



La Plata County
Colorado

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September 13, 2012

Tracy Perfors
Bureau of Land Management
Tres Rios Field Office
29211 Highway 184
Dolores, CO 81323

RE: Preliminary Environmental Assessment – Tres Rios February 2013 Oil and Gas Lease Sale

Dear Ms. Perfors:

Thank you for the opportunity to comment on the Bureau of Land Management's (BLM) proposed sale of oil and gas leases. The La Plata County Commissioners offer the comments below for your consideration.

La Plata County staff met with BLM staff on September 7th, 2012. Based on that meeting, our understanding of the scope of the Draft Environmental Assessment (EA) and Draft Finding of No Significant Impact (FONSI) is that the National Environmental Policy Act (NEPA) analysis will be phased and the impacts analyzed as development proceeds. The current Draft EA and Draft FONSI are only considering the potential impacts from the Leasing action itself, separating it from future drilling and exploration and field establishment.

The Leasing action is meant to notice the potential buyers of the minimum development standards that will be placed on the lease, through lease stipulations. If the leases are sold, then the buyer has a maximum of ten (10) years to obtain an Application Permit to Drill (APD) from the BLM and meet permitting requirements of any other agency. At the point of filing an APD with the BLM, further NEPA analysis will be required to review the site-specific impacts of the well drilling and production. Based on the site conditions, the APD could be Categorical Excluded from NEPA, require an Environmental Assessment (EA), or require an Environmental Impact Statement (EIS). The only way that the APD could qualify for Categorical Exclusion, would be if the surface area needed for the well was already disturbed (e.g. a well would be co-located on an existing wellpad). Further NEPA analysis will occur for every well in the future until the BLM determines that the establishment of a Field or Fields is needed. At that time, the operator of the leases will submit a Master Development Plan to the BLM. The Master Development Plan would then be reviewed for impacts through an Environmental Impact Statement (similar to the Northern San Juan Basin EIS.)

In addition to our understanding of the phased NEPA analysis, it is also our understanding that if, in the future, an Application Permit to Drill is submitted for a type of development or into a formation that was not analyzed in the 1985 Resource Management Plan (RMP) or the 1991 RMP Amendment for Oil and Gas Leasing, that the APD could be conditioned to include mitigation measures from the new RMP, which has not yet been adopted. The 1991 RMP Amendment for Oil and Gas Leasing states in Chapter 3 (page 3-36) that oil shale deposits were known to occur within the Glenwood Springs

Resources Area, but that there were no operations currently or proposed to recover oil shale, and that none were anticipated during the life of the (1985 RMP) plan. In contrast, the current Draft Resource Management Plan, which is anticipated to be adopted in the summer of 2013, does review impacts from shale production (specifically Gothic Shale) and will determine appropriate mitigation measures for such development. These mitigation measures could then be attached as Conditions of Approval to any future APD that would contemplate shale development for a lease sale that occurred prior to the adoption of the new Resource Management Plan.

Based on the information obtained by staff, as outlined above, it may be helpful to add additional information in the current Draft EA and Draft FONSI that would explain the phased approach for NEPA analysis. Without this information, it appears that the current Draft EA is attempting to analyze impacts from Leasing as well as Exploration and Production, in which case it would appear to the reader that the Draft EA and FONSI are not sufficient.

It has come to the attention of the La Plata County Commissioners that many citizens of La Plata County were unaware of the Proposed Lease Sale until a story was published in the Durango Herald on August 30th, 2012. Since the publication of this story, the La Plata County Commissioners have received several inquiries about the proposed lease sale and numerous complaints about the short time period in which to comment. Based on this, La Plata County respectfully requests that the Bureau of Land Management provide additional time for citizens' comments. By extending the comment period by 30 days, there would be adequate time for citizens to research the lease sale in more depth and provide appropriate comments.

Additionally, upon reviewing the Draft Environmental Assessment (EA), it is apparent that a portion of the lease area is within the view-shed of U.S. Highway 160, west of Durango, near the Hesperus Ski Area. This corridor has been designated as a Scenic Byway by Colorado Department of Transportation (CDOT), and is heavily traveled by area residents commuting to and from Durango, as well as tourists traveling between Durango and Mesa Verde National Park. Recently, the US Pro Cycling Challenge began in Durango and traveled along the same stretch of U.S. Highway 160. La Plata County is concerned with the visual impacts to the Scenic Byway related to the development of oil and gas facilities, and requests that surface development not occur within the view-shed of the San Juan Scenic Byway. Alternative B in the Draft EA, would defer 60 acres of Parcel 6447, in order to protect the view-shed of the San Juan Scenic Byway. Another alternative not outlined in the Draft EA, but that could protect the view-shed, would be to stipulate the portions of Parcel 6447 with a No Surface Occupancy stipulation. This would allow for mineral development without the negative visual impacts of the surface development within the view-shed.

Sincerely,

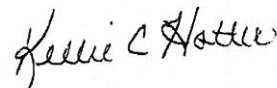
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Cc: Connie Clementson, Field Manager, Tres Rios Field Office
Helen Hankins, BLM Colorado State Director
Ken Salazar, U.S. Secretary of the Interior