



DELTA COUNTY, COLORADO

BOARD OF COUNTY COMMISSIONERS

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Dist. 1: C. Douglas Atchley - Dist. 2: Don Suppes - Dist. 3: J. Mark Roeber

September 11, 2018

RE: DOI-BLM-CCO-N040-2018-0075-EA

Allen Crockett, Lease Sale Coordinator:

The Delta County Board of Commissioners (Board) is submitting the following comments to the Bureau of Land Management (BLM) on the Environmental Assessment (EA) of the lease parcels proposed for the December 2018 sale. The Board has reviewed the EA, evaluated the parcels that have been withdrawn, and considered the alternatives put forward. As previously mentioned in our July 16, 2018 letter, the Board understands that any substantiated oil and gas activity would go through the Delta County Specific Development process to address specific county impacts such as roads and infrastructure. The Board is providing comments to proposed leases in Gunnison County and withdrawn leases in Delta County; however Delta County defers to comments from Gunnison County as the authority in their respective county.

General Comments

The Board understands that any future project that is proposed would require extensive project-specific NEPA analysis and stated stipulations would be imposed at that time.

The Board appreciates the 25 additional stipulations and notices that have been put forward on the lease sale and understands that the requirements are intended to address issues from internal and/or external sources. The Board understands that the BLM will tier this EA to the 1989 Uncompahgre Basin Resource Management Plan (RMP) and stipulations from the Draft RMP/EIS, however there is a general concern with the BLM's legal ability to withstand the eventual litigation of implementing additional stipulations. The Board clearly understands that there has been significant delay in releasing the RMP/EIS as referenced in our April 16, 2012 EA comment letter in which Delta County recommended that BLM consider deferring the August, 2012 lease sales until 2013 when the RMP/EIS was expected to be released.

The Board is clearly disappointed that the Leases 8389, 8390, and 8391 were pulled from the sale. These three leases are the basis for the proposed pilot project for the North Fork Coal Mine Methane Working Group whose mission is to develop a comprehensive strategy for education, capture, exploration of mitigation, and economic utilization of coal mine methane. These lease sales would have allowed for the utilization of product and continuation of the exploration of viable alternatives. The Board understands that there is no regulatory pathway for such leases; however it was the BLM that indicated this course was a logical approach to address Coal Mine Methane. To continue to switch the goal post and regulatory pathway is frustrating at best and at its worst creates a disincentive to collectively solve issues.

The Socio-Economic Impacts portion of this EA did not fully evaluate the impacts and costs to the local communities. NEPA documents going forward must evaluate not only the income side of the balance sheet but the potential impacts as well.

Preferred Alternative

The five remaining lease sales in the Uncompahgre Field Office (UFO) include:

- 8320-combination of BLM and private land
- 8351-combination of BLM and private land
- 8135-private land
- 8138-private land
- 8140-private land

The Board is in full support of imposing the additional 25 stipulations that were evaluated and narrowed down to the applicable parcels. The Board appreciates that the West Elk Scenic Byway and Delta County Master Plan were referenced in the EA and used in the proposed stipulations. Additionally, the Board acknowledges the reference to the Delta County Master Plan. The year-long public process resulted in a Master Plan that contained the following goal:

Goal 7.0-Facilitate responsible, beneficial energy development in order to promote the wise use of natural resources, while also working with energy businesses, land and mineral management agencies, and neighboring county government to eliminate or mitigate , to the extent feasible with in the County's jurisdiction, both on and off site impacts of energy development activities to the environment, water resources, communities, public infrastructure, surrounding land uses, and the public health, safety and welfare within.

To facilitate this goal, Delta County has convened an Oil and Gas Working Group. The working group is comprised of industry representatives, concerned citizens, and county residents who are evaluating regulations to ensure that Delta County is effectively exercising the authority that is available to a local governing body in order to accomplish Goal 7.0. Proposed recommendations from the Oil and Gas Working Group will be provided to the Delta Board of County Commissioners in the fall of 2018 and these items will be considered for addition to the Delta County Land Use Plan and Specific Development Applications. Delta County will be using this information when project-specific NEPA analysis is proposed for future projects.

There are numerous existing federal and private leases in the same area as the proposed lease sales. The Board understands that the majority of the remaining leases is on private lands and respects the rights of private land owners to utilize their land and fluid minerals in cooperation with BLM and numerous other regulatory agencies including Gunnison County. The Board is in full support of the draft RMP/UFO 25 stipulations being placed on the leases.

The Board would also ask to include that the BLM consider the unknown cumulative offsite impacts caused by increased oil and gas development in or near the County. The support routes within the proposal do not involve Delta County roads; however, the County's maintenance of Forest Service road 265 within Delta County under an agreement with the Forest Service could be affected by the proposed plan. The County would like for any decision on the (EA) to consider the County's involvement in this support road. It is likely that Stevens Gulch Road (similarly maintained) may also be used at times in support of the leases and would also be of concern for the County. The County requests the EA acknowledge and address any impact of the project on these roads even if the ultimate use will be limited.

The Board supports responsible development of such resources in a manner which respects the BLM's mandate of multiple use and sustained yield while at the same time protecting the very resources and values that are important to our constituents; clean air, clean water, agriculture, tourism, recreation and a safe and health community for present and future generations.

Sincerely,
Board of Delta County Commissioners

C. Douglas Atchley, Chairman

J. Mark Roeber, Vice Chairman

Don Suppes, Commissioner

