WESTERN SLOPE CONSERVATION CENTER

June 7, 2018

Sent via Electronic Mail

U.S. Bureau of Land Management
Attn: NFMMDP
2300 River Frontage Road
Silt, Colorado 81652
Email: blm_co_si_mail@blm.gov
Fax: (970) 876-9090

Re: Preliminary Environmental Assessment Comments: North Fork Mancos Master Development Plan for Oil and Gas Exploration and Development, Gunnison and Delta Counties, Colorado (DOI-BLM-CO-N040-2017-050-EA)

Thank you for the opportunity to provide comments on the preliminary Environmental Assessment of the proposed North Fork Mancos Master Development Plan (NFMMDP) submitted by Gunnison Energy LLC (GELLC). The Western Slope Conservation Center is a grassroots non-profit with over 600 members who live in the North Fork Valley and Western Slope of Colorado. The WSCC has a 40-year legacy of conservation within the North Fork and Lower Gunnison Watersheds. We are dedicated to building an active and aware community to protect and enhance the lands, air, water and wildlife of the Lower Gunnison Watershed.

Many of the following comments mirror concerns submitted in NFMMDP scoping. We do not believe that the vast majority of our concerns have been substantively addressed or analyzed in the preliminary EA.

1. The agencies must avoid "piecemeal" analysis.

The initial 5 pads/35 wells are just the first phase of a potential 13 pad development, and the BLM has the obligation to analyze impact on the entire 13 pad development. Cumulative impacts can be difficult to assess, and we believe the BLM is obligated to assess the cumulative impacts of these first 5 pads, the entire 13, and other oil and gas development within the region as relevant.

The initial 5 pads/35 wells are just the first phase of a potential 13 pad development, and we believe the BLM has the obligation to analyze impact on the entire 13 pad development. The EA states that: "if and when additional development plans are proposed by GELLC, each of these would be analyzed in a NEPA document, and each would include a cumulative impact analysis based on what has previously been implemented, been approved but not yet implemented, been proposed but not yet approved, and could be considered reasonably foreseeable." This sounds like "piecemeal planning," especially in context to the other ongoing oil and gas development in the area.

What's more, the BLM itself identifies in the EA a number of cumulative effects that can occur due to oil and gas activities:

"Cumulative impacts typically associated with the types of development projects described in Table 35 include: • Direct habitat loss, habitat fragmentation, and decreased habitat effectiveness • Increased risk of impacts to special status plant and animal species • Expansion of noxious weeds and other invasive species • Increased potential for runoff, erosion, and sedimentation of surface waters • Increased potential for impacts on fresh-water aquifers and water wells • Increased fugitive dust from construction of well pads, roads, and pipelines • Increased gaseous emissions, including VOCs and priority pollutants, from vehicles, compressors, and other internal combustion sources and from oil and gas production facilities • Increased potential for spills and other releases of chemical pollutants • Increased traffic on local roads Gunnison Energy LLC North Fork Mancos Master Development Plan DOI-BLM-CO-N040-2017-0050-EA 140 • Increased noise, especially along access and haul roads • Increased risk of damage to cultural and paleontological resources • Decreased solitude and scenic quality."

It is inappropriate for the BLM and US Forest Service (USFS) to analyze a project so vague in scope and intensity. The public should not be relying on disclosures which may ultimately apply to only a small portion of a project three times or more as large as currently proposed. The preliminary EA makes it sound as though planners may someday be tiering subsequent Environmental Assessment to this "current" analysis. We question the administrative and legal legitimacy of this speculative approach.

2. This project requires an Environmental Impact Statement (EIS) rather than an Environmental Assessment (EA).

The proposal is for development on 34,906 acres of which more than 26,000 acres is federal land. The Bull Mountain Unit MDP is contiguous to the east of the NFMMDP, covered a little over half that much acreage, was virtually all on private lands, and yet NEPA resulted in a full EIS, completed just last summer. While potentially fewer wells are anticipated in the NFMMDP as the Bull Mountain MDP, the impacts are spread over nearly twice as much land, sensitive mid-elevation land that contributes many more resources and ecosystem services than just gas development. Yet that gas development will negatively impact those other resources that include critical fish and wildlife habitat, hunting, mountain biking, camping, and other recreational opportunities, grazing allotment holders, soils, air quality both within and outside of Wilderness Areas, water resources, visual resources, opportunities for solitude, and more. These other resources are critical to the well being and lifestyle of the area's residents and critical to the economies of Delta, Gunnison, Mesa, and surrounding counties. Any analysis should quantify the economic impacts to existing local uses of the Forest such as hunting, fishing, guide services, wildlife viewing, "leaf peepers," camping, snow-machining and skiing, scientific research, etc.

The need for an intensive EIS is made even clearer when one considers the many leases surrounding the current proposal. In addition to the above-mentioned 19,670 acre Bull Mountain Unit, there are dozens of other leases to the north, south, east and southwest covering tens of thousands of acres. Indeed, if we add in the roughly 30,000 acres that SG Interests covets in the Hubbard/Mule Park/West Muddy area, we are looking at more than 200 square miles of impacted lands. We believe the scale and scope of potential impacts render the BLM and Forest Service planning documents to date, such as the UFO RMP, the GMUG Forest Plan, and "Reasonably Foreseeable Development Scenario(s)" stale and not useful.

At what point in the decision-making process do the potential impacts to the non-mineral resources of public lands become unacceptable? The agencies' responsibility to take a "hard look" at the impacts of their decision can only be satisfied by an in depth Environmental Impact Statement. Those impacts include the direct, indirect, and cumulative effects of the action and must also include a no-action alternative. We expect to see detailed analyses of those impacts to resources such as water and air quality and quantity including the effects on downstream users; fish and wildlife, including downstream populations and migration corridors; soils; range condition and hindrances to allotment holders; the recreation opportunity spectrum; visual resources; threatened, endangered, and sensitive species; bird species; cultural resources; etc.

In addition, there must be full disclosure of effects on human health and the health of wildlife populations; greenhouse gas emissions, climate disruption, and the social cost of carbon; transportation both within and outside of the project area; geology and seismicity; wildfire management; exotic weeds; noise; leakage of hazardous materials; etc.

3. The BLM will be conducting analysis using an exceptionally outdated UFO Resource Management Plan

The current 1989 UFO RMP did not analyze the site-specific impacts of oil and gas development in context to today's techniques. It also failed to anticipate the scale and scope of development within the region. Additionally, there is no current analysis that identifies what overall level of development is reasonably

foreseeable. Without this analysis, there is considerable uncertainty and controversy regarding the size, nature, and impacts of further oil and gas development, in particular relative to cumulative impacts.

4. Air Quality

The 35-well project will pose significant threats to air quality within the area. The airshed, as it happens, includes Class I areas within very close proximity, including a number of wilderness areas and the Black Canyon National Park. Analysis of the NFMMDP should include a hard look at the baseline air quality within the upper North Fork of the Gunnison region, as well as the cumulative air quality impacts from the full range of oil and gas activities occurring within the region.

5. Climate Change

Any analysis of new oil and gas activities, and in particular larger proposals such as the NFMMDP, must include comprehensive analysis of the climate change impacts of the proposed development. Methane emissions and waste requires particular attention, as data indicates recent oil and gas technologies have squandered large amounts of a shared resource while

6. Farmlands

The BLM must consider impacts to farmland, including both direct effects, e.g., direct surface-disturbance from roads and well pads, and indirect or cumulative effects, e.g., the effects of air pollution, water shortages, or climate change. In particular, the BLM must consider prime and unique farmlands.

7. Wastewater disposal

The BLM must consider the impacts of wastewater disposal, including a comparative analysis of the different alternatives for disposal. The BLM cannot assume that treatment will be adequate to address specific and cumulative impacts.

8. Traffic Impacts

The BLM must consider traffic impacts to the roadways, access routes, nearby residents, wildlife, and all communities that will be affected by this large oil and gas proposal. A single well can require thousands of truck trips on federal, state, and county roadways that were not designed for that size and frequency. Colorado Highway 133 already poses significant risk for travelers due to the treacherous climate, geology, and isolated location.

The EA states: “Drilling would require approximately 725 vehicle roundtrips over 45 days, and completions would require approximately 842 vehicle roundtrips over 36 days.” What are the safety and infrastructure impacts to our highways?

9. Wildlife

The NEPA analysis for the NFMMDP must consider impacts to wildlife. Of particular concern are impacts to mule deer, elk, Canada lynx, Yellow-billed Cuckoo, bald eagle, and greenback cutthroat trout. This 35 well project, coupled with the impacts of immediately surrounding energy development proposals, threaten this interconnected landscape and its wildlife. It is imperative that the BLM consider different alternatives (and fewer well pads) to fully explore alternatives that would decrease the negative impacts to wildlife—especially big game.

10. Groundwater Impacts

The BLM must consider impacts to groundwater. Analysis should include a full hydrological analysis of the region, which includes numerous springs where groundwater daylights at relatively high locations in the watershed. This means that data regarding the risks of groundwater contamination are speculative in context to the highly unique geology of the North Fork of the Gunnison watershed. Wellpad siting and the direction of the lateral wells should be carefully reviewed by the BLM with data specific to the hydrological flows within the proposal area.

11. Surface Water Impacts

Surface water is the lifeblood of the Western Slope, and indeed, the entire Colorado River Basin. This proposed development is at the headwaters of the entire basin, which provides domestic drinking water to a total of 40 million people. Immediately within the North Fork of the Gunnison watershed, even small impacts to water quality could have significant health and economic impacts.

The EA states: “Pollutants potentially spilled or otherwise accidentally released during construction would include diesel fuel, hydraulic fluid, and lubricants associated with the operation of heavy equipment. These materials would be used during construction of well pads, access roads, and gathering pipelines and for refueling and maintaining the vehicles and equipment.”

It also states: “near-surface soil compaction caused by construction equipment activity could reduce the soil’s ability to absorb water and could increase surface runoff and the potential for ponding. Fluids used or produced during drilling and completion (HF fluids and flow-back water) and during long-term production (produced water, glycol) have the potential to contaminate soils and surface water. There is a potential risk of contamination of surface water during accidental releases of the waste products or of lubricants and fuels and other chemicals that could flow into streams or ditches after spills.”

Any potential for risk of contamination of surface water should be unacceptable.

We support the setbacks required in the EA, however, we strongly encourage the setbacks to be greater, of at least ¼ mile and ideally ½ mile. The EA states: In addition to normal BLM/Forest Service protections and BMPs, the Federal leases associated with the TGU Federal 1090 #30 well pad (existing but to be expanded) and the SPU Federal 1190 #20 (new pad) carry the following buffers (NSO setbacks): • Within 500 feet of the normal high water mark of lakes, ponds, and reservoirs in the lease area. • Within 500 feet of the normal high water mark of streams within the lease area. • Within 400 feet of springs within the lease area.”

Additionally, sediment is already a major issue for our local water infrastructure, and the EA acknowledges the possible impacts to sediment:

“Limited sediment from disturbed areas near streams could be transported during high precipitation and flow events and could enter adjacent drainages, until disturbed areas are completely stabilized by reclamation. Although surface waters would be most susceptible to sedimentation over the short term during construction, access roads would remain in place over the life of the project and could channel runoff during periods of precipitation. The greatest sediment load would occur immediately downstream of drainage crossings and suspended sediment concentration would progressively decrease downstream as the sediment settles in the stream channel.”

Sediment potential impacts must be better avoided with greater mitigation requirements for all future oil and gas development within the upper North Fork watershed.

12. Water Quantity

In the arid West, water conservation is a critical way of life. Modern oil and gas technologies, like hydraulic fracturing, consume a significant quantity of water. The BLM must consider the impacts of water consumption.

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13. The time frame of proposed analysis is not reasonable.

We reject the notion that a meaningful NEPA process can occur in the amount of time indicated in the Scoping Statement and EA, especially if legal requirements for public review, objection, and possible litigation are considered.

14. Iron Point Unit

We question whether the analysis can be completed on the Iron Point Unit when one of the leases in that unit has already expired.

15. Bonding

Bonding should be in an amount sufficient to cover the costs of complete reclamation of well pads and potential damages from toxic leakage into streams and wetlands, as well as damage to roads utilized to access the project.

16. Restrictions and stipulation descriptions

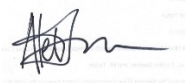
Please include all restrictions and stipulation descriptions attached to leases within the project area.

11. Access to BLM office in Silt

It is certainly less convenient for citizens in the North Fork Valley, Gunnison County, and Delta County to interact with BLM personnel in Silt rather than in Montrose. We ask that the BLM conduct community engagement in ways that make it convenient for those most-affected by the proposal, including by hosting multiple meetings and presentations within affected communities.

Thank you for your consideration of these comments.

Sincerely,



Alex Johnson
Executive Director
Western Slope Conservation Center