

**US Fish & Wildlife Service Environmental Assessment Scoping Process
on Lexam Explorations, Inc. proposal to drill in the Baca National Wildlife Refuge.**

HOW TO SUBMIT YOUR SCOPING COMMENTS

SEND TO:
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" Mike Blenden" mike_blenden@fws.gov

The 30-day deadline for comment is now Monday, September 17, 2007. E-mail Mike today and request an extension of the comment period to 45 days, since only 9 days notice was given before the beginning of the scoping process. Request another meeting be held in the area for the many people who could not attend the first meeting on such short notice.

The Environmental Assessment (EA) scoping process is required by the National Environmental Policy Act (NEPA). It is intended to identify issues and concerns that are important to you - the public - and other interested parties with regard to the potential impacts of Lexam's drilling on the Refuge. **This process is very important, as it will determine the outcome of the EA.** We've listed some points below that you may want to consider when submitting your comments. This is an opportunity to take a hard look at the consequences of drilling two 14,000 feet deep test wells on the surface environment of the refuge and for you to have your concerns addressed.

It is important to know that **there is no Management Plan in place for the Refuge.** This has two very important implications. First, the public has not been allowed access to the Refuge since it was created under the protection of the US Fish & Wildlife Service (USFWS) in 2004. Second, no comprehensive studies or analysis, such as an Environmental Impact Statement (EIS) have been conducted, making it difficult for USFWS to adequately assess the potential impacts of drilling on the Refuge. The Comprehensive Management Plan for the Refuge is not scheduled to start until 2011. It is important to state in your comments that **it is imperative that a highly detailed, comprehensive, site-specific analysis (such as a Management Plan or an EIS) be completed BEFORE Lexam be allowed to continue its drilling activities.**

As part of the NEPA process, the USFWS is required to present a range of alternatives to the public. These alternatives should include "best-case" scenarios with specific mitigation actions to minimize impacts and avoid "unreasonable or unnecessary damage" to the water, ecology, wildlife or cultural resources of the Refuge.

Listed below are some key issues for your consideration. This list is not comprehensive and we encourage you to elaborate and add others that may not be addressed here. In your comments consider the question, "what will be the impact of drilling activity on the surface estate and what action should USFWS take to reduce this impact?"

1. BIODIVERSITY

a. Rare, threatened and endangered species. The Crestone/Baca Land Trust will submit a list of 28 rare, threatened and endangered species expected to be found on the Refuge, including the globally imperiled Slender Spiderflower, endangered Southwestern Willow Flycatcher, and a genetically unique population of the endangered Rio Grande sucker). You can refer to the "CBLT list" and/or specify your own species of concern.

b. Wildlife

- (i.) Habitat fragmentation from roads, vehicle traffic, drill rigs and drill sites
- (ii.) Disruption of elk/deer/antelope corridors, calving grounds and normal foraging patterns
- (iii.) Road kill - request that wildlife alarm/warning systems be installed on all vehicles, 10 mph speed limits, no vehicle traffic allowed 1 hr. before/after dawn and dusk.
- (iv.) Garbage - strict rules on refuse disposal
- v. Aquatic species - baseline inventory & monitoring of all aquatic environments
- (vi.) Riparian corridors - monitor all areas within _ mile of roads or well sites
- vii. Noxious weeds - inspect and clean all vehicles entering the Refuge, immediate reseeding of disturbed areas, road edges

2. WETLANDS

- a. Locate roads and test wells at least _ mile from meadows, wetlands and riparian areas
- b. Compliance to State and Federal wetlands legislation

3. WATER

- a. Monitoring of water quality, intensive monitoring with _ mile of roads/drill pads
- b. Enforcement of rights under the State engineer
- c. Comprehensive geo-hydrological study & independent analysis of deep (17,000') strata and potential impact of breaching ancient barriers before drilling allowed.
- d. Assessment of potential for all unintended impacts leading to contamination of confined and unconfined (surface) waters – increase required bond to reflect actual cost of mitigation.

4. POLLUTION

- a. Pollution from the drilling process

- (i.) Measures to prevent spills and other accidents
- (ii.) Assessment of on and off-site waste dump site impacts

- b. List ALL chemicals used and potential effects on wildlife, water and people.

5. AIR QUALITY – complete disclosure and assessment of impacts of natural gas & oil dev. on air quality.

6. SOUND

- a. Magnitude and duration of sound impacts from trucks, drilling and compressors

7. CULTURAL RESOURCES (the Refuge has numerous world-class Folsom archeological sites dating back more than 11,000 years.)

- a. Consult Smithsonian Institute Archeologists who have been working in the area for years.
- b. Consult with Hopi and Ute Tribes
- c. Inventory and protect Spanish and other historical resources

8. ROADS

- a. Impacts of numerous, industrial vehicle traffic on County and local infrastructure, safety
- b. Impacts of erosion on plant communities and wildlife habitat
- c. Increased sedimentation in wetlands and waterways, esp. sensitive RG sucker habitat

9. ECONOMIC - Impacts from the loss of a pristine environment, solitude and quiet (Estimated 20,000 visitors/year here for spiritual retreat + many residents moved here for quality of env.)

- a. Loss of recreational & sport revenue & educational opportunities resulting from no public access.
- b. Impact on private property values.
- c. Impact on unique values of Crestone spiritual community and "Sense of Place"

Suggestions for Range of Alternatives (time, manner and way it happens) can include:

- Federal purchase of mineral rights under the Baca Wildlife Refuge.
- Stop oil and gas exploration activities until completion of a Comprehensive Management Plan.
- Federal support for a joint Colorado Oil and Gas Conservation Commission (COGCC) permitting of test wells #5 and #7 under the new State legislation and guidelines.
- Require directional drilling from outside of the Refuge
- Consider allowing one test well instead of two.
- USFWS request that COGCC apply double casing as an added safety measure.

- Monitor water quality as well as aquatic species diversity, range and abundance
- Require that bridges be built over meadows, wetlands and riparian areas that cannot be avoided.
- Pre-test well study and continuous monitoring of all waterways supporting the Rio Grande Sucker.
- Conduct a pre-test well study of water quality and species diversity in all streams, ditches and wetlands within mile of roads or test well sites being used by Lexam.
- Conduct continuous monitoring of species diversity in all streams, ditches and wetlands within mile of roads or test well sites being used by Lexam.
- Endorse and fund a community monitoring team to oversee drilling operations and monitor impacts on air, water, sound, wildlife, wetland and riparian areas.

Our goal is 5000+ comments submitted by Sept 15th. Please help by organizing a group (small or large) comment writing session. Contact Ceal Smith (719) 256-5780/ ceal@theriver.com or SLVEC slvwater@fairpoint.net for more information.