

Bull Mountain Pipeline Final EIS Questions and Answers

1. How is a pipeline consistent with the 2001 Roadless Rule?

The 2001 Roadless Rule does not allow new road construction to occur within Inventoried Roadless Areas. Under the agencies' preferred alternative, no roads will be built within the IRAs in the project area and vegetative clearing will occur only within the construction ROW. It is the Forest Service's position that a construction corridor is not a road (temporary or otherwise) or travelway and it is not designed to a standard. It is a construction zone which allows necessary equipment to complete the approved work during a specific construction timeframe. After construction is completed, the corridor is maintained and managed for no-motorized use, in consistency with the mandates of the 2001 Roadless Rule.

2. Why is the pipeline being built bigger than the need to transport natural gas from the existing leases?

The project proponent requested to put in a larger pipe than is necessary to transport the current well production and potential future production from the Bull Mountain Unit to national markets. The existing pipelines cannot handle the extra capacity that is derived from the current wells *and* transport the gas to national markets. The Ragged Line and the Rocky Mountain lines are for local delivery and transport. The use of the additional capacity in the Bull Mountain pipeline could occur in several ways-through other pipeline transport and/or future well development. However, even though there are existing leases in the area, they have not been developed and may not be developed. Given the magnitude of environmental analysis and expense of installing the pipeline, SG Interests determined their need for this sized pipeline and the decision-maker determined that this was a reasonable request.

3. Why didn't the FEIS analyze future well development in the area and the potential impacts of those on the pipeline?

The FEIS addresses cumulative effects (reasonably foreseeable past, present and future actions) to the extent possible. However, because of the speculative nature of oil and gas well development, the effects of future potential development, to the extent possible, have been disclosed in the FEIS and in the cumulative effects sections for various resources.

4. How can this project be permitted to occur without a new leasing decision?

The approved action in this decision is to issue a right-of-way for a natural gas transmission line, a water-produced pipeline, and special use permits for additional work associated with this project (e.g. Forest road construction/reconstruction, access etc). Neither the Leasing Decisions nor the RFDs have bearing on this decision to issue a ROW for the pipeline project.

5. What will the impacts be to wildlife and their habitat?

The Final EIS analyzed the impacts to wildlife and other resources. The potential effects of the project on wildlife are described in Chapter 3 of the FEIS. In addition, a biological opinion was done for the project and the U.S. Fish and Wildlife Service (USFWS) was

consulted. Consultation was initiated on July 2, 2007 and completed on August 7, 2007. The determination by the USFWS is a “may affect, likely to adversely affect” the 4 Big River Fishes because of any water depletions (as covered in blanket consultation re-issued on April 27, 2007) and “not likely to adversely affect” Canada lynx. (Reference Tables 16, 17 and 18 in the FEIS for a comparison of alternatives summary for Wildlife Listed, Sensitive and MIS Species).

6. Why did the proposed roads and access change between the draft and final?

Based on updated information on the desired access by the proponent and better information on the types, weights and number of haul trips, the information on travel and roads has been updated and clarified between the draft and final EIS. The access roads, weights, levels of use, anticipated duration and the impact of equipment and vehicle use was analyzed in the FEIS in order to clearly identify the effects that could occur within the project proposal. When the proponent submits its proposed plan of work for the project and more detailed plans and designs for the roads, there could be other changes addressed in the special use permits for roadwork and access. Also, between the draft and final, SG Interests was not able to obtain ROWs from some landowners which created other needs/opportunities for access along some routes.

7. Why did the Forest drop the idea of creating a designated utility corridor along the chosen ROW route?

A designated utility corridor is not required to analyze and allow the pipeline to be installed. The Forest Service chose to drop the proposal to create a designated utility corridor along the ROW for several reasons. Primarily, the decision not to pursue this is a result of the 9th Circuit Court Ruling re-enacting the 2001 Roadless Rule. Pending the resolution of the Roadless Rule issue, it is not prudent to make this designation in this project decision. Also, the GMUG National Forest has been in the process of revising its Forest Plan and because of the Court’s ruling on the 2005 Planning Rule, activities to further develop the revised plan have been stalled and the Forest Service does not want to pursue this designation on the GMUG pending resolution of the requirements for Forest Plan revision.

8. How will my access to the Forest be affected by this project and when?

Prior to construction beginning on the actual pipeline, maintenance and reconstruction activities will need to occur on the roads that will be used for access to the pipeline. Actual work and the dates when this will occur will be determined in the project plan of operations and upon approval of the final designs, securing necessary permits, and other requirements. Access on certain Forest Roads and roads under private land or county jurisdiction may likewise be affected. Depending upon the plans and timing of work proposed by SG Interests, the Forest will provide updated information on the road status and operations at the Grand Valley and Paonia Ranger District Offices and will work with the media to post news releases in local papers. Construction on some roads may call for temporary closures and/or up to 2 hour delays in some locations. It is anticipated that the potential for greatest affect to access and delays could be during big game hunting season when an influx of visitors usually occurs. In addition, some routes may

have restrictions to unlicensed motorized vehicles on improved roads during peak traffic flows.

9. What safety precautions and traffic management will be implemented for the construction?

The Forest Service will require posting, signing and possibly traffic flaggers in locations where road work and construction activities occur. In some cases, temporary road closures may occur. The Forest Service will provide updated road status and construction information at the Rifle, Paonia and Grand Valley Ranger District Offices and will provide news releases as construction begins and ends to the media to keep the public informed.

10. How will this project affect my hunting access and recreation experience?

Pipeline construction activities will occur between May 1 through October 1 annually. Depending upon the season, hunters will likely be most affected by road access outside of the immediate vicinity of the pipeline. Truck traffic from construction equipment, supply trucks and road equipment trucks may affect game along the haul and access routes. Noise from construction activities could also affect game and hunting in the immediate vicinity of the pipeline and/or access roads. Also, driving unlicensed motorized vehicles on access roads will likely not be allowed during certain high volume traffic periods. Hunting in other areas will likely not be affected, other than if access is gained through portions of the road(s) that may be under reconstruction.

11. What criteria were used to develop/select the pipeline route alternatives?

Route selection was based on critical review of issues that affect overall project success in achieving the purpose and need. The following criteria (using Gas Pipeline Industry Standards) were used during the pipeline route assessment processes, and are listed in order of importance:

1. Public/construction safety hazards during & after construction –To the maximum extent feasible, reduce the probability of worker/public harm or third party damage to the facility by avoiding:
 - Routes through neighborhoods
 - Routes close to existing houses
 - Routes through residentially or commercially developing areas
 - Routing along active roads
 - Difficult terrain (rocky, steep slopes, side slopes, sloughing/erosive soils, saturated soils)
 - Minimize crossings (roads, rivers, canyons, utilities, railroads)
 - Crossing heavily forested areas (large diameter trees)
 - Crossing active agricultural fields, or
 - Routing at close offset from existing facilities, etc.
2. Constructability/Engineering/Operating feasibility – Evaluate the engineering requirements. Determine if the route can be reasonably constructed, accounting

for practical design, construction, and operation procedures including workplace safety and minimizing impacts to the environment. Considerations include:

- Department of Transportation (DOT) regulatory requirements
 - Pipeline diameter, wall thickness, operating pressure design for anticipated volumes
 - Compression/pump horsepower requirements and siting
 - Pipeline origin and terminus
3. Permitting feasibility – Identify permitting requirements and constraints. Reduce regulatory compliance issues, as practical.
 - Maximize use of existing corridors (i.e. parallel existing pipelines)
 - Route to avoid “point” resource impacts (i.e. wetlands, streams, archaeological sites, side slopes) to the maximum extent feasible
 - Construction time frame with consideration of any seasonal restrictions
 - Optimize route length and construction use areas to reduce overall physical impacts (minimize land disturbance)
 4. ROW Acquisition feasibility – Develop reasonable and practical route to minimize impacts to affected landowners (federal, state, and private).
 - Land ownership/tract density
 - Societal benefit from facility (i.e. bringing additional supply of utility gas, transport of mineral interest, exercising valid lease rights, etc.)
 - Land use types
 - Land owner concerns regarding the siting of the facility across their lands
 - Legally defensible route
 5. Access & Transportation Availability
 - Maximize use of existing roads for both construction and post-construction access (i.e. minimize use of temporary access roads).
 6. Economics
 - Consider capital costs related to construction, authorization and operation of facilities on a particular route

12. Does the State require protection of these Roadless Areas until the State-wide petition for Roadless areas is resolved?

The State has requested protection of IRAs. The Forest Service has agreed to State review of project analyses within roadless areas that are affected by the 2001 Roadless Rule. This project was initiated before the latest court ruling by the 9th circuit court. However, the Forest Service provided information to the State of Colorado about this project and the State was provided the opportunity to review this project prior to decision-making.

13. Can I appeal this decision?

Because BLM signs the formal decision approving this document, any appeals would follow BLM procedures, which differ from the Forest Service appeal process. This decision is appealable to the Interior Board of Land Appeals (IBLA). This is a full force and effect decision, which means the action is authorized as soon as the decision is signed. Information on how to appeal to the IBLA is contained in the decision notice document.

14. How can the BLM make a decision that affects national forest lands?

When proposed rights of way such as pipelines cover lands administered by more than one Federal agency, by regulation BLM is the lead agency on the decision. Through a Memorandum of Understanding, the Forest Service was the lead agency in preparing this EIS, including the alternatives, proposed alternative and environmental analysis. The majority of lands affected by this pipeline are Forest Service lands covered by Forest Service land-use plans.

15. How many comments were received on the Draft EIS?

The notice of availability of the Draft EIS was published on September 15, 2006, in the Federal Register with a sixty-day comment period identified. Fifty-five comments on the Draft EIS were received. Responses to those comments can be found in Appendix Q of the FEIS.

16. Can I comment on the Proposed Action Alternative or appeal the FEIS?

Persons are always able to write and submit comments to any federal agency at any time. No comment period is being offered with the release of the Final EIS. The Final EIS is not a decision document, nor is there a decision appeal period under 36 CFR 215.9 (Forest Service Appeal Regulations). The BLM may issue a decision 30 days after the Environmental Protection Agency publishes the Notice of Availability (NOA) of the Final EIS in the *Federal Register*. The BLM decision, when issued, will be a “full force in effect” decision and follows the regulations set forth in 43 CFR 2881.10.

17. 43 CFR Sec 2881.10 How do I appeal a BLM decision issued under the regulations in this part?

(a) You may appeal a BLM decision issued under the regulations in this part in accordance with **part 4** of this title.

(b) All BLM decisions under this part remain in effect pending appeal unless the Secretary of the Interior rules otherwise, or as noted in this part. You may petition for a stay of a BLM decision under this part with the office of Hearings and Appeals, Department of the Interior. Unless otherwise noted in this part, the BLM will take no action on your application while your appeal is pending.

Additional information is available for Part 4 of 43CFR at:

<http://www.blm.gov/nhp/news/regulatory/CFR/43CFR4.html>