Kathleen S. Roche

63255 Stonewood Drive

Bend, OR 97701

kathleensroche@gmail.com

307-760-9325

John R. Baldwin and Susan Elliott (sgelliott@fs.fed.us)

Humoldt-Toiyabe National Forest

Mountain City, Ruby Mountains and Jarbidge Ranger District – Wells Office

P.O. Box 246

Wells, NV 89835

Comments to Ruby Oil and Gas

I have read through your scoping letter for the Ruby Oil and Gas leasing project. You say that you will decide if all or a portion of these NFS lands are available or not available for leasing and what stipulations will apply to different areas.

The proposed leases spread several miles on either side of Harrison Pass, a very popular area for campers and deer hunters, while the southernmost tracts encompass crucial winter range and migration corridors for big game.

You also indicate that the area has been identified as open to leasing in the 1986 Land and Resource Management Plan.

I have the following comments and concerns:

1. Your Land and Resource Management Plan (Plan) is very old and should be revised prior to undertaking a decision involving 54,000 acres. Your Plan should be updated under the newer planning rules and this project should be delayed until that occurs.
2. Any action should be tied not only to what is permitted by the Plan but also to the goals and objectives included in that Plan.
3. Since this area is vitally important as a deer migration corridor, the best choice is not to make any of these lands available for leasing. Any alternative which minimizes the amount of land available for leasing is preferable to making more land available for leasing.
4. In your environmental analysis you need to:
	1. Supply information about the authority and responsibility to make this decision. Does the District Ranger really have the authority to make such a decision?
	2. Describe the existing condition including all past and ongoing disturbances, wildlife and fish and their habitat including Threatened and Endangered species that occur in the project area, threatened, endangered and rare plants and habitat, existence of cultural and historic resources, conditions of air and water.
	3. Compare all the alternatives including No Action in a format that illustrates and discloses the differences and similarities between and among them.
	4. Identify whether there are any additional agencies involved and whether there are any other permits that will be needed for implementation.
	5. Provide a response to the factors of significance (40 CFR 1508.27) if you prepare and Environmental Assessment:

Significantly as used in NEPA requires considerations of both context and intensity:

(a) Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action.

For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.

 (b) Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:

(1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

 (2) The degree to which the proposed action affects public health or safety.

 (3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

 (4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

 (5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

 (6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

 (7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

 (10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

1. Define stipulations, mitigation and monitoring that is required. Please include no surface occupancy for all inventoried roadless areas, areas with cultural and/or historic resources, migration corridors, recreation use areas as well as any areas used by sage grouse, stream corridors, rare plant habitat, steep slopes >20%, raptor nests and migratory bird corridors. Please also be specific about how and what will be required for reclamation and include a timeline for that to occur.
2. Include a discussion of direct, indirect and cumulative effects defining the cumulative effects area for each resource analyzed. Please include a discussion of how this will contribute to greenhouse gasses such as carbon dioxide and methane. Include a discussion of geological factor such as caves and naturally occurring asbestos or other hazardous dusts that might be released. How many roads will be needed and where they will be located. Will there be any caves affected?
3. Disclose the factors that will be used to make the decision.

