APPENDIX

F

MATRIX OF COMMENTS RECEIVED DURING THE SCOPING PERIOD

Appendix F
Matrix of Comments Received during the Scoping Period

Categories	EIS Sections
Air Quality (including Greenhouse Gas Emissions and Climate Change)	3.2, 4.2, 5.2.1
Cultural Resources and National Historic Trails	3.18, 4.18, 5.2.17
EIS Preparation and General Comments	
Environmental Justice	3.20.6, 4.20.6
Fish (including Aquatic Resources)	3.10.2, 4.10.2.4, 5.2.9
General Wildlife	3.10.1, 4.10.2.1, 5.2.9
Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	3.13, 4.13, 5.2.12
Livestock Grazing	3.12, 4.12, 5.2.11
Mineral and Energy Development	3.4.2, 4.4.2.2, 5.2.3
Public Health and Safety	3.22, 4.22, 5.2.21
Recreation	3.14, 4.14, 5.2.13
Socioeconomics	3.20, 4.20, 5.2.19
Special Designations, including ACECs and Wilderness Study Areas	3.15.1.1
Special Status Wildlife Species	3.10.1.3, 4.10.2.3
Vegetation (including Invasive species and Noxious Weeds)	3.9, 4.9, 5.2.8
Visual Resources	3.17, 4.17, 5.2.16
Water Resources (Groundwater and Surface Water)	3.7, 4.7, 5.2.6
Wetlands and Riparian Areas	3.8, 4.8, 5.2.7

Disposition	Explanation
Substantive	The comment is substantive and will be addressed in the EIS
Non-substantive	The comment is not substantive and merely expresses opinion and will not be addressed in the EIS
Out of Scope	The comment is out of the scope of the project or NEPA process and will not be addressed in the EIS.

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
1-1	EPA	Water Resources (Groundwater and Surface Water)	The EPA recommends that the BLM characterize existing surface water and groundwater resources within the project area in the Draft EIS by: - Mapping groundwater and surface water resources in the development area. This could include a summary discussion of the water resources that exist in the project area. - Identifying water uses within the project area, including: o All source water protection areas in order to ensure that public drinking water supply sources arc protected from potential impacts. o Surface water and groundwater use, including the location and source identification of agricultural, domestic and public water supply wells, springs, or surface water intakes within one mile of the proposed pipeline. - Presenting baseline data on the condition and quality of surface water resources, and where appropriate and possible, reasons why these resources have been impacted, including: o Lists of any Clean Water Act (CWA) impaired or threatened waterbody segments within or downstream of the project area, including the designated uses of the waterbodies and the specific pollutants of concern.	Substantive	3.7, 4.7, 5.2.6
1-2	EPA	Wetlands and Riparian Areas	o Inventories and maps of existing wetlands and waters of the U.S. within the project area, including wetlands that are regulated under Section 404 of the CWA and wetlands that are determined to be non-jurisdictional and protected under Executive Order 11990 - Protection of Wetlands (May 24, 1977), and, where project impacts are likely, acreages and channel lengths, habitat types, values, and functions of these waters.	Substantive	3.8, 4.8, 5.2.7
1-3	EPA	Water Resources (Groundwater and Surface Water)	Presenting baseline data on groundwater resources, with particular emphasis on: o The major aquifers in the project area; o The location and extent of the groundwater recharge areas; and o The location of shallow and sensitive aquifers that are susceptible to contamination from surface activities.	Substantive	3.7, 4.7, 5.2.6
1-4	EPA	Water Resources (Groundwater and Surface Water)	The EPA recommends that the following resource impacts be discussed, including disclosure of which waters may be impacted, the nature of potential impacts, and specific pollutants likely to impact those waters: Surface Water Quality and Sedimentation: Potential impacts to water quality from runoff associated with surface disturbance. Runoff could introduce sediments as well as salts, selenium and other pollutants into surface waters. Drinking Water: Potential impacts to drinking water from the project, including the injection well sites, which may affect source water protection areas and other municipal or private water supplies. Impaired Waterbodies: Potential impacts to impaired waterbodies, including waterbodies listed on the CWA § 303(d) list and waterbodies with completed Total Maximum Daily Loads (TMDLs). Groundwater: Potential impacts to groundwater, including groundwater recharge areas and shallow and sensitive aquifers.	Substantive	3.7, 4.7, 5.2.6
1-5	EPA	Water Resources (Groundwater and Surface Water)	The EPA recommends the Draft EIS identify and discuss how surface water and groundwater quality will be protected and how significant impacts will be mitigated. To this end, the EPA recommends the Draft EIS include: • A list of BMPs that may be required to protect surface water and groundwater resources; •A discussion of the circumstances under which the BMPs would be applied (e.g., proximity to surface water resources, presence of corrosive soils, slope, shallow water aquifers, proximity of water wells, etc.); and, •An explanation of how the BLM or another government entity would ensure that the BMPs would be monitored and enforced (see (6) below).	Substantive	3.7, 4.7, 5.2.6

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
1-6	EPA	Wetlands and Riparian Areas	The protection, improvement, and restoration of wetlands and riparian areas are a high priority because they increase landscape and species diversity, support many species of western wildlife, and arc critical to the protection of water quality and designated beneficial water uses. In addition, these areas warrant protection under Section 404 of the CWA as well as Executive Order 11990. We suggest that the BLM analyze potential impacts from the Project to the following: • Stream structure and channel stability; • Streambed substrate, including seasonal and spawning habitats; • Stream bank vegetation, riparian habitats, and aquatic biota; and, • The cumulative effects of increased levels of erosion and sedimentation.	Substantive	3.8, 4.8, 5.2.7
1-7	EPA	Wetlands and Riparian Areas	We also recommend that the Draft EIS analyze methods to protect wetlands, riparian areas and floodplains, including the following: • Specific mitigation requirements and BMPs applicable for construction, operation and reclamation activities to prevent adverse impacts to these aquatic resources. These could include silt fences, detention ponds and other stormwater control measures; and • Delineation and marking of perennial seeps, springs and wetlands on maps and on the ground before development to ensure identification of these resources to facilitate their protection.	Substantive	3.8, 4.8, 5.2.7
		Water Resources (Groundwater and Surface Water)			3.7, 4.7, 5.2.6
1-8	EPA	Wetlands and Riparian Areas	The EPA recommends that impacts to wetlands and other surface water bodies be avoided and minimized to the maximum extent practicable during waterbody crossings. Where feasible, we recommend the use of horizontal directional drilling (HDD) for the pipeline routing under all water crossings and their associated floodplains and wetlands. We also recommend including an HDD contingency plan in the Draft EIS to address potential modes of failure and mitigation measures for each phase of the drilling process.	Substantive	3.8, 4.8, 5.2.7
1-9	EPA	Wetlands and Riparian Areas	If more damaging, open-cut water body crossings are proposed, we recommend that mitigation measures be used to stabilize and return stream banks to preconstruction contours, and waterbody crossing areas be graded and revegetated immediately following construction. We recommend that rip-rap, gabions, or other methods to harden banks not be used or used only sparingly to control erosion and stabilize banks at stream crossings during and/or after construction. The EPA supports an overall goal to return construction sites to natural, preconstruction conditions.	Substantive	3.8, 4.8, 5.2.7
		Water Resources (Groundwater and Surface Water)			3.7, 4.7, 5.2.6
1-10	EPA	Air Quality (including Greenhouse Gas Emissions and Climate Change)	The proposed site of the sweetening plant is located in the Upper Green River Basin (UGRB) Marginal Ozone Nonattainment Area. Therefore it is important that the Draft EIS disclose the current air quality conditions in the area covered by the project as well as potential air quality impacts associated with the proposed project. Direct, indirect, and cumulative air quality impacts of the proposed pipeline and project components would appropriately include emissions during construction, operation, and reclamation of the Riley Ridge to Natrona Project, and emissions associated with any increased oil and gas production or exploration. More specifically, the EPA recommends that the Draft EIS evaluate the direct, indirect, and cumulative impacts of the proposed project on: -Each of the criteria pollutants and their appropriate NAAQS (i.e., ozone, particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide and lead); - Prevention of Significant Deterioration (PSD) increment comparison at Class I and sensitive Class II Areas; - Hazardous air pollutants (i.e., acetaldehyde, benzene, ethyl benzene, formaldehyde, methanol, n-hexane, toluene, xylene, and any other compounds that the BLM identifies as potential hazardous air pollutants associated with the proposed project); - Potential emissions of hydrogen sulfide; and - Air Quality Related Values (AQRVs) in Class I and sensitive Class II areas.	Substantive	3.2, 4.2, 5.2.1

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
1-12	EPA	Air Quality (including Greenhouse Gas Emissions and Climate Change)	Ozone Nonattainment Area and General Conformity Requirements: As background, Section 176(e)(4) of the Clean Air Act (CAA) established the General Conformity provisions which play an important role in helping States and Tribes improve air quality in those areas that do not meet the National Ambient Air Quality Standards (NAAQS). In response to Section 176(c)(4) of the CAA, the EPA promulgated General Conformity requirements ("Subpart B-Determining Conformity of General Federal Actions to State or Federal Implementation Plans") in 40 CFR 93.150 through 93.165. The state adopted the General Conformity requirements, which EPA approved into Wyoming's State Implementation Plan on August 15, 2013 (78 FR 49685).	Substantive	3.2, 4.2, 5.2.1
1-13	EPA	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	Under Wyoming's General Conformity requirements, federal agencies must work with State, Tribal and local governments in a nonattainment or maintenance area to ensure that federal actions conform to the air quality plans established in the applicable State or Tribal implementation plan. Although a general conformity analysis or conformity determination (as appropriate) is not required to be completed concurrent with the NEP A process, we recommend that consideration be given for doing so for efficiency purposes since the CAA requires that the BLM conduct a general conformity analysis for any project emissions occurring in an area designated as nonattainment or maintenance for the NAAQS.	Substantive	3.13, 4.13, 5.2.12
1-14	EPA	Air Quality (including Greenhouse Gas Emissions and Climate Change)	We recommend that the Draft EIS include a discussion regarding the BLM's plans to address Wyoming's W AQSR Chapter 8, Section 3 General Conformity requirements for emissions from BLM authorized activities in the UGRB Ozone Nonattainment Area. W AQSR Chapter 8, Section 3 requires that a determination must be made that emissions from a Federal action will or will not exceed an applicable de minimis threshold level for the criteria pollutant of concern or its precursors; this would be 100 tons per year for NOx or VOCs in the UGRE Ozone Nonattainment Area (see WAQSR Chapter 8, Section 3). If emissions from BLM-authorized activities in the UGRB Nonattainment Area will exceed the 100 tons per year ozone precursor emissions de minimis threshold level for NOx or VOCs, then a full general conformity determination is required to document how the federal action will affect implementation of the applicable plan for the area to reach attainment. A Federal agency may use a combination of the criteria listed in WAQSR Chapter 8, Section 3 to get a project to conform (in addition, see EPA's General Conformity Guidance, page 19 (July 13, 1994)). The EPA has assisted other agencies in exploring options to reach conformity and is available to discuss conformity options with you if that would be useful.	Substantive	3.2, 4.2, 5.2.1
1-15	EPA	Air Quality (including Greenhouse Gas Emissions and Climate Change)	The EPA recommends that the NEPA document describe the selected methods for protecting air quality and the regulatory mechanisms the BLM will use to ensure their implementation, where possible, as described in (6) below. The EPA also recommends that the BLM work with the Wyoming Department of Environmental Quality to identify and evaluate mitigation measures (including control measures and design features) it would apply in the event that potential adverse impacts to air quality or AQRVs are predicted.	Substantive	3.2, 4.2, 5.2.1
1-16	EPA	Public Health and Safety	The EPA recommends inclusion of a leak detection and repair program, due to the high safety and health concerns associated with hydrogen sulfide emissions.	Substantive	3.22, 4.22, 5.2.21
1-17	EPA	Air Quality (including Greenhouse Gas Emissions and Climate Change)	In addition, dust suppression from disturbed areas is a particularly critical mitigation consideration in the arid west. The EPA recommends the Draft EIS include a plan for addressing dust control. We suggest the plan include, but not be limited to: dust suppression methods and the level of required or anticipated control, inspection schedules, and documentation and accountability processes. Given the dry climate of the project area, the scope of the area, and the associated challenges with reclamation, the EPA recommends reducing surface disturbance to effectively reduce fugitive dust.	Substantive	3.2, 4.2, 5.2.1
1-18	EPA	Air Quality (including Greenhouse Gas Emissions and Climate Change)	The EPA recommends the BLM include an analysis and estimate of the direct and indirect GHG emissions associated with the Project, and reasonable alternatives and/or practicable mitigation to reduce project-related GHG emissions, and a discussion of any appropriate climate change adaptation issues. In addition to emissions associated with construction, operation, and reclamation, we recommend calculating reasonably foreseeable upstream and downstream emissions including oil and gas production and refining. - Estimate the anticipated GHG emissions associated with the Project. We recommend that GHG emissions be estimated in C02-equivalent terms and translated into equivalencies that are more easily understood by the public (e.g., annual GHG emissions from x number of motor vehicles, sec https://www.epa.gov/cleanergey/energy-resources/ calculator.html). - Assess and identify measures to reduce GHG emissions associated with the Project, including alternatives and/or potential requirements to mitigate emissions. For example, the leak detection and repair program recommended above to mitigate potential air quality impacts would also be a valuable mitigation measure to reduce fugitive emissions of C02 from the pipeline and facilities. - Describe any existing regional, tribal or state climate change plans or goals that cover the project area. - Include a summary discussion of ongoing and projected regional climate change relevant to the project area in the "affected environment" section of the Draft EIS, based on U.S. Global Change Research Program assessments. This would enable the EIS to identify potential impacts that may be exacerbated by climate change.	Substantive	3.2, 4.2, 5.2.1

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
1-19	EPA	Environmental Justice	Executive Order 12898- Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations applies to federal agencies that conduct activities that substantially affect human health or the environment. Consistent with this executive order and the CEQ guidance on Environmental Justice under NEPA (available along with other EJ resources at http://www.epa.gov/compliance/nepa/nepaej/index.html), the EPA recommends the NEPA analysis include the following: Identification of any minority, low-income and tribal communities within the geographic scope of the impact area, including the sources of data and a description of the methodology and criteria utilized. - The EPA recommends comparing census block group percentages (if available, or, at a minimum, census tract data) for below poverty and minority populations with the state average or other appropriate reference population. We recommend conducting the following steps if a block group percentage is greater than 50% or meaningfully greater than the reference population. - Perform a detailed assessment of environmental justice and other socioeconomic concerns for any environmental justice communities, to the extent information is available, including: - A discussion of the potential direct, indirect and cumulative environmental impacts of the proposed project on the health of these communities, including air quality and water quality and impacts. - Health risks to environmental justice communities from the proposed pipeline may include potential spill risks and air emissions from oil and gas development activities. -An evaluation of the socio-economic impacts to the local communities, including the potential for any additional loading placed on local communities' abilities to provide necessary public services and amenities. - A determination of whether there may be disproportionately high and adverse human health or environmental effects, including cumulative impacts, on the identified communities. - Mitigation measures or alternatives to avoid or reduce any disproportionate adverse impacts. We recommend involving the affected communities in developing the measures. Given that this is a linear project, the BLM may want to consider the guidance developed by the Federal Highway Administration for linear transportation projects (https:/www.fhwa.dot.gov/environmentlenvironmental justice/ej_ at_ dot/). In addition, we recommend reviewing the EIS for the expansion ofI-25 through Pueblo, Colorado (http://www.newpucblofreeway.org/project_documents.htm, see chapter 3.6). The Pueblo EIS has a good discussion of minority and low income thresholds, examples of adjusting the alternatives to reduce impacts to EJ populations, and mitigation measures.	Substantive	3.20.6, 4.20.6
1-22	EPA	Public Health and Safety	The EPA recommends that the Draft EIS include a detailed evaluation of potential adverse impacts to human health and the environment from pipeline leaks or spills, including potential adverse impacts to air quality, water resources, or other human health impacts. We recommend that this analysis include the chemical characteristics of the liquid H2S stream and the anticipated fate and transport of any spill into the environment, including anticipated volatilization rates and resulting toxicity hazard. It may be useful to discuss the probabilities and/or likely frequencies of different types of spill and leak events over the life of the pipeline, including any potential need for emergency response. We recommend that the Draft EIS describe the means by which pipeline leaks would be detected, the time frame over which a leak may occur prior to detection and control, and the potential volume that would be released before shut-off could occur. If a Supervisory Control and Data Acquisition (SCADA) System is proposed, we recommend that it be discussed. We additionally recommend that the analysis describe the means by which small leaks that may not be detectable by the SCADA system would be identified as mentioned above in mitigation.	Substantive	3.22, 4.22, 5.2.21
1-23	EPA	EIS Preparation and General Comments	(6) Mitigation and Control Measures…..We recommend that the BLM include a section in the Draft EIS that summarizes all of the mitigation and control measures that will be implemented for the project, including the following key information: -Whether or not implementation of the measure is required by the BLM or any other governmental entity; - What entity will be implementing the measure; and - All necessary permits, including construction and operating permits, water permits, and air permits.	Substantive	4.23
1-24	EPA	EIS Preparation and General Comments	We recommend that the Draft EIS analyze impacts from the entire project, including ancillary facilities (e.g., origin station, intermediate stations, main line block valves, access roads, etc.). Although the exact location of ancillary facilities may not be known at this time, we recommend analyzing probable impacts based on anticipated design and location.	Substantive	3.0
		Socioeconomics	In addition to looking at direct impacts in the immediate vicinity of the proposed pipeline, CEQ regulations (40 C.P.R.§ 1502.16) instruct agencies to consider other effects that are reasonably foreseeable. Thus, in addition to considering the impacts occurring at and near the site of the pipeline,		3.20, 4.20, 5.2.19

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
1-25	EPA	EIS Preparation and General Comments	sweetening plant and H2S injection wells, we recommend that the EIS evaluate whether this project would facilitate increased oil and gas production or exploration and any associated potential impacts including any potential beneficial impacts.	Substantive	4.23
1-26	EPA	Public Health and Safety	We recommend that the Draft EIS include information on the requirements for oil spill prevention, preparedness, and response to prevent oil discharges to navigable waters and adjoining shorelines under the Spill Prevention Control and Countermeasure rule which is part of the Oil Pollution Act (if applicable). Also, facilities that have an oil storage capacity greater than or equal to one million gallons and are located at a distance where a release can cause substantial harm are required to prepare and submit a Facility Response Plan (FRP) to EPA for review and approval. We recommend that the Draft EIS discuss whether an FRP will be prepared	Substantive	3.22, 4.22, 5.2.21
3-2	Wyoming Pipeline Authority	Public Health and Safety	Hydrogen sulfide (H2S) is a highly dangerous component since it is poisonous, corrosive, flammable and explosive. It will be beneficial for public and industry safety to build a "sweetening" plant to remove the H2S so the remaining C02 can be transported safely.		3.22, 4.22, 5.2.21
4-1	WY Game and Fish Department	General Wildlife	Pipeline construction should be synchronized with seasonal wildlife needs to minimize disturbance and seasonal stipulations should be applied. No pipeline construction work should take place on crucial big game winter range between November 15 and April 30.	Substantive	3.10.1, 4.10.2.1, 5.2.9
4-3	WY Game and Fish Department	Special Status Wildlife Species	No pipeline construction work should take place within 2 miles of a lek in non-core or anywhere within core between March 15 and June 30. Sage grouse lek counts have been conducted by wildlife consultants for the project proponent for known leks along the proposed pipeline route. It is not clear if lek searches have been conducted in available habitats, but if undiscovered leks exist nearby, sage grouse timing stipulations should protect these leks as well.		3.10.1.3, 4.10.2.3
4-4	WY Game and Fish Department	Special Status Wildlife Species	There are several known, active leks within .6 miles of the proposed pipeline project route. Restrictions for Core and Non-Core Areas as outlined by in the Governor's Executive Order regarding sage grouse should be followed including completing a Density/Disturbance Calculation. Please refer to the Department's sage grouse web page at http://wgfd.wyo.gov/web20 11/wildlife-1 0003 82.aspx for further information.		3.10.1.3, 4.10.2.3
4-5	WY Game and Fish Department	General Wildlife	There are three pronghorn migration routes in the Pinedale District - 3 different routes intersected (West Buckhorn Draw area, NE of Big Sandy Reservoir area, and Dry Sandy area). Although the Department does not have specific stipulations for migration corridors, any coordination with WGFD to avoid conflicts between construction and migration would be appreciated.		3.10.1, 4.10.2.1, 5.2.9
4-7	WY Game and Fish Department	Vegetation (including Invasive species and Noxious Weeds)	The Department recommends removal of vegetation only where trenching will occur. This will reduce reclamation costs, make reclamation easier because less vegetation will be removed and minimize habitat loss. All topsoil should be saved and spread over disturbed areas as soon as possible after disturbance to accelerate natural and artificial revegetation. Reclamation/weed control should take place as quickly as possible after construction. Plants suitable for wildlife most dependent upon the disturbed site should be planted.		3.9, 4.9, 5.2.8
4-8	WY Game and Fish Department	Vegetation (including Invasive species and Noxious Weeds)	To offset any resulting loss or fragmentation of big game habitat, we recommend reseeding disturbed areas using native plant species that are preferred browse of pronghorn and mule deer. Once established, cheatgrass can quickly degrade habitat quality and therefore substantially reduce the landscape's ability to support robust wildlife populations. Thus, the Department recommends that reclamation plans incorporate options to prevent cheatgrass spread, as well as other noxious weeds by having the project proponent fund the application of Plateau Herbicide® to spot treat any disturbed areas where cheatgrass has established along the route.		3.9, 4.9, 5.2.8
4-9	WY Game and Fish Department	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	Where pipeline construction entails a large work force, construction workers should be bussed to the work location. Also, the project proponent should discourage employee tent and trailer camping on public lands through the construction period.		3.13, 4.13, 5.2.12
4-11	WY Game and Fish Department	Wetlands and Riparian Areas	Where possible, pipeline corridors should cross riparian zones and streams at right angles to minimize the area of disturbance. Pipelines should not be routed through riparian areas other than for purposes of crossing streams. Construction of pipelines in forested areas should be conducted in such a manner that creates irregular shaped rights of way to maximize edge effect.		3.8, 4.8, 5.2.7
		Vegetation (including Invasive species and Noxious Weeds)			3.9, 4.9, 5.2.8

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
4-11	WY Game and Fish Department	General Wildlife	Native raptor species are known to nest along the proposed route. A 1/2 mile timing stipulation buffer around each nest should be maintained. Exceptions may be granted based on topography or other site specific factors. Please contact the USFWS for further information on nesting raptors and required stipulations. Bald Eagle: February 15-August 15 Northern Hanier: April 1-July 31 Sharp shinned hawk: May 1 -August 31 Cooper's hawk: April 15 -August 15 N01thern goshawk: April !-August 15 Swainson's hawk: May 1-August 31 Red tailed hawk: March 15-July 31 Ferruginous hawk: April 1- July 31 Golden eagle: February 1-July 31 American kestrel: April 1-August 15 Merlin: April 1-August 15 Peregrine falcon: March 15-August 15 Prairie falcon: March 1-August 15	Substantive	3.10.1, 4.10.2.1, 5.2.9

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
4-12	WY Game and Fish Department	Fish (including Aquatic Resources)	Preventing the spread of aquatic invasive species (AIS) is a priority for the State of Wyoming, and in many cases, the intentional or unintentional spread of organisms from one body of water to another would be considered a violation of State statute and Wyoming Game and Fish Commission Regulation. To prevent the spread of AIS, the following is required: 1. If equipment has been used in a high risk infested water [a water known to contain Dreissenid mussels (zebra/quagga mussels)], the equipment must be inspected by an authorized aquatic invasive species inspector recognized by the state of Wyoming prior to its use in any Wyoming water during all times of year. 2. Any equipment entering the state by land from March through November (regardless of where it was last used), must be inspected by an authorized aquatic invasive species inspector prior to its use in any Wyoming water. 3. If aquatic invasive species are found, the equipment will need to be decontaminated by an authorized aquatic invasive species decontaminator. 4. Any time equipment is moved from one 4111 level (8-digit Hydrological Unit Code) watershed to another within Wyoming, the following guidelines are recommended: DRAIN: Drain all water from watercraft, gear, equipment, and tanks. Leave wet compartments open to dry. CLEAN: Clean all plants, mud, and debris from vehicle, tanks, watercraft, and equipment. DRY: Dry everything thoroughly. In Wyoming, we recommend drying for 5 days in summer (June - August); 18 days in Spring (March - May) and Fall (September - November); or 3 days in Winter (December- February) when temperatures are at or below freezing. 5. Any equipment used in Wyoming water that contains AIS, must be inspected before use in water. Species currently found in Wyoming waters include New Zealand mudsnail, Asian clam, and curly pondweed. Information on currently affected waters can be found at: http://wgfd.wyo.gov/web2011/Departments/Fishing/pdfs/AIS WYWATER MONITOR130005236.pdf. 6. Surface water used for hydrostatic test waters cannot be moved one 4th level (8-digit Hydrological Unit Code) watershed to another within Wyoming. Discharge should occur into the source drainage in a manner that does not increase erosion or alter stream channels. To minimize impacts to the aquatic resources, we recommend the following: - Any pipeline crossing of water courses should be adequately protected against surface disturbances and damage to the pipelines that might result in a spill event. - We recommend the use of large wood plank matting joined with cable to minimize impacts to the riparian habitat - Any pipeline crossing of perennial, ephemeral or intermittent streams and rivers should be accomplished by boring under the active channel to avoid impacts to the channel and associated riparian areas. This would further eliminate any concerns with sedimentation and the need to avoid critical times of year such as when fish species are spawning. Not entering the live channel will also eliminate all AIS concerns. Boring pits should be located far enough back from the channel that stream bank stability is not reduced. -Where pipeline crossings of streams (perennial or intermittent) will be trenched, stream banks should be restabilized with large angular rock (greater than two feet in one dimension) or wire enclosed riprap structures. Riprap should be placed from the channel bottom to the top of the normal high water line on the bank. Substrate layers should be replaced in the same order that they are removed from the stream. `- Riparian canopy or stabilizing vegetation should not be removed if possible. Crushing or shearing streamside woody vegetation is preferable to complete removal. Any such vegetation that is removed in conjunction with stream crossings should be reestablished immediately following completion of the crossing. Proper riparian grazing management strategies, including rest, need to be applied to disturbed stream banks. - Riparian areas and floodplains should not be used as staging or refueling areas. All chemicals, solvents and fuels should be kept at least 300 feet away from streams and riparian areas. - Any pipelines that parallel drainages should be located outside the 100-year floodplain. Pipeline crossings of riparian areas and streams should be at right angles to minimize the area of disturbance. - Right-of-way widths should be minimized where the pipeline crosses riparian areas and streams.	Substantive	3.10.2, 4.10.2.4, 5.2.9 3.10.2, 4.10.2.4, 5.2.9

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
5-1	Sublette County Conservation District	Water Resources (Groundwater and Surface Water)	However, we have noted that the list of issues preliminarily identified did not include water quality. We will be very interested in seeing that the analysis should carefully examine water quality issues, to include potential impact on the complete breadth of water quality measures. This includes physical, chemical, and biological parameters. The analysis should be completed for each and every stream crossing proposed, and should include analysis of potential effects of various methods of crossing streams.	Substantive	3.7, 4.7, 5.2.6
		Wetlands and Riparian Areas			3.8, 4.8, 5.2.7
5-2	Sublette County Conservation District	Special Status Wildlife Species	Secondly, we will be interested in seeing an analysis of the proposed route's disturbance and the implications that disturbance will have when the Density Disturbance Calculation Tool (DDCT) is applied. The Governor's Core Area Policy and its implementation will affect the location and density of subsequent disturbance allowances, both in the near and long term.	Substantive	3.10.1.3, 4.10.2.3
6-1	Wyoming Outdoor Council	EIS Preparation and General Comments	The Wyoming Outdoor Council asks the BLM to consider alternatives other than the three outlined on the maps provided for the scoping period. These three alternatives all cross the ecologically and culturally sensitive Big Sandy Foothills and Jack Morrow Hills landscapes of the Rock Springs Field Office. From the point where the right-of-way crosses U.S. Highway 191 eastward to the Bairoil Interconnect, each of these alternatives has far too many negative ecological and cultural impacts, necessitating a full review of less impactful alternatives. This should be done in accordance with a purpose and need statement for the EIS that is consistent with the Federal Land Policy and Management Act of 1976 (FLPMA) mandate that the BLM manage public lands for multiple use and sustained yield. In other words, the BLM must assess project proposals (like this right-of-way application) by balancing resources in a manner that "takes into account the long-term needs of future generations for renewable and non-renewable resources…including wildlife and fish, and natural scenic, scientific, and historical values." 43 U.S.C. § 1702(c). Thus, the BLM's purpose and need would be to provide for the least environmentally impactful pipeline interconnection that would allow for CO2 transportation via pipeline between the sweetening plant and the Bairoil Interconnect with minimal impacts to wildlife, scenic, and historical values.	Substantive	2.0
6-2	Wyoming Outdoor Council	EIS Preparation and General Comments	Currently, none of the three proposed route options across the Big Sandy Foothills or the Jack Morrow Hills represents such an alternative. The BLM should consider a wider array of route options in the EIS than the ones presented in scoping. These alternatives, as will be discussed in more detail below are likely to be viable, practical, economical, and environmentally preferable. An EIS must "[r]igorously explore and objectively evaluate all reasonable alternatives" and must explain the reason for elimination of any alternatives. 40 C.F.R. § 1502.14(a). Since the alternatives section "is the heart of the environmental impact statement," and must "sharply defin[e] the issues and provid[e] a clear basis for choice among options," id. § 1502.14, it is crucial that the BLM expand the alternatives it considers in the EIS beyond those shown in the BLM map to also include alternatives that do not traverse the Big Sandy Foothills and Jack Morrow Hills. Specifically, the BLM should consider a ROW for the Riley Ridge CO2 Pipeline that is routed south along U.S. Highway 191 to the I-80 interstate corridor.	Substantive	2.0
		Special Designations, including ACECs and Wilderness Study Areas			3.15.1.1
6-9	Wyoming Outdoor Council	Cultural Resources and National Historic Trails	The Oregon, California, and Mormon National Historic Trails traverse this area, as does the Pony Express and the Lander Road of the Oregon Trail. The impacts from the proposed rights-of-way to historic trails—including the major National Historic Trails (Oregon, California, Mormon, Pony Express) —would be significant. To reduce these impacts, the BLM should analyze route alternatives for the Riley Ridge pipeline right-of-way that do not cross contributing sections of these important trails. At a public meeting, an Outdoor Council representative was told that the pipeline would bore underneath the trails from a quarter mile away. While this plan reduces direct impact to trail ruts, it does not adequately protect the historical context of the trail setting. The associated qualities and values that contribute to the overall trail experience—that allow a modern-day visitor to experience the 1850s setting that the overland travelers did—is equally important as protecting actual trail ruts.	Substantive	3.18, 4.18, 5.2.17

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
6-10	Wyoming Outdoor Council	Visual Resources	As part of development of the EIS for the Riley Ridge right-of-way, the BLM should provide a viewshed analysis that ensures that even boring under the trail ¼ mile away does not disrupt the visual setting. The unnatural straight line, regardless of reclamation, that a buried pipeline can leave on the surface is an unnecessary and significant impact to the setting of the trails and should be prohibited. Additionally, although the ¼ mile buffer is in accordance with the 1997 Green River RMP, this RMP is currently under revision. Notably, precedent has recently been set in the adjacent Lander RMP to analyze historical setting buffers of three and five miles, or in line with viewshed and topography analysis.	Substantive	3.17, 4.17, 5.2.16
		Cultural Resources and National Historic Trails			3.18, 4.18, 5.2.17
6-11	Wyoming Outdoor Council	Visual Resources	In the EIS, development of route alternatives that avoid Historic Trail crossings and inclusion of a viewshed analysis taking into account the impacts to historical setting around the trails should be fully undertaken. The northern alternative for the Riley Ridge pipeline right-of-way that diverts straight east from mile 60 across the South Pass landscape is particularly egregious. The impacts to historical and cultural resources, existing land-use decisions in the Green River RMP 1997 (and probably the 2014 Lander RMP) would be significant. This route should be removed from consideration in the EIS. It not only crosses the Oregon, Mormon, and Pony Express Trails near South Pass, it then parallels the Oregon, Mormon, California and Pony Express trail corridor through the greater South Pass landscape The BLM's own mapping demonstrates how this route bisects not only a right-of-way exclusion area but also an area of critical environmental concern.	Substantive	3.17, 4.17, 5.2.16
		Cultural Resources and National Historic Trails	This proposal to cross the South Pass Historic Landscape ACEC, from the Green River RMP, is not in accordance with the management objectives of this ACEC, which are to "protect the visual and historical integrity of the historic trails and surrounding viewscape." Barring one exception for a right-of-way for the Altamont Pipeline, future ROWs that impact the historical integrity are prohibited. It is clear that this route alternative should be removed from consideration in the EIS. Additionally, it appears this right-of-way proposal dips south before the designated National Historic Trails corridor in the 2014 Lander RMP, which has strict viewshed and historical setting protections—if it does not, the BLM must ensure this pipeline stays out of that corridor.		3.18, 4.18, 5.2.17
6-12	Wyoming Outdoor Council	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	The three route alternatives proposed for the Riley Ridge pipeline right-of-way as the project crosses the Jack Morrow Hills are inconsistent with the Coordinated Activity Plan (CAP) and Record of Decision (ROD) for that area and the associated Green River RMP Amendment of 2006. This is true regardless of whether the route alternatives, such as the proponent's proposed route, parallel county roads. For this reason, the BLM should analyze other route alternatives in the EIS that maintain consistency with the important decisions made in this RMP Amendment—alternatives that site the pipeline corridor along existing highway and transportation corridors away from the Jack Morrow Hills. Both the route option A and D cross right-of-way avoidance areas outlined in the Jack Morrow Hills CAP. Under this important decision, an avoidance area for ROWs is an area where a right-of-way can be granted "only when no feasible alternative route or designated right-of-way corridor is available." See JMH ROD at G-1 (defining "Avoidance Area (for Rights-of-Way"). Other provisions in the Jack Morrow Hills ROD as well as the Green River ROD make it clear that alternative routes that do not traverse the Hills must be considered in the EIS. Right-of-way avoidance areas can only be considered if "site-specific analysis demonstrates area objectives can be met (see glossary)." JMH ROD at 69. As just discussed, this means "no feasible alternative route or designated right-of-way corridor is available," which is clearly not the case.	Substantive	3.13, 4.13, 5.2.12

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
6-13	Wyoming Outdoor Council	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	The Green River ROD makes similar provisions. The Rock Springs Field Office (which the Green River ROD applies to) will be open to consideration of granting rights-of-way "with the exception of defined exclusion and avoidance areas." Green River ROD at 9. The proposed Riley Ridge pipeline, as well as all of the currently proposed route alternatives, would clearly cross ROW avoidance and exclusion areas. Green River ROD at Maps 7 and 8. The Green River ROD also identifies what it refers to as ROW "windows" and communication sites. Id. at Map 9. These windows and designated communications sites are the "preferred location for future grants." Id. at 10. One of these windows is in the vicinity of the Jack Morrow Hills (although it seems to be entirely south of the JMH, in the railroad checkerboard); however, the potential ROW routes shown on the BLM map are not in alignment with this ROD- recognized window, and thus the ROWs shown in the BLM map are not in "preferred locations for future grants." Id. at Map 9.	Substantive	3.13, 4.13, 5.2.12
6-19	Wyoming Outdoor Council	EIS Preparation and General Comments	Clearly there are feasible alternative right-of-way routes other than those proposed in this scoping period. For example, a more southerly route that parallels U.S. 191 south to other existing transportation corridors south of the Jack Morrow Hills would be a feasible means to connect the Big Piney/LaBarge portion of the Riley Ridge CO2 Pipeline to the Bairoil Interconnect northwest of Rawlins. While this route might be marginally longer than the route shown on the BLM map, that does not mean it is not feasible, or even uneconomical. Again, the BLM's goal (i.e., the project's purpose and need) is only to provide for this interconnection, that is, to allow for carbon dioxide to flow between the sweetening plant and the Bairoil Interconnect. Thankfully, the goal is not specifically to place a route in the Jack Morrow Hills. As such, the BLM can and should consider a wider array of options in the EIS than those presented in scoping because such options could be viable, practical, economical, and environmentally preferable. We ask the BLM to do so.	Substantive	2.0
6-20	Wyoming Outdoor Council	General Wildlife	We have discussed the numerous important and sensitive wildlife habitats all of the route alternatives for the proposed Riley Ridge pipeline would intrude upon—including big game winter and parturition areas, sage-grouse core habitat and winter concentration areas, raptor nesting sites, and more. Additionally, the BLM should consider route alternatives that have as little impact as possible on a newly discovered and noteworthy mule deer migration corridor. The Red Desert to Hoback mule deer migration corridor5 stretches 150 miles from the Great Divide Basin to the Wyoming Range, and all three of the existing route alternatives would impact this important migratory habitat. More than 5,000 mule deer use this corridor to access adequate seasonal forage in their winter and summer ranges; the corridor must remain permeable in order for these populations to remain viable.	Substantive	3.10.1, 4.10.2.1, 5.2.9
6-22	Wyoming Outdoor Council	General Wildlife	All of these locations are implicated by the existing route alternatives. Again, we ask that route alternatives that do not impact this migration corridor, or big game winter habitat, be analyzed in the EIS. As we have established, the rights-of-way alternatives for the Riley Ridge pipeline cross important wildlife habitats for a variety of big game and avian species—as well as for other sagebrush obligates, including for large and small carnivores and other herbivores. If any of these routes are to be permitted, the BLM should ensure high standards for reclamation in order to reduce the possibility of habitat fragmentation and habitat loss from this project.	Substantive	3.10.1, 4.10.2.1, 5.2.9
		General Wildlife			3.10.1, 4.10.2.1, 5.2.9

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
6-23	Wyoming Outdoor Council	Livestock Grazing	The project proponent and the BLM need to incorporate the most up-to-date and effective reclamation techniques available to minimize the establishment of non-native invasive plant species. Noxious weeds and invasive plant species can have a substantial negative impact on native vegetation, associated wildlife habitat, grazing, and recreation. All reclamation efforts and plans need to be analyzed prior to any activity, and full monitoring and enforcement be implemented in order to prevent any sedimentation, erosion, weed infestation and invasive species occupation. Finally, reclamation efforts should be monitored and results maintained in a single database to improve public understanding and effectiveness of efforts. Specifically, we ask that the BLM incorporate watering cycles so that the native seeds are more likely to succeed. In addition, we recommend the BLM ensure that vegetation sites are reclaimed by using re-seeding techniques that promote non-invasive vegetation production and by using a 90 percent or higher minimum purity and certified seed mix. Also, topsoil removal should be retained so that it can be replaced after construction. The BLM should develop specific management measures to minimize the introduction and dispersal of these non-native invasive plants. Any equipment should be routinely cleaned to minimize the spread of invasive species. For all personnel on the site—including agency, contractor, and subcontractor personnel, vehicles and equipment should be routinely washed to reduce the possibility of this equipment carrying invasive plant material.	Substantive	3.12, 4.12, 5.2.11
		Recreation			3.14, 4.14, 5.2.13
		Vegetation (including Invasive species and Noxious Weeds)			3.9, 4.9, 5.2.8

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
6-24	Wyoming Outdoor Council	EIS Preparation and General Comments	In April 2014 the Department of the Interior released "A Strategy for Improving the Mitigation Policies and Practices of the Department of the Interior" in accordance with Secretarial Order No. 3330. This policy outlines a number of policies and practices that agencies in the Department of the Interior will implement to improve mitigation of the environmental and social impacts of projects that the agencies propose and pursue, on a landscape-scale level. The BLM should ensure that it fully complies with this new policy as it develops the Riley Ridge to Natrona Project EIS. The BLM indicates that it intends to comply with this new mitigation policy. See 79 Fed. Reg. 32975, 32978 (stating that BLM will identify opportunities to apply a mitigation hierarchy strategy). We encourage the agency to follow through on this commitment. This new mitigation policy requires the BLM to "incorporate landscape-scale approaches into all facets of development and conservation planning and mitigation" and to "[u]tilize the full mitigation hierarchy in project planning and review." We ask the BLM to ensure it complies with this policy for the Riley Ridge to Natrona Project. The full mitigation hierarchy includes avoidance and minimization of impacts, as well as compensation for them. And the new Mitigation Strategy emphasizes that avoidance and minimization must receive priority, not just compensation for impacts. See Mitigation Policy at 7 and 10 (stating that greater attention should be given to avoidance, and projects must be more effectively designed to avoid and minimize impacts). We ask the BLM to ensure it complies with this policy for the Riley Ridge to Natrona Project. This will require the BLM to adhere to the guiding principles for landscape-scale mitigation that are specified in the Mitigation Strategy, and to abide by the landscape-scale mitigation strategy implementation provisions specified in the Mitigation Strategy. Several near-term deliverables are specified in the Mitigation Strategy, and these should be met. In particular, the BLM must finalize its "Interim Draft Regional Mitigation Manual Section 1794," as provided for in the Mitigation Strategy, and ensure that it complies with this additional new policy. The emphasis on avoiding impacts—particularly the numerous ones to wildlife, historical, cultural, and scenic values we have discussed throughout these comments—necessitates that the BLM, to be in compliance with this mitigation strategy, explore route alternatives for the Riley Ridge pipeline that avoid the Big Sandy Foothills and Jack Morrow Hills.	Substantive	1.5
		Land Use Plan Conformance and Relationships to Policies, Plans, and Programs			3.13, 4.13, 5.2.12
6-26	Wyoming Outdoor Council	EIS Preparation and General Comments	We appreciate the BLM's consideration of these scoping comments for the Riley Ridge to Natrona pipeline project. As we have made clear, it is critical that the BLM consider rights- of-way route alternatives in this environmental impact statement that do not cross the Big Sandy Foothills and Jack Morrow Hills due to the extremely important and sensitive environmental resources and values that are found in these iconic areas.	Substantive	2.0
		Land Use Plan Conformance and Relationships to Policies, Plans, and Programs			3.13, 4.13, 5.2.12

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
6-27	Wyoming Outdoor Council	General Wildlife	Finally, we will discuss the inconsistency of these routes with the Jack Morrow Hills Coordinated Activity Plan (JMH CAP)/Green River Resource Management Plan Amendment of 2006 especially regarding impacts to wildlife and how these route alternatives do not match the wildlife resource objectives in that land- use plan. Our concerns regarding impacts to wildlife will also be outlined in the following sections regarding migration routes, timing stipulations necessary for the construction phase if these rights-of-way are approved, and for reclamation.	Substantive	3.10.1, 4.10.2.1, 5.2.9
		Special Status Wildlife Species			3.10.1.3, 4.10.2.3
6-30	Wyoming Outdoor Council	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	The objective of the JMH ROD is to protect these sensitive resources, and that can best be done in this case by routing the Riley Ridge to Natrona Pipeline around the JMH. This is a "feasible alternative route." See id. at G-1(defining Avoidance Area (for Rights-of-Way)). These objectives are also outlined in Appendix 2 of the JMH ROD and include protecting wildlife habitats, protecting and preserving heritage resources, and in special management areas such as Steamboat Mountain, seeking to "maintain or enhance the resource values and characteristics for which the area was designated as a special management area." Id. at A2-1 to -2. BLM is to exercise special caution where sensitive resources overlap, in which case "BLM will exercise the greatest caution when considering activities in these areas." Id. atA2-3.	Substantive	3.13, 4.13, 5.2.12
6-31	Wyoming Outdoor Council	Visual Resources	A. Under the Green River ROD, the management objective in the Red Desert Watershed Management Area is "emphasis on protection of visual resources, watershed values, and wildlife resources and to provide large areas of unobstructed views for enjoyment of scenic qualities." Green River ROD at 39. A pipeline corridor, which is difficult to reclaim, cuts an unnaturally straight line across wild landscapes that would obstruct and impinge on visitors' scenic viewshed enjoyment of this management area.	Substantive	3.17, 4.17, 5.2.16
		Water Resources (Groundwater and Surface Water)			3.7, 4.7, 5.2.6
		General Wildlife			3.10.1, 4.10.2.1, 5.2.9
6-32	Wyoming Outdoor Council	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	Route option A would also run near to a number of sensitive wilderness study areas. JMH ROD at Map 14 and Map A. This route would be almost entirely in visual resource management (VRM) class II areas, one of BLM's most protective classifications. Id. at Map 16. The management objective in VRM Class II areas is to retain the existing character of the landscape. Id. at 77. Permitting a pipeline right-of-way in this area would not achieve this objective.	Substantive	3.13, 4.13, 5.2.12
		Visual Resources			3.17, 4.17, 5.2.16
6-33	Wyoming Outdoor Council	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	In sum, a vast array of important environmental values would be harmed if any of the three routes were permitted. We urge the BLM to reject these routes for further consideration in the EIS. The impacts discussed above emphasize the iconic nature of the Jack Morrow Hills area; these routes are inconsistent with the management objectives specified in the JMH ROD. Because all of these proposed routes would have significant impacts on the resources in the Jack Morrow Hills, the BLM should ensure that, based on a site-specific analysis, it will not permit activities that cause fragmentation and abandonment of wildlife habitats. The BLM should ensure sensitive resources are safeguarded and refuse to permit any right-of-way that would result in significant or irreversible adverse effects. JMH ROD at 69-70.	Substantive	3.13, 4.13, 5.2.12

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
6-34	Wyoming Outdoor Council	Air Quality (including Greenhouse Gas Emissions and Climate Change)	The Federal Register notice for this project noted that portions of the proposed project are located in an area that has been designated by the Environmental Protection Agency (EPA) as being in nonattainment with the National Ambient Air Quality Standard (NAAQS) for ozone. Given this legal status, the BLM must ensure that it complies with all applicable legal and regulatory requirements that apply in this nonattainment area. In particular, the BLM must ensure that it complies with the EPA "general conformity" regulation that applies in nonattainment areas. 40 C.F.R. § 93.150-93.165. Under these regulations the BLM must ensure that emissions from any project it approves "would not:" • Cause or contribute to any new violation of any standard in any area, • Interfere with provisions in the applicable [state implementation plan—SIP] for maintenance of any standard, • Increase the frequency or severity of any existing violation of any standard in any area, or • Delay timely attainment of any standard or any required interim emission reductions or other milestones in any area including . . . emission levels specified in the applicable SIP for several purposes. See, e.g., id. § 93.153(g)(1)(i)-(iv).	Substantive	3.2, 4.2, 5.2.1
6-35	Wyoming Outdoor Council	Air Quality (including Greenhouse Gas Emissions and Climate Change)	It is uncertain whether emissions from this project, particularly at the sweetening plant, will be above the emissions levels specified in the EPA regulations (i.e. 100 tons per year of nitrogen oxides or volatile organic compounds) where regulatory action is required. If it is, the BLM will in all likelihood have to engage in a "conformity evaluation" to "demonstrate that the Federal action conforms to the requirements of this subpart." Id. § 93.152. This is a very detailed and thorough process, as detailed in the EPA regulations. The BLM must ensure full compliance with these regulations for the Riley Ridge pipeline project.	Substantive	3.2, 4.2, 5.2.1
6-36	Wyoming Outdoor Council	Mineral and Energy Development	We would note that three other BLM natural gas projects in this area are also undergoing conformity evaluations: the Normally Pressured Lance Project, the LaBarge Platform Project, and potentially the Bird Canyon Project. The BLM will likely have to combine these analyses or at a minimum ensure they are consistent with one another.	Substantive	3.4.2, 4.4.2.2, 5.2.3
6-37	Wyoming Outdoor Council	Public Health and Safety	While the pipeline under consideration here is a carbon dioxide (CO2) pipeline and not an oil and gas pipeline, we believe the BLM should make an effort to ensure that CO2, and perhaps other gases such hydrogen sulfide (H2S) at the sweetening plant, are not leaked, vented, or flared into the atmosphere. The state of Wyoming has guidance in place that requires leak detection and repair of oil and gas facilities in the Upper Green River Basin ozone nonattainment area. See Oil and Gas Production Facilities Chapter 6 Section 2 Permitting Guidance, at http://deq.state.wy.us/aqd/Oil%20and%20Gas/ September%202013%20FINAL_Oil%20and%20Gas%20Revision_UGRB.pdf.	Substantive	3.22, 4.22, 5.2.21
		Air Quality (including Greenhouse Gas Emissions and Climate Change)			3.2, 4.2, 5.2.1
6-38	Wyoming Outdoor Council	Air Quality (including Greenhouse Gas Emissions and Climate Change)	The BLM should consider putting in place similar requirements for this pipeline relative to CO2 leaks. We would also note that the state of Wyoming is moving to regulate venting and flaring at oil and gas facilities and will likely develop regulations in the foreseeable future, and in addition the BLM under the provisions of President Obama's Climate Action Plan Strategy to Reduce Methane Emissions is moving forward with—and will likely announce a proposal this fall— rules to limit venting and flaring of methane (CH4) from federal wells. These efforts too could serve as models for BLM to limit CO2 leaks from the Riley Ridge to Natrona pipeline. And we would note that actions to limit CO2 leaks from the Riley Ridge to Natrona pipeline would be fully consistent with, and arguably required by, the president's Climate Change Action Plan and related executive orders.	Substantive	3.2, 4.2, 5.2.1

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
7-1	Coalition of Local Governments	EIS Preparation and General Comments	The Coalition would strongly encourage BLM to adopt a Riley Ridge Local Work Group to facilitate increased coordination and cooperation between federal, state, and local governments, and those landowners and permittees that will be affected as a result of this project. For example, the BLM created a work group in the SG-9 plan as well as in the Continental Divide-Creston project to ensure that nanticipated issues that arise throughout the project are handled with all of the affected parties at the table. Furthermore, considering the extent that the Riley Ridge Pipeline will cross sage-grouse habitat and interact on various levels with other projects, local work groups will have the best "hands on" knowledge of impacts across the scope of the project. These work groups also integrate other important stakeholders such as landowners, lessees, and permittees in multi- jurisdictional lands such as the Checkerboard. Among the other issues discussed in this document, it would be important for BLM to consult with permittees, local governments, and allotment operators regarding the use of roads and road improvements such as bar ditches, fences, cattle guards, turn-arounds, and other essential transportation issues. Similarly, the BLM should closely work with livestock permittees during the construction of the pipeline since the pipeline will cross lands grazed and traversed by livestock and livestock operators. For example, the pipeline trench may need to be plugged in areas to ensure that livestock can cross into other grazing areas.	Substantive	1.4
		Special Status Wildlife Species			3.10.1.3, 4.10.2.3
		Livestock Grazing			3.12, 4.12, 5.2.11
		Land Use Plan Conformance and Relationships to Policies, Plans, and Programs			3.13, 4.13, 5.2.12

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
7-2	Coalition of Local Governments	Special Status Wildlife Species	Each of the routes will entail a certain amount of disturbance and pursuant to the Disturbance Density Calculation Tool ("DDCT") as used in the SG-9 plan, these routes will impact the amount of disturbance allowed in a certain area. Thus, there is an immediate need to identify early on in the NEPA process the acres disturbed by each route, the condition or attributes associated with those acres, and the likely impacts each route will have on precluding other projects. BLM must analyze and disclose the impacts of the route selection on other potential projects as to the DDCT. Similarly, the all rights of way, avoidance, and prohibition areas need to be displayed. To the extent that any of the routes pass through avoidance or other similarly designated areas, the BLM must disclose these areas in a sharply drawn and clearly identified map. Put simply, the map should reflect the RMP regarding right of way availability or compatibility. Other important landmarks should also be identified and marked to orient the public as to potential concerns and issues as to each route. It appears as though several of the routes avoid areas that have been inventoried as having wilderness characteristics.	Substantive	3.10.1.3, 4.10.2.3
		EIS Preparation and General Comments			2.0
		Special Designations, including ACECs and Wilderness Study Areas			3.15.1.1

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
7-3	Coalition of Local Governments	Vegetation (including Invasive species and Noxious Weeds)	It is essential that BLM develop a reclamation plan, attached as an appendix to the EIS, that includes several elements that begin immediately and continue until the site has been successfully reclaimed. These elements begin before the site has even been disturbed. The project proponent and the BLM must first evaluate the site that will be disturbed in order to establish a baseline inventory of the qualities and characteristics of the site and to pre-plan the disturbing activities and the layout of the site. The proponent and the BLM must also identify an adjacent or proximate reference site that will preserve a working example of the disturbed site. Among other things, the inventory of both sites must establish the vegetative community, soil type and quality, precipitation zone, grade and contours, likelihood of irrigation, proximity to existing noxious and invasive species, and other site dependent factors. These considerations will not only provide a snapshot of the area as it should exist after reclamation is complete, but it will provide necessary information of the unique obstacles that reclamation will likely incur. For example, the soil type will often dictate the reclamation potential of the site as well as the types of plants that may be used. High alkaline or saline soils must be reclaimed using different methods than sites in a high mountain region.	Substantive	3.9, 4.9, 5.2.8
		EIS Preparation and General Comments	Once the site has been inventoried and the surface disturbing activities have begun, the project proponent should immediately begin stabilizing the site. Site stabilization measures such as contouring, straw logs, protective soil pads, and fences ensure that soils are not eroded. There is no vegetative component to site stabilization. It is instead, a continuing process to maintain the integrity and viability of the soils in a site that immediately follows any disturbing activity. For example, stabilizing an access road occurs almost as the actual site is being accessed where berms, ditches, straw logs, and fences are used to isolate the disturbance to the smallest area possible. Once the line has been set, the project proponent and the administering agency must begin interim reclamation. Interim reclamation includes a vegetative component such as using an appropriate native and sterile non-native seed mix, established after inventorying the disturbed site, to begin re-establishing the vegetative community. The use of pre-disturbance inventories and reference sites to determine the proper seed mix is critical to ensure that non-contiguous habitats are not created.		4.23

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
7-4	Coalition of Local Governments	EIS Preparation and General Comments	The project proponent and the BLM must first evaluate the site that will be disturbed in order to establish a baseline inventory of the qualities and characteristics of the site and to pre-plan the disturbing activities and the layout of the site. The proponent and the BLM must also identify an adjacent or proximate reference site that will preserve a working example of the disturbed site. Among other things, the inventory of both sites must establish the vegetative community, soil type and quality, precipitation zone, grade and contours, likelihood of irrigation, proximity to existing noxious and invasive species, and other site dependent factors. These considerations will not only provide a snapshot of the area as it should exist after reclamation is complete, but it will provide necessary information of the unique obstacles that reclamation will likely incur... Once the site has been inventoried and the surface disturbing activities have begun, the project proponent should immediately begin stabilizing the site. Site stabilization measures such as contouring, straw logs, protective soil pads, and fences ensure that soils are not eroded. There is no vegetative component to site stabilization. It is instead, a continuing process to maintain the integrity and viability of the soils in a site that immediately follows any disturbing activity. For example, stabilizing an access road occurs almost as the actual site is being accessed where berms, ditches, straw logs, and fences are used to isolate the disturbance to the smallest area possible.	Substantive	4.23
		Vegetation (including Invasive species and Noxious Weeds)	Once the line has been set, the project proponent and the administering agency must begin interim reclamation. Interim reclamation includes a vegetative component such as using an appropriate native and sterile non-native seed mix, established after inventorying the disturbed site, to begin re-establishing the vegetative community. The use of pre-disturbance inventories and reference sites to determine the proper seed mix is critical to ensure that non-contiguous habitats are not created. Non-contiguous habitats will place increased stress on certain parcels and will decrease their ability to sustain. As mentioned earlier, non-natives may be beneficial contingent on the soil type (i.e. alkaline, saline, etc.), the precipitation zone (i.e. arid desert, mountain, etc.), and other factors such as Greater Sage-Grouse habitat. Interim reclamation also includes a non-vegetative component. Perhaps most importantly, once an area has been seeded, it is essential that the area not be re-disturbed. In some cases it is equally important to provide the seeds with the necessary resources to grow (i.e. irrigation). When irrigating or providing soil amendments to enhance reclamation, it is essential to use the baseline inventory and the reference site as a guide. Final reclamation begins as soon as equipment has been removed from the site and the well has been plugged. This stage uses the same measures discussed during interim reclamation to return the remaining disturbed areas to the baseline condition. Final reclamation is not, however, the last step in the process. To the contrary, disturbed sites must be monitored for their continued health until they have been successfully reintegrated and are self-perpetuating without human influence. To the extent that the monitoring program reveals any failing areas, the proponent and the agency must continue reclamation efforts on the site until it is fully reclaimed.		3.9, 4.9, 5.2.8

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
9-2	Trout Unlimited	Wetlands and Riparian Areas	The removal of riparian vegetation may have negative consequences for aquatic habitat and those species it supports. The most immediate impact is the loss of the cooling effects of mature riparian cover. These small isolated streams proposed for crossing by the Riley Ridge to Natrona Pipeline (referred to as the Riley Ridge line hereafter) are more vulnerable due to low summer flows and high summer temperatures. The proposal calls for Right-of-Ways (ROW) that vary for construction (100-feet to 75-feet) and a permanent 50-foot ROW for operation and maintenance. Much of this occurs within native trout habitat. We recommend the EIS include analysis and mitigation that limits removal of streamside vegetation, site- specific review for any extra workspace and staging areas in riparian areas, and immediate and appropriate revegetation following construction with monitoring for five years. Permanent vegetative clearing along streambanks should be avoided. In-stream construction, loss of riparian vegetation, road construction and blasting all contribute to increased sedimentation and turbidity with associated adverse effects on native and wild fish populations. Although turbidity will dissipate following construction, the introduction of fine sediments into the streambed at the construction site and downstream may have long-term ramifications for populations of trout that are dependent on the presence of clean gravels for spawning. The EIS should include mitigation considerations that minimize the input of fine sediments into any waterbodies containing populations of native trout, and/or water bodies that are suitable for the expansion and reintroduction of native trout, and other coldwater fish species.	Substantive	3.8, 4.8, 5.2.7
		Vegetation (including Invasive species and Noxious Weeds)			3.9, 4.9, 5.2.8
		Fish (including Aquatic Resources)			3.10.2, 4.10.2.4, 5.2.9

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
9-3	Trout Unlimited	Wetlands and Riparian Areas	Increased erosion and loss of vegetation from the construction of new roads and upgrading existing roads remains a high concern with TU. We recommend the EIS contain analysis of the impacts of potential new roads and upgrade of existing roads and seek ways to minimize roads close to stream and riparian habitats. Road crossing of streams with heavy equipment can be a significant source of pollutants and potential aquatic invasive species. We recommend the EIS contain mitigation for stream protection (including the potential for installing fish-friendly culverts if appropriate).	Substantive	3.8, 4.8, 5.2.7
		Water Resources (Groundwater and Surface Water)			3.7, 4.7, 5.2.6
9-4	Trout Unlimited	Fish (including Aquatic Resources)	TU is actively engaged in angler education to prevent the spread of ANS that threaten many populations of native trout and coldwater fish species across the country. Construction of the Riley Ridge pipeline may contribute to the spread of ANS and we recommend the EIS contain language that meets the state of Wyoming's efforts to minimize the effects of invasive species to waterbodies. Additionally, the EIS should identify procedures for disinfecting equipment and that discharge water for hydrostatic testing and other uses be completed within the same waterbody subbasin as the withdrawal, and discharge water should not be allowed to enter any other water body in areas of known ANS infections.	Substantive	3.10.2, 4.10.2.4, 5.2.9
		Water Resources (Groundwater and Surface Water)			3.7, 4.7, 5.2.6
9-5	Trout Unlimited	Water Resources (Groundwater and Surface Water)	The EIS should contain analysis on the amount of surface water required for hydrostatic testing and dust control especially in areas of low water flows and where such withdrawals may make a significant difference to coldwater fish species, especially native trout species.	Substantive	3.7, 4.7, 5.2.6
		Fish (including Aquatic Resources)			3.10.2, 4.10.2.4, 5.2.9
9-6	Trout Unlimited	Wetlands and Riparian Areas	Numerous stream and aquatic areas along this pipeline route contain small isolated wetlands. Located at high elevation and arid environments, they remain an important component of the hydrologic system providing a source of clean water that can augment late and low season flows to many of these stressed coldwater streams. We recommend the EIS contain analysis of the wetland resources and provide mitigation that avoids wetlands whenever possible and full restoration should be mandated for any wetland areas impacted by the pipeline.	Substantive	3.8, 4.8, 5.2.7
		Water Resources (Groundwater and Surface Water)			3.7, 4.7, 5.2.6
9-7	Trout Unlimited	EIS Preparation and General Comments	The BLM should include the requirement for a remediation fund that will mitigate impacts through off-site mitigation funding and restoration of native habitats along the pipeline corridor and which will be paid for by the proponent of the pipeline project. TU supports any mitigation activities of aquatic impacts from the pipeline and based on our extensive experience with restoration projects in the state, we remain committed to helping with any restoration input.	Substantive	4.23
		Vegetation (including Invasive species and Noxious Weeds)			3.9, 4.9, 5.2.8

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
9-8	Trout Unlimited	Wetlands and Riparian Areas	In addition to the above comments about short and long-term impacts from construction, TU has some specific stream crossing concerns which we would like to see addressed in the EIS. Depending on the size, timing, duration and methods employed, stream crossings can have significant impacts on aquatic ecosystems by altering stream morphology, process and function including instream habitat both upstream and downstream of the crossing location, as well as at the crossing location itself. TU recommends that the pipeline route avoid alteration of stream hydrology, sediment transport, and morphology by eliminating crossing streams of any size, where possible. Obviously there are places that cannot avoid stream crossings. However, based on the maps of the proposed project, there are areas along the route that could be moved slightly to avoid construction on steep slopes and to avoid stream crossings, particularly where native trout habitat exists.	Substantive	3.8, 4.8, 5.2.7
		Water Resources (Groundwater and Surface Water)			3.7, 4.7, 5.2.6
9-10	Trout Unlimited	Fish (including Aquatic Resources)	The proposed pipeline project is located within the Upper Colorado River Basin and contains four native fish species 1, including Colorado River cutthroat trout (see attached maps). Among other factors, habitat degradation and the presence of non-native fish species have stressed the population stability of Colorado River cutthroat trout in this basin. According to our GIS-based evaluation of the six routes, the proposed primary route crosses or is located near 25 or more perennial streams, ten which are designated as trout and/or native trout presence or have native trout potential.	Substantive	3.10.2, 4.10.2.4, 5.2.9
9-11	Trout Unlimited	EIS Preparation and General Comments	The Dry Piney Alternative and Figure 4 Alternative should be avoided due to native trout habitat concerns. The Belly Route Alternative and the South Pass Alternative appear to have a lesser impacts; these two routes cross less sensitive watersheds than the Proposed Route in these sections. We believe every effort should be made to minimize and fully mitigate the adverse effects from this project. Finally, there is very little information provided by BLM on the proposed method for stream crossings. Without stream crossing methods offered it becomes difficult for the BLM to address mitigation measures which will limit or eliminate impacts on streams. TU recommends that the BLM include several alternative stream crossing options in the EIS in order to reasonably identify the potential impacts of this project.	Substantive	2.0
		Fish (including Aquatic Resources)	We recommend the EIS contain a thorough analysis on the impacts of the proposed project to both native Colorado River cutthroat trout and wild trout species, and include mitigation that provides the least detrimental effect on both upstream and downstream populations of these trout species, especially where native trout habitat exists.		3.10.2, 4.10.2.4, 5.2.9
10-1	Devon Energy Corporation	Mineral and Energy Development	Devon understands that the Proposed Project's purpose is to construct a pipeline for transporting C02 taken from Wyoming's LaBarge field to EOR projects in southeastern Montana. The pipeline would begin at the Riley Ridge Treating Plant, southwest of Big Piney Wyoming, and generally run eastward through the Washakie Basin to the Bairoil Interconnect. At that point it would run northeast toward the Natrona Hub. At the Natrona Hub, the proposed pipeline would connect to the Greencore Pipeline. The Greencore Pipeline would then carry the C02 through the Powder River Basin to southeastern Montana. Consequentially, the Proposed Project could affect Devon's and other operators ' Wyoming operations, especially current and future EOR projects. The proposed pipeline could alter the quantities of C02 available for use on those projects. It could also affect operators' ability to transport and distribute C02 to current and future EOR projects throughout Wyoming, including overall C02 pipeline capacity and the geographic locations in which C02 is available. As part of its analysis, Devon urges BLM to analyze these and other effects the Proposed Project would have to EOR in Wyoming.	Substantive	3.4.2, 4.4.2.2, 5.2.3

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
11-1	Wyoming Wildlife Federation	General Wildlife	The proposed pipeline travels through the Big Sandy area southwest of the Continental Divide and the Jack Morrow Hills in the northern Red Desert. These landscapes are important for large herds of big game such as mule deer, a rare desert elk herd, pronghorn, and other wildlife such as the Greater sage-grouse. The vast, open country with relatively little development hosts calving season for elk, core habitat for Greater sage-grouse, and the gentle rolling hills provide diverse vegetation for foraging pronghorn. The mule deer occupying these areas winter in the southern portion of the landscape and thousands of them migrate north across the Jack Morrow Hills into the Big Sandy foothills to access summer range in the Hoback Basin.	Substantive	3.10.1, 4.10.2.1, 5.2.9
		Special Status Wildlife Species			3.10.1.3, 4.10.2.3
11-2	Wyoming Wildlife Federation	General Wildlife	The Red Desert to Hoback mule deer migration corridor stretches 150 miles from the Great Divide Basin to the Wyoming Range, and all three of the existing route alternatives would impact this important migratory habitat. Over 5,000 mule deer use this corridor to access adequate seasonal forage in their winter and summer ranges; the corridor must remain permeable for these populations to remain viable. The least impactful alternative would be to avoid permitting a right-of-way that crosses this corridor and the BLM must analyze for this alternative in the EIS.	Substantive	3.10.1, 4.10.2.1, 5.2.9
11-3	Wyoming Wildlife Federation	General Wildlife	If the existing route alternatives are maintained as presented during the scoping phase, the BLM must add protective stipulations that strictly limit impacts to the corridor habitat and the ability of the mule deer and other animals to migrate. We offer the following recommendations: - The EIS must include high standards for complete reclamation with native plants to reduce the possibility of habitat fragmentation and habitat loss from this project. -Arid, desert landscapes make reclamation difficult and thus must be monitored closely with results maintained in a single database to improve public understanding and effectiveness of efforts.	Substantive	3.10.1, 4.10.2.1, 5.2.9
		EIS Preparation and General Comments			2.0

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
11-4	Wyoming Wildlife Federation	Vegetation (including Invasive species and Noxious Weeds)	`-Develop specific management measures to minimize the introduction and dispersal of invasive plant species. The project proponent, subcontractors and the BLM need to incorporate the most current and effective reclamation techniques into this plan to minimize the potential for invasive plants to take root and establish. -We recommend the BLM ensures vegetation sites are reclaimed by using re-seeding techniques that promote non-invasive vegetation production and use a 90% or higher minimum purity and certified seed mix. - The agency should incorporate watering cycles so that the native seeds are more likely to succeed. - During topsoil removal, retain the topsoil so that it can be replaced after construction. - All reclamation efforts and plans need to be analyzed prior to any activity, and full monitoring and enforcement be implemented in order to prevent any sedimentation, erosion, weed infestation and invasive species occupation. This is of particular concern where cheat grass has invaded and where the use of vehicles over acres of vulnerable habitat could exacerbate the situation. - Any equipment should be routinely cleaned to minimize the spread of invasive species. For all personnel on the site, including agency, contractor, and subcontractor, vehicles and equipment should be routinely washed to reduce the possibility of this equipment carrying invasive plant material.	Substantive	3.9, 4.9, 5.2.8
11-5	Wyoming Wildlife Federation	EIS Preparation and General Comments	`-The BLM must enforce timing stipulations on the construction phase of the pipeline. Construction must not be allowed during migration as it would be highly disruptive to the deer, which are sensitive to human presence, noise, and other impacts from heavy machinery. We ask the BLM only permit construction activities during June to August within this migration corridor. The deer migration fluctuates on timing, depending on the harshness of winter and the spring green-up, as well as the advent of winter in the high country. Thus, some herds could be migrating as late as May through the Big Sandy area and Jack Morrow Hills and as early as September. The disruptive impacts from the construction phase of this pipeline project can be alleviated by timing construction when the deer are on their summer ranges in the Hoback.	Substantive	4.23
		General Wildlife			3.10.1, 4.10.2.1, 5.2.9
11-7	Wyoming Wildlife Federation	Vegetation (including Invasive species and Noxious Weeds)	In closing, the EIS needs to include the most current reclamation techniques along the entire pipeline route to minimize impacts to native vegetation, habitat fragmentation, and habitat loss. Timing of construction along the Red Desert to Hoback mule deer migration corridor must be limited to the summer months. We also encourage the BLM to utilize their mitigation policies and practices outlined in the Secretarial Order No. 3330. In addition, we support the BLM reviewing other pipeline route options and choosing a different pipeline route (not outlined in the scoping phase) that may be longer in miles, but less disturbing to quality wildlife habitat.	Substantive	3.9, 4.9, 5.2.8
		General Wildlife			3.10.1, 4.10.2.1, 5.2.9
		Land Use Plan Conformance and Relationships to Policies, Plans, and Programs			3.13, 4.13, 5.2.12

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
15-1	Sweetwater County Board	EIS Preparation and General Comments	Sweetwater County is supprtive of this project and recognizes that the proposed routes through Sweetwater County will encounter a myriad of major resource issues including historic trails, wilderness study areas, crucial big game habitat, sage grouse corridors and many others. To minimize potential impacts to these resources, Sweetwater County strongly encourages Denbury to follow existing pipelines, roadways and right of ways and to collaborate with agencies and local organizations that have interests in these resource issues. To clearly show how Denbury proposes to follow existing corridors and right of ways, Sweetwater County suggests that the Draft EIS include maps showing the proposed pipeline and the existing corridors it plans to follow.	Substantive	2.0
15-2	Sweetwater County Board	Special Status Wildlife Species	Since all of the proposed routes in Sweetwater County will travel through several Sage Grouse Core Areas and recognizing the important role that these core areas have in keeping the Sage Grouse off of the endangered species list, Sweetwater County strongly recommends that Denbury coordinates its plans with the Wyoming Game and Fish and adheres to the Wyoming Governor's Executive Orders regarding development in core habitat.	Substantive	3.10.1.3, 4.10.2.3
		Land Use Plan Conformance and Relationships to Policies, Plans, and Programs			3.13, 4.13, 5.2.12
15-3	Sweetwater County Board	General Wildlife	Big Game habitat and important hunting areas overlay the proposed routes through Sweetwater County. To properly develop within these areas, Sweetwater County strongly encourages the BLM to coordinate with the Wyoming Game and Fish and the BLM regarding elk, mule deer and antelope habitat and hunting areas.	Substantive	3.10.1, 4.10.2.1, 5.2.9
		Land Use Plan Conformance and Relationships to Policies, Plans, and Programs			3.13, 4.13, 5.2.12
15-4	Sweetwater County Board	Cultural Resources and National Historic Trails	Important California and Oregon Trail segments either cross or are in the close proximity of the proposed routes of this project. Sweetwater County strongly encourages Denbury to consider a route that has the least impact on the trails, and to coordinate its plans with the Wyoming State Historical and Preservation Office, the Sweetwater County Historical Museum and the Oregon California Trails Association.	Substantive	3.18, 4.18, 5.2.17
		Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	If the proposed pipeline crosses or utilizes right of ways of Sweetwater County roads, Sweetwater County encourages Denbury to coordinate with the Sweetwater County Public Works Department and to obtain all necessary permits and licenses. Mr. John Radosevich is the Sweetwater County Public Works Director and his contact information is: Telephone: 307-872-3921 and email address: radosevichj@sweet.wy.us. If within Sweetwater County, the project proposes man camps, construction yards or compressor stations, Sweetwater County may require development permits from the Sweetwater County Land Use Department. Mr. Eric Bingham is the Sweetwater County Land Use Director, and his contact information is: Telephone: 307-872-3916 and email address: binghame@sweet. wy. us.		3.13, 4.13, 5.2.12

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
15-7	Sweetwater County Board	EIS Preparation and General Comments	Proper reclamation is vitally important to Sweetwater County for maintaining the resource base for wildlife, ranching, recreation, air quality and other multiple use issues. Sweetwater County encourages Denbury to coordinate its reclamation plan with the BLM, Wyoming Game and Fish Department, the University of Wyoming and the Sweetwater County Conservation District.	Substantive	1.4
		General Wildlife			3.10.1, 4.10.2.1, 5.2.9
		Air Quality (including Greenhouse Gas Emissions and Climate Change)			3.2, 4.2, 5.2.1
		Recreation			3.14, 4.14, 5.2.13
		Land Use Plan Conformance and Relationships to Policies, Plans, and Programs			3.13, 4.13, 5.2.12
16-1	Milleg Partnership	Socioeconomics	The impacts of pipelines being installed across private property are ones that will last forever and go far beyond the disturbance of construction activities. One of the primary concerns with this project that is different from most pipelines is with the contents of the pipeline. This line will be flowing hydrogen sulfide, a substance that is immediately dangerous to life and health. Not only is this a potentially dangerous situation, it will have a severely negative impact on the value of the property it crosses. While it may be difficult to determine the exact value of this impact, it is certain that this must be addressed.	Substantive	3.20, 4.20, 5.2.19
		Public Health and Safety			3.22, 4.22, 5.2.21

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
16-3	Milleg Partnership	Water Resources (Groundwater and Surface Water)	Additionally, during the scoping meeting, Denbury provided information stating that Beaver Creek was an intermittently flowing stream. This is absolutely untrue. We have water rights out of this creek dating back to territorial days for the state of Wyoming. It is almost impossible to irrigate from an intermittently flowing creek! Although we do not know the exact location of the pipeline, we believe that the proposed route will cross Beaver Creek on property owned by Milleg Partnership. Information provided by Denbury at the scoping meeting has scheduled the crossing of Beaver Creek to be an open trench crossing. By using an open trench construction technique, there will be a scar created by this project that will remain visible for many years, and may never be the same. Other pipelines constructed in the area have left scars that remain visible for 50 years or more. It is important to eliminate these types of disturbances to preserve the value of the property.	Substantive	3.7, 4.7, 5.2.6
		Visual Resources			3.17, 4.17, 5.2.16
16-5	Milleg Partnership	Livestock Grazing	Milleg Partnership has permits for grazing on three different allotments, Beaver Creek Individual, Beaver Creek Meadow Individual, and North LaBarge. A primary concern of permit holders is the reclamation and revegetation of projects like this one. Denbury currently has a ROW along or near the proposed route of this project. In many places, this ROW is essentially void of any useful vegetation for either wildlife or for livestock grazing. I am certain that there is language in the permits issued to pipeline companies that require an adequate amount of vegetation for the reclamation to be considered successful. The problem is that most of the time, the BLM does not enforce these requirements and if not forced to continue reclamation efforts, the pipeline company will not voluntarily make the effort to get it right. This needs to be addressed both on the existing Denbury pipeline and on the proposed pipeline.	Substantive	3.12, 4.12, 5.2.11
		General Wildlife			3.10.1, 4.10.2.1, 5.2.9
		Vegetation (including Invasive species and Noxious Weeds)			3.9, 4.9, 5.2.8
		Land Use Plan Conformance and Relationships to Policies, Plans, and Programs			3.13, 4.13, 5.2.12
17-1	Individual	Cultural Resources and National Historic Trails	My resource concerns center on the route option A just north of the north Sublette Meadow Springs variant of the Sublette Cutoff National Historical Trail; the terrible P/L [pipeline] crossing west of Parting of the Ways the National Historical Trails in this area. P/L [pipeline] will impact very many archaeological sites, all along Bar-X road, through Crooks Gap, etc. All eligible sites need mitigation! Paid for by Denbury.	Substantive	3.18, 4.18, 5.2.17
17-2	Individual	Air Quality (including Greenhouse Gas Emissions and Climate Change)	Finally, the Sweetening Plant and related construction is in EPA's Nonattainment area for air quality. Denbury must demonstrate air quality compliance	Substantive	3.2, 4.2, 5.2.1

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition	EIS Sections Where Comment will be Addressed
18-2	Oregon, California Trails Association	Visual Resources	Option E. This route passes through the South Pass ACEC area. It will impact the trail with view shed issues and points of contact.	Substantive	3.17, 4.17, 5.2.16
		Cultural Resources and National Historic Trails			3.18, 4.18, 5.2.17
18-3	Oregon, California Trails Association	Cultural Resources and National Historic Trails	Option A: appears to work well for part of the way but I have concerns west of South Pass Area. The particular concern is where it crosses the two trails just west of Parting of the Ways. I understand the plan would be to tunnel under both the main trails to Ft. Bridger and the Sublet Cutoff. There will be major issues with this proposal. It would impact view shed and the pristine setting of the trail at this location. This is Class 1 trail throughout the area. Avoidance is preferred for this area.	Substantive	3.18, 4.18, 5.2.17
		Visual Resources			3.17, 4.17, 5.2.16
18-4	Oregon, California Trails Association	Cultural Resources and National Historic Trails	Further west along the route of Option A it will pass north of Meadow Spring on the Sublet Cutoff North Alternate route. There will be view shed issues in this area.	Substantive	3.18, 4.18, 5.2.17
		Visual Resources			3.17, 4.17, 5.2.16
18-5	Oregon, California Trails Association	EIS Preparation and General Comments	My preferred choice would be to see using Option F to Option A then Option D and then back to where it connects to Option A. It will avoid South Pass and Parting of the Ways, also avoid passing close to Meadow Springs and the North Alternate Route of the Sublet Cutoff. I would suggest a on site visit to the point where Option D meets back with Option A. I am not clear from the Maps provided where exactly where this location is.	Substantive	2.0
		Cultural Resources and National Historic Trails	I would like to see more detailed maps of the entire area so that I can locate the exact points where trail and pipeline come in contact. I understand that there will be impact to Historic Trails but hope these can be minimized and that avoidance will be the best option.		3.18, 4.18, 5.2.17
19-1	Green River Island Ditch	Water Resources (Groundwater and Surface Water)	We are concerned that crossing the ditch with a normal open trench method of pipeline construction will have a very negative impact to normal ditch operation. This method can allow for a large amount of water to be lost through seepage along and under the pipeline ditch due to the gravelly type of soils in the area. This construction method will also create a greater potential for the ditch to fail due to the disturbance to the ditch bank. There have been several failures of the ditch in recent years even without creating a weak spot due to a new pipeline trench being dug through the ditch.	Substantive	3.7, 4.7, 5.2.6
19-3	Green River Island Ditch	Water Resources (Groundwater and Surface Water)	For the concerns listed above, we believe that this pipeline should be bored under the Green River Island Ditch at a depth that will prevent the loss of water through the bottom of the ditch and will allow us to maintain the ditch without the requirement of the pipeline company granting us an encroachment permit. There should also be a sampling of the soils in the area to ensure that the pipeline is at a sufficient depth to prevent drilling fluid from tracking to the surface during boring operations for the pipeline. This sampling will be helpful in preventing water loss out of the ditch as well. In any case, there shall be an absolute minimum of 10' of clearance between the bottom of the ditch and the proposed pipeline.	Substantive	3.7, 4.7, 5.2.6

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition
3-3	Wyoming Pipeline Authority	EIS Preparation and General Comments	The WPA concurs with the recommendations for the width of the rights-of-way for construction, operation and maintenance of the proposed pipelines.	Non Substantive
4-10	WY Game and Fish Department	General Wildlife	To reduce illegal harvest and disturbance of wildlife, firearms and dogs should not be allowed in work vehicles during the construction period.	Out of Scope
4-14	WY Game and Fish Department	General Wildlife	We appreciate the proponent's effort to design the route to follow existing utility corridors, roads or existing disturbance to the extent possible to avoid degrading undisturbed wildlife habitat.	Non Substantive
6-14	Wyoming Outdoor Council	Cultural Resources and National Historic Trails General Wildlife Special Status Plant Species Vegetation (including Invasive species and Noxious Weeds)	Where these proposed rights-of-way intrude upon the Jack Morrow Hills, they would disrupt, disturb, and perhaps destroy a wide array of important natural resources and natural resource values. The proponent's proposed route (route option A) would be sited nearby or perhaps through important heritage resources such as Indian Gap and the Tri-Territory Marker. JMH ROD at Map 5. It would cross through the wildlife core area, which is especially important for the desert elk herd. Id. Protection of this core area is a principal focus of the JMH ROD. This route would cut through numerous special status plant locations and cushion plant communities. Id. at Map 6.	Non Substantive
6-15	Wyoming Outdoor Council	Special Status Wildlife Species	Various sensitive avian resources, including Greater sage-grouse leks and raptor nesting areas would be impacted. Id. at Map 8. This route would also cut through sage-grouse nesting habitat and winter concentration areas for miles. Id. at Map 9.	Non Substantive
6-16	Wyoming Outdoor Council	General Wildlife Water Resources (Groundwater and Surface Water)	It crosses elk birthing areas, elk crucial winter range, mule deer crucial winter range, and perhaps other important big game habitats for miles as well.4 Id. at Map 10. Additionally, this route would intrude on the Steamboat Mountain Area of Critical Environmental Concern and would likely traverse the Steamboat Mountain Management Area. Id. at Map 14 and Map A. It would also intrude on the Red Desert Watershed Management Area. Id. at Map	Non Substantive
		Visual Resources Recreation Vegetation (including Invasive species and Noxious Weeds) Special Status Wildlife Species	The southern route, (option D) would run near the White Mountain Petroglyphs Area of Critical Environmental Concern and near the Boar's Tusk and the Killpecker Sand Dunes Wilderness Study Area. It would cross sensitive plant habitats, impact sage-grouse and raptor nesting and breeding areas, intrude on pronghorn crucial winter range and elk birthing areas, and likely elk crucial winter range, probably be in the vicinity of the important Crookston Ranch recreation site, and cross VRM Class II areas. This route would impact the Sand Dunes Archeological District as well.	

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition
6-17	Wyoming Outdoor Council	General Wildlife Cultural Resources and National Historic Trails		Non Substantive
6-18	Wyoming Outdoor Council	Special Status Plant Species Cultural Resources and National Historic Trails Vegetation (including Invasive species and Noxious Weeds) Special Status Wildlife Species Visual Resources	The northern route (option E) is objectionable because of its negative impacts to the National Historic Trails and South Pass Historic Landscape Area of Critical Environmental Concern. This route would also impact sensitive plant habitats, be located near sage-grouse leks and nesting habitat, impact mule deer and elk birthing areas, and be in a VRM Class II area. And just as is true with route option A, options D and E would traverse large areas where no surface disturbance is permitted, as well as areas where this disturbance is to be limited. JMH ROD at Map 4.	Non Substantive
6-29	Wyoming Outdoor Council	Recreation Visual Resources Cultural Resources and National Historic Trails General Wildlife Special Status Wildlife Species Special Status Plant Species	BLM's approach—which we believe is correct—is to permit only activities/projects that will protect important resources from significant or irreversible adverse effects and then, only where the activity meets the resource objectives. Id. at 8. A number of the resources mentioned above have no surface disturbance or disruption prohibitions associated with them, including the South Pass Historic Landscape, the Crookston Ranch, Indian Gap, the Tri-Territory Marker, special status plants, raptor nest sites, and "other sensitive resource values."2 Id. Moreover, many of the resources we have mentioned are recognized as "sensitive resources" where this protective framework must be ensured. These sensitive resources include: special management area values (visual, recreation opportunities, health and safety, cultural/historical, etc.), integrity of the core area wildlife habitat, key habitat (unique vegetation, and plant communities), key habitat (escape cover and birthing areas), connectivity area (migratory corridor), special status plant and animal species' habitats, and visual values (VRM Class I and II areas). Id. at 6.	Non Substantive

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition
7-6	Coalition of Local Governments	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	Management Actions for Pipeline May Not Violate Congressional Funding Freeze on LWC Identification and Management …..no specific section of Federal Land Policy Management Act (FLPMA) authorized the identification of lands with wilderness character outside of Section 603, led Congress to defund implementation of S.O. 3310. [Continuing Appropriations Act 2011, Pub. L. 112- 10 (2011CR); Continuing Appropriations Act 2012, Pub. L. 112-36 (112th Congress) H.R. 2608, 10/05/11] BLM has long contended that it has unlimited power to inventory wilderness character, citing 43 U.S.C. §1711(a). But FLPMA is equally clear that BLM cannot change land management based on an inventory unless and until the land use plan is amended. Id. S.O. 3310 directed BLM to inventory and protect lands with wilderness character but Congress defunded the S.O. and left BLM without any authority or funds to manage LWC's. Thus, BLM may not pick a route based on LWC considerations and to the extent it does, BLM is in contempt of Congress. 31 U.S.C. §1341. The fact that BLM put the implementing manuals in abeyance but issued Instruction Memorandum (IM) 2011-154 that implements the Order does not excuse BLM from the clear violation of Congress' edict.2 IM 2011-154 suffers from procedural deficiencies as well. An instruction memorandum issued without rulemaking notice and comment enjoys little or no presumption of legality. United States v. Mead Corp., 533 U.S. 318 (2001) (holding that the court owes little deference to agency guidelines). It was issued without coordinating with local governments, public comment or in accordance with rulemaking procedures. Thus, it independently violates FLPMA's mandate that its provisions be implemented through rulemaking. 43 U.S.C. §1740. IM 2011-154 enjoys no presumption of validity in light of the procedural deficiencies. Changing the name from "Wildlands" to "LWCs" does not make the action any more lawful. Apparently, BLM acknowledges the difficulty and has assiduously avoided any kind of public rulemaking process to implement the switch from S.O. 3310 to IM 2011-154.	Non Substantive

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition
7-7	Coalition of Local Governments	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs Special Designations, including ACECs and Wilderness Study Areas	Unlike the definition of multiple use for National Forests, 16 U.S.C. §529, FLPMA does not include wilderness as one of the statutory multiple uses. 43 U.S.C. §1702©. Wilderness has its own definition, which is limited to Section 603. ("(l) The term 'wilderness' as used in section 1782 of this title shall have the same meaning as it does in section 1131© of Title 16." Id. §1702(l)). The term 'wilderness' is found only in the definition section, 43 U.S.C. §1702(l), and the wilderness review provisions of Section 603, 43 U.S.C. §1782; 43 C.F.R. §1601.0-5(l). Section 603 is the only provision in federal law that authorizes the identification, study and recommendation of public lands for wilderness designation by Congress. Thus, BLM is not at liberty to add wilderness to other provisions in FLPMA when Congress so clearly chose not to. Only Section 603 of FLPMA authorizes BLM to manage lands so as to not impair their wilderness character. Tri-County Cattleman's Association Idaho Cattlemen's Association, 60 IBLA 305, 314 (1981). There is no other statutory authority for BLM to study and manage public lands as if they were wilderness. Public lands are to be managed so as to not unduly and unnecessarily degrade the resources. (43 U.S.C. §1732(b) [nondegradation standard], except for WSAs which are managed so as to not impair the wilderness character.) Id. at 1782©. The Interior Secretary's authority to identify public lands as wilderness study areas under Section 603 has expired. State of Utah v. Babbitt, 137 F.3d 1193, 1206, n.17 (10th Cir. 1998) (Secretary Babbitt wrote "I also agree with you that FLPMA's section 603 no longer provides authority to inventory BLM land in Utah for wilderness values."). BLM has attempted to claim discretion to manage lands to preserve their wilderness character but the planning rules do not so provide. The rules were revised to remove wilderness study from the general planning process and have never been amended to make wilderness study part of the land use planning process.	Non Substantive
7-8	Coalition of Local Governments	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs Special Designations, including ACECs and Wilderness Study Areas	Section 202 of FLPMA provides for the development and revision of land use plans. 43 U.S.C. §1712. Land use planning must have coordination with state and local governments, public involvement and be consistent with FLPMA. 43 U.S.C. §1712(a). ..... FLPMA further states: "Land use plans of the Secretary under this section shall be consistent with State and local plans to the maximum extent he finds consistent with Federal law and the purposes of this Act." Id. Nothing in Section 202, which governs land use planning, authorizes wilderness study or wilderness-type management. The history of the planning rules shows that the word "wilderness" was deleted from the draft of the planning rules on purpose. When BLM wrote the rules governing land use plans, it originally defined a resource management plan as including "the initial determination of whether a wilderness study area shall be recommended to the President for recommendation to the Congress as suitable or unsuitable as an addition to the National Wilderness Preservation System." 43 Fed. Reg. 58764, 58768-69 (1978) draft 43 C.F.R. §1601.0-5(p)(2). The definition of a resource management plan was later revised to delete reference to wilderness study area recommendations. 44 Fed. Reg. 46386 (1979). Thus, BLM has no regulations in the land use planning chapter authorizing establishment of wilderness type areas or authorizing nonimpairment management for such lands other than designated WSAs designation pursuant to Section 603, which expired. BLM adopted the Wild Lands Policy through three Manuals, citing Sections 201, 202 and 302 of FLPMA. Those provisions do not support BLM's claimed authority to designate Wild Lands or LWCs or to manage them as if they were designated WSAs for nonimpairment of the wilderness character.	Non Substantive

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition
7-9	Coalition of Local Governments	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	IM 2011-154 was adopted without comment procedures and without coordination with local governments. Under Section 202(a), BLM has no choice but to coordinate with local governments and to resolve conflicts in land use plans. 43 U.S.C. §1712(a). So far BLM has failed to do so on this very important issue. No Wyoming local government within the affected area supports proposed or identified LWCs. Several of the applicable local government plans oppose new wilderness character areas. BLM has clearly violated Section 202 by not coordinating both its inventory and LWC determination with the local governments. The 2008 RMP addressed this issue. See pp. 150- 155, Director's Protest Resolution Report.	Non Substantive
7-10	Coalition of Local Governments	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	The area surrounding BLM's proposed routes include power lines, rights-of-way for pipelines, wind farms as well as coal mining and oil and gas development. As the Rawlins RMP documented, most of the area is under an oil and gas lease. Similarly, the primary use in these areas is agriculture as well as oil and gas exploration indicating future development and additional infrastructure. The BLM cannot select a preferred alternative that transparently manages for wilderness contrary to federal law by diverting the pipeline corridor away from any alleged inventoried LWC area. BLM may not manage any inventoried area for a manufactured wilderness value and thus, selecting an alternative that clearly considers this illusory value is unlawful.	Non Substantive
7-11	Coalition of Local Governments	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	Recently, BLM has moved toward landscape-scale planning with efforts to implement landscape-scale mitigation. The Washington Office has provided Regional Mitigation Manual Section 1794 in the fall of 2013. The Coalition has previously commented on the BLM's Regional Mitigation Manual Section 1794 (MS 1794), but the final MS 1794 does not reflect our concerns, which are repeated below. . . . promulgate rules and regulations to carry out the purposes of this Act and of other laws applicable to the public lands, and the Secretary of Agriculture, with respect to lands within the National Forest System, ... Prior to the promulgation of such rules and regulations, such lands shall be administered under existing rules and regulations concerning such lands to the extent practical. 43 U.S.C. §1740. FLPMA also provides for public comment on public land management and programs, policies, and guidelines. Id. §§1712(f); 1739(e). Undoubtedly, MS 1794 relates to the management of public lands, because BLM relies on FLPMA as its authority and MS 1794 significantly impacts private property interests. BLM must, therefore, comply with FLPMA by undertaking rulemaking before attempting to implement regional mitigation. MS 1794 goes well beyond merely restating duties already contained in existing BLM regulations and cannot be considered an "interpretive rule." 5 U.S.C. § 553(a)(3)(A); Gen. Motors Corp. v. Ruckelshaus, 742 F.2d 1561, 1565 (D.C. Cir. 1984). To the contrary, as explained below, MS 1794 purports to implement statutory authority under FLPMA , NEPA and ESA and imposes new obligations on private interests. It is instead, a "legislative rule." Steinhorst Associates v. Preston, 572 F. Supp.2d 112, 120 (D. D.C. 2008). Legislative rules must undergo notice and comment pursuant to the Administrative Procedure Act (APA) to give interested parties ample opportunity to participate by submitting written data, views, analysis, and uniquely effected perspectives. 5 U.S.C. § 553©. Rulemaking also ensures that the regulatory costs are addressed by a cost-benefit analysis, Ex. Order 12,12,866, 3 C.F.R. Parts 638, 639 (1993), The Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1501–04 (1994 & Supp 1995), and (Paperwork Reduction Act, 44 U.S.C. §§3501-3521) as well as disparate impacts on small businesses, Small Business Regulatory Enforcement Fairness Act, 5 U.S.C. §§601-612) and impacts on minority communities, Ex. Order 12898 (1994). BLM evades these important regulatory checks by implementing new authority without rulemaking.	Non Substantive
7-12	Coalition of Local Governments	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	MS 1794 unquestionably imposes new obligations on private interests. The Draft states that BLM will "locate mitigation sites, projects, and measures . . . where the impacts of the use authorization can be best mitigated . . . regardless of land ownership." Draft at 1-6. In other words, the BLM is claiming the authority to determine that the best site for mitigation on a privately-owned parcel outside the project area. Once located, the BLM will impose what it determines to be adequate management and protection measures to mitigate the effects for the entire lifetime of the project on those privately-owned parcels. Id. at 7. The BLM may even demand legally binding "written assurances from the relevant . . . surface owner . . . that mitigation conducted on those lands is agreed to and will receive adequate management, protection, [and] site access during the expected lifetime of the land-use authorization..." Id. In effect, the BLM grants to itself a sweeping right to impose upon landowners significant obligations to comply with mitigation measures for projects with which landowners have absolutely no relation and apparently, without just compensation. This is a regulatory taking that violates the U.S. and Wyoming Constitutions. U.S. Constitution, Fifth amendment; Wyo. Const., Art. 1, §32; Pater v. City of Casper, 646 F.3d 1290, 1294-96 (10th Cir. 2013) (holding that notice of lien that clouded title was a regulatory taking) Imposition of land use restrictions to mitigate a distant public land project is similarly a regulatory taking. It certainly exceeds BLM's authority, which is limited to public lands. 43 U.S.C. §1702(e). Under MS 1794, existing rights, such as infrastructure may also need to be removed. Id. at 1-1. Roads, wells, pipes, transmission lines likely all qualify under BLM's undefined term "infrastructure" and those property rights appear to be either stripped or burdened in the name of mitigation throughout the Draft. Notice and comment as well as the rulemaking analysis are essential because landowners, citizens, and several interested agencies and local government entities may face the loss of existing property rights and new mitigation obligations. There is no question that expanding mitigation to a regional scale will increase regulatory costs and burdens on small businesses. BLM fails to address any of these adverse impacts.	Non Substantive

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition
7-13	Coalition of Local Governments	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	No law or rule authorizes regional or landscape mitigation in addition to on-site and compensatory off-site mitigation. MS 1794 cites FLPMA, MLA, Endangered Species Act, NEPA, and several other statutes as authority for regional mitigation. MS 1794 1-1. The ESA provides for mitigation of a federal undertaking for listed species only, not generic impacts on animate and inanimate resources. 16 U.S.C. §1736. BLM cites FLPMA as authority to implement MS 1794. Id. at 1-20 citing multiple use management, 43 U.S.C. §1712(a); and policies to protect scenic, historic, scientific and ecological values, §1701(a)(8),4 and nondegradation management, §1732(b). BLM restates the "undue degradation" policy provisions of FLPMA but fails to identify a single provision that authorizes mitigation, let alone regional mitigation that claims regulatory over private land. Draft at 1-20, 1-21; 43 U.S.C. §1732(b). BLM has no authority to stipulate land uses on private or state lands. BLM's regulatory authority is limited to public lands, 43 U.S.C. §§1702(e), 1712, 1732. MS 1794 purports to exercise this authority as a condition of approving a public land project, whether it be a drilling permit, pipeline or transmission line right-of-way, or a wind farm. MS 1794 fails to connect how BLM can require landowners unaffiliated with the project to burden their land with what would essentially be a conservation easement. The omission demonstrates the significant gaps in BLM's claim to authority to require regional mitigation as a condition of approving public land uses. NEPA or NEPA regulations also do not support MS 1794. It is well settled that "NEPA itself does not mandate particular results, but simply prescribes the necessary process." Robertson v. Methow Valley Citizens Council, 490 U.S. 332, 350 (1989). ...NEPA has not been amended to require mitigation since Methow Valley and it certainly has not been amended to require regional mitigation measures.	Non Substantive
7-14	Coalition of Local Governments	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	MS 1794 provides that "[w]hen conditioning a BLM authorization on the performance of mitigation outside the area of impact, the BLM should identify a "reasonable relationship" between the resources and values affected by the authorization and the resources and values benefitted by the mitigation." The relationship will be identified during the NEPA process and the BLM may expressly condition its approval on the applicant's commitment "to perform or cover the costs of mitigation, both onsite and outside the area of impact." Id. Here, the BLM incorrectly states a well-established rule of law. When conditioning approval of a permit upon mitigating impacts of a proposed development, the BLM must comply with the unconstitutional conditions doctrine. Koontz v. St. Johns River Water Mgmt. Dist., 133 S. Ct. 2586, 2595 (2013). Under this doctrine, the BLM "may not leverage its legitimate interest in mitigation to pursue governmental ends that lack an essential nexus and rough proportionality to those impacts." Id. (Emphasis added). Conditioning permit approval includes two steps. Id.; see also Dolan v. City of Tigard, 512 U.S. 374, 387-88 (1994). First, the BLM cannot rely on attenuated relationships and gimmickry to claim a nexus between a proposed project and the environmental effects to be mitigated. Dolan, 512 U.S. at 387. Secondly, the BLM must make "individualized determinations" that the on-the-ground efforts are related in "both nature and extent to the impact of the proposed development." Id. at 389. Combined, these two steps ensure that the BLM will not overstep its considerable power over public land projects. In light of the above precedent, MS 1794 already misstates the law. MS 1794 only requires BLM to claim a "reasonable relationship" between a project and the benefit to be produced by mitigation, rather than only applying regional mitigation when there is an essential nexus between the project and its impacts plus a separate determination that the nature and extent of the mitigation required are roughly proportionate to the impacts. Dolan, 512 U.S. at 387. A "reasonable relationship," is an ubiquitous legal term that the US Supreme Court explicitly rejected because it would be easily confused with rational basis. Instead the court held that any condition must be roughly proportionate to the nature and extend of development impacts. Dolan, 512 U.S. at 392; Koontz v. St. Johns River Water Mgmt. Dist., 133 S. Ct. at 2595 (affirming need to justify condition on nexus and rough proportionality). MS 1794 does not include any of these qualifications. An appropriate notice and comment period would allow the public to demonstrate the consequences of the BLM's misstated legal principles. Numerous agencies, landowners, employees and people involved in large resource development projects rely on federal policies for guidance, when those policies are incorrect or unclear, citizens and the environment pay the price.	Non Substantive

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition
7-15	Coalition of Local Governments	Livestock Grazing Cultural Resources and National Historic Trails Socioeconomics Special Status Wildlife Species General Wildlife Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	"Out-of-kind" mitigation is the "replacement or substitution of resources or values that are not the same type and kind as those impacted, but are related or similar." Draft at 1-9. Initially, the Coalition notes that the BLM does not have legal authority to require out-of-kind mitigation, and opposed out-of-kind proposals have been rejected. See Methow Valley Citizens Council, 490 U.S. at 334....see also 40 C.F.R. §1508.20. Even if required, the Coalition is confident that had the BLM chosen appropriate notice and comment procedures, this provision would be significantly altered, if not entirely deleted. The BLM and MS 1794 ignore basic facts and cultural and economic values tied directly to parcels of land that cannot be replaced or "mitigated" in a geographically distant location. Communities in the west, indeed those of the Coalition, are built upon traditions and values traced to particular parcels of land. Outdoorsmen have hunted elk, deer and sage-grouse in particular areas for generations and the BLM would suggest that these areas can be "mitigated" with acres that those hunters would not be able to hunt or even access. Ranchers are similarly tied to unique grazing lands that cannot be mitigated by displacing their operation to a logistically infeasible location. Impacts to the cultural and socioeconomic fabric are unique and deserve exacting mitigation.Impacts to the cultural and socioeconomic fabric are unique and deserve exacting mitigation. An example of the flaws of MS 1794 is important. Posed with the disturbance of sage-grouse winter habitat in Area (A), the BLM might mitigate that loss by reclaiming nesting and early brood-rearing habitat in Area (B).5 This management principle is fatally flawed. As sage-grouse rearing habitat works to increase the overall population of individual animals, winter range plays the opposite part. Thus, when winter range is disturbed, the carrying capacity of the landscape is decreased. Regardless of the number of individual birds that survive through the brood-rearing period, it is the winter range that caps the population. Mitigating Area (B) in this example would only exacerbate the disturbance in Area (A).	Non Substantive
8-1	Individual	EIS Preparation and General Comments	We support the Schute Creek location and environmentally preferred/agency alternative and want to assure that wildlife, water and air quality, and cultural resources are protected, and that the restoration is done well. Please consider the use of bison for environmental restoration purposes. We are pleased to see the BLM, USFS and industry working together on this important project.	Non Substantive
11-6	Wyoming Wildlife Federation	General Wildlife EIS Preparation and General Comments	The BLM should ensure that no road(s) are established after construction of the pipeline. Additionally, no new fences should be built in association with construction and operation of this pipeline.	Non Substantive
11-8	Wyoming Wildlife Federation	EIS Preparation and General Comments	In addition to our specific comments on reclamation and construction in sensitive wildlife habitat, we want to express our support for the Department of Interior's Secretarial Order No. 3330 on Mitigation. In April 2014, the Department's commitment to mitigation was outlined in the order, of which the policies and practices need to be implemented and incorporated into the EIS for the proposed Riley Ridge to Natrona pipeline project.	Non Substantive
12-1	Bjork, Lindley, Little, PC	EIS Preparation and General Comments	As the BLM is aware, pipelines play a crucial role in bringing domestic energy to market. The Riley Ridge to Natrona Project, in particular, will allow for enhanced oil recovery projects and thus directly contribute to production. Because of the vital role domestic energy production plays in the United States economy, the BLM should avoid placing unnecessary and unduly burdensome restrictions on the Riley Ridge to Natrona Project and similar projects in the future.	Out of Scope

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition
13-1	Individual	EIS Preparation and General Comments	We support this proposal 100%.	Non Substantive
14-1	Individual	EIS Preparation and General Comments	I OPPOSE THIS PIPELINE IT IS EXTREMELY DAMAGING TO LAND AND MEANS THE DESTRUCTINO AND LOSS OF LIFE OF THOUSANDS OF SPECIES OF ANIMALS AND BIRDS AND SOME PEOPLE WHO WILL DIE FROM THIS DESTRUCTION OF LAND. IT IS TIME TO STOP RELYING ON PIPELINES OF THESE TOXIC FLUID.	Non Substantive
14-2	Individual	EIS Preparation and General Comments	PLEASE MAKE SURE I AM ON THE LIST TO BE NOTIFIED OF ANY MORE OPPORTUNITIES WHERE I CAN VOICE MY OBJECTION TO ANOTHER PIPELINE. THERE HAVE BEEN THOUSANDS PUT INTO EFFECT BY DICK CHENEY AND OBAMA IS ALLOWING THIS DESTRUCTION TO CONTINUE. I DONT KNOW WHY SINCE BUSH/CHENEY WAS THE WORST DESTRUCTIVE TEAM AMERICA HAS EVER HAD. THEY CERTAINLY PUT AMERICA ON THE DOWNWARD PATH. THIS IS AN EXAMPLE. THIS COMMENT IS FOR THE PUBLIC RECORD. PLEASE RECEIPT.	Non Substantive
15-8	Sweetwater County Board	EIS Preparation and General Comments	Sweetwater County is a member of the Coalition of Local Governments (CLG) and supports and joins in the comments to be submitted by the CLG regarding this project.	Non Substantive
16-4	Milleg Partnership	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	Long after the initial construction of the project, individual land owners continually have to deal with the impacts of the pipeline companies accessing the ROW for various maintenance requirements. Generally, this type of activity is at the discretion of the pipeline companies with the landowners never being notified of when or who is going to be crossing the private property. This type of impact also leads to unauthorized persons trespassing onto private property, as well as authorized persons being in places that they should not be. When a pipeline is installed on private property, the pipeline company's easement seems to trump private property rights and limits what the landowner can do on that easement, even though it is still owned by the property owners. Again, this is a negative impact to the value of the property it crosses. We will not agree to an easement that limits the use of private property and impacts our rights as landowners.	Out of Scope
16-6	Milleg Partnership	Land Use Plan Conformance and Relationships to Policies, Plans, and Programs	From a landowner's perspective, the permitting process is completely backward. Once the BLM issues a permit for these types of projects that lead up to private property on both sides, they essentially give the pipeline company the right to do whatever they want on that private property. When negotiations with a landowner fail, the pipeline company proceeds to court and condemns the property. When eminent domain comes into play, the landowner receives a very small settlement that in no way can ever come close to what the true impact to the private property may be. It is our belief that the pipeline company should have to have agreements with landowners in place prior to being issued a permit from the BLM. At the very least, there should be a provision of some kind within the permit that requires an agreement with the landowners, without eminent domain proceedings, prior to the permit being approved for construction.	Out of Scope
16-7	Milleg Partnership	EIS Preparation and General Comments	At the scoping meeting held in Marbleton, Wyoming, Denbury told us that the pipeline was to be staked so concerned parties would know exactly where the pipeline was to be located. This has not been done. Without knowing where the pipeline is to be located, it is difficult to fully determine what impacts may occur. Having dealt with Denbury regarding other issues, it is not surprising that they have not done what they said they will do. Leaving us more concerned that this trend of saying one thing and doing another, will continue in the future.	Non Substantive
17-3	Individual	EIS Preparation and General Comments	Excellent open house! Staff availability to answer questions was first rate. Maps at a user-friendly scale help understand the project proposals. Remember "the public" can't print the big 3'x4' maps of the project area. On a computer screen they are TINY! Make hard copy maps available i.e. send me some - Thanks.	Non Substantive
18-1	Oregon, California Trails Association	Cultural Resources and National Historic Trails EIS Preparation and General Comments	I attended your scoping meeting and have made careful observations on your options for the proposed routes of the pipeline project. Due the many Historic Trails in the area it will be hard to avoid impact to them. I will try to address the areas and points of contact with the trails and my concerns for each.	Non Substantive
19-2	Green River Island Ditch	Water Resources (Groundwater and Surface Water)	We are also concerned with the negative impacts associated with normal maintenance of our ditch. Sediment must be removed periodically from the bottom of the ditch in order for it to maintain proper flow. We believe that it is the owner of the pipelines responsibility to respect our right of maintenance to be exercised at any time. It should also not be our responsibility for any expenses incurred for any perceived encroachment activities on the pipeline right of way. Our ditch rights should take precedent over a pipeline that is constructed over a hundred years after the construction of the Green River Island Ditch.	Out of Scope

Comment ID	Commentor Name	Comment Category	Extracted Comment	Disposition
19-4	Green River Island Ditch	EIS Preparation and General Comments	During the public scoping meeting held in Marbleton, Wyoming, we were told that the proposed pipeline route would be staked so that we would know the exact location of the pipeline. This has not been done and therefore we cannot fully determine what the impacts of this project will be. However, it is our belief that the pipeline will cross the Green River Island Ditch. Please carefully consider our concerns of the potential impacts this project will have.	Non Substantive