

Colorado Wilderness Network
The Wilderness Society
Colorado Mountain Club
Colorado Environmental Coalition

Bureau of Land Management
Little Snake Field Office
Craig, CO

October 24, 2005

**RE: Comments on Little Snake RMP Draft Significance Criteria and Assumptions
(October 21, 2005 draft document)**

Dear Jeremy,

Please consider the following comments on the draft significance criteria and assumptions document from October 21, 2005. We expect that the preparation and publication of the Draft Environmental Impact Statement will provide additional information as to the intent and ultimate application of these criteria and assumptions, and we reserve the ability to provide further comment on these elements at that time.

We limit our comments here to topics for which NWCOS did not reach consensus.

For clarity, we illustrate BLM's current language in **BOLD** and provide language we recommend BLM include into the document in *ITALICS*.

General Assumptions For All Resources

- We are happy to see that BLM added specific references to “**past**” and “**present**” actions to the first cumulative impact assumption. BLM should also include the following assumption: “*Depending on the resources, the analysis of cumulative impacts may consider impacts on a regional scale, including actions and activities outside the resource area.*”
- It was discussed at the NWCOS meeting that BLM should add a specific reference to impacts to private lands. If BLM adds such a reference, it should specifically include impacts to “*split-estate surface from management decisions related to BLM-administered subsurface estate.*”
- BLM must demonstrate how application of mitigation measures reduces impacts below a level of “**significance**,” Add the following assumption: “*The effectiveness of mitigation measures will be described and analyzed in detail in order to justify reliance on mitigation for reducing environmental impacts.*”

Air Quality

Significance Criteria

- BLM should add the following significance criteria: *“The cumulative effects of BLM management actions, activities, or other uses that lead to a degradation of air quality.”*

Assumptions

- BLM must clarify to where **“anticipated population growth”** will occur based on the current trend (e.g. within the LSRA, within the “region as defined as...”, or within the Moffat and Routt Cos.).
- BLM should add the following assumption: *“The direct, indirect and cumulative impacts of activities and management actions carried out within the RMPPA will likely contribute to degradation of air quality.”*
- BLM should add the following assumption: *“BLM will utilize air quality monitoring data currently being collected in the Dinosaur National Monument and the Mount Zirkle Wilderness.”* If BLM is planning on doing any studies or sampling, BLM should list them in this assumption.
- BLM should add the following assumption: *“The findings of the Air Quality Baseline and Analysis Report provide an accurate picture of the current air quality within the RMPPA.”* We continue to urge BLM to prepare such report and believe its preparation is necessary to provide an accurate picture of the “affected environment” for air quality and other resources.

Water Resources

Significance Criteria

- We are happy to see BLM added the references to **“wetlands or riparian areas”** to the significance criteria for alteration of **“physical characteristic[s].”** BLM should also add the reference to *“wetlands or riparian areas”* to the significance criteria for water quality.
- BLM should add the following significance criteria: *“The cumulative effects of BLM management actions, activities, or other uses that lead to a degradation of streams, wetlands, or riparian areas.”*

Assumptions

- It is unclear what is meant by the assumption *“Access Roads will be properly designed.”* Is BLM assuming that these design elements will come from the Gold Book or that proper design will, in and of itself, reduce impacts for road-building on water resources below significance? If so, it should be clearly stated. If BLM believes that road design will mitigate impact to water resources, BLM must describe the specific design elements that will be incorporated (and whether they

will be incorporated in all cases) as well as provide a detailed analysis of the effectiveness of these measures in the DEIS.

Vegetation

Significance Criteria

- BLM should add the following significance criteria: *“The cumulative effects of BLM management actions, activities, or other uses that lead to a degradation of vegetation.”*

Assumptions

- BLM should add the following assumption: *“Presence of invasive weeds (e.g. cheatgrass) may substantially increase the time necessary to restore vegetative landscapes.”*

Fish and Wildlife

Significance Criteria

- BLM should add the following significance criteria: *“The cumulative effects of BLM management actions, activities, or other uses that lead to a degradation of habitat, substantially fragment habitat, or render a sizable portion of habitat unavailable (e.g. through avoidance), or unsuitable for wildlife use.”*

Assumptions

- We noticed that BLM deleted the assumption stating, **“Species monitoring programs would be sufficient and frequent enough to provide representative data to determine population success.”** Does BLM assume that *BLM monitoring is not sufficient or frequent enough to provide representative data to determine population success?* If so, this should be clearly described in the EIS.
- We have several questions and concerns with the assumption that states, **“Impacts to populations which exceed the perceived carrying capacity would not be considered significant”** and recommend that this assumption be deleted or corrected. We propose the following language that would resolve some of our concerns: *“If a scientifically- based showing can be made that impacts will only affect populations that exceed current carrying capacity (or only affects habitat used or vital to populations that exceed current carrying capacity) and will not reduce those populations below the carrying capacity, then the impacts would not be considered significant.”* Our specific questions and concerns with the assumption as written are as follows:
 - What BLM means by **“perceived”** carrying capacity?
 - How will BLM determine what portion of the population exceeds the current carrying capacity or what habitat is important only to that portion?

- How will BLM determine when impacts to wildlife are limited to the portion of the population that exceeds current carrying capacity? It is also unclear whether this assumes that if impacts are determined to only affect wildlife that are in excess, that those actions do not cause a significant impact to some or all of the rest of the population.
- How will BLM determine that impacts to habitat are limited to those areas used by or vital to populations that exceed current carrying capacity?
- This assumption is circular in that substantial impacts to habitat would lower the carrying capacity (thus increasing a proportion of a population that would “exceed” the carrying capacity), which could be followed by additional activities and impacts rendered “not significant.”

Special Status Species

Significance Criteria

- BLM should add the following significance criteria: *“The cumulative effects of BLM management actions, activities, or other uses that lead to a degradation of habitat, substantially fragment habitat, or render a sizable portion of habitat unavailable (e.g. through avoidance) or unsuitable for special status species.”*

Wild Horses

Significance Criteria

- BLM should add the following significance criteria: *“The cumulative effects of BLM management actions, activities, or other uses that lead to a degradation of habitat, substantially fragment habitat, or render a sizable portion of habitat unavailable (e.g. through avoidance), or unsuitable for wild horses.”*

Cultural and Heritage Resources

Significance Criteria

- BLM should add the following significance criteria: *“The cumulative effects of BLM management actions, activities, or other uses that lead to a degradation of cultural and heritage resources.”*

Assumptions

- BLM should add the following assumption: *“The risk of damage to sites is increased based on the degree of motorized access to the vicinity of the sites.”*

Paleontological Resources

Significance Criteria

- BLM should add the following significance criteria: *“The cumulative effects of BLM management actions, activities, or other uses that lead to degradation, direct or indirect damage or destruction to or loss of vertebrate fossils or other scientifically significant fossil resources.”*

Wilderness Study Areas

Significance Criteria

- We believe that BLM should replace the language **“an activity or developments”** so that the significance criteria reads **“Management decisions, an activity or development that ...”** We make this recommendation to ensure that BLM management decisions and other activities that may occur (such as OHV use, with or without a BLM decision to allow this activity) will be analyzed in the context of this significance criteria.

Lands [With or] Likely to Have Wilderness Character

We read BLM’s addition of lands **“with”** wilderness character to include lands that BLM’s field inventories have found do contain wilderness character (i.e. Vermillion Basin) in addition to those BLM has determined are **“likely to have”** wilderness character in the August 1, 2005 LSRA Wilderness Characteristics Determinations document. We maintain that additional areas within the RMPPA contain wilderness character.

Significance Criteria

- We agree that the resource at issue—wilderness character—ought to be analyzed under comparable significance criteria, and we appreciate that BLM made the changes to bring parity for analyzing impacts to wilderness resource both within and outside designated WSAs.
- For the reasons stated above for Wilderness Study Areas, we believe that BLM should replace the language **“an activity or developments”** so that the significance criteria reads **“Management decisions, an activity or development that ...”**

Areas of Critical Environmental Concern

Significance Criteria

- BLM should add the following significance criteria: *“The cumulative effects of BLM management actions, activities, or other uses that lead to a degradation the identified relevant and important values within the ACEC boundary.”*

Wild and Scenic Rivers

Significance Criteria

- The criteria should state: *“Management decisions, activities or other uses that allow **impairment of the outstandingly remarkable values or the free-flowing nature of the suitable WSR segments.**”*

Assumptions

- CNE raised a similar concern for ACECs that BLM should only assume, at this point, that management actions outlined in Chapter 2 *“are intended to and may provide”* adequate protection for the ORVs. Analysis through the EIS process will inform the BLM and the public whether and to what extent the management actions do provide protection.

Visual Resources

Significance Criteria

- The criteria should state: *“**Actions** or impacts causing an area to not meet **the objectives** . . .”*
- BLM should add the following significance criteria: *“The cumulative effects of BLM management actions, activities, or other uses that lead to a degradation of scenic values.”*

Assumptions

- While BLM may provide management actions to some beneficial protections to further degradation visual resources, *“the general trend across the resource area will be a degradation of visual resources.”* This language should be added to the first assumption.

Energy and Minerals

Significance Criteria

- The first criteria should read “A substantial reduction *in availability of lands for federal leasing and development...*” It would be unrelated to the RMP if, for example, the price of natural gas plummeted and the industry quit developing lands within the RMPPA.
- The application of the second significance criteria could find a timing restriction on the development for a single natural gas well to rise to the level of a “significant impact” whether or not actual development from this well would be considered “substantial” in regard to the resource that is available within the RMPPA or across the West. If the cumulative management actions or mitigations must rise to a level of “substantial reduction,” then we read these criteria as redundant and should be deleted. If not removed, BLM should provide such detailed treatment of cumulative impacts for all other resources. We recognize BLM added the overarching assumption that cumulative impacts analysis would occur for each resource looking for significant impacts; however, BLM does not take the time to articulate a cumulative impacts analysis for any other resource or use besides “Energy and Minerals.” We recommend that BLM provide such detailed cumulative impact analysis for each resource (and we have provided some suggestions under each resource), which would allow BLM and the public to fully appreciate the impacts to all resources across the RMPA. Finally, though we realize that subjective criteria are applied throughout this document, we especially caution against application of the use of “economically viable” and wonder whether BLM has access to objective or reliable information to evaluate in making this determination.
- BLM should add the following significance criteria: “*Development of energy and minerals causing direct, indirect or cumulative degradation of sizable portions of habitat leaving lands fragmented or not viable for wildlife use, degradation of sensitive species habitat, degradation of air quality, water quality, scenic values, or other resources within the RMPPA.*”

Assumptions

- BLM should add the following assumption: “*The available economic and other data for the energy extraction industry, including data regarding gross and net profit margins and ability to project energy market prices, is sufficient and recent enough to determine whether or not cumulative impacts of management levels rise to the level of being considered not economically viable.*” In order for BLM to determine whether impacts render resources development “not economically viable,” we believe this assumption must be true and, therefore, should be stated. BLM should also prepare detailed analysis on this criteria within the DEIS as it would for any other use or resource.

- BLM should add language to the assumption of long term surface disturbance to include “*as well as associated impacts to other resources such as wildlife habitat fragmentation, air quality, water quality, and visual resources.*”
- BLM should add the following assumption: “*If BLM receives proposals to drill wells in excess of the RFD or if BLM observes or anticipates that surface disturbance will exceed the anticipated levels, then BLM will not permit any further development until an RMP Amendment or Revision is completed.*”
- BLM should clarify (either in the Assumptions, RFD or Chapter 2) what portion of leases BLM believes will not be developed if BLM intends to use this assumption in finding that the non-development of leases is a factor of finding no significant impact to a given resource.
- BLM should add the following assumption: “*BLM will set specific standards for reclamation of well sites and associated surface disturbance.*”
- BLM should add the following assumption: “*BLM will require interim reclamation of unused portions of well sites and associated surface disturbance, and will require that interim reclamation activities commence within six months from the time that an area is no longer used.*”
- The assumption related to seismic surveys is problematic in at least two respects. First, a seismic survey that occurs one year before the end of the plan would never be fully reclaimed “within the life” of the RMP. Second, we echo the concerns raised by CNE on BLM’s assumed timeframes for vegetation recovery and question whether it is at all realistic to assume that 100% reclamation could be complete during the life of the plan.
- BLM assumption states “**Increased mitigation would generally increase...**” Change to “*may generally increase short term financial costs.*” This is an important distinction. As actual “**cost and risk**” associated to development include impacts to other resources such as wildlife habitat and water quality. Over the long term, the effective mitigation measures will actually cause the overall “cost” of development to be less.
- BLM should add the following assumption: “*BLM will incorporate appropriate BMPs into proposed APDs as Conditions of Approval and associated on and off-lease Rights-of-Way approvals.*” The revised Onshore Oil & Gas Order No. 1, the revised Gold Book, and the new Energy Bill all give BLM the authority to develop alternatives with BMPs and impose BMPs – not just make them subject to a suggestion or “voluntary” operator approval.

Livestock Grazing

Significance Criteria

- The criteria that states “**RMP management actions that prohibit ability to construct range improvements**” should include the language “*considered essential for maintaining livestock operations.*”

Assumptions

- BLM should add the following assumption: “*Grazing will continue in lands with wilderness character.*”
- Assumption that forage “**will be available for full preference AUMs**” AUMs should read that adequate “*forage is available for permitted AUMs.*”

Recreation

Assumptions

- BLM should add “*as will the demand for quiet recreation opportunities*” to the assumption stating anticipated increases in specific types of recreation demand.
- We are unclear as to what BLM means by the phrase “**new technology-based recreation activities.**”
- BLM should add the following assumption: “*BLM management of motorized recreation will increase the amount of ‘designated’ routes during the life of the plan.*”

Transportation and Access

Significance Criteria

- Limitation of access or travel without an “*intended purpose*” is not a significant impact. Such language should be added; without an “*intended purpose,*” travel would be purely recreational thus the impacts described should fall under the Recreation not Transportation and Access section.

Assumptions

- BLM should add the following assumption: “*Management decisions over the life of the plan will lead to RMPA that is generally more roaded.*”
- Assumption about increases to the transportation system should describe the amount of motorized roads and trails, stating “*by _____ miles of roads and _____ miles of new trails or ways created through motorized recreation.*” This information should be contained in Chapter 2 as well as clearly stated as an assumption for impact analysis.
- The assumption related to rate of growth of OHV use in the RMPA is not clear. Will BLM assume it will be Colorado or National rates?
- BLM should add the following assumption: “*BLM retains authority to regulate the use of highway rights-of-way over BLM land, particularly where use, maintenance or expansion of rights-of-way may cause ‘unnecessary or undue degradation’ to public resources.*”

Again, we thank the BLM for this opportunity to comment.

If you have any questions, please don't hesitate to call me at 970.824.5241.

Sincerely,

Reed Morris
Colorado Wilderness Network

Also on behalf of,

Suzanne Jones
The Wilderness Society

Pete Kolbenschalg
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