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Oil & Gas EIS Project

Mr. Robert Potts

Natural Resources and Planning Team Leader

National Forests and Grasslands in Texas

2221 North Raguet

Lufkin, Texas 75904

Dear Rob,

The Houston Regional Group and Lone Star Chapter of the Sierra Club (Sierra Club) provide these additional scoping comments for the U.S. Forest Service (FS) oil/gas leasing environmental impact statement (OGLEIS) under the National Environmental Policy Act (NEPA) for the National Forests and Grasslands in Texas (NFGT). The Sierra Club appreciates that the NFGT is preparing this OGLEIS and we want to participate and collaborate during this process.

1) There are several more articles that the Sierra Club provides to the FS.

1. "Big Oil looking to sell \$27 billion in global assets", Jordan Blum, Houston Chronicle, November 19,2019.

This article shows that the nature of oil/gas exploitation, "boom and bust", is causing even the largest companies to sell off their assets and retrench.

2. "Climatic ailments", Earthweek, Houston Chronicle, November 17,2019.

This article documents how climate change has and will affect public health due to disease range extensions.

3. "Shale sector is shrinking for its own survival", Jordan Blum, Houston Chronicle, November 16,2019.

This article documents how shale oil/gas companies are reducing jobs.

4. "Oil industry in Texas still trimming jobs", Erin Douglas, Houston Chronicle, November 16,2019.

This article documents how jobs are being reduced in the oil/gas sector.

Most of the articles above show that investment in oil/gas is risky and subject to "boom and bust" cycles that throw people out of work and degrade community economics and cohesion.

2) The Council on Environmental Quality's (CEQ) NEPA implementing regulations require that mitigation and monitoring occur. These requirements are spelled out in:

1. Section 1500.1 Purpose, (c), "The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment. These regulations provide the direction to achieve this purpose."

2[middot]. Section 1500".2 Policy, (e), "Use "the --NEPA process to identify and assess the reasonable alternatives to proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment."

3. Section 1500.2 Policy, (f), "Use all practicable means, consistent with the requirements of the Act and other essential considerations of national policy, to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment."

4. Section 1502.1 Purpose, "The primary purpose of an environmental impact statement is to serve as an action-forcing device to insure that the policies and goals defined in the act are infused into the ongoing programs and actions of the federal government. It shall provide full and fair discussion of significant environmental impacts and shall inform decisionmakers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment."

5.

Section 1502.14 Alternatives including the proposed action, (f), "Include appropriate mitigation measures not already included in the proposed action or alternatives. "

6. Section 1502.16 Environmental Consequences, (e), "Energy requirements and conservation potential of various alternatives and mitigation measures."

7. Section 1502.16 Environmental Consequences, (f), "Natural or depletable resource requirements and conservation potential of various alternatives and mitigation measures."

8. Section 1502.16 Environmental Consequences, (g), "Urban quality, historic and cultural resources, and the design of the built environment, including the reuse and conservation potential of various alternatives and mitigation measures."

9. Section 1502.16 Environmental Consequences, (h), "Means to mitigate adverse environmental impacts (if not fully covered under Section 1502.14(f[raquo]))."

10. Section 1503.3 Specificity of comments, (d), "When a cooperating agency with jurisdiction by law objects to or expresses reservations about the proposal on grounds of environmental impacts, the agency expressing the objection or reservation shall specify the mitigation measures it considers necessary to allow the agency to grant or approve applicable permit, license, or related requirements or concurrences." .

11. Section 1504.2 Criteria for referral, (f), "Environmental referrals should be made to the Council ... In determining what environmental objections to the matter are appropriate to refer to the Council, an agency should weight potential adverse environmental impacts, considering: (f) Availability of environmentally preferable alternatives".

12. Section 1504.3 Procedure for referrals and response, (c)(2)(vi), "Give the referring agency's recommendations as to what mitigation alternative, further study, or other course of action (including abandonment of the . matter) are necessary to remedy the situation." . .

13. Section 1505.2 Record of decision in cases requiring environmental impact statements, (b), "Identify all

alternatives considered by the agency in reaching its decision, specifying the alternative or alternatives which were considered to be environmentally preferable."

14. Section 1505.2 Record of decision in cases requiring environmental impact statements, (c), "State whether all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted, and if not, why they were not. A monitoring and enforcement program shall be adopted and summarized where applicable for any mitigation."

15. Section 1505.3 Implementing the decision, "Agencies may provide for monitoring to assure that their decisions are carried out and should do so in important cases. Mitigation (Section 1505.2(c)) and other conditions established in the environmental impact statement or during its review and committed a part of the decision shall be implemented by the lead agency or other appropriate consenting agency."

16. Section 1505.3 Implementing the decision, (b), "The lead agency shall: (b) Condition finding of actions on mitigation." .

17. Section 1505.3 Implementing the decision, (c), "Upon request, inform cooperating or commenting agencies on progress in carrying out mitigation measures which they have proposed and which were adopted by the agency making the decision."

18. Section 1505.3 Implementing the decision, (d), "Upon request, make available to the public the results of relevant monitoring."

19. Section 1508.20 Mitigation, (a) through (e), "Mitigation includes: (a) Avoiding the impact altogether by not taking a certain action or parts of an action. (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation. (c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment. (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action. (e) Compensating for the impact by replacing or providing substitute resources or environments."

20. Section 1508.25 Scope, (b)(3), "Scope consists of the range of actions, and impacts to be considered in an environmental impact statement ... (b) Alternatives, which include:  
(3) Mitigation measures (not in the proposed action)."

The FS should ensure that the appropriate mitigation and monitoring, the right amount of the mitigation and monitoring, and the documentation of mitigation and monitoring is done for the OGLEIS. The FS should release to the public, periodically, updates about mitigation and monitoring, their effectiveness, and whether more is needed.

3) The Sierra Club wants to look at the scoping comments that have been submitted for the OGLEIS. If the scoping comments are put on the NFGT website, the Sierra Club can look at these comments there. If that is going to occur, when will it happen? If the FS is not going to put the public scoping comments on the website or this will be done at a much later date, the Sierra Club requests that it be allowed to review the scoping comments at the NFGT office in January.

4) The Sierra Club requests a meeting with the FS about the proposed stipulations and other information that is on the maps that were sent. The Sierra Club appreciates that the FS sent these maps. The maps that the FS sent to the Sierra Club are: Existing Leases, Existing Stipulations, Decision Area and Key Resources, and Proposed Stipulations. The Sierra Club would like to have the Texas Conservation Alliance present at this meeting where discussion, questions, and comments about the maps is considered.

For Sam Houston National Forest (SHNF), the Sierra Club has questions about Longleaf Pine Compartments, Flatwoods Compartments, Clear Creek, Nebletts Creek, Baygall and similar wetland areas, blackland prairies, lakes, Lone Star Hiking Trail, other hiking trails, and other trails, proposed special management areas, Winters Bayou Scenic Area, and other topics.

The maps do not clearly show where private minerals are versus public minerals, where they are mixed, and the interaction between the two. The Sierra Club has asked the FS for a map that clearly shows where the public minerals and private minerals are. The Sierra Club requests that the FS provide it with this map.

The Sierra Club appreciates this opportunity to provide these additional initial .scoping comments about the OGLEIS. Thank you.

Sincerely,

Brandt Mannchen

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Chair, . Forestry Subcommittee

Houston ,Regional Group of the Sierra Club

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