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Fax

State Director, BLM

To: Eastern States From: Jane Marie Watts, Kentucky Heartwood
Bred Slutskin

Fax: 703-440-1551 Pages: 3 following cover sheet

Phone: Date: 6/3/08

Re: Kentucky Heartwood's protest of parcels (Ky ES-020 thru ES-021) to be offered at BMS June 2008 CC:

Urgent For Review Please Comment Please Reply Please Recycle

● Comments:

Attached is Kentucky Heartwood's protest of parcels (Ky ES-020 thru ES-021) to be offered at BLM's June 2008 competitive oil & gas lease sale.

I am faxing from my husband's business - Kentucky Heartwood has no fax or phone number at this time. I can be reached at the address, phone, fax listed above as well as the address, phone & email listed on the protest. Thanks,

Jane Marie Watts, director
Kentucky Heartwood



KENTUCKY HEARTWOOD

Protecting the Beauty
and Well-being of
Kentucky's Public Forests

June 3, 2008

VIA FACSIMILE 703-440-1551

State Director
Bureau of Land Management
Eastern States
7450 Boston Boulevard
Springfield, Virginia 22153

**RE: PROTEST OF PARCELS (KENTUCKY ES-020 THRU ES-021) TO BE
OFFERED AT BLM'S JUNE 2008 COMPETITIVE OIL & GAS LEASE SALE**

Dear State Director:

In accordance with 43 CFR 3120.1-3, Kentucky Heartwood protests parcels Kentucky ES-020 thru ES-021 being offered at the Bureau of Land Management's (BLM) June 19, 2008, competitive oil and gas lease sale.

This protest is based on four concerns: 1) parcels being offered in state designated Wild River and proposed National Wild & Scenic River corridors; 2) parcels being offered in Cliffline Community, Riparian, and Wetland/Floodplain areas; 3) parcels being offered in areas of poor air quality; and 4) parcels being offered in areas known to contain PETS and other sensitive species.

I. THE PARTIES

KENTUCKY HEARTWOOD is a non-profit volunteer group that seeks to protect and restore the integrity, stability, and beauty of native forests on public lands in Kentucky through research, education, advocacy, and non-violent intervention. Kentucky Heartwood's members live in and around Kentucky and utilize the land and water resources within and near these areas for hiking, camping, recreation, photography, and aesthetic uses. Kentucky Heartwood is opposed to commercial extraction on public lands.

II. CONCERNS

The parcels of concern include over 450 acres in Pulaski County and more than

470 acres in Estill and Lee Counties in the Daniel Boone National Forest. All of these parcels are subject to F.S. Lease Notice No. 3 (PET and sensitive species) and No. 4 (wetland/floodplains). 30 acres of one Nominated Tract contain the Rockcastle River Corridor, a State Designated and Nationally Nominated Wild and Scenic River. These parcels also include rare communities and special Prescription Areas as well as areas where poor air quality is already an issue.

1. Rockcastle River Corridor--State Designated Wild River and Proposed National Wild & Scenic River

The Rockcastle River Corridor is a very popular recreation area for Kentuckians that is renowned for its spectacular scenery. It has historic, cultural, and ecological values as well. The Forest Service considers this area to be a Scenic Class 1, an area with the highest public value for aesthetic quality. Oil and gas wells degrade water quality by increasing stream sedimentation and adding contamination from brine and oil residue. These activities are incompatible with the Wild & Scenic designation and would degrade the values that support this designation.

2. Cliffline Communities, Riparian Corridors, and Wetlands/Floodplains

Cliffline Communities are considered Special Areas on the forest; the hydrologic condition of this habitat is the key component of these ecosystems. This unique habitat supports a variety of species found nowhere else. Road building is prohibiting in these areas and access to minerals is subject to No Surface Occupancy and Controlled Surface Use Stipulations. This significantly reduces the economic feasibility of developing such sites.

Riparian Corridors are also considered Special Areas on the forest where terrestrial and aquatic ecosystems interact. From ground water to canopy and outward across the floodplain, they provide habitat for a multitude of plant and animal species. Additionally, they afford some of the most valuable recreation sites. Mineral extraction degrades water quality and aesthetics in these areas.

Wetlands are uncommon on the Daniel Boone; they are so rare that they are critical to maintaining viability for a number of rare species associated with them. Additionally, the Forest Service projects a low amount of this habitat for the future. All parcels offered in this lease sale are subject to F.S. Lease Notice 4 because they may be classified as Wetlands.

3. Air Quality in Pulaski County

Oil and gas wells emit nitrogen oxides (NOx) and volatile organic compounds (VOC), primary criteria pollutants. Adding sunlight to these emissions creates ozone. In the Final Environmental Impact Statement for the 2004 Management Plan, the Forest Service reported an ozone monitor in Pulaski County was already recording poor air quality. The "data from this site suggests the possibility that this county will reach non-attainment for ozone." (April 2004 Final Environmental Impact Statement, Land and Resource Management Plan for the Daniel Boone National Forest (FEIS), p. 3-10). Tract C-1042c contains over 450 acres in Pulaski County.

4. PET and Sensitive Species

All of the parcels at issue are subject to F. S. Lease Notice No. 3 because they contain plant and animal species classified under the ESA or the Forest Service's Sensitive Species List. Cliffline Communities and Riparian Corridors play host to many of these species, specifically the federally endangered Indiana bat. These areas contain roosting and foraging habitat for both male and female Indiana bats. The Notice of Competitive Lease Sale makes no mention of white-nose syndrome (WNS), a white fungus linked to an unknown die-off disease among bats, including Indiana bats. In light of the serious threat of white-nosed syndrome to the Indiana bat, all projects that could potentially affect Indiana bat habitat should be halted until the disease is identified, the damage contained and the population of the species stabilized.

All other PET and Sensitive species should be identified prior to any lease sale.

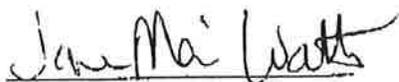
III. CONCLUSION

Mineral extraction adversely affects soil, air, water, flora, fauna and scenery. Significant degradation of ground water occurs when wells are abandoned or not adequately plugged. Energy supply is an important issue in America today, but extraction costs must be weighed against competing interests. Recreation provides more income in Daniel Boone counties than mineral extraction. FEIS, p. 3-344. When aesthetics and Wild & Scenic values are protected, recreation is a perpetually sustainable as well as economically valuable land use.

These parcels are in some of Kentucky's poorest counties. People living in poverty tend to be undereducated and lack access to documents, such as the Notice of Competitive Lease Sale. The people living in these areas have had no alternative but to work for the extractive industries in their communities, but they are eager to free themselves from the human and environmental exploitation that perpetuate poverty. In fact, when the Forest Service surveyed people living within 75 miles of the Daniel Boone, they found that local people want management emphasis on "(in order of importance by survey respondents) passing along the Natural Forest for future generations, protecting sources of clean water, providing protection for wildlife and habitat, emphasizing the planting and management of trees for healthy forests, providing places that are natural in appearance, and protection of rare or endangered species." FEIS, p. 3-342.

For these reasons, the offer for lease sale should be withdrawn and these areas declared unavailable for lease instead.

Sincerely,



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