



!Nine Mile Canyon Coalition News

Summer 2010

WEST TAVAPUTS PLATEAU FEIS & ROD RELEASED

by Steve Hansen

The Bureau of Land Management (BLM) has released the Final Environmental Impact Statement (Final EIS) and Record of Decision (ROD) for the West Tavaputs Natural Gas Full Field Development Plan. The ROD reflects a historic agreement between the project proponent, Bill Barrett Corporation (BBC), and the Southern Utah Wilderness Alliance (SUWA) that will substantially reduce the project's environmental impacts while continuing to allow for vigorous new oil and gas production.

The ROD is effective 30 days from the date (July 29, 2010) that the EPA publishes its Notice of Availability of the Final EIS and ROD in the Federal Register. During the 30 days between the EPA publication and the effective date of the ROD, the ROD may be appealed to the IBLA, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy Street, Suite 300, Arlington, Virginia, 22203, in accordance with the regulations contained in 43 CFR Part 4. The appeal must also be filed with the State Director, BLM, Utah State Office, P.O. Box 45155, Salt Lake City, Utah, 84145-0155.

If you wish to file a petition for stay of the ROD pursuant to 43 CFR 4.21 during the pendency of your appeal before the IBLA, the petition for stay must accompany your notice of appeal. A petition for stay must show sufficient justification based on the standards listed in 43 CFR 4.21(b) which include:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of irreparable harm to the appellant or resource if the stay is not granted: and
- (4) Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on the IBLA at the same time it is filed with the State Director.

A copy of the notice of appeal, and statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building 125 South State Street, Salt Lake City, Utah 84138-1180, no later than 15 days after filing documents with the State Director or IBLA.

The Nine Mile Canyon Coalition urges each of you to review these most important documents and respond as prescribed above within the 30-day timeframe specified if you find the Final EIS and ROD objectionable per the four standards, also listed above. Preserving Nine Mile Canyon's cultural, environmental and aesthetic future depends on all of us being active participants.

Printed copies or CDs of the Final EIS and ROD can be requested from:

Price Field Office, Bureau of Land Management
125 South 400 West
Price, Utah 84501

Or read the documents via the Internet at:

http://www.blm.gov/ut/st/en/fo/price/energy/Oil_Gas.html.

For further information contact :
Tyler Ashcroft, Planning and Environmental
Coordinator

Telephone: (435) 636-3613
Address: 125 South 600 West
Price, Utah 84501
e-mail : Tyler_Ashcroft@blm.gov.

BOARD CHAIR'S MESSAGE

by Dr. Deanne Matheny

We hope you are all having a wonderful summer.

As usual we have much news about Nine Mile Canyon and hope you will enjoy the newsletter.

In my message I focus on an important upcoming event. At this year's Utah State History Annual Conference, there will be two sessions of presentations about Nine Mile Canyon. There will be presentations concerning recent investigations and developments regarding the prehistoric and historic sites in the canyon, as well as presentations about various aspects of its settlement and history. Both archaeologists and local historians are included among the presenters. This is a chance for all of us to learn more about Nine Mile Canyon and its history. Through these sessions the public will also be made more aware that Nine Mile Canyon not only has magnificent, diverse, and numerous examples of prehistoric rock art but many other kinds of prehistoric and historic resources. Its rich history, for the most part, still remains untold.

The Utah State History Annual Conference is a much anticipated event each year for those who love the history of this beautiful state, and we're pleased that Nine Mile Canyon will be a part of it this year.

This year's Annual Conference will be held on September 9-11, 2010 in Salt Lake City. Mark your calendars and check the Utah State History website for information about the conference and its schedule. There are many other great sessions scheduled, so please plan to attend. The website is found at:

☺ Nine Mile Canyon Site Stewardship Program Seeks Volunteers *by Dr. Pam Miller*

Through the Programmatic Agreement signed last January, the Price Field Office BLM has been working with a committee of Nine Mile Canyon Coalition members, the Utah Statewide Archaeology Society representatives, Utah Rock Art Research Association, College of Eastern Utah Prehistoric Museum, and others to develop the first site stewardship program for Nine Mile Canyon. Although our efforts focus on Nine Mile Canyon, the program is based on the Utah Site Stewardship Training developed by the Antiquities Division of Utah State History.

The first training session will begin Friday, August 27th at 1:00 pm at the Price Field Office BLM. Blaine Miller is leading the training efforts but we will be learning from many instructors. The Friday afternoon session will be an introduction to the philosophy of the program and the basics of the required paperwork. Saturday will be spent in Nine Mile

Canyon looking at actual sites on our monitoring list. The group has developed a lengthy list of sites that could be monitored and each participant will be able to choose a site to visit on a regular schedule. Some sites need close monitoring and several visits throughout the year; other sites will need only one visit per year. Participants will be able to choose their level of commitment. The purpose of the monitoring is to observe and record changes to cultural resources in Nine Mile Canyon. The changes may be a result of natural or human actions.

We hope many of our Coalition supporters will choose to work with us on the site monitoring. Some of you already watch closely certain sites whenever you visit the canyon. This will be learning to formalize your observations. It is an important time for Nine Mile Canyon because the final West Tavaputs Plateau Natural Gas Full Field Development Plan EIS has been released (July 29th) and industry work

A chemical spill at the Dry Canyon natural gas compressor station owned and operated by the Bill Barrett Corporation (BBC) was discovered when a truck driver noticed an oily sheen on the surface of Nine Mile Creek. It is believed that the spill, located below one of the compressors housed within large steel buildings, has been leaking a few gallons of a gasoline-like substance into the earth and a ground water aquifer for at least a year.

Initial news reports were misleading, as they appear to have been based only on interviews with BBC officials. The Associated Press reported:

“A gas driller says it has mopped up an oil leak in a creek outside a pipeline compressor station in eastern Utah.

Bill Barrett Corp. says “minor seepage” was discovered in 9 Mile creek near Wellington.

... Bill Barrett says the leak was discovered Tuesday and was contained by Thursday with no evidence of water pollution outside of the immediate location of the leak.”

Contrary to the AP report, the spill was not “near Wellington”, but occurred 44 miles east of Wellington in the heart of Nine Mile Canyon. The source of the leak had not yet been isolated, and the so-called

“*minor leak*” has actually been leaking into the ground for at least a year. According to unnamed sources at the Utah Department of Environmental Quality, this is not a minor spill, and it will take time for Bill Barrett to figure out where the spill is coming from and how to contain it. They also indicate that this will end up being a substantial cleanup and remediation project. So far cleaning up this “minor seepage” has cost BBC \$1 million.

While BBC was quick to notify government regulators-including the Utah Division of Water Quality, following the discovery- they neglected to notify surrounding property owners of the spill with information necessary to protect their health, property, crops and livestock. The property owners have yet to be contacted regarding the risks the spill may pose to surface and ground water resources in the region, and how to protect themselves from possible contamination.

In the wake of the BP oil spill in the Gulf of Mexico, this incident in Nine Mile Canyon is yet another important reminder of the need to make sure that comprehensive industrial disaster plans for identifying toxic emissions, leaks and spills, communicating to landowners and other stakeholders, cleanup methods and alternatives, and remediation **MUST** be addressed fully in the final Environmental Impact Statement (EIS). Without such planning, a Record of Decision for

FALL GATHERING

After four decades, thousands of volunteer hours, and countless generous donations, 63 individual sites in Nine Mile Canyon have at last been listed on the National Register of Historic Places. Please join us at the 2010 Fall Gathering to celebrate this historic moment. We have special activities planned and have invited many of the people involved in the nomination process as our special guests. So mark your calendars, and join us for this long overdue celebration!

SEPTEMBER 24, 25 & 26

Coalition and Partners Impact Federal Public Lands Policy

On March 30, 2010 it was announced that the U.S. Department of the Interior agreed in a legal settlement to curtail the use of a provision to streamline oil and gas drilling applications on public lands. The Bureau of Land Management agreed to stop using the fast-track provision nationwide when certain circumstances apply as part of the settlement of a lawsuit challenging the agency's approval of 30 natural gas wells in the Nine Mile Canyon region of Utah. This announcement refers to the complaint filed by the Nine Mile Canyon Coalition (Coalition), The Wilderness Society (TWS), and the Southern Utah Wilderness Alliance (SUWA) in August 2008.

At issue was a provision of a 2005 law that allowed BLM to approve certain oil and gas projects without preparing new environmental analyses that would normally be required by the National Environmental Policy Act (NEPA). Federal agencies have used "categorical exclusions" to approve thousands of projects when the agency determined the projects will not have significant effects to the environment.

BLM agreed to stop using these categorical exclusions when there are "extraordinary circumstances" such as impacts to protected species, historic or cultural resources, or human health and safety. Preservation and conservation groups hailed the agreement, saying it means BLM can no longer rely on a shortcut to approve development when it may harm a wide variety of lands including parks, refuges, recreation areas, wetlands, floodplains or other ecological significant or critical areas.

"We need to give the BLM the chance to think twice before approving more drilling without environmental

analysis," said Nada Culver, senior counsel for the Wilderness Society. "This is an important step toward ensuring that other valuable resources, such as the spectacular rock art of Nine Mile Canyon, and other essential uses of our public lands, such as recreation, are considered and protected before drilling."

Melodie Rydalch, a spokeswoman for the U.S. attorney's office in Salt Lake City, confirmed that the settlement "has both national and Utah-specific implications." The agreement requires BLM to consider extraordinary circumstances whenever it relies on a categorical exclusion to review applications to drill oil and gas wells on federal land, she said.

In Utah, Rydalch added, BLM agreed to study the effects of dust on the rock art in Nine Mile Canyon and not to rely on any categorical exclusions to approve permits to drill in the West Tavaputs area until the agency finalizes its environmental impact statement (EIS) for the area.

The Coalition expresses our appreciation to SUWA and TWS for their legal work and to the National Trust for Historic Preservation, the Utah Rock Art Research Association, and the Utah Statewide Archaeology Society for their encouragement and support. Small groups can accomplish great things when they work together.

Thanks to Noelle Straub of The New York Times, April 2, 2010.

Read the settlement here:

New Oral History Project

In keeping with our goal of preserving and protecting Nine Mile Canyon, the Coalition is excited to be embarking on our newest project; recording an oral history of the Canyon.

Most of us are quite familiar with the Canyon's rich pre-history, which stretches back many thousands of years. But many of us are less familiar with the area's more recent history and its current inhabitants. The Coalition feels it's crucial to document their life stories and the important contributions they've made to the Canyon's history.

To ensure these stories survive, the Coalition will be recording them straight from the folks who experienced them firsthand or have had them handed down through family histories. Our goal is to then transcribe them and perhaps publish them for the public to enjoy.

If you have a history in Nine Mile Canyon and would like to share it with us, or know someone else who might, please contact us at:

9MCC@xmission.com

2010 UTAH STATE HISTORY CONFERENCE

It takes a really big event to cause the Nine Mile Canyon Coalition to move its traditional weekend for the annual Fall Gathering, and this year one of those rare events has prompted the Coalition to do just that. Nine Mile Canyon will be a featured topic in two of the sessions at the *2010 Utah State History Conference* to be held at the historic Rio Grande Depot in Salt Lake City on Friday September 10th.

Schedule of Nine Mile Canyon-related sessions, Friday, September 10, Rio Grande Depot:

Session Six - 1:30 p.m. to 3:00 p.m.

Byron Loosle, *The Long and Windy Road: Placing
Nine Mile Canyon on the National Register of
Historic Places.*

Kristine Curry, *Protecting the Great Hunt
Panel: Development of an Interpretive Site*

Jody Patterson, *New Data, Old
Problems: Contemporary Archaeology of Nine*

Session Eleven - 3:15 p.m. to 4:45 p.m.

Blaine Miller, *Those Babcock Girls: The Populating
of Nine Mile Canyon with People and Lore*

Norma Dalton, *Nine Mile Canyon Early Settlers*

Bert Jenson, *The Nine Mile Canyon Road: Gateway
to Settlement*

This event, which is free to the public, will be well-worth taking a day off work to attend. A complete schedule of the *2010 Utah State History Conference* can be found online at

http://history.utah.gov/historical_society/annual_meeting/index.html

The historic Rio Grande Depot (also home to the Utah State Historical Society) is located at 300 South Rio Grande Street in Salt Lake City.

ALL NEW WEB SITE TO BE LAUNCHED!

Because of personal obligations, the Coalition's webmaster, Phil Miller, has been forced to resign. We would like to extend our heart felt thanks to Phil for all of the generous work he has done on our behalf and wish him all the best in his personal endeavors.

Replacing Phil is our new webmaster, Aaron Oldroyd. Aaron has spent countless hours building a beautiful new web site with many enhanced functions and features. A few kinks are still being worked out, but we should have it up and running in the near future. We'll be sure to send out an email announcing the unveiling.

Thank you Aaron!



Nine Mile Canyon Coalition

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Just a friendly reminder.....

Boy does time fly. Once again it is time for us to ask you to renew your membership. Coalition memberships run from October 1st thru September 31st of the following year. Member's donations have helped us make real changes to the way Nine Mile Canyon will be managed now and in the future. Your generous contributions have paid for the Canyon's nomination to the National Register of Historic Places, funded industrial impact research projects and have even helped change Federal public lands policies with our successful challenge of the use of categorical exclusions (CXs). We will also rely on your donations to help fund the Coalition's new Oral History project that is just being launched. So please consider renewing your membership to help us in our goal of preserving and protecting one of America's truly unique gems.

JOIN THE COALITION, RENEW YOUR MEMBERSHIP OR SIGN UP A FRIEND!

Please mail this form to: **Nine Mile Canyon Coalition, P.O. Box 402, Price, Utah 84501**

Please circle membership type:

Name: _____

Address: _____

City: _____ State: _____

Zip _____ Date _____

Phone: () _____

e-mail _____

Your support has helped create real change in BLM's management of Nine Mile Canyon!

Annual (\$25)

Corporate (\$1000)

Additional Gift

\$ _____

Please make check or money order payable to: **Nine Mile Canyon Coalition**

Thank you for your support!

FALL GATHERING

Early Registration Form

We are all very excited about this year's Fall Gathering. We'd like all of our Nine Mile Canyon friends and partners to join us for this special National Register of Historic Places Listing Event on Saturday September 25th, at the Nine Mile Ranch for a

FREE DINNER and long overdue **CELEBRATION!**

To say thanks for your help, the hot dogs, hamburgers and fixins are on us! The Fall Gathering runs Friday the 24th thru Sunday the 26th, and there will be no registration fee for this year's Gathering! But, please send in a registration form so that we will have a count for food and prepare your name tags. **Registered guests will be served first, please send in your registration by September 14th.** So far the Price City Wal-Mart and the Price UPS Store have donated funds for our Free Dinner and our volunteers are actively looking for more sponsors.

On Saturday we have some fun activities planned and have invited special guest speakers from many of the organizations and government agencies who were instrumental in the National Register Listing. So bring a chair and join us for a fun-filled day at the ranch or strike out on your own to explore the Canyon - we'll even provide you with a map and instructions.

Early Registration Form (Registered participants will be served first)	
Name of each person in your group (#)	
Address:	
Phone:	email:
Mail to: Nine Mile Canyon Coalition, PO BOX 402, Price, UT 84501	
<i>Our full registration form will be in the mail soon. It will allow you to pre-pay for breakfast and purchase our special commemorative t-shirts, sweatshirts, hoodies and bags.</i>	



For cabins and camping please contact
Ben and Myrna Mead at (435) 637-2572

SEPTEMBER 24, 25 & 26



FALL GATHERING

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