

Appendix G

Non-Significant Issues Derived from Scoping

Appendix G Non-Significant Issues Derived from Scoping

The USFS separated the issues identified through scoping into two groups: significant and non-significant. Significant issues were defined as those directly or indirectly caused by implementing the proposed action. Non-significant issues were identified as those:

1. outside the scope of the proposed action;
2. already decided by law, regulation, Forest Plan, or other higher level decision;
3. irrelevant to the decision to be made; or
4. conjectural and not supported by scientific or factual evidence.

The Council for Environmental Quality (CEQ) NEPA regulations require this delineation in Sec. 1501.7, "...identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (Sec. 1506.3)...".

Non-significant issues, and the reason for exclusion from further consideration is indicated in **Table A-1**. The exclusion reason number is that indicated in the list above. Concerns which are required to be considered in this EA were given a rating of 2. Concerns too vague to be adequately addressed were rated 3.

Table A-1: Non-Significant Issues Identified from Scoping

Issue	Reason for Exclusion
Effects of project implementation and interrelated and interdependent actions (connected actions) on affected private or state lands.	2
Compliance with federal and other regulations regardless of surface or mineral ownership including ESA, MBTA, and BGEPA.	2
Need to address cumulative impacts from oil and gas and coal development and associated transmission lines, power plants, and sub-stations.	1,2
Preparation of a Biological Assessment (BA).	2
Disclose both direct and indirect effects.	2
Tiering to Wyodak CBM EIS is illegal.	2
CBM development is not addressed in either the LRMP or the TBNG O&G EIS; therefore, neither address the impacts of CBM development and need revision prior to this EIS.	2
FS has deferred consideration of CBM development and its effects till completion of the PRB O&G EIS – to continue with this analysis would be piece-mealing.	2,3
340 federal wells are based on illegal leases.	2
Analyze all potential environmental impacts prior to the full commitment of resources made in granting approval of a multi-well project.	2
An EIS is required for this project due to the project having significant impacts.	2
Is the proposed development "tierable" to the Wyodak Drainage EA?	2
Several wells (Section 18, T42N,R70W) fall outside of the Wyodak EIS and Wyodak Drainage EA boundary – not "tierable"	2
Need a full range of alternatives that protect surface owners.	3
Develop management areas to facilitate more site-specific management approaches and mitigation measures to protect resources.	3
Do not lease any more lands for CBM development until the RMP is amended and a subsequent lease-specific EIS is prepared.	2
Economic value of coal mining greatly outweighs the economic value of CBM.	3,4