



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Colorado State Office
2850 Youngfield Street
Lakewood, Colorado 80215-7210
www.co.blm.gov



In Reply Refer To:
3120 (CO-922)

FEB 10 2016

CERTIFIED MAIL – Return Receipt Requested

DECISION

WildEarth Guardians
1212 Broadway, Suite 800
Oakland, CA 94612

Center for Biological Diversity
1536 Wynkoop, Suite 310
Denver, CO 80202

February 2016 Competitive Oil & Gas Lease Sale **Protests to Lease Parcel Numbers COC77454, COC77455, COC77456, COC77457** **and COC77458 Dismissed**

The protest period for the February 11, 2016, Competitive Oil and Gas Lease Sale began November 13, 2015 and closed at 4:00 p.m. Mountain Time on December 14, 2015. On December 14, 2015, this office timely received protests from WildEarth Guardians and Center for Biological Diversity regarding all five (5) parcels to be offered in the February 2016 lease sale.

The Bureau of Land Management (BLM) received nominations for the February 2016 lease sale until February 2, 2015. The parcels considered for the February 2016 lease sale include Federal fluid mineral estate located in BLM Colorado's Tres Rios Field Office (TRFO). After preliminary adjudication of the nominated parcels by the BLM Colorado State Office (CSO), the parcels were reviewed by the TRFO, including an interdisciplinary review, field visits to nominated parcels, review of conformance with the decisions for the planning area in the Tres Rios Field Office Resource Management Plan (February 2015), and preparation of a Documentation of National Environmental Policy Act (NEPA) Adequacy (DNA), DOI-BLM-CO-S010-2015-0020-DNA, for the parcels.

The Notice of Competitive Oil and Gas Lease Sale for the February 2016 lease sale provided notice that five parcels containing 4,912.330 acres of Federal lands in the State of Colorado would be offered for oil and gas leasing. The Lease Sale Notice and the review version of the DNA were released on November 13, 2015, initiating a thirty-day protest period. BLM CSO posted an addendum to the Notice of Competitive Oil and Gas Lease Sale on February 3, 2016, notifying the public of the parcel deferrals.

DECISION

At the discretion of the BLM Colorado State Director, five parcels were deferred from the February 2016 lease sale to allow time for further consultation with tribal governments before BLM decides whether to lease the parcels. As the protested parcels have been deferred from the February 2016 lease sale, the protests to the sale of these parcels are dismissed.

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1 (enclosed). If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from your receipt of this decision. The person appealing the decision has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must be submitted to each party named in this decision, to the IBLA, and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

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

If you have any questions regarding this response, contact Suzanne Mehlhoff, Fluid Minerals Branch Chief at (303) 239-3753.



Lonny R. Bagley
Deputy State Director
Division of Energy, Lands and Minerals

Enclosure

cc: Field Manager, Tres Rios Field Office
District Manager, Southwest District Office

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL	A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the <i>Notice of Appeal</i> in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a <i>Notice of Appeal</i> in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).
2. WHERE TO FILE	Colorado State Office (CO-923) Bureau of Land Management 2850 Youngfield Street Lakewood, Colorado 80215
NOTICE OF APPEAL.....	
WITH COPY TO SOLICITOR...	Regional Solicitor, Rocky Mountain Region U.S. Department of the Interior 755 Parfet Street, Suite 151 Lakewood, Colorado 80215
3. STATEMENT OF REASONS	Within 30 days after filing the <i>Notice of Appeal</i> , file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the <i>Notice of Appeal</i> , no additional statement is necessary (43 CFR 4.412 and 4.413).
WITH COPY TO SOLICITOR.....	Regional Solicitor, Rocky Mountain Region U.S. Department of the Interior 755 Parfet Street, Suite 151 Lakewood, Colorado 80215
4. ADVERSE PARTIES	Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the <i>Notice of Appeal</i> , (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).
5. PROOF OF SERVICE	Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).
6. REQUEST FOR STAY	Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a <i>Notice of Appeal</i> (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your <i>Notice of Appeal</i> (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the <i>Notice of Appeal</i> and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. Standards for Obtaining a Stay. Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (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 immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that **all** communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2006)