identified during survey efforts (WEST 2006b), construction on south- and east-facing slopes shall be avoided by a distance of 100 feet and by a distance of 500 feet on north-end west-facing slopes. Avoidance of these habitat areas would require re-routing	OPP conducted habitat surveys for the midget-faded rattlesnake in 2006 and provided the survey results to BLM for review in December of 2006. Fourteen potential habitat sites were located during the surveys and no nest sites were located. OPP located two sites where this stipulation would be applicable (Overland Pass will provide a copy of location maps) on federal land. BLM has maintained that no further cultural resource reports should be submitted on the current schedule and project alignment, which OPP has agreed to. To reroute away from these locations, as specified, would require moving the project out of areas where cultural resource surveys have resulted in no adverse impact to historic properties. Furthermore, there are several other locations in these areas where potentially suitable habitat is present. Therefore, OPP requests conducting a field visit to these two locations with the BLM Rock Springs Biologist to determine the presence or absence of the midget-faded rattlesnake, and will commit to having qualified biological monitors present during construction activities at these locations.
P1-144		**SSS-8:** Trees felled and brush cleared within 200 feet of the proposed Big Creek crossing (RP 670) shall piled in a stack(s) adjacent to the existing riparian area to restore/increase habitat for the eastern spotted skunk.	Accepted as Written.
P1-145		**SSS-9:** If there is perceptible flow within Bitter Creek at the time of crossing, Overland Pass shall use a dry crossing method (dam-and-pump or flume method) to protect the flannelmouth sucker populations.	Recent correspondence with WY Game and Fish (Overland Pass will provide a copy of the 04/05/07 phone log) said the native species of concern near the proposed pipeline actually occur in waters near the town of Bitter Creek. The town of Bitter Creek is approximately 3000 feet (0.6 miles, 0.9km) north northwest of the pipeline waterbody crossing at Bitter Creek.
P1-146		**SSS-10:** Per the recommendation of the CDOW (Swigle 2006c), Overland Pass shall avoid construction across the North Fork of the Republican River between May 31 and August 1 to avoid direct impacts to spawning and young stonecat.	Accepted as written.

P1-143 Overland Pass conducted midget-faded rattlesnake surveys at the nine potential den sites on BLM land and committed to additional mitigation in Appendix A, Table A-1. SSS-7 has been eliminated from the Final EIS.

P1-144 Refer to response to comment P1-103.

P1-145 Flannelmouth sucker potentially occur at scattered locations throughout Bitter Creek where perennial flow and sufficient depths are available. This mitigation has been retained as stated and appears as SSS-1 in the Final EIS.

P1-146 Refer to response to comment P1-103.

	Resource	Recommended Mitigation	Revised Information/Comment
	Land Use and Aesthetics		
P1-147		**LAND-1**: Permits required for installation of the pipeline underneath existing public roads and, as needed, to transport equipment shall be obtained prior to construction. For open-cut road crossings, Overland Pass shall attempt to: Maintain at least one lane of traffic open with detours around construction; Provide plating over the open portion of the trench; or Use other suitable methods when open cutting a road.	Accepted as written.
P1-148		**LAND-2**: If a construction method requires a road to be closed for up to 24 hours, Overland Pass shall develop a detour for public traffic to bypass the construction area. Overland Pass shall provide a detour for vehicle traffic on CR 437 along the North Platte River for the duration of the open cut river crossing.	Accepted as written.
P1-149		**LAND-3**: Overland Pass shall require the construction contractor to post caution signs on roads, where appropriate, to alert motorists of pipeline construction and warn them of slow traffic. Traffic control measures such as traffic control personnel, warning signs, lights, and barriers shall be used during construction to ensure safety and to minimize traffic congestion.	Accepted as written.
P1-150		**LAND-4**: Pipe trucks transporting pipe joints and low boys hauling heavy equipment shall travel with flashing yellow caution lights in accordance with state law. The construction contractor shall employ traffic control personnel as required by State DOT safety requirements for use on paved roads during equipment crossings to ensure safe passage of local traffic.	Accepted as written.
P1-151		**LAND-5:** Construction vehicles shall follow posted speed limits on rural county roads and highways and follow a 25 mph speed limit on the project roads. Speeds shall be reduced to 10 mph below posted limits on highways when traveling at night.	Accepted as written.

P1-147 Refer to response to comment P1-103.

P1-148 Refer to response to comment P1-103.

P1-149 Refer to response to comment P1-103.

P1-150 Refer to response to comment P1-103.

P1-151 Refer to response to comment P1-103.

	Resource	Recommended Mitigation	Revised Information/Comment
P1-152		**LAND-6**: Overland Pass shall implement the following measures to reduce traffic congestion and roadside parking hazards: Project personnel shall exercise caution when commuting to and from the construction area to minimize the potential for accidents, and local speed limits shall be enforced. Overland Pass shall provide the construction contractor with an equipment yard to be used as a primary parking area for employee personal vehicles. Personal vehicles shall not be allowed within the construction ROW or along roadsides near the ROW. The construction contractor shall provide buses for transporting workers that do not require personal vehicles to the work site from the yard.	Accepted as written.
P1-153		**LAND-7:** Overland Pass shall require its construction contractor to comply with local load weight restrictions when using existing public roads and crossing public bridges to prevent road and bridge damage.	Accepted as written.
P1-154		**LAND-8:** The construction contractor shall be directed to remove soil left on the road surface by equipment crossings. At the end of each workday, mats or other appropriate measures (e.g., sweeping) shall be used to reduce deposition of mud and soils on public roads and highways.	Accepted as written
P1-155		**LAND-9**: Where culverts are required to improve a Class-B access road at stream crossings, these culverts shall be of adequate size to accommodate storm runoff as required by federal, state, or county road permits, and of sufficient strength to support construction and maintenance equipment. All temporary culverts shall be removed from the stream crossing after construction.	Accepted as written.
P1-156		**LAND-10:** Overland Pass shall notify landowners prior to the start of construction adjacent to a residence.	Accepted as written.
P1-157		**LAND-11:** Overland Pass shall maintain traffic flow and emergency vehicle access on roadways with traffic control personnel or detour signs where necessary.	Accepted as written.

P1-152 Refer to response to comment P1-103.

P1-153 Refer to response to comment P1-103.

P1-154 Refer to response to comment P1-103.

P1-155 Refer to response to comment P1-103.

P1-156 Refer to response to comment P1-103.

P1-157 Refer to response to comment P1-103.

	Resource	Recommended Mitigation	Revised Information/Comment
P1-158		**LAND-12:** Overland Pass shall backfill and restore in residential areas as soon as possible, and fence off or plate sections of trench left open near residences at the end of the construction day.	Accepted as written.
P1-159		**LAND-13:** Overland Pass shall periodically inspect road surfaces near residences and, if necessary, clean street surfaces and wet exposed soil to prevent generation of fugitive dust.	Accepted as written.
P1-160	Aesthetics	**VISUAL-1**: Downward shield lighting or low profile lighting, and motion sensors shall be used at all facilities to minimize nighttime visual effects.	Accepted as written.
P1-161		**VISUAL-2:** MLVs located on the PNG shall be painted in earth tones with a matte finish and the site shall not be graveled. In addition, fences around the MLVs on the PNG shall be barbed wire similar to livestock fences in the area.	Accepted as written.
	Cultural Resources		
P1-162		**ARCH-1:** To minimize unauthorized collecting of archaeological material or vandalism to known archaeological sites, Overland Pass and their contractors, and all construction personnel, shall attend mandatory training and be educated on the significance of cultural resources and the relevant federal regulations intended to protect them.	Accepted as written.

P1-158 Refer to response to comment P1-103.

P1-159 Refer to response to comment P1-103.

P1-160 Refer to response to comment P1-103.

P1-161 Refer to response to comment P1-103.

P1-162 Refer to response to comment P1-103.

Letter P2

Responses to Letter P2

Overland Pass Pipeline Company LLC
Errors & Omissions Noted in the BLM's Overland Pass Pipeline Natural Gas Liquids Pipeline Draft Environmental Impact Statement

	Section	Page	Paragraph	Revised Information/Comment
P2-1	ES	ES-1	Throughout document	Please replace “Copper Ridge” with Cooper Ridge in all instances in this document.
P2-2	ES	ES-2	7	No water will be withdrawn from the storage ponds. It will be withdrawn from water wells.
P2-3	ES	ES-11	4	"Deposits" is misspelled.
	1.0 Purpose and Need			
P2-4	1.4.5	1-7	2	Overland Pass will design and construct its proposed facilities in accordance with Title 49 CFR Part 195 Transportation of Hazardous Liquids by Pipeline and will operate its proposed system in compliance with the OPS national integrity management program. Under the Natural Gas Pipeline Safety Act of 1968 (P.L. 90-481) and the Hazardous Liquid Pipeline Act of 1979 (P.L. 96-129), the USDOT Transportation Secretary is given primary authority to regulate key aspects of interstate pipeline safety: design, construction, operation and maintenance, and spill response planning. Title 49 of the Code of Federal Regulations contains pipeline safety regulations. The USDOT administers pipeline regulations through the Office of Pipeline Safety (OPS) within the Pipelines and Hazardous Materials Safety Administration (PHMSA)” Source: CRS Report for Congress, Order Code RL33347 Pipeline Safety and Security: Federal Programs), April 5, 2006, Paul W. Parfomak accessed via the web April 18, 2007 http://digital.library.unt.edu/govdocs/crs//data/2006/upl-meta-crs-8993/RL33347_2006Apr05.pdf
P2-5	1.4.5	1-7	3	It is Overland Pass’ understanding that 49 CFR 194, which only applies to onshore oil pipelines, is not applicable to Overland Pass.
	2.0 Alternatives Including The Proposed Action			
P2-6	2.2.1.1	2-7	Pigging Facilities	Launcher at MP 447.8 should be MP 447.9 in Yuma County, Colorado.
	3.0 Affected Environment			
P2-7	3.4.1	NA	NA	Please note Section 3.4 evaluates soils along the route in miles, but Section 4 discusses acreages.

P2-1 Depending on the map base used, the ridge is identified as either “Copper Ridge“ or “Cooper Ridge.” Text has been modified to note this when the location is first identified.

P2-2 Text has been modified to reflect updated plans and information provided by Overland Pass.

P2-3 Text has been modified as requested.

P2-4 Text has been modified to address this comment.

P2-5 Text has been modified as requested.

P2-6 According to the latest information provided by Overland Pass with their comments dated May 11, 2007, this launcher is at RP 447.8 in Washington County, Colorado. Text remains unchanged.

P2-7 The BLM prefers to discuss baseline affected environment values (Chapter 4) in terms of miles (Chapter 3) and to discuss impacts in terms of acres. Text remains unchanged.

Letter P2 Continued

Responses to Letter P2

	Section	Page	Paragraph	Revised Information/Comment
P2-8	3.4.1	3.4-2 to 3.4-9	NA	MLRA's are from the old SCS Hbk. 296. The most recent copy of Hbk. 296 (NRCS, 2006) contains more detail and uses a slightly different convention referring to individual MLRAs. Climate mean precipitation and temperature ranges) are examined in detail, and should be provided in this discussion.
P2-9	Table 3.4-1 & 3.4-2	3.4-3 to 3.4-4	NA	Tables provide mileage summaries for soil features and break them down by "Federal" and "Other" categories separated by county, state, and project. However, there are no overall mileage totals (by county, state, and project) to compare individual values to. This makes it very difficult to compare Sections 3.4 and 4.4 (which uses acreages). Note: Topsoil depth and Slope Class sum to the project total (~760 miles).
P2-10	3.4	NA	NA	SENSITIVE SOILS DISCUSSIONS: Several soil limitations have significant climatic components that are not discussed. For example, compaction prone soils are not compaction prone if dry, and drought affected soils are far more affected by aspect in the arid west. Fine textured soils on south-facing slopes can be very droughty. Similarly, sandier soils on north facing slopes can be more mesic.
P2-11	3.5.1.1	3.5-6	Table 3.5-3	We found that Salt Creek and Calf Creek are not impaired; Beaver Creek is at MP 531.5
P2-12	3.5.1.1	3.5-9	1	The last sentence should read "In Kansas, two surface water intakes …"
P2-13	3.5.1.1	3.5-9	2	In the last sentence under "Sediment Quality," the word "will" should be inserted between the words sediments and occur.
P2-14	3.5.1.2	3.5-11	Table 3.5-5	EIR3 aquifers listed are not the same as presented here.
P2-15	3.5.1.2	3.5-16	Table 3.5-6	Under Table 3.5-6, spell out what KGS stands for (for consistency).
P2-16	3.5.1.2	3.5-16	2	Third sentence should read "Designated groundwater basins along the proposed route in Colorado……."
P2-17	3.5.1.2	3.5-16	3	First sentence should read "In Kansas, managed groundwater resource areas are controlled through management districts. Third sentence should read "Similar to the basin management program in Colorado, …"
P2-18	3.5.1.2	3.5-17	2	Second to last sentence – capitalize Casper Aquifer

P2-8 The additional text would not change the affected environment substantially, nor will it change the analysis. Text remains unchanged.

P2-9 Refer to response to comment P2-7.

P2-10 Sensitive soils were discussed in detail. The majority of the proposed line will be on mostly level to gently sloping lands. Aspect should not affect these areas substantially. Compaction-prone soils and moisture levels also were discussed in detail in the analysis.

P2-11 Updated versions of the waterbody crossing tables (Appendix H in the Final EIS) have been provided by Overland Pass and the text has been modified accordingly.

P2-12 Text has been modified as requested.

P2-13 Text has been modified as requested.

P2-14 EIR3 aquifers listed are the same as presented here. However, they are presented in greater detail for impact assessment. The more general EIR aquifer systems are the bold italicized subheadings in the leftmost column of Table 3.5-5.

P2-15 Acronyms are spelled out upon first occurrence in the document. Document has been checked for first occurrence of this acronym and defined at that location. The first appearance of this acronym is on page 3.3-8; text remains unchanged.

P2-16 Text has been modified as requested.

P2-17 Text has been modified as requested.

P2-18 Text has been modified as requested.

Letter P2 Continued

	Section	Page	Paragraph	Revised Information/Comment
P2-19	3.5-8	3.5-20	Table 3.5-8	Wetland summary: WY PEM= 5.6, WY PSS= 0.5, WY total= 6.2; CO PSS= <0.1; KS PFO= <0.1; all total= 6.6
P2-20	3.5.1.3	3.5-20	1	For consistency with Corps of Engineers' filing, please change text to show 6.6 miles crossed (as noted above) and total of 209 wetlands crossed.
P2-21	3.5.1.3	3.5-20	1	Last sentence in the continued paragraph state should be plural – states
P2-22	3.6.1.1	3.6-4	2	They identify some stream crossings that have riparian woodlands. The list does not appear to be complete, for example the South Platte is not included nor are the forested drainages in Kansas. See attached Table of Waterbody Crossings in Riparian Woodlands.
P2-23	3.7.1.1	3.7-2	4	The text says that the table includes timing restrictions, but it does not.
P2-24	3.7.1.1	3.7-2	5	Spelling mistake: representative.
P2-25	3.7.1.1	3.7-4	Table 3.7-3	Northern leopard frog, plains killifish, and plains topminnow are MIS species according to FWS, but these are not listed in the table.
P2-26	3.7.1.2	3.7-8	1	What is the reference for the last sentence?
P2-27	3.7.1.2	3.7-8 to 3.7-9	1 and 2	Spelling of Arikaree.
P2-28	3.7.1.2	3.7-9	6	Last sentence is not a complete sentence.
P2-29	3.7.1.3	3.7-11	5	The two Colorado species of special concern: this is the first mention of these two species.
P2-30	3.7.1.3	3.7-12	5	Sensitive plant species communities: Colorado has been left out of this discussion paragraph altogether. OPP crosses the PNG which should be mentioned here (MP 336.7 to 356.0 and MP 371.5 to 387.1).

Responses to Letter P2

P2-19 The numbers presented reflect information provided by Overland Pass and have been confirmed to be correct as corresponding with all other values for vegetation type and land use presented throughout the document.

P2-20 Refer to response to comment P2-19.

P2-21 Text has been modified as noted.

P2-22 Text has been modified to address this comment.

P2-23 The title and footnote of the table has been revised for clarification.

P2-24 Text has been modified as noted.

P2-25 The PNG has determined these species did not have potential to occur along the project route and were excluded from further analysis. This has been noted in the BR associated with this document.

P2-26 The reference, Cerovski et al. (2004), has been added to the end of the sentence. This reference is listed in the Literature Cited section.

P2-27 A global search has been conducted throughout the document to correct the spelling of Arikaree.

P2-28 The words, potentially occur in Kansas, have been added to the end of the sentence.

P2-29 These two species of special concern in Colorado were requested to be included in the analysis by the Colorado Division of Wildlife.

P2-30 Refer to response to comment P1-43.

Letter P2 Continued

Responses to Letter P2

	Section	Page	Paragraph	Revised Information/Comment
P2-31	3.8.1.1	3.8-2	2nd bullet	It states that 72 acres of "hydric soils" would be crossed. This is confusing as "hydric soils" is one requirement for a wetland, and this is being discussed in regards to agricultural lands. Is it just the irrigated hay meadows? The use of hydric soil should be defined here. Also, in the state breakdowns for vegetation, the total miles of "hydric" soils is 9.0 miles, but table 3.6-1 has a total of 6.5 miles for wetlands.
P2-32	3.8.11	3.8-2	2nd bullet	States several tracts are administered by the BLM in Colorado. Should this be USFS?
P2-33	3.8.1.1	3.8-2	4th bullet	States 9.2 miles of forest land. Table 3.6-1 has 5.9 miles of forest.
P2-34	3.8.11	3.8-6	Bullet 1	This paragraph claims 2 commercial structures in Lincoln County, 2 commercial structures in Sweetwater County, and 2 and 3 commercial structures in Albany and Carbon counties; respectively fall within 50 feet of the proposed pipeline route. This is contradictory to DEIS statement on pg 2-27.
P2-35		3.11-9	2	Please note that the distribution of tax revenues should be changed according to the tax revenues OPP reported in our DEIS comments for page 4.11-6, paragraph 2.
	4.0 Environmental Consequences			
P2-36	4.3.1.4	4.3-6	4	The draft EIS references a "Paleontological Monitoring and Mitigation Plan." That plan could be attached to the draft EIS as an appendix.
P2-37	4.3.1.4	4.3-7	2	The sentence should be revised to read, "Also, potential damage during operations and maintenance would be minimal since work would occur on previously disturbed ROW."
P2-38	4.5.1.1	4.5-1	4	Site specific drawings now exist for major and sensitive waterbodies.

P2-31 A hydric soil designation indicates that soil conditions of saturation, flooding, or ponding were sufficient to develop anaerobic conditions in the upper part of the soil. In agricultural lands hydric soils are often drained to grow crops. This information was provided as an indication of where drain tiles may be located.

The hydric soils data was gathered from NRCS data (soil based). Although the presence of hydric soils may be indicative of a wetland, not all hydric soils are necessarily associated with wetlands. Wetland miles provided were based on GAP data and aerial photography review (vegetation based), which is the appropriate data to use for the vegetation section. Text remains unchanged.

P2-32 Text has been modified as requested.

P2-33 The 9.2 miles represents forest in terms of land use while the value 5.9 miles in Table 3.6-1 represents vegetation type. These numbers are not interchangeable. Additionally, refer to Table 3.8-3 for a summary of miles of land use types. Text remains unchanged.

P2-34 Structures listed on page 3.8-6 and 3.8-7 and in Table 3.8-4 are commercial structures while the comment on page 2-27 is in regard to residential structures. Text remains unchanged.

P2-35 Data has been verified with updated information provided by Overland Pass and text has been modified accordingly.

P2-36 Only frequently referenced plans and surveys are included as appendices to the EIS. The reader is directed to the BLM POD for all other project-specific plans and surveys.

P2-37 Text has been modified as requested.

P2-38 Sentence has been revised to state that plans and drawings exist for all major and sensitive waterbodies.

Letter P2 Continued

	Section	Page	Paragraph	Revised Information/Comment
P2-39	4.5.1.1	4.5-2	2	Hydrostatic test plan is Appendix A, not C as shown.
P2-40	4.5.1.1	4.5-2	3	spelling: refueling.
P2-41	4.5.1.1	4.5-3	1-2	Please acknowledge the Corps of Engineers and associated State Water Quality Certification so that readers unfamiliar with regulations understand that lack of BLM jurisdiction does not mean there is no regulation or protection for these waterways.
P2-42	4.5.1.1	4.5-4	7,8	Dates for hydrostatic testing are now between January and March 2008 because of delayed construction start date (stream flows in January through March are not significantly different than previously calculated for November and December- data provided upon request).
P2-43	4.5.1.1	4.5-11	2	Please modify conclusions based on requested changes to WATER mitigation measures.
P2-44	4.5.1.1	4.5-12	4	The third paragraph under the heading “Analysis” mentions the SPCC plan and the paragraph under the heading “Dewatering” mentions the SWPPP. These documents could be attached in the appendices for the reader’s convenience.
P2-45	4.5.1.1	4.5-13	2	The second full paragraph references the “Blasting Plan.” A copy of this could be attached in the appendices.
P2-46	4.5.1.1	4.5-13	3	The first sentence under the heading “Hydrostatic Testing” – change the word “would” to “may.”
P2-47	4.5.3	4.5-17	1	In the parenthesis in the second sentence, remove the words “one” and “two.”
P2-48	4.7.1.1	4.7-2	Table 4.7-1	Colorado Pronghorn habitat should be referred to as “severe” not “crucial”. Federal land is equal to 46.3 acres and Non-federal lands are equal to 161.4 acres (Also, please change text in above table).
P2-49	4.7.1.1	4.7-3	1	The bald eagle nest at the South Platte River could be mentioned here.
P2-50	4.7.1.1 4.7.1.2 4.7.1.2 4.7.1.2 4.7.1.3	4.7-3 4.7-7 4.7-8 4.7-9 4.7-19	4 6 4 2 2	Numerous references are made throughout the wildlife impact analysis to project timing and its potential to overlap with wildlife breeding seasons, etc. Since the final ROD for this project will be released later than expected, the impact of such changes should be reflected in the final wildlife impact analysis.
P2-51	4.7.1.2	4.7-5	5	5th bullet: surface waters are only being used for hydrostatic testing and HDD. Surface water was not proposed for dust control.
P2-52	4.7.1.2	4.7-7	3	The Drat EIS refers the reader to Table 4.7-3, please also reference Table 4.7-2.

Responses to Letter P2

P2-39 This comment is incorrect. In the Draft EIS, the Hydrostatic Test Plan is Appendix C.

P2-40 Text has been modified as noted.

P2-41 Text has been modified to include the USACE and state water quality certification regulations.

P2-42 Dates have been modified to reflect delayed construction start.

P2-43 Conclusions have been modified as appropriate.

P2-44 Refer to response to comment P2-36.

P2-45 Refer to response to comment P2-36.

P2-46 The Hydrostatic Testing section has been deleted and updated as Construction Water Use.

P2-47 Text has been modified as requested.

P2-48 The BLM has determined that all winter habitat occurring along the route will be referred to as 'crucial winter habitat'. The table acreages have been revised as appropriate.

P2-49 The text has been revised as requested.

P2-50 The text has been revised to account for the schedule change as appropriate.

P2-51 Text has been modified based on the updated Hydrostatic Test Plan provided by Overland Pass.

P2-52 Text has been modified as requested.

Letter P2 Continued

Responses to Letter P2

	Section	Page	Paragraph	Revised Information/Comment
P2-53	4.7.1.3	4.7-11	2	The last reference should be to Table 4.7-2 not 3 (2 is for species, 3 is for habitat).
P2-54	4.7.1.3	4.7-14	1	The draft EIS references a "Conservation Measures Plan" for sensitive species. That plan could be attached to the EIS.
P2-55	4.7.1.3	4.7-14	1	The word "within" in the first clause of the third sentence should be changed to "with" so that the sentence reads, "In coordination with the BLM . . . ."
P2-56	4.7.1.3	4.7-19	1	Final sentence missing the word "flow."
P2-57	4.7.1.3	4.7-20	4	The extra word "sizes" should be deleted from the first sentence so that it reads, "Appropriate size mesh would be used . . . ."
P2-58	4.7.1.3	4.7-21	1	The first sentence of SSS-1 should be revised to delete the word "of" and "occurs" so that it reads, "If crossing suitable habitat for Prebles meadow jumping mouse during the breeding season . . . ."
P2-59	4.7.1.3	4.7-22	3	In SSS-7, the word "north-end" should be revised to read "north- and."
P2-60	4.7.1.3	4.7-22	7	The "Special Status Species Survey Plan" should be attached as an appendix and coordinated with FWS requirements made part of the BO.
	5.0 Cumulative			
P2-61	5.2.4.1	5.2-5	5	Site specific drawing for Medicine Bow provides a detail of bank stabilization.
P2-62	5.2.6.2	5.2-7	Aquatic Resources	States five streams will be open cut, but then lists seven.
	6.0 Unavoidable Adverse Impacts			
P2-63	6.0	6-1	Table 6-1	Water Quality box – last sentence, "but if this occurs, it would be quickly mitigated."
	9.0 Electric Powerlines			
P2-64	9.1	9-1	2	In the fourth sentence, please insert the word "no" before "greater" so that the sentence reads, "The length of these connections would be no greater than 0.25 and 2.4 miles . . . "?

P2-53 Text has been modified to indicate both tables.

P2-54 Refer to response to comment P2-36.

P2-55 Text has been modified as requested.

P2-56 Text has been modified as requested.

P2-57 Text has been modified as requested.

P2-58 The suggested changes do not alter the meaning of the sentence. Text remains unchanged.

P2-59 The text has been modified as requested.

P2-60 Refer to response to comment P2-36.

P2-61 Text has been modified as requested.

P2-62 The text has been modified as appropriate.

P2-63 Text has been modified as requested.

P2-64 Text has been modified as requested.

Letter P2 Continued

Responses to Letter P2

	Section	Page	Paragraph	Revised Information/Comment
P2-65	9.2.1	9-3	2	These recommendations should be referenced to: Avian Power Line Interaction Committee (APLIC). 1996. *Suggested Practices for Raptor Protection on Power Lines: The State of the Art 1996*. Edison Electric Institute and the Raptor Research Foundation. Washington, D.C. The Edison Electric Institute's Avian Power Line Interaction Committee (APLIC) and U.S. Fish and Wildlife Service (USFWS). April 2005. *Avian Protection Plan (APP) Guidelines*.
	Appendix A			
P2-66		3, 4	NA	These maps are a duplication.
	Appendix B			
P2-67		16 17 27	7 3 6, 7	Figure 18 is not contained in the DEIS. Figures 19 and 20 are not contained in the DEIS. Figure 25, Table 1.3.2-1 and Figures 26a through 26e are not in the DEIS.
	Appendix F			
P2-68		F-1 F-5	NA NA	Hams Fork River at MP 0.9 should be 2AB not 3B. Tributary to Latham Draw at MP 139.7 should be 3B.
	Appendix G			

P2-65 Text has been modified as requested.

P2-66 Refer to response to comment P1-90.

P2-67 The missing items are part of the appendices to the Construction, Reclamation, and Revegetation Plan, which in agreement with Overland Pass were not included in the EIS. A note appears in the Table of Contents to this plan directing the reader to the POD on the BLM website.

P2-68 Text has been modified as requested.

Letter P3

Wyoming
PIPELINE AUTHORITY

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Casper, WY 82601
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Brian Jeffries, Executive Director
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Jim Nielson, Member
Duane Zavadil, Member
Danny Rea, Member

May 7, 2007

Mr. Tom Hurshman
Bureau of Land Management (BLM)
Rawlins Field Office
P.O. Box 2407
Rawlins, WY 82301-2407

RE: COMMENTS FOR THE OVERLAND PASS PIPELINE PROJECT

Dear Mr. Hurshman:

The Wyoming Pipeline Authority (WPA) is pleased to submit to the BLM comments regarding the Draft Environmental Impact Statement (DEIS) for the Overland Pass Natural Gas Liquids Pipeline Project dated March 2007.

P3-1

The WPA recommends that the **Proposed Action** be adopted for the Overland Pass Pipeline Project. Because existing NGL pipelines are operating at or near capacity, the Overland Pass Pipeline would address the needs of producers in Colorado and Wyoming by providing additional pipeline capacity out of the Rocky Mountain region to new and existing markets while also providing pipeline-to-pipeline competition to the Rocky Mountain markets.

The Overland Pass Pipeline project will primarily be located within an existing right-of-way (ROW) corridor. The Proposed Action is a better use of limited manpower and equipment resources because there would be less surface disturbance than the Southern Energy Corridor-Copper Ridge Bypass alternative. Construction and reclamation of the ROW would be less difficult with the Proposed Action and therefore less costly. Also there are fewer structures within 500 feet of the Proposed Action's ROW that would be affected.

The Proposed Action would require fewer access roads, paved road and waterbody crossings than the Southern Energy Corridor-Copper Ridge Bypass alternative. Hydrostatic testing and dust control would require less water usage with the Proposed Action.

10-62

Responses to Letter P3

P3-1 Thank you for your comment.

Letter P3 Continued

P3-1 The Proposed Action also creates less acreage disturbance for threatened and endangered species than the Southern Energy Corridor-Copper Ridge Bypass alternative. This also includes no loss of big game crucial habitat.

P3-2 The WPA also supports the Proposed Action due to the use of electric powered pump stations that will minimize impacts to air resources and not affect air quality during the operational phase. The use of electric pumps will also contribute to noise reduction during operations.

The WPA has been given the legislative authority to 'finance, construct, develop, acquire, maintain and operate a pipeline system or systems within or without the state of Wyoming to facilitate the production, transportation, distribution and delivery of natural gas and associated natural resources produced in the state (including but not limited to propane, butane, ethane, methane, carbon dioxide, sulphur, helium, nitrogen, natural gas liquids, synthetic fuels, and water related to energy production)'.

The WPA appreciates the opportunity to submit these comments. If you have any questions, please do not hesitate to contact us by email at wyomingpipelinea@qwest.net or by telephone at 307-237-5009.

Sincerely,

Kellie C. Vlastos

Kellie Cairns Vlastos
Wyoming Pipeline Authority

Responses to Letter P3

P3-2 Thank you for your comment.

Letter P4

From: "Michael A. Smith" Pearl@uwyo.edu
To: <overland_pipeline_wy@blm.gov> 04/02/2007 02:34
cc: PM

Subject: Overland pass pipeline DEIS

Thank you for sending the DEIS and the opportunity to provide comment.

P4-1 I am generally not disturbed by the prospect of this type project particularly when it follows an existing pipeline corridor. My

P4-2 observation has been that once the immediate disturbance is past, the vegetation of disturbed strip is more productive than before. I would hope that regulators would insure that weed management along the ROW would be a high priority until revegetation is successful.

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Responses to Letter P4

P4-1 Thank you for your comment.

P4-2 Please refer to key applicant-committed mitigation measures as listed in Appendix A, Table A-1, and BLM recommended mitigation measures as listed in Appendix A, Table A-2.