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Comments: Ref: Catamount Spring Creek Project 63036 Scoping Letter 10/18/2022

Ref: 20221102 NSJB Stakeholders Meeting Notes JJB.pdf

Considerable concern about the potential impact of the Catamount Spring Creek Project on wildlife in the HD Mountains has been expressed. At the risk of being repetitive, it seems useful to express those concerns in the public comment record in response to the 10/18/2022 Scoping Letter.

Many individuals and agencies recognize the fact that the HD Mountain Range forms critical winter habitat for both mule deer and elk. The closure of public access through FS 537 for the winter period from December 1 to May 1 each year in part acknowledges the need to protect these herds and their winter habitat. According to information in the 20221102 Stakeholders meeting notes, this closure will be maintained during the construction and development phases, but access to authorized personnel will be allowed year round for maintenance and monitoring activities, including during the production phase.

On the surface, that policy may seem to mitigate the issue of disturbance of the herds in the winter. There are several secondary and tertiary issues that are not addressed by that policy. A part of these issues starts with jurisdiction questions over surface management by USFS, wildlife management by CPW, and USDA multiple use policies for public lands.

The matter is further complicated by the matter of SB19-181, that among other issues, gives some priority to consideration of impact on wildlife. CPW being a state agency is presumably in part bound by SB19-181 regulations. In the case of the Catamount Spring Creek Project gas well development and production, the question arises as to how CPW will address the increased threats to wildlife while the USFS addresses the need for enhanced Catamount access via FS 537.

As was explained in a previous comment submission regarding the potential negative impacts of increased public access due to improvements in FS 537, there is concern about both over-harvesting of wildlife as well as surface damage and erosion from inappropriate OHV travel. That concern is in part driven by the misconception that the critical winter period begins on December 1 each year. Such is not the case because the wintering herds begin arriving as early as mid-October. The herds are very vulnerable to hunting pressure and potential over-harvesting beginning at that timeframe.

One possible solution is to close the Spring Creek area to hunting beginning approximately October 15 when the deer herds start arriving. Another similar solution is to close Spring Creek Road FS 537 to public access beginning on October 15 each year. This solution would drastically reduce the issue of over-harvesting and excessive OHV travel while representing minimal impact on Catamount.

It is useful to bear in mind that the improvements proposed for FS 537 to allow Catamount to conduct its development and production of the six wells will support transport of large tractor trailer rigs, drilling rigs, aggregate trucks, heavy equipment, and hydraulic fracturing rigs. A side effect of a road of that quality is an open invitation to large RV's and travel trailers. A secondary effect is over hunting and the disruption of the wintering area. A tertiary effect is causing the herds to vacate the upper area and move down into the valley systems such as the Armstrong Canyon complex, Ritter Canyon, and Zabel Canyon. This relocation makes the animals at further risk of over-hunting via additional lower elevation access points. The cumulative impact of these side effects of improvement of FS 537 on wildlife is relatively negative, while essentially having no effect on Catamount operations.

In any case, it is hoped that the Spring Creek Project EA will assess potential cumulative impacts on wildlife and identify management decisions that prioritize protecting the wintering deer and elk populations as well as the overall HD Mountains environment and ecosystem. It would seem that this can be done without compromising Catamounts access requirements.