



July 21, 2017

Kathy Miller Boden  
Deputy Preservation Officer  
Bureau of Land Management  
Wyoming State Office  
*Sent via e-mail:* Kathy Miller Boden [kboden@blm.gov](mailto:kboden@blm.gov)

**Re: Wyoming BLM/SHPO Protocol Comments**

Dear Ms. Boden,

The Americas Onshore Committee of the International Association of Geophysical Contractors (IAGC) would like to take this opportunity to formally submit comments on the Wyoming BLM / SHPO Protocol Appendices.

IAGC is the international trade association representing the industry that provides geophysical services to the oil and natural gas industry. IAGC member companies play an integral role in the successful exploration and development of hydrocarbon resources through the acquisition and processing of geophysical data. Geophysical surveys are the only feasible technology available to accurately image the subsurface before a single well is drilled. Our member companies conduct many of their geophysical surveys on private, state, and federal lands throughout Wyoming and the adjacent Rocky Mountain states.

Geophysical operations are unique in that they cover vast areas but directly affect very few acres, and have been recognized by BLM as activities with “limited impact” and “transient” in nature. *Ref* BLM Manual 3150, dated June 7, 1994. Typically, geophysical operations do not occupy any surface area for more than a matter of minutes, and operations progress at the rate of about two square miles per day. Unlike construction activities such as pipelines, powerlines, well pads, and wind farms, geophysical operations can be modified to relocate the source of their minimal disturbance away from other important resources and should therefore NOT be included along with other activities administered by the BLM/SHPO Protocol.

Attached, please find a table consisting of specific technical comments on the protocol, Thank you for your consideration of the IAGC’s comments. Should you wish to discuss any of the details mentioned herein, please do not hesitate to contact me.

**International Association  
of Geophysical Contractors**

*office* +1 713 957 8080  
*US toll free* +1 866 558 1756  
*fax* +1 713 957 0008

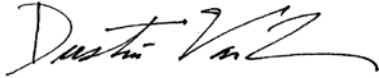
[www.iagc.org](http://www.iagc.org)

1225 North Loop West, Suite 220  
Houston, Texas 77008 USA

Ms. Boden  
July 21, 2017

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Sincerely,



Dustin Van Liew  
Director – Regulatory & Governmental Affairs  
International Association of Geophysical Contractors  
T: +1 713 957 8080  
Email: [dustin.vanliew@iagc.org](mailto:dustin.vanliew@iagc.org)

Cc: -Ms. Nikki Martin, President, IAGC  
-Mr. Jameson White, Manager – Regulatory & Governmental Affairs, IAGC  
-Mr. Eddie Gonzales, IAGC Americas Onshore Committee Chair  
-Mr. Keith Stevens, IAGC Americas Onshore Committee Vice-Chair  
-Mr. Dewitt Morris, IAGC Americas Onshore Committee Member  
-Mr. Bret Shafer, IAGC Americas Onshore Committee Member

**State Protocol between BLM Wyoming and the Wyoming State Historic Preservation Office  
Comment Form: Draft Appendices Review: Seismic/Geophysical, Revisions to Appendix C and Appendix L  
June-July 2017**

<b>Comment Number</b>	<b>Appendix Name</b>	<b>Page Number and Section</b>	<b>Commenter</b>	<b>Comment or Text Revision</b>	<b>Response</b>
1	Geophysical projects	Page 1 Section 1	IAGC	Geophysical projects are typically quite flexible during the planning phase and are not considered an undertaking under 36CFR Part 800. 16(y) until BLM authorization is required at the approval of the Notice of Intent. .	
2	Geophysical projects	Page 1 Section 1	IAGC	The operator will furnish BLM a clear, accurate map for the stage of the project (7.5' USGS), showing the preliminary line location and areas of preliminary activity, including but not limited to, seismic source and receiver lines, staging areas, access routes, and drop zones.	
3	Geophysical projects	Page 1 Section 1	IAGC	For a geophysical project to move forward from planning on paper to physical activity on BLM administered lands, a BLM authorization is required.  <ul style="list-style-type: none"> <li>- The sentence is incorrect as written and should be deleted (see 43CFR3150.0-5(b)). The BLM has no regulatory authority over geophysical operations until the threshold of “casual use” is exceeded. That being the “...use of heavy equipment or explosives and do not involve vehicular movement except over established roads and trails are casual use” emphasis added. It should be deleted entirely.</li> </ul>	
4	Geophysical projects	Page 1 Section 1	IAGC	The BLM cultural resource specialist will inform the CRUP of the area of potential effects (APE) and inventory requirements when the fieldwork authorization is approved in CRMTracker.  <ul style="list-style-type: none"> <li>- It is important to note, the “fieldwork authorization” discussed here is not a formal BLM approval/authorization, rather a “checklist” procedural notification that the CRUP has met the basic CRUP requirements and coordination with the BLM/SHPO and can now begin field inventory. This “fieldwork authorization” has never gone through the Administrative</li> </ul>	

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				Procedures Act process, does not have a formal BLM/OMB approved and numbered form and does not include rights of appeal to the IBLA. Therefore, it cannot be considered an undertaking in and of itself. The “undertaking” is the formal BLM approval of the NOI.	
5	Geophysical projects	Page 1 Section 2	IAGC	For heliportable shot holes, the minimum APE is a 25-foot radius from the shot hole center point.	
6	Geophysical projects	Page 1 Section 2	IAGC	The BLM cultural resource specialist may determine that site specific conditions and/or the potential for sensitive resources within an area require a larger inventory area to take into account potential direct and indirect effects.  - Minimum buffer standards are being set, but maximum buffer standards need to be addressed. For example, historical trails have buffers of 100 feet up to 1,320 feet. Even those areas that are considered “non contributing” were not allowed during the survey.	
7	Geophysical projects	Page 1 Section 2	IAGC	If the plan of development changes to where surface disturbance will occur along receiver lines, or the receiver lines will be laid down or picked up using motorized vehicles, a 100-foot minimum corridor (i.e. the APE) will apply to those lines.	
8	Geophysical projects	Page 2 Section 2	IAGC	All cultural resources not avoided within the APE will be fully recorded. The sites remaining in the final APE will be evaluated against all four criteria for eligibility to the National Register of Historic Places (NRHP) (Protocol Section V.B.i).  - This language needs to be carefully chosen. As it stands, all sites whether in the final APE or not, will need to be evaluated. If the seismic lines can be moved or adjusted around any site, then it does not need to be evaluated. This is the way other states handle arch. Surveying as	

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				seismic is very versatile and can be moved and adjusted to avoid any potential sites.	
9	Geophysical projects	Page 2 Section 5	IAGC	<p>If the BLM determines that sites need additional information to determine eligibility, the BLM may leave the site unevaluated pending further research if the cultural resource is not within the final APE.</p> <ul style="list-style-type: none"> <li>- It seems the BLM continues to have the authority to require site eligibility. We need clarity not further bureaucracy and additional, unnecessary costs. If avoidance for all recorded sites, eligible, non-eligible and undetermined is the protocol, then the resource is managed and protected. This should clearly state BLM WILL leave the site unevaluated...</li> </ul>	
10	Geophysical projects	Page 2 Section 5	IAGC	<p>If sites with the potential to be eligible under Criterion A, B, or C are located within the indirect APE, they must be evaluated prior to project authorization for assessment of effects.</p> <ul style="list-style-type: none"> <li>- Appendix C for “Guidance on Assessment of Setting” and “indirect APE” should fall under A.2g for temporary elements for seismic surveys. There are examples of the Visual Resource Management that have not used these criteria and have canceled a recording program. An indirect APE could also be interpreted as a means to manage resources outside the legal right of the BLM or State of Wyoming on Private lands.</li> </ul>	
11	Appendix C	2 A	IAGC	<p>“If the viewshed analysis indicates that a proposed undertaking will not be seen from the historic property then no further work is required.” As stated previously there need to be a line item for Setting Assessment describing circumstances for a seismic</p>	

