

STOP DRILLING--SAVE THE BRIDGER-TETON

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March 10, 2011

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340 North Cache
P.O. Box 1888
Jackson, WY 83001

By email to: comments-intermtn-bridger-teton-big-piney@fs.fed.us
Subject: Eagle Prospect and Noble Basin MDP DEIS

Dear Ms Buchanan:

The citizens' organization, Stop Drilling, Save the Bridger-Teton by this document submits its comments on the Draft Environmental Impact Statement for the proposed Eagle Prospect and Noble Basin Master Development Plan.

The organization represents 1,000 petition signers who are against drilling in the upper Bridger-Teton National Forest (BTNF), and specifically against this proposal. Those petitions were collected during a two year period from 2005-2007 and can be provided upon request. These signers represent a significant portion of the 19,000 comments against drilling received by the FS on this drilling proposal in the earlier round in 2007. The significance of these signatories, however, is that they include the primary stakeholders who live and recreate in this back country environment not because of high value real estate, but because of the BTNF itself, its the natural and scenic values, clean air and water, abundant wildlife, recreational opportunities and solitude.

The drilling proposal and the preferred alternative C that you endorse pose serious long-term and very likely serious risks to these values. For many examples, see the included reports, which are briefly described later in this letter. The mitigation as proposed in the DEIS does not adequately reduce those risks. In fact we find so many deficiencies in the entirety of the DEIS that it makes a mockery of the case we have made and continue to make against drilling in the BTNF. Given the alternatives as presented in the DEIS, we select the lease retirement, Alternative E, as the best outcome, but we know this is voluntary on the part of the company.

We cannot support the Preferred Alternative C, the original Proposed Alternative B, or Alternatives A or D, and instead want a new document prepared, one that includes a new alternative. There is no strict conservation alternative now in the DEIS, and there needs to be one to protect air, water, wildlife and the residential and ranching communities who will be affected by the proposed drilling. Another document is needed because basic site-specific air, water, and wildlife data are either completely

missing or inadequately addressed in this DEIS. These need to be developed and applied to the site conditions before any decision is made regarding PXP's proposed drilling activities.

In the 1990 ROD* that authorized oil and gas leasing in MA23 (where the PXP project is proposed), the FS Regional Administrator specifically said that "surface disturbing activities will not occur on the Forest unless adequate funding for mitigation, monitoring, and evaluation is available for the years in which the activity is scheduled, prior years if "baseline" information is needed, and later years if long term effects must be studied." (See Page 15 in the February 20, 2002 letter of transmittal for the ROD from the USFS Regional Administrator.) Therefore we conclude that the FS has not met this obligation regarding baseline data, and furthermore has not shown evidence of a 49+ year plan to monitor the effects of drilling either. PXP paid for the DEIS. Unfortunately the FS did not require PXP to provide funds to obtain essential baseline data, as mandated by the Regional Administrator and as specified by this letter and the analyses accompanying it. The 1990 ROD/FONSI decision regarding MA23 needs to be revisited, at a minimum, and the FS needs to comply with the FS Plan and any and Desired Future Conditions 10 and 12.

The DEIS has been assessed and evaluated by a team of professionals assembled by SDSBT. All concur in their respective areas of expertise that this DEIS is fatally flawed, grossly deficient and provides an insufficient basis for any decision at all, except to start all over again. It is not just a matter of adding to the DEIS more current information that was not available at the time the MDP process began. The problem is more fundamental: there are no data at all on baseline conditions of numerous key features of the region that would be impacted by the MDP. That data development process should have begun at least in 2004 when the BLM gave administrative approval to the South Rim Unit in the first place, but was not. According to one of our analyses, the FS itself should have seen this need as early as the 1990s. We would support the No action alternative, if it would not stop the drilling, but it does not. All the other alternatives...B, C, D,... proceed to drilling without mandating best available technology and strict procedures to assure there will be clean air and water, abundant wildlife, public health and safety requirements met, and retention of a high quality of life in and around the project area. One only has to look at natural gas exploration and development elsewhere in Wyoming, and in many other states where there are new revelations daily about pollution and public health threats, to be convinced that drilling in this location, potentially opening a major new field, presents a serious risk to non-mineral resources and human health.

With a projected development scenario of 49+ years documented in the DEIS if exploration is successful, we are able to confidently forecast the reduction of certain wildlife species, especially mule deer (the PXP proposed MDP is where the mule deer summer and give birth); the contamination of critical Wyoming waters (see February 1990 ROD previously cited that specifically calls out the requirement to maintain high quality waters...) that the FS has a responsibility to protect and preserve; and the demise of long-standing ranching and residential communities of northern Sublette County. Regarding socio-economic impacts, the DEIS lumps northern Sublette County with the industrial zone in the southern part of the county. This lack of differentiation misrepresents both. In 49+ years, the

*Decision Notice and FONSI for MA 22, 23, Proposed action to offer for oil and gas lease lands within MA 22 and 23: Proposed action will attain the following objectives: 4.4(b)Prevent surface occupancy where potential effects on other resources, including wildlife, threatened and endangered species, recreation, soils, air, visual resource, and water are unacceptable; 4.4(c) apply performance standards or stipulations in mineral plans, permits and leases for the protection of other resource values.

present generation of residential and ranching families of the Hoback River Basin and the surrounding small residential communities will likely be gone. With industrial development changing the "dominant use" of the BTNF in this area, the investment in real estate on surrounding private lands will likely be reduced to nothing, thus the "benefit to communities" that the FS seeks when allowing drilling on the BTNF is a mistaken notion when applied here.

If the notion of community is expanded to mean Wyoming or the US, the analysis of R. Perry Walker submitted to the FS on March 7 shows that the volume of gas presumed to be producible from this area is grossly overstated by 40% based on comparable production from existing fields; we incorporate Walker's personal comments by reference. Thus the justification for drilling in the FS is dubious and the net benefit to Wyoming and the Nation negligible.

The communities in northern Sublette County have seen no net benefit from oil and gas drilling in the south county fields, only the possibility of smog and polluted air. If air monitors were to be placed in Bondurant valley and at the proposed location of the first well pad, for example, we might have data to prove air pollution associated with the existing gas fields has already reached this area. Containment of drilling to areas already developed so as to eliminate environmental and public health threats in new areas is far more advantageous than spreading the drilling to areas where it will be difficult if not impossible to mitigate negative effects.

This is a tipping point in many respects, and the FS has a requirement to be balanced as it meets its responsibilities defined in the existing FS Plan and its goals. This area is dominantly recreational in use and rich in wildlife, and the imposition of mineral extraction in this particular location in 2011 is in conflict with FS's own Plan and goals.

The earlier FS determination that this geography is appropriate for mineral development was in the present context an error. That error cannot be allowed to persist. Corrective measures, however, can only be taken if there is a solid basis, in the form of new data, upon which to make them. And though we have heard FS representatives say, "The issue of mineral development in this location was decided long ago", we say that this assertion is challenged by our comments and analyses.

There have been harsh lessons learned from the Pinedale Anticline and Jonah Field development, but they are not taken into account in this DEIS. In fact, the improved operating requirements and best practices now applicable there are not even proposed as mitigation tools in this DEIS. NEPA and CEQ guidance require that.

We do not want to see the Bondurant Basin and the Hoback Rim degraded for the sake of leases that were in place before the Wyoming Range Legacy Act was signed into law or before the adverse environmental and public health impacts associated with deep drilling and fracking fluids were obvious. Also, since those leases were issued, Wyoming air became dangerous to your health, water wells contaminated with benzene, wildlife threatened, moose and especially mule deer numbers reduced dramatically, and lynx habitat designated by the US Fish and Wildlife Service. As these and other factors present themselves, cumulative effects of these on FS plans and actions as well as the environment need to be properly addressed. Attention to cumulative effects throughout the DEIS but especially in the air analysis, for example, is deficient. Air pollution is serious. This week, as we completed SDSBT's comments we received an email in response to the just-announced ozone alerts for Sublette County. The email is provided below and speaks for itself.

tom Rooks <tom_rooks@yahoo.com>

SpamShield Pro Actions...

To:

Linda Cooper SDSBT <sdsbt@wyoming.com>

Subject:

Re: ozone alerts again

Date:

Sat 03/05/11 08:46 PM

Attachments

Name	Type	Save	View
Part 1	text/plain	Save	
Part 2	text/html	Save	

Linda; Ginger had severe breathing problems this past summer while in Bondurant. external oxygen was required: a machine was used at nite and portable unit was used as needed during the day. we left Wyoming on the 1st of January and arrived in parker, Az. on the 3rd. she is off of all auxiliary equipment and her oxygen level is at 98! we are planning on arrival to Wyo. the 1st week of april. Pray that it will not be necessary to return to the aux.
tom/ginger rooks

The following definitions help to illuminate the realities: Nitrogen oxides can irritate the lungs, cause bronchitis and pneumonia, and lower resistance to respiratory infections. They are an important precursor to both ozone and acid rain, and may affect both terrestrial and aquatic ecosystems. Nitrogen oxides (NOx) are a family of reactive gaseous compounds that contribute to air pollution. NOx emissions are produced during the combustion of fuels at high temperatures. (Examples from the DEIS include vehicles and well flaring). ("NOx - How Nitrogen Oxides Affect the Way We Live and Breathe." U.S. Environmental Protection Agency, Office of air Quality Planning and Standards. September 1998. 30 April 2004 <<http://www.epa.gov/oar/noxfldr.pdf>>).

Diesel engines account for about one quarter of the particulate air pollution from all on-road sources. More than 98 percent of the particles emitted from diesel engines are fine particles, less than 1 micron in diameter, which can bypass respiratory defense mechanisms and penetrate deep into the lungs. Numerous studies have found that fine particles impair lung function, aggravate respiratory illnesses such as bronchitis and emphysema, and are associated with premature deaths. Also, dozens of studies link airborne fine-particle concentrations to increased hospital admissions for respiratory diseases, chronic obstructive lung disease, pneumonia, and heart disease, including an increased risk of acute myocardial infarction (heart attack). ("Health and Environmental Effects of Particulate Matter." U.S. Environmental Protection Agency, Office of Air & Radiation (OAR), Office of Air Quality Planning & Standards. 17 July 1997. Last updated on Thursday, July 11th, 2002)

Many volatile organic compounds are *hazardous air pollutants*, (HAPS) (emphasis added) and are known, or suspected, carcinogens. Benzene, for example, causes cancer. ("Volatile Organic Compounds (VOCs) in Your Home." Minnesota Department of Health. Updated Tuesday, 30 March 2004. 30 April 2004 <<http://www.health.state.mn.us/divs/eh/indoorair/voc/index.htm>>).

All of these problems are associated with the existing gas fields in Wyoming, and adding to the problem by opening a new field will make them worse. There is no such thing as an effect-neutral natural gas field today.

As these comments were being drafted, there was yet another winter ozone alert. We include comments on air pollution and related issues by R. Perry Walker and Glenn Paulson, and also endorse those submitted to the FS by Jana Milford in a comment letter to you dated February 27, 2011 as well.

It is egregious that the DEIS handles air quality so poorly in the face of reality. Inappropriate standards applied, mistakes that include use of the wrong reference level for formaldehyde exposure, the EPA Mobile Air Toxics list inadequately considered, no cumulative impact assessment undertaken for HAPS, and an ozone analysis is inapplicable to wintertime ozone episodes, etc. (See Milford letter for details.)

The county's air pollution problems are directly attributable to oil and gas drilling, and one does not have to be an air chemist or a water expert to understand that emissions will be produced from this proposed oil and gas development project, including hazardous toxic chemicals injected into the ground. This will further exacerbate county air and water pollution problems. The FS cannot ignore and inadequately present the reasons for air pollution and the ozone alerts that have occurred and continue to occur in Sublette County.

SDSBT has said before in its earlier comments on this drilling proposal, and says again, that the use of 2006 air data is not the base year to be used. Yet again in this document the same selection is made with the same inadequate, understated results. The basis upon which the former Governor recommended non-attainment status for all of Sublette County is not based on 2006 but rather 2006-2008 design data (see the Milford letter and also our Walker/Paulson comments) that when extrapolated into the future would produce elevated results. This DEIS cannot cherry pick data, i.e. choose a year that deliberately misrepresents the future outcome. Ozone/air pollution presents a serious public health risk, especially to seniors and children. Sublette County has an aging population, more so than the rest of the US as a whole. The cumulative effects, including those of the sources throughout the region, must be taken into account. This project does not occur in isolation, and thus for the DEIS to isolate the project in its projections is incorrect.

The FS cannot ignore or minimize the issues related to the use of hydraulic fracturing fluids and the water contamination all over the US and in particular in Sublette County. The FS cannot ignore the risks to public health and safety that cannot and will not be mitigated by the proposed mitigation techniques that neither the FS, nor the BLM, nor DEQ for that matter, are prepared or equipped to, manage as history and practice prove. No aspect of this issue has been adequately addressed.

SDSBT submitted comments in response to the earlier release of the now withdrawn Eagle Prospect DEIS. We insist that those comments, the 2007 DEIS, and the scoping comments SDSBT filed on the scoping notice for the MDP DEIS be incorporated by reference into these comments; if they cannot be located, we would be glad to provide a copy of all of them. SDSBT, a small citizens' organization, worked hard on our analyses and in addition to develop approaches that would yield data required for a substantive DEIS. As was confirmed at the public meeting in Jackson, our work, and that of many others was summarily ignored, and this DEIS is much poorer that it would have otherwise been as a result.

We have compared the impacts in the narrowed range of Alternatives presented and found they do not provide for sufficient differences among them. SDSBT submits that if this project were to proceed as this analysis and the preferred alternative stands, it would invite such pollution and potential disaster as to cause permanent harm to the sustainability of the National Forest and the entire surrounding area, and in addition pose a risk in the case of water, not only to the Snake and Columbia River Basin water system, but the Green/Colorado River water system as well. Water deficiencies are outlined in Gailey's and Paulson's analyses that accompany this letter.

Development here cannot be mitigated sufficient to meet either public health and safety requirements, or the requirements of the existing Forest Service Plan, two unacceptable flaws. The point is made many times in the accompanying reports. In addition, the location of the access road is inappropriate and its presence anywhere in the area will unnecessarily put wildlife at significant risk. Wildlife biologists Rollin Sparrowe, Jonathan Ratner and Lloyd Dorsey have provided analyses included with this letter that indicates where the FS has been deficient on this score, a major concern of those attending the public meetings in January. Comments on the roads themselves are included that were prepared by civil engineers James Ramage and Amy Ramage. These demonstrate how the DEIS has dramatically understated the impact of the road and well pad construction activities on the landscape of this wild, scenic, and roadless area.

To conclude, you should know that the accompanying reports been prepared under the direction of Dr. Glenn Paulson, an environmental scientist and Science Advisor to SDSBT (who as noted contributed to them himself), and myself; as you already know my professional work is in the area of energy and environmental policy. Any questions you, other FS personnel, or your contractor has should be directed to me at the addresses or phone number on the first page.

Very truly yours,

Linda J. Cooper, President and Spokesperson