UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

September 26, 2012

Ms. Sue Porter
Planning and Environmental Coordinator
Bureau of Land Management
Bakersfield Field Office
3801 Pegasus Drive
Bakersfield, California 93308-6873

Subject: Bakersfield Proposed Resource Management Plan and Final Environmental Impact Statement, California (CEQ#20120276)

Dear Ms. Porter:

The U.S. Environmental Protection Agency has reviewed the above-referenced document pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The EPA reviewed the Draft Environmental Impact Statement and provided comments to the Bureau of Land Management on December 9, 2011. We rated the DEIS as Environmental Concerns – Insufficient Information (EC-2) due to concerns about proposed fluid mineral development, particularly how emissions from this activity would affect the State Implementation Plans for the nonattainment areas located within the Planning Area (as well as the potential impact of such emissions on Class I areas). We also expressed concerns that waterway segments warranting protection may lose their Wild and Scenic characteristics, surface water and groundwater may not be adequately protected, and newly listed animal and plant species may be adversely impacted.

Thank you for the detailed responses to our comments. The FEIS addresses many of the recommendations identified in our review of the DEIS. The EPA commends the BLM for addressing our biggest concern--air emissions from oil and gas production--by modifying the Proposed Resource Management Plan to include an Air Resources Management Plan, discussing the applicability of the *Memorandum of Understanding Regarding Air Quality Analyses and Mitigation for Federal Oil and Gas Decisions through the NEPA Process*, and including additional information in the FEIS regarding emissions from oil and gas development.

The EPA also recognizes the modifications made to, and the additional information provided in, the RMP/EIS to assess and mitigate impacts to groundwater resources. These measures, along with existing safeguards, will be crucial to protecting air and water resources if the BLM forecast of approximately 4,000 new wells drilled over ten years, and possible expansion (because of hydraulic fracturing) of oil and gas operations into previously undeveloped locations, is realized. The two auctions (one conducted, one planned), leasing parcels within and adjacent to the Bakersfield Field Office to oil and gas companies, and the expectation, stated in the FEIS, that hydraulic fracturing would be used on these lands if developed, suggests that the BLM projections are likely to be realized. We understand, based on communication with BLM staff, that the hydraulic fracturing wells that have been drilled thus far have not been as productive as anticipated. Nevertheless, we recommend that steps be taken now to assess the

potential use of hydraulic fracturing in future well drilling within the Planning Area; analyze the potential impacts to air quality, groundwater resources, and sensitive species from this use; and incorporate, into the RMP/Record of Decision, measures to avoid, minimize, or mitigate these impacts.

Please note that, starting October 1, 2012, EPA Headquarters will not accept paper copies or CDs of EISs for official filing purposes. Submissions on or after October 1, 2012, must be made through the EPA's new electronic EIS submittal tool: *e-NEPA*. To begin using *e-NEPA*, you must first register with the EPA's electronic reporting site - https://cdx.epa.gov/epa_home.asp. Electronic submission does not change requirements for distribution of EISs for public review and comment, and lead agencies should still provide one hard copy of each Draft and Final EIS released for public circulation to the EPA Region 9 office in San Francisco (Mail Code: CED-2).

We appreciate the opportunity to review this FEIS. If you have any questions, please contact me at (415) 972-3521, or contact Jason Gerdes, the lead reviewer for this project. Jason can be reached at (415) 947-4221 or gerdes.jason@epa.gov.

Sincerely,

Kathleen Martyn Goforth, Manager
Environmental Review Office (CED-2)